

The European Council and the Western Balkans

Overview of discussions since the Lisbon Treaty

SUMMARY

The Western Balkans have regularly featured on the agenda of the European Council since the entry into force of the Lisbon Treaty in December 2009. Three dimensions – enlargement, counter-terrorism and migration – have been at the centre of the EU leaders' discussion of the subject. However, the message has often seemed technical and EU leaders have appeared less inclined to offer a strategic view of future relations between the EU and the Western Balkans. The European Council has held only one strategic debate on the Western Balkans, in March 2017, when it discussed the then deteriorating security situation in the region and agreed to keep it under review. The strategy for the Western Balkans put forward by the European Commission in February 2018 sends a strong political message of openness and inclusiveness to the countries in the region. In April 2018, the Commission's country reports for Albania and the former Yugoslav Republic of Macedonia recognised the progress made, and supported the opening of accession negotiations. In this context, EU leaders may consider enlargement at their next regular meeting, following a Council meeting on enlargement in June 2018.

I. Introduction

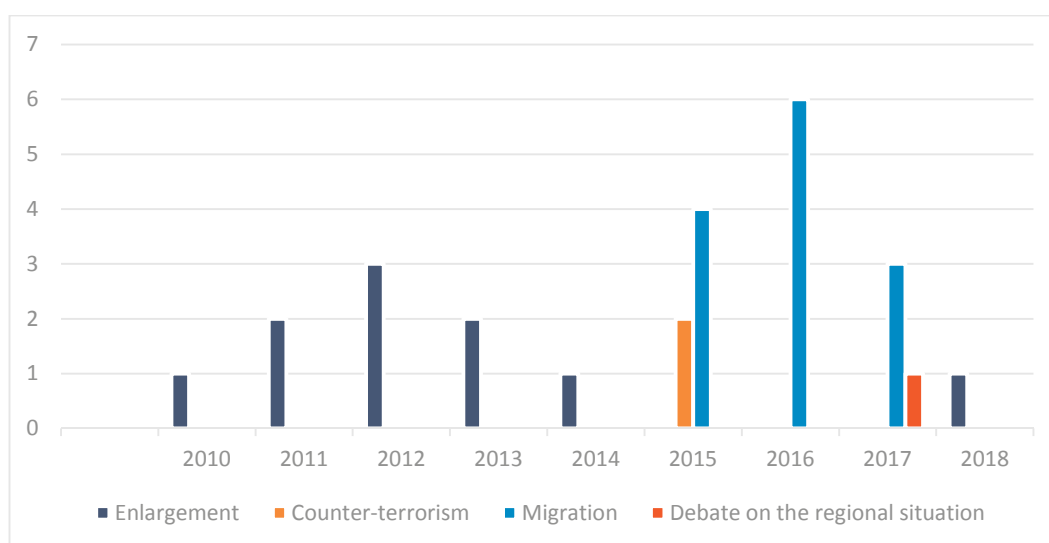
Against the background of the [revival](#) of the enlargement project championed by the European Commission, the European Council most recently referred to the situation in the Western Balkans at its [March 2018](#) meeting and it may revert to the topic in June 2018, following a Council meeting [dedicated](#) to enlargement. In the interim, an EU-Western Balkans Summit is scheduled to take place in Sofia on 17 May 2018. A priority for the Bulgarian Presidency of the Council of the European Union, the Sofia summit raises high political expectations among the Western Balkan countries (Albania, Bosnia and Herzegovina, Kosovo, the former Yugoslav Republic of Macedonia, Montenegro, and Serbia). The summit will focus on security and 'connectivity' (transport and energy), both flagships of the European Commission's February 2018 [communication](#) on 'A credible enlargement perspective for and enhanced EU engagement with the Western Balkans' (hereafter referred to as the [strategy for the Western Balkans](#)).

This relatively dense agenda appears a year after the March 2017 European Council, at which the Heads of State or Government discussed the then deteriorating situation in the Western Balkans. At the time, there was an [awareness](#) among EU leaders that the Western Balkans remain key to European stability and security. In this context, this Briefing will analyse the actions and main messages of the European Council towards the Western Balkans in three policy areas: enlargement, counter-terrorism and the external dimension of migration. These topics have been at the forefront of European Council discussion of the Western Balkans since the entry into force of the Lisbon Treaty in December 2009.

II. Western Balkans on the European Council agenda: An overview of the debates since the Lisbon Treaty

The European Council has regularly referred to the Western Balkans in its conclusions since the entry into force of the Lisbon Treaty (see Annex). As shown in Figure 1, the main topics addressed were enlargement, counter-terrorism and the external dimension of migration. Between 2010 and 2014, enlargement was the only Western Balkans-related topic on the agenda of the European Council. A shift occurred in July 2014, when the European Commission President, Jean-Claude Juncker, [announced](#) a 'break from enlargement'. From that moment on, the enlargement topic ceased to be highlighted at European Council meetings, a situation which continued until March 2018, when EU leaders announced that the Council would hold a debate on enlargement in June 2018.

Figure 1 – Incidence of Western Balkans-related topics in European Council conclusions



Source: EPRS.

The security aspect gained weight in European Council debates between 2014 and 2017. The rising number of foreign fighters departing the Western Balkans prior to 2014 and the [large number](#) of returnees around the same period posed a security threat to the EU (see Box 2). The European Council consequently considered strengthening counter-terrorism cooperation with the region. The outbreak of the migration crisis in 2015 led the European Council to refer regularly to the Western Balkans as it sought to stem migration flows through the Western Balkans route. The debates on counter-terrorism and on the external dimension of migration placed the internal-external security nexus at the centre of the EU's focus on the Western Balkans. Along the same lines, in 2016, the [EU global strategy](#) stressed the need to foster EU external action to achieve stability within the Union and in its neighbourhood. At that time, analysts warned that the multiplication of [technocratic](#) messages and the absence of a clear [political commitment](#) to the region could lead to 'reform stagnation' and/or backsliding in the region. They also indicated an increased risk that the region might disconnect from the European project, due to accumulated [fatigue](#) with an uncertain European perspective among the Western Balkan populations.

By March 2017, political instability was at its peak in several countries, including the [former Yugoslav Republic of Macedonia](#), which was bogged down in a long-lasting political crisis that it only overcame at the end of May 2017 with the formation of a [new government](#). [Across](#) the region, ethnic rivalries and nationalist rhetoric were rising, and were most pronounced in [Bosnia and Herzegovina](#). External actors, in particular [Russia](#), [Turkey](#), and [Saudi Arabia](#), were seeking to increase their influence through an increased cultural, media, and economic presence in the region.

Faced with the deteriorating political and security situation across the region, the European Council held a debate on the Western Balkans at its 9 March 2017 meeting. Prior to the meeting, President Tusk declared that he would 'propose to leaders that [the EU] take action, including in [its] strategic communication'. In a similar vein, the High Representative/Vice-President of the European Commission, Federica Mogherini, [expressed](#) her expectation that the European Council would 'send a very strong message of engagement, commitment and openness' to the region, in view of EU integration. The Heads of State or Government aimed to [reassure](#) countries in the Western Balkans of the EU's support and commitment to the region. Although not focused on [enlargement](#) in their debate, the EU leaders, at the [request](#) of the European Council President, Donald Tusk, reaffirmed 'the European perspective of the Western Balkans'. The European Council [assessed](#) the situation as 'fragile' enough to continue to 'keep it under review' but did not formally request in its conclusions that the European Commission take steps towards enlargement. On 15 March 2017, in the European Parliament, both President Tusk and President Juncker [spoke](#) of a European perspective for the Western Balkans. The two Presidents did not mention the term enlargement, but the grounds for revising the EU's policy in this area were already present (see also section II.1.3 below).

II.1. European Council and enlargement to the Western Balkans

II.1.1. Ground rules for enlargement defined by the European Council

As in previous enlargement rounds, future enlargement to the Western Balkans is governed by the rules [defined](#) at the Copenhagen European Council in 1993. At that time, the Heads of State or Government set a series of criteria with which countries wishing to join the EU were to comply in order to become a member. These include political criteria (institutional stability, rule of law) and economic criteria (functioning market economy) as well as the development of the necessary administrative and institutional capacity to implement the *acquis* and fulfil membership obligations.

Two other European Councils have further clarified the parameters for the enlargement process to the Western Balkans. First, the June 2003 [Thessaloniki](#) Summit reiterated the 'European perspective of the Western Balkans countries' and for the first time recognised their vocation to 'become an integral part of the EU, once they meet the established criteria'. Second, meeting in [Brussels](#) in December 2006, the EU leaders held a debate on enlargement and spoke of 'consolidation, conditionality and communication', the three pillars of the [November 2006 European Commission strategy](#). They endorsed stricter conditionality at all stages of the negotiations, as a lesson learned from previous enlargement processes. The Heads of State or Government also confirmed that 'administrative and judicial reforms and the fight against corruption' will be addressed earlier in the accession process. The EU leaders stressed that efforts to comply with the accession criteria will be evaluated separately for each country and that they would 'refrain from setting any target dates for accession until the negotiations are close to completion'. Of the six countries currently referred to as the Western Balkans, only the former Yugoslav Republic of Macedonia held candidate country status by 2006. Due to backsliding in reforms, mounting corruption and an unstable political situation up to May 2017, as well as the issue of its name, the EU accession process with that country has been at '[an impasse](#)', and accession negotiations have still not opened.

The December 2006 European Council was the last summit to focus on the ground rules for enlargement. The June 2008 European Council was the last, until March 2017, to debate the regional situation in the Western Balkans and adopt conclusions on progress made by each country individually.

II.1.2. Impact of the Lisbon Treaty

The entry into force of the Lisbon Treaty further institutionalised the role of the European Council in enlargement, by [recognising](#) that 'the conditions of eligibility agreed upon by the European Council shall be taken into account' (Article 49 TEU). The Treaty introduced a permanent, full-time President of the European Council and put an end to the primary role played by the rotating presidency of the

Council of the EU in European Council meetings. These two institutional changes have had an impact on the European Council's approach to enlargement in its debates.

The introduction of a permanent President of the European Council had a direct impact on the European Council agenda and conclusions. From December 2009 onwards, the agenda was steered by the European Council President and no longer by the rotating presidency of the Council, which, until then, was using European Council meetings to advance presidency priorities at least in part. During the first mandate of Herman Van Rompuy as European Council President (December 2009 to May 2012), the growing economic and financial crisis at the time led the European Council to focus on [crisis management](#) rather than on detailed monitoring of progress made in different policy areas, including enlargement. Given the overall economic situation, deepening EU integration by revamping the economic-governance system of the EU was favoured over widening the Union by including new Member States. This approach was consistent with the line defined by the European Council in 2006, when EU leaders outlined the importance of 'consolidation' and did not specify any date for a future enlargement.

Before the Lisbon Treaty, by contrast, the rotating presidency of the Council played a significant role in European Council meeting preparations and contributed to shaping their outcome. The predominant role of the rotating presidency in promoting enlargement was highly visible, for example, in the cases of Austria, Greece and Slovenia. The term 'Western Balkans' first entered the European Council conclusions at the December 1998 European Council in Vienna. Austria then held the rotating presidency for the first time. EU leaders stressed the importance of regional cooperation and considered the situation in each of the countries in the region. The Greek Presidency in 2003 culminated with the Thessaloniki European Council and the EU-Western Balkans summit, where it was confirmed that the enlargement process would continue after the accession of Bulgaria and Romania. In 2006, the second Austrian Presidency hosted a [ministerial level](#) conference with the Western Balkans countries in Salzburg, where the status of Kosovo, regional stability and the region's European future featured high on the agenda. The Western Balkans also featured high among the priorities of the Slovenian Presidency in 2008, and progress was made in several policy areas, including police cooperation, where the accent was placed on organised crime and the fight against terrorism.

The rotating presidency lost its central role in preparing European Council meetings with the entry into force of the Lisbon Treaty, although it is not entirely irrelevant. On 16 September 2016, the Slovak Presidency hosted an informal summit of the 27 Heads of State or Government in Bratislava. This allowed the rotating presidency to play a central role in steering the early stages of the Future of Europe debate. It also led to the introduction of a new practice of the rotating presidency hosting a summit in its own country during its six-month term on a topic of interest to the presidency (for example the Tallinn Digital Summit on 28-29 September 2018 reflected one of the Estonian Presidency priorities). As a result, analysts [point to](#) a limited revival of the rotating presidency's role. The organisation in mid-May 2018 of a summit in Sofia on and with the Western Balkans, a Bulgarian Presidency priority, confirms this pattern. However, it is too early to assess the impact of this summit (see also Section III below).

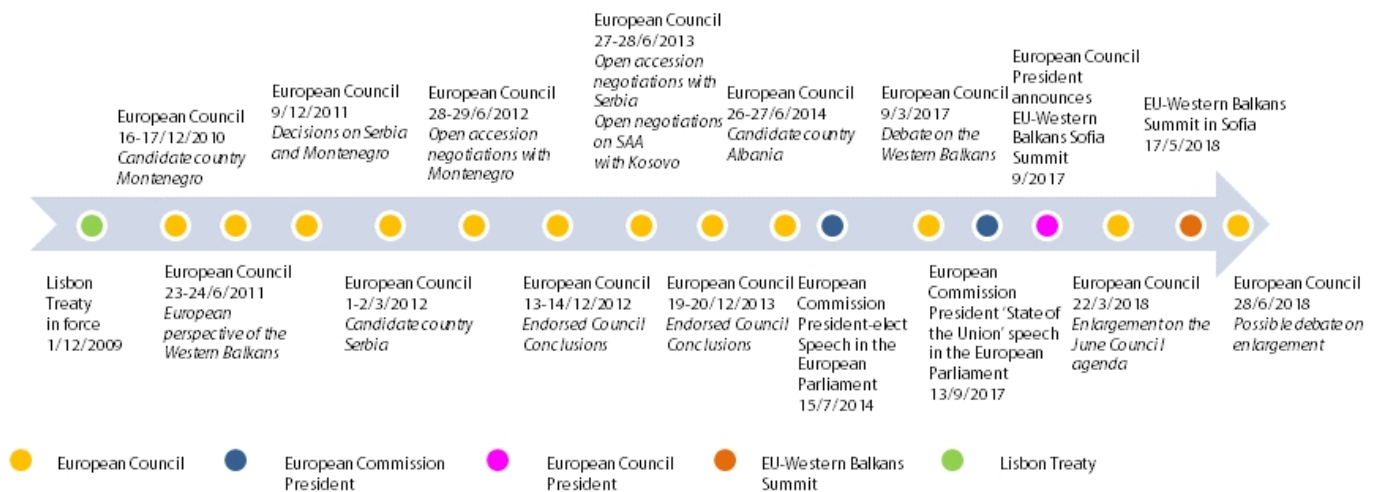
II.1.3. Country-specific approach

The country-specific approach prevailed over the regional dimension between 2010 and 2014. In 2011, when, in the context of the conclusion of accession negotiations with Croatia, EU leaders reaffirmed the European perspective on the Western Balkans, their message to the region was conciliatory. Moreover, no other reference to the regional context of the Western Balkans was made in European Council conclusions until March 2017. Nonetheless, the European Council systematically endorsed the Council conclusions on enlargement during this period (see Annex).

The [planning document](#) presented by President Herman Van Rompuy in June 2012 at the beginning of his second term in office as European Council President mentioned that the European Council would keep enlargement on the agenda. EU leaders would concentrate on major decisions, such as

granting candidate country status and opening or closing accession negotiations. This approach had already been visible during President Van Rompuy's first mandate, when, for example, the European Council granted candidate country status to Montenegro (December 2010) or acknowledged the conclusion of accession negotiations with Croatia (June 2011). The same trend continued during his second term in office (June 2012 to November 2014), when the European Council granted candidate country status to Serbia (March 2013), and endorsed the opening of accession negotiations with Montenegro (June 2012) and Serbia (June 2013), and the opening of negotiations on a stabilisation and association agreement with Kosovo in June 2013 (see Figure 2).

Figure 2 – European Council meetings considering enlargement to the Western Balkans



Source: EPRS.

However, two countries have been totally absent from European Council conclusions since the entry into force of the Lisbon Treaty: Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia. Their domestic political situations led, in both cases, to a stalemate in discussion at the EU level, and no major decisions were made regarding either country during the period, leading to their absence from the European Council conclusions.

The June 2014 European Council coincided with the start of the first mandate of President Tusk (December 2014 to May 2017). It was also the last European Council at which a major decision on enlargement was taken, in conferring candidate country status on Albania. During President Tusk's first mandate, the crisis management dimension prevailed and the EU leaders' debates focused on crises both domestic (for example, migration, security) and foreign policy (for example, Ukraine).

Enlargement towards the Western Balkans was absent from the European Council agenda between June 2014 and March 2018. EU leaders made no political and strategic commitment to the region during this period. The European Commission pursued work at a technical level, whilst the Council continued to take stock regularly of developments in all countries in the region. Certain analysts considered this to constitute a strategy of '[benign neglect](#)', and underlined the risk of instability [engendered](#) by EU, as well as United States, disengagement from the region.

The urgency to act in the Western Balkans, which was underlined at the 9 March 2017 European Council, led to a policy reassessment, particularly visible in the case of the European Commission.

The previous line [set](#) by the European Commission President, Jean-Claude Juncker, on 15 July 2014, when he outlined his policy priorities for his term in office in the European Parliament, proved no longer completely sustainable. At the time, President Juncker had announced a pause in enlargement but confirmed the continuation, at a technical level, of on-going negotiations. He returned to the European Parliament on [13 September 2017](#) and [stated](#) that the Western Balkans needed 'a credible enlargement perspective', thus paving the way for a new strategic document on enlargement to the Western Balkans.

The 6 February 2018 Commission strategy for the Western Balkans offered a clear prospect for enlargement to all six Western Balkans countries by the end of 2025, provided that they met the accession requirements. The [action plan](#) accompanying the strategy details the EU's [support](#) to the region, in six flagship initiatives: 1) rule of law; 2) security and migration; 3) socio-economic development; 4) increased connectivity (transport and energy); 5) digital agenda for the Western Balkans; and 6) reconciliation and good neighbourly relations.

At their recent [Gymnich meeting](#) in Sofia, EU Foreign Ministers [expressed](#) reservations regarding the strategy on the Western Balkans put forward by the Commission. For instance, Member States have different assessments of the readiness of some of the Western Balkans to join the EU at an earlier or later date than 2025. Hungary considered that the two frontrunners – Montenegro and Serbia – should join as early as 2022, whilst Slovenia considered 2025 as 'not realistic', as more time might be needed to meet the criteria and settle disputes. In addition, several Member States, including France, have stressed the importance of conditionality and of compliance with the accession criteria.

When advancing a date, albeit provisional and conditional upon accession progress, the European Commission wished to send a [strong political signal](#) to the region and underline the EU's commitment to enlargement. This approach is nonetheless in opposition to the 2006 European Council conclusions which stated that 'the Union will refrain from setting any target dates for accession until negotiations are close to completion'.

Remaining non-committal on a date until negotiations are close to completion might prove, in the long run, beneficial to both the EU and the Western Balkans, for at least three reasons. First, whilst emphasis on a clear date might be a push factor for public support for the EU integration process in the short-term, it might have an opposite effect later on if the accession date is not met.

Box 1 – EU and the Western Balkans in a nutshell

The conflicts in Yugoslavia were the first real test of the nascent EU Common Foreign and Security Policy (CFSP) in the early and mid-1990s. They showed that the Balkans would remain a persistent source of instability for the EU unless a sustainable integration perspective was offered to the region.

The European perspective of the Western Balkans took shape slowly but steadily between 1998 and 2003, at a series of European Council meetings where both the regional situation and that of individual countries were debated. At the June 2003 European Council in Thessaloniki, EU leaders made a political commitment to an enlargement to the Western Balkans, provided the countries meet the membership criteria.

The EU's commitment to stabilise the region was increasingly visible from 2003 onwards through the different Common Security and Defence Policy (CSDP) military and civilian operations and missions (EUFOR Althea in Bosnia and Herzegovina, EULEX Kosovo) and through [targeted assistance programmes](#) aimed at supporting, inter alia, capacity-building and cross-border cooperation.

The six countries forming the Western Balkans are moving at different speeds and via different paths towards EU integration. Two countries are currently seen as frontrunners in the European Commission's 2018 strategy for the Western Balkans, namely Montenegro and Serbia. Both have candidate country status and are well advanced in their accession negotiations, although [progress](#) in fulfilling the accession criteria is still required. Two other countries – Albania and the former Yugoslav Republic of Macedonia – have candidate country status and are waiting for a green light to begin accession negotiations. The other two countries in the region – Bosnia and Herzegovina and Kosovo – are, due to their domestic political situations, further behind in the process. At this stage, they only have Stabilisation and Association Agreements with the EU, and need to show substantive progress on both political and economic criteria to advance further. In the case of Bosnia and Herzegovina, [electoral reform](#) is a priority and, due to the short time remaining before the October 2018 elections, a [challenge](#). In the case of Kosovo, the normalisation of relations with Serbia is a prerequisite for advancing. Kosovo has made [slight progress](#) in reforming its public administration, whilst judicial reform is at an early stage.

For more information see the following EPRS publications: [Western Balkans: Enlargement strategy 2018](#) and [Western Balkans in the spotlight in 2018](#).

Second, accession to the EU is, as outlined in the Commission's strategy, 'a merit-based process' which might advance or stagnate depending on the path of reforms and the level of internal political stability. This is already the case with the former Yugoslav Republic of Macedonia, which in December 2005, became the first of the six countries in the Western Balkans to receive candidate country status. However, it subsequently experienced a deep internal political crisis, which has also impacted on the country's ability to solve the name dispute with Greece, and it is still waiting to begin accession negotiations.

Third, progress made by each country will be evaluated separately depending on each country's ability to increase its reform efforts. Some of the objectives to attain in the integration process are of a technical nature and more easily achievable, particularly if clear benchmarks are [defined](#) and observed throughout accession negotiations. Nevertheless, politically sensitive aspects linked to solving existing bilateral disputes and establishing good neighbourly relations might prove, in certain cases, more challenging to resolve.

The [Berlin Process](#) has allowed leaders from the region and some EU leaders to come together in a process initiated by Germany with the aim of countering the shadow over enlargement. It was instrumental in facilitating progress on solving bilateral disputes, including through the introduction of [annual country reporting](#) on progress undertaken. Currently, a window of opportunity exists, and is particularly valid in the case of the name dispute between the former Yugoslav Republic of Macedonia and Greece, where [experts](#) are optimistic for the first time in years – although it remains [uncertain](#) that a solution could be reached by the June 2018 Council, when a decision on opening accession negotiations is expected. The European Commission President, Jean-Claude Juncker, [called](#) upon Serbia to solve its dispute with Kosovo. This dispute is not only about establishing the border but, as [expressed](#) by the European Commission, requires a 'legally binding normalisation agreement', which would allow a resolution of the current situation where Serbia does not recognise Kosovo. A solution to this problem would allow both countries to advance in the integration process. However, in the case of Kosovo, accession to the EU would also require a change of policy from the five Member States that do not currently recognise its status (Cyprus, Greece, Romania, Slovakia and Spain).

The Heads of State or Government adopted [conclusions](#) on the Western Balkans at their March 2018 meeting. No commitment was made, but EU leaders referred to the Commission's strategy for the Western Balkans and confirmed that enlargement will be on the Council's agenda in June 2018. The President of the European Parliament, Antonio Tajani, [stated](#) that it is essential to 'manage migration, control borders and combat terrorism' and that the EU 'must offer the region a secure future in the European fold'.

The European Commission [published](#) its progress reports on the Western Balkans countries on 17 April 2018. The reports on Albania and the former Yugoslav Republic of Macedonia recognised the [progress made](#), stressed the need to continue reforms, and recommended the opening of negotiations. The High Representative/Vice-President of the European Commission, Federica Mogherini, [said](#) that a 'step forward today for the former Yugoslav Republic of Macedonia and Albania is a step forward for the entire Western Balkans region'. The Council will consider enlargement at its June 2018 meeting and, should it decide to open accession negotiations with the two countries, the European Council could endorse the decision at its June 2018 meeting.

II.2. European Council and counter-terrorism cooperation with the Western Balkans

The European Council has called twice, in February and December 2015, for stronger cooperation on counter-terrorism with countries in the Western Balkans as part of broader debates on the fight against terrorism. The 12 February 2015 informal European Council debate on terrorism was a last-minute addition to the [agenda](#). This was a reaction to the *Charlie Hebdo* attack in Paris on 7 January 2015, and [confirmed](#) the European Council's ability to respond to crises rapidly. EU leaders

adopted a [statement](#) giving orientations for future action along three main lines: 1) ensure citizens' security; 2) prevent radicalisation and safeguard values; and 3) cooperate with international partners. The Heads of State or Government spoke inter alia of the need to counter the terrorist threat in Syria. They called to strengthen counter-terrorism cooperation with countries in the Western Balkans and referred to 'new capacity-building projects', including in the area of border controls, and 'better targeted EU assistance'.

A number of decisions with implications for counter-terrorism cooperation with the Western Balkans were adopted shortly prior to, or as a result of, the 12 February 2015 summit. For example, the Foreign Affairs Council [decided](#) to step up counter-terrorism capacity in certain EU delegations in February 2015. As a result, a [post](#) of security/counter-terrorism expert for the Western Balkans, reporting to the Head of Delegation, was established in Sarajevo, Bosnia and Herzegovina. Furthermore, the [European Agenda on Security](#), adopted in April 2015, called for the extension of anti-radicalisation work to countries in the Western Balkans and the sharing of the experience gained within the EU through the Radicalisation Awareness Network (RAN) with them. This led to civil society capacity-building projects on countering radicalisation. The European Parliament adopted a [resolution](#) that stressed the importance of overseeing how EU assistance money is being spent, in order to avoid its misuse for 'proselytism, indoctrination and other extremist purposes'.

EU leaders referred again to cooperation with the Western Balkans at their December 2015 meeting, when the fight against terrorism featured high on the European Council agenda, stating that 'the EU will urgently strengthen counter-terrorism engagement' with countries in the region. The three lines of action defined in February 2015 are still followed today. The European Council has [regularly](#) reverted to the topic of counter-terrorism, and taken stock of progress made since. In preparation for the Sofia summit, EU home affairs ministers [discussed](#) counter-terrorism cooperation with the Western Balkans at their meeting in March 2018.

Regarding operational counter-terrorism cooperation, Europol established a [European Counter-Terrorism Centre](#) in early 2016. The centre allows sharing of intelligence and expertise on terrorism financing, and combats online terrorist propaganda and extremism. To facilitate operational cooperation with countries in the Western Balkans, Europol has [concluded](#) operational and strategic agreements with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia. These agreements are general cooperation agreements, which facilitate the exchange of information with countries in the region, including on counter-terrorism. Since December 2017, Kosovo is on the Europol [list](#) of 'priority partners for strategic cooperation' allowing for intelligence sharing, including on counter-terrorism.

Box 2 – Terrorism in the Western Balkans

The break-up of the former Yugoslavia and the conflicts of the 1990s continue to have consequences in the Western Balkans today. First, large amounts of illegal weaponry, particularly small and light weapons, mines and explosive devices, are still present in the region. These continue to feed into [illicit trafficking](#). Furthermore, they [were](#), and still can be, acquired by terrorist groups. This represents a significant security risk for both the EU and the Western Balkans, despite [increased](#) regional cooperation efforts and a strong ministerial-level commitment to reduce and control arms proliferation.

Second, the conflicts of the 1990s have attracted foreign fighters from outside the region. The post-conflict period led in certain parts of the Western Balkans, and, in particular, in Bosnia and Herzegovina, to [cash flows](#) from Gulf States channelled inter alia to education institutions. Analysts [consider](#) that 'the seeds of radical Islam were planted' then and led 20 years later to exporting foreign fighters to conflict zones in Syria and Iraq. All countries in the region have been affected to different degrees, although Bosnia and Herzegovina and [Kosovo](#) were more exposed to departing foreign fighters in terms of numbers. These countries also had to address the challenge posed by returnees or individuals transiting the region towards EU countries. Experts [estimate](#) the number of people who have left the region for conflict zones in the Middle East since 2011 at up to 1 000, and the number of returnees at 250. Western Balkan states amended their legislation and, in line with [UN Security Council Resolution 2178/2014](#), criminalised travel for terrorism, participation in foreign conflicts and training in view of terrorist activities, as well as their financing and facilitation.

Regarding judicial cooperation, Eurojust has concluded [cooperation agreements](#) with Montenegro and the former Yugoslav Republic of Macedonia. In October 2017, at the EU-Western Balkans Justice and Home Affairs Ministerial Forum, ministers [recognised](#) the importance of judicial cooperation agreements in fighting transnational crime. The countries in the region without cooperation agreements with Eurojust were encouraged to conclude them as soon as possible.

II.3. European Council and migration: Addressing the challenges of the Western Balkans route

The outbreak of the migration crisis in spring 2015 led EU leaders to put the issue on the agenda at all of their [six meetings](#) held in regular or informal settings between April 2015 and December 2016. Four of these meetings underlined the growing challenge posed by the increasing number of migrants arriving by the Western Balkans route. In June 2015, EU leaders called for the organisation of a high-level conference to address the challenges of migration flows along the Western Balkans route. At their September 2015 informal meeting, the Heads of State or Government went further and called for targeted support to the Western Balkans countries to help them manage growing migration flows, including through the use of the [Instrument for Pre-Accession Assistance](#) (IPA).

On 8 October 2015, a [High-Level Conference](#) at ministerial level was organised in Luxembourg to address the challenges of migration flows on both the Western Balkans route and the Central Mediterranean route. Ministers focused on support for transit countries in the Western Balkans, and decided to 'provide immediate first line principled humanitarian assistance'. They stressed the importance of improving the capacity of affected counties to register and process asylum applications, and the need to strengthen cooperation on fighting migrant smuggling and trafficking in human beings through improved cooperation among the relevant EU agencies (i.e. Europol, European Asylum Support Office, European Border and Coast Guard Agency) and with international agencies (i.e. Interpol). They also stressed the need to draw on external action instruments (e.g. development assistance) to engage with countries of origin and address the root causes of migration.

At the subsequent two European Council meetings of October and December 2015, EU leaders called for a follow-up on commitments made at the High-Level Conference. In parallel, on the initiative of the European Commission, in October 2015, a [meeting](#) resulting in a 17-point operational action-plan was held in Brussels with the leaders of eight EU Member States (Austria, Bulgaria, Croatia, Germany, Greece, Hungary, Romania and Slovenia) and three Western Balkans countries (Albania, the former Yugoslav Republic of Macedonia, and Serbia), all 'concerned and most affected by the emergency situation along the Western Balkans route'. As a concrete development, [weekly monitoring](#) of the situation on the Western Balkan route was instituted and has allowed for an [exchange of information](#) on concrete operational actions between the relevant EU institutions, EU Member States and the Western Balkan countries. Twice monthly monitoring, now reduced to monthly monitoring, was introduced progressively as the situation on the Western Balkans route has stabilised.

The Western Balkans route was on the leaders agenda at [five](#) out of six European Council meetings organised in 2016. Most attention was devoted to the region in the first quarter of the year, at three meetings ([18-19 February 2016](#), [7 March 2016](#) and [17-18 March 2016](#)), where the European Council expressed its [concern](#) regarding 'the continued and sustained irregular migrant flows along the Western Balkans route' and called for enhanced cooperation between the EU and the region. The [EU-Turkey statement](#) on migration of 18 March 2016 helped release pressure on the Western Balkans. The Heads of State or Government continued to express their support for the region in addressing the challenges of migration in the second half of 2016, both at regular European Council meetings (EU-28) and in the EU-27 format. This was the case on 16 September 2016, when the 27 Heads of State or Government identified support for measures to counter migration flows in the Western Balkans as one of the priorities of the Bratislava Declaration and Roadmap. They maintained the Western Balkans region on their migration agenda at three European Council meetings throughout 2017 (see Figure 1 and Annex).

III. EU Leaders' Meeting in Sofia on 16 May and EU-Western Balkans Summit of 17 May 2018

In the [invitation letter](#) sent to EU leaders ahead of the September 2017 informal Digital Summit, held in Tallinn, the European Council President, Donald Tusk, 'propos[ed], in agreement with Prime Minister Boyko Borisov, that [EU leaders] gather in Bulgaria for a Western Balkans summit' in May 2018. At the October 2017 European Council meeting, the Heads of State or Government adopted the [Leaders' Agenda](#) and confirmed their intention to meet in Sofia in May 2018.

EU leaders will meet for an informal dinner on 16 May 2018 in Sofia. Based on the Leaders' Agenda, they will most probably [consider](#) the internal and external dimensions of migration in a Leaders' Meeting. If maintained, this debate would be a [follow-up](#) to the previous discussion held in December 2017 on the basis of a [leaders' note](#) circulated by President Tusk. The topic remains highly sensitive and, in case of insufficient progress, an additional meeting could be organised in June 2018, in view of reaching formal agreement at the October 2018 European Council meeting.

President Tusk will chair the [EU-Western Balkans Summit](#) on 17 May 2018, which will allow the leaders of the EU and of the six Western Balkans countries to focus on security, transport, energy and digital infrastructure. In its 2014 conclusions, the European Council twice agreed to 'further strengthen the Energy Community, which aims to expand the EU's energy *acquis* to enlargement' countries. The [outcome](#) expected by the Bulgarian Presidency 'is to achieve a clear action plan with each of the countries, without creating unrealistic expectations, but with concrete steps'. The 'European perspective and connectivity of the Western Balkans' is a top priority for the Bulgarian Presidency of the Council of the EU. It [confirms](#) the readiness of the rotating presidency to maintain a prominent role and seek to advance its priorities.

The summit in Sofia will [not focus](#) on enlargement. This is a clear indication of persistent diverging [national views](#) (see section II.1.3 above). Furthermore, the EU-Western Balkans Summit might not display the image of unity initially intended by the Bulgarian Presidency. Several EU governments fear separatism. This is the case with the Spanish government, which in 2017 was confronted with a severe domestic political crisis over Catalonia. In view of recent developments, the Prime Minister of Spain, [Mariano Rajoy](#), has indicated that he might not attend the summit in Sofia. It is [unclear](#) whether leaders of the other four EU countries that do not recognise Kosovo might also take a similar position and refuse to attend. Yet, the EU leaders are expected to adopt a declaration on the Western Balkans, which would, *inter alia*, focus on the internal/external security nexus. The last EU-Western Balkans Summit was held in Thessaloniki in 2003, when Kosovo was under United Nations administration. More recently, since 2014, Western Balkans summits have been organised yearly under the Berlin Process and have allowed the region to maintain its ties to the EU project. The fifth [Western Balkans summit](#) under the Berlin process framework will take place in July 2018 in London, where the focus of the discussions will be on security and economic stability.

Annex – Main messages of the European Council on the Western Balkans (2010-2018)

European Council meeting	Debate/ Orientation/ decision	Mentioned only	Outcome
16-17 December 2010	X		<ul style="list-style-type: none"> - endorsed 14 December 2010 Council conclusions on enlargement; - candidate country status for Montenegro.
23-24 June 2011	X		<ul style="list-style-type: none"> - confirms the European perspective of the countries in the Western Balkans, provided the path of reforms is maintained; - will revert to the topic in December 2011.
9 December 2011	X		<ul style="list-style-type: none"> - endorsed 5 December 2011 Council conclusions on enlargement; - decisions on the EU's enlargement process regarding Serbia and Montenegro; - recalled its December 2006 conclusions.
1-2 March 2012	X		<ul style="list-style-type: none"> - endorsed 28 February 2012 Council conclusions on enlargement; - candidate country status for Serbia.
28-29 June 2012	X		<ul style="list-style-type: none"> - endorsed the Council decision to open accession negotiations with Montenegro on 29 June 2012.
13-14 December 2012	X		<ul style="list-style-type: none"> - endorsed 11 December 2012 Council conclusions on enlargement and the Stabilisation and Association Process;
27-28 June 2013	X		<ul style="list-style-type: none"> - endorsed 25 June 2013 Council conclusions on enlargement; - decided to open accession negotiations with Serbia. - authorised the opening of negotiations on a Stabilisation and Association Agreement with Kosovo.
19-20 December 2013	X		<ul style="list-style-type: none"> - endorsed 17 December 2013 Council conclusions on enlargement and the Stabilisation and Association Process.
26-27 June 2014	X		<ul style="list-style-type: none"> - endorsed 24 June 2014 Council decision to grant Albania candidate country status.
12 February 2015		X	<ul style="list-style-type: none"> - strengthen security and counter-terrorism cooperation, including through capacity-building projects and EU assistance.
25-26 June 2015	X		<ul style="list-style-type: none"> - 'a high-level conference will be organised to address the challenges of the Western Balkans route'.
23 September 2015	X		<ul style="list-style-type: none"> - assistance to the Western Balkans countries, including through IPA, to help them cope with the refugee flows; - preparation of the Western Balkans route conference to be held on 8 October 2015 in Luxembourg.
15 October 2015		X	<ul style="list-style-type: none"> - follow up to 8 October 2015 High-Level Conference on the Eastern Mediterranean route and the Western Balkans route, particularly on stemming migratory flows and fighting criminal networks.
17-18 December 2015		X	<ul style="list-style-type: none"> - follow up to the High-Level Conference on the Eastern Mediterranean and the Western Balkans route, through support for completing registration in accordance to EU standards; - strengthen counter-terrorism cooperation with countries in the Western Balkans.
18-19 February 2016	X		<ul style="list-style-type: none"> - concern about the continued and sustained irregular migrant flows along the Western Balkans route, - need for further coordinated action; - concerned about the humanitarian situation of migrants and calls for use of all EU and national means available to address it; - concerned about the humanitarian situation of affected Member

European Council meeting	Debate/ Orientation/ decision	Mentioned only	Outcome
			States and considers it necessary to set humanitarian assistance internally, in cooperation with the UNHCR; - welcomes the European Commission's intention to make concrete proposals.
17-18 March 2016			- calls for stronger cooperation with the Western Balkan countries in tackling migration; - invites the European Investment Bank to present, by June 2016, a special initiative allowing to rapidly mobilise additional funding for sustainable growth, vital infrastructure and social cohesion.
16 September 2016 (EU-27, Bratislava)		X	- continued support for the Western Balkan countries.
20-21 October 2016		X	- continued support for the Western Balkan countries.
15 December 2016		X	- continued support for countries along the Western Balkans route.
3 February 2017		X	- continued support for countries along the Western Balkans route.
9 March 2017	X		- discussed the fragile situation in the Western Balkans; - stressed the importance of staying on the reform path, of good neighbourly relations and of inclusive regional cooperation initiatives; - European perspective reconfirmed; - support for EU-oriented reforms..
22-23 June 2017		X	- vigilance on the Western Balkans route will continue.
19 October 2017		X	- support to the Western Balkan countries.
22 March 2018			- looking forward towards the EU-Western Balkans Summit in Sofia on 17 May 2018; - the Council will address enlargement in June 2018.

Source: European Council conclusions, EPRS.

● Informal European Council; ● Informal EU-27 meeting

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