

THE WESTERN BALKANS: THE EU BORDER OUTSOURCING PROCESS AND ITS IMPACT ON THE BALKAN REGION

https://doi.org/10.18485/iipe_balkans_rssc.2020.ch6

Abstract: During the so-called refugee crisis of 2015 and 2016, the European Union launched a strategy to contain migration flows based on three main pillars: securitization, externalization and criminalization of help. In this paper, we will focus on the externalization or border outsourcing to third countries, particularly towards the Western Balkans. The implementation of the Action Plan approved by the EU and the countries of the region, together with different reforms on the asylum and refugees' rules and regulations in some EU countries, as well as the enlargement of the Safe Countries list towards the Western Balkans countries and Turkey, has had an impact in the region. Issues such as how the humanitarian crisis has impacted the Western Balkans countries or changes in the conditionality demands towards these countries based on cooperation on the outsourcing process will be addressed. Our main point of departure is that more attention towards this region has been paid by the EU due to the so-called refugee crisis, and the commitments agreed among Brussels and the Western Balkans countries to deal with it have had more importance to the EU than the progress achieved by these countries. On the other hand, we will state that the Western Balkans have been used as a buffer to contain migration flows under the excuse of the conditionality principle. Both facts have had an impact on the region in two main aspects. The first one, is related to the human mobility of Balkan citizens towards the EU countries, with or without visa liberalization. Second, by affecting regional cooperation and trust among these countries and other Balkans countries already in the EU. Our main conclusion is that the security and stability strategy implemented by the EU in the Western Balkans countries has led to a backstop in the democratic reforms of these countries, together with a loss of influence and presence perception of the EU in the region in favor of other actors less demanding in terms of protection of the rule of law, pluralism or democratization.

Keywords: refugees, conditionality principle, enlargement, regional cooperation, migration.

¹ Political Science Department, Facultad de Ciencias Políticas y Sociología, Universidad Complutense de Madrid, Campus de Somosaguas, Spain. E-mail: rferrero@ucm.es.

INTRODUCTION

The humanitarian crisis at the European borders since 2015 caused a reaction of border management policies without precedent. Although, as Arcos and Palacios (2018) have been able to prove, confidential reports about the possible impact of the mobilizations in North Africa have already existed since 2007 (the so-called Arab Spring), the massive arrival of people seeking international protection in Europe made the entire system collapsed. A European asylum management system was unprepared to handle many applications, in addition to suffering from significant asymmetries among the Member States.

The publication of the European Migration Agenda in spring 2015 by the Commission and submitted for discussion by the Member States, addressed, albeit belatedly, a comprehensive strategy on migration and asylum. This strategy was based on four basic pillars: border control, improvement of asylum and refugee policy, integration policies, and labor migration. At an informal Council meeting in Luxembourg, the States decided to focus especially on the first of the blocs, reaffirming a security interpretation of migration flows.

With this approach, special attention was paid to border control and its outsourcing. Thus, migration was understood as a threat to the security of European societies, rather than a structural challenge that had to be faced by the 27 (28) as a whole.

In this context, the need for cooperation with European neighbouring countries as a whole was emphasized. The starting point had been the construction of a Wide Europe with an epicenter in Brussels and with an area of influence of proximity that includes the Western Balkans, the countries of the eastern association, and the countries of the southern neighborhood, as well as Turkey. Although the process of outsourcing of migration control had already begun years before the crisis, as observed in the EU-Morocco Agreement, it was reinforced on a triple operational geographical axis in 2015. On the one hand, and as a priority, it was essential to close the main access road to the EU, i.e. the Western Balkans, especially Serbia and Macedonia (now the Republic of North Macedonia). These countries should serve as a retaining wall against flows from Greece through the Aegean Sea. The next step was the Declaration of Intentions agreed between the Member States and Turkey in order to curb departures to the Hellenic country and thus curb the movement of people in the Turkish

territory. The last link would be the Valletta agreement with the African countries that aimed to stop migratory flows from the Sahel.

This contribution aims to carry out a detailed analysis of the first of these outsourcing actions, the negotiation with Serbia and Macedonia. It will be analyzed from three axes. Firstly, from the negotiation procedure of the Member States with these countries. The EU did not hold a Summit with the Balkans, but an intergovernmental meeting with the community countries closest to the Balkan region. It was, in short, a multilateral approach led by Germany and Austria, with the idea of offering benefits to these countries if they collaborated in curbing people from Greece. At this point, it was striking to see how on this occasion the conditionality of accession was not brandished. The second axis was about the positions that the Balkans states adopted in relation to refugee flows, i.e., the way in which both Macedonia and Serbia managed the borders and modified their asylum legislation. It was an attempt towards Europeanization and, in the case of Skopje, taking advantage of the window of opportunity offered by this crisis to demonstrate its management capabilities of the potential incorporation into the EU. Finally, this time, the third axis is related to the EU's need to close the discontinuity caused by these countries in defining their borders from the point of view of regional stability and security.

The objective triangle of the conditionality policy application, similar to that of the neighborhood policy, fails to fully implement. Security, democracy and stability do not operate in these countries as it has been theorized from liberal and theoretical positions of modernization. It has not worked in the Balkans, where Brussels's sponsored regimes called stabilitocracies have been established for stability and security, nor in other European neighbouring countries.

The objective of this contribution is precisely the analysis of the border outsourcing process for the Balkans within the framework of a conditionality policy no longer based on merely technical issues of compliance with the accession chapters. Its foundations are of a political nature and imply almost enforceable compliance with a border control that the EU is not able to comply with and for which it uses the carrot and stick strategy with the eternal candidates for accession.

**THE PRINCIPLE OF CONDITIONALITY AND OUTSOURCING
AS THE AXES OF MIGRATION MANAGEMENT
WITH THE COUNTRIES OF ENLARGEMENT
AND THE EUROPEAN NEIGHBORHOOD**

The debates about how to manage mobility within the European framework have undoubtedly influenced the relationship that has been established with the EU candidate countries. Serbia, North Macedonia and Turkey have been directly involved in Brussels's management of the humanitarian crisis experienced during 2015 and 2016.

Within the framework of the European migration policy in recent years, one of the approaches that had already been working intensely for years - the security approach - has been reinforced (Ferrero-Turrión and López-Sala, 2012). The idea behind the reinforcement of this approach was none other than to generate a perception of threat towards host societies linked to migratory flows (Terrón and Cusi, 2017). And so, the mechanisms on which it has been articulated have been the outsourcing, border securitization and the criminalization of aid. The tools that have been used to implement this idea are sustained in the dialogue with the countries of origin and transit (outbound) through incentives linked to development cooperation. Thus, the Member States continue in a dangerous drift of a security approach through not only border control or hardening of visas or deportations, but also to the naturalization of control outsourcing to countries that are in the immediate vicinity of the Union. And all this has been possible due to the implementation of the negative conditionality that uses instruments linked to development policies as it was observed in the Global Migration and Mobility Approach of 2011 (European Commission, 2011), on which both the Valletta Action Plan and the EU Emergency Trust Fund in Africa have been articulated as early as 2015 during the humanitarian crisis in the Mediterranean (European Commission, 2015d).

It is surprising to observe the setback generated by this strategy of containment of flows. Traditionally, the EU had implemented policies towards third countries in immigration matters strictly linked to the control of departures from their countries of origin. The bilateral agreements signed by Spain during the first five years of this century addressed this issue based on mutual cooperation between countries of origin, transit and destination, but development aid was never conditioned on this issue. In fact, the proposal to link issues, migration and development was put on the table during the Seville European Council during the Spanish Presidency. The result of the vote in the Council was a rejection (EC 2002). However, the drift

of the decisions taken by the Council is moving in the opposite direction. Far from continuing with a doctrine that refused to apply the positive conditionality to the development policies, it is going in the opposite direction. It is amazing to see that the adoption of such an approach does not correspond to the empirical studies carried out so far, where it is shown that far from curbing migration, development cooperation policies create better conditions for the exit of developing countries (OECD; ILO).

The humanitarian crisis of 2015 caused an earthquake at all levels of the European Union. In the first phase, it was an institutional shock (Ferrero-Turrion, 2016) and in the second, it directly impacted both its neighborhood policy and its expansion policy.

Border outsourcing is not a mechanism that has appeared in connection with the recent refugee crisis. Already in the Budapest Process of 1991, the Commission raised the need to establish more intense cooperation with countries of origin and transit with the ultimate goal of outsourcing border controls, facilitating return procedures, and reducing unwanted migration flows. At that time, these flows came from the Eastern and European Central countries. The initiative was called 'Measures to control illegal migration through and from Central and Eastern Europe' (International Organization for Migration, 2010, p. 5).

In addition, other outsourcing processes had already been launched in southern Europe. Already in the first Association Agreements with Mediterranean countries in the 90s appeared the clauses that referred to the outsourcing process. However, this process intensified very clearly with the outbreak of the Arab uprisings from 2010. The European Commission through its document 'Global Approach to Migration and Mobility' proposed the implementation of a 'Dialogue for Migration, Mobility and Security' in relation to southern countries (European Commission, 2011). Notable are the agreements reached with Morocco and Tunisia within this framework of action through the Mobility Agreements reached in 2013 with Morocco (Council of the European Union, 2013). In 2015, this outsourcing approach would be observed again in relation to Turkey. First in bilateral meetings between German Chancellor Angela Merkel, with Turkish Prime Minister Recep Tayyip Erdogan, where it was agreed not only to grant financial aid but also the possibility of reopening of accession negotiations and specifically those corresponding to chapters 17, 23 and 24, those dedicated to the euro and issues related to migration issues. All this, except the reopening of the negotiations, would be embodied in two Declarations between the EU countries and Turkey (European Commission, 2015b,

2015c), and the subsequent agreement reached in the spring of 2016 (Council of the European Union, 2016).

But it would not be until the June 2018 Council when the outsourcing process would be enshrined and standardized in its conclusions:

The European Council reiterates that an essential requirement for the EU policy to function properly is based on a general approach to migration that combines more effective control of the EU's external borders, greater external action, as well as internal aspects, in line with our principles and values (Council of the European Union, 2018).

It is, therefore, in this regulatory framework the deepening of border outsourcing with the Western Balkans will be carried out, which, as in the previous cases, is based on a strategy framed in an increase in EU assertiveness, linked to the protection of the territory and, therefore, linked to the security approach, and which is articulated on the principles, non-negotiable, of the acceptance of the European regulatory framework and the inverse conditionality (more money in exchange for more reforms). Both will be those that operate in relation to issues ranging from democratic reforms, cooperation in migration management and support to the EU.

In the case of the Balkans, where the principle of sustained conditionality was already applied to the principles of reconciliation, reconstruction and reform (Ferrero-Turrión, 2015, p. 13), at the time of the humanitarian crisis and the increase in flows to Serbia and North Macedonia, its application was made even more obvious.

THE OUTSOURCING OF MIGRATION MANAGEMENT IN THE WESTERN BALKANS

The migration outsourcing process in the region did not begin with the 2015 refugee crisis, but, years ago, after the 1999 Thessaloniki Summit, since migration management was one of the main issues on the political agenda between the EU and the Western Balkans. The reverse conditionality strategy began to operate significantly in relation to visa facilitation processes and related repatriation agreements and, in turn, related to the open enlargement process (Ferrero-Turrión, 2015, pp. 16-17). The achievement of both items was realized between 2006 and 2008 in Albania, Bosnia-Herzegovina, Macedonia, Montenegro and Serbia. The EU offered in a raw way access to freedom of movement and repatriations in exchange for accelerating enlargement negotiations. The main idea behind these agreements was to reduce irregular migration in the EU. Therefore, it should

not be surprising that at the time of the 2015 crisis, the EU continued and tried to strengthen external control of its borders based on conditionality.

Meeting on the Western Balkans in the framework of the Berlin Process, Vienna, August 2015

In the middle of the European crisis, in the summer of 2015, Jean-Claude Juncker, on a German initiative, called a summit in which all those countries affected by the so-called Balkan route would be present. At that meeting, Macedonia and Serbia, together with a small group of Member States, some of them former countries of the former Yugoslavia, such as Croatia and Slovenia, would participate for the first time on equal terms. This meeting was held as part of the Berlin Process, a five-year plan designed to show the EU's commitment to the process of enlargement towards the Balkans, which aims to strengthen regional cooperation between the six countries, and which began in 2014. Although the issues to be discussed at that time had to do with issues of regional cooperation and infrastructure, however, it was the refugee crisis that monopolized all the debates.

During the summer of 2015, the closure of the Central Mediterranean route through Libya had taken place, which had caused a rebound in the so-called Balkan route, or of the Eastern Mediterranean that essentially crossed Turkey, Greece until reaching Macedonia and Serbia and the border with the EU. With Greece in a deep economic crisis, on the verge of a new rescue, it was without means for the reception of displaced persons and refugees. Undoubtedly, the impossibility of having the Hellenic country to put a stop to the flows induced Brussels to promote the outsourcing dialogue with Belgrade and Skopje.

In this way, issues such as the evaluation of the progress made since the last Berlin Process meeting in 2014, as well as regional connectivity, vocational training, the economic situation of the region were subject to the issue of control of migratory flows. The representatives of the EU, the High Representative, Federica Mogherini, the Vice President of Energy, Maros Sefvovic, and the European Commissioner for Enlargement and European Neighborhood Policy, Johannes Hahn, derived the whole conversation towards this issue. Thus, Mogherini would say: 'The Western Balkans region faces many challenges, from the urgency of managing issues related to security and migration to the need to face economic and political difficulties. The Vienna High-Level Summit will give the opportunity not only to discuss the current challenges, but also our common future'. In this paragraph is

condensed all the policy that the EU intended to promote in the Balkans - control of migration as a key for security and a door to the enlargement. The human rights discourse shone by its absence (European Commission, 2015e).

Similarly, a few hours before the start of the meeting, the European Commission announced the provision of an additional fund of 1.5 million euros in humanitarian assistance to help refugees and migrants in Serbia and Macedonia. These million and a half euros would be added to the €90,000 granted to Macedonia in July of that year and to the €150,000 granted to Serbia on 20 August. In total, during that summer of 2015, EU humanitarian aid for the Balkans was 1.74 million euros (European Commission, 2015e). A very small amount if one considers that between September 2015 and March 2016, around 700,000 displaced people would cross these territories.

For that small amount, the agreement of all the participants in the Summit was achieved in giving a boost to the capacities in the field of 'border management, in particular, the fight against human trafficking, as well as in their asylum mechanisms' through regional forums, such as the Salzburg Forum (Western Balkans Summit, 2015). In addition, the countries of the Western Balkans 'committed themselves to assume their own responsibilities in the management of migration, asylum and border management in the face of their European perspective' (Western Balkans Summit, 2015).

Meeting on the Balkan Migration Route Action plan, Brussels, October 25, 2015

It was the second meeting of the EU countries with the Western Balkans in less than two months. It met the Heads of State and Government of Albania, Austria, Bulgaria, Croatia, current North Macedonia, Germany, Greece, Hungary, Romania, Serbia and Slovenia in Brussels. It was a summit of special relevance for the Balkans leaders, and even though the meeting took place in the Commission building, the negotiating framework was intergovernmental and, therefore, they were positioned on equal terms with other European countries.

The Balkans countries have seen that as a great opportunity to demand more attention from Brussels to accelerate the enlargement process. These countries have not attracted the attention of European governments for a long time. Despite its insistence on continuing and deepening its integration

processes, a coherent plan to support the region had not yet been launched. Interest grew only when the ghost of destabilization appeared and, therefore, the danger of a new hole in European foreign policy. It seems that Old Europe had learned nothing from its mistakes. In any case, the fact was that, for the first time, the candidate countries, Macedonia and Serbia, were incorporated into the decision-making process around an issue that directly affected them. However, it is no less true that the main objective of the meeting was to curb the flows of displaced people who came through that route to the EU, which concerned Brussels the most at that time. And the candidate countries were also aware of this.

In this second act, there was a total border outsourcing in Serbia and North Macedonia on five lines of action: the permanent exchange of information; the limitation of secondary movements; the proportion of shelter and support for refugees; joint flow management; and border management. Besides, the fight against trafficking and smuggling of people would continue (European Commission, 2015f).

Each of these points was based on the total cooperation and coordination of these countries with the corresponding European agencies, Frontex and Europol mainly. In addition, the framework for action should be carried out based on regional cooperation and dialogue that Brussels was willing to support by all means at its disposal. The creation of more than 50,000 reception places on the Balkan route was also planned with the collaboration of the UNHCR and supported by international financial institutions such as the European Bank for Reconstruction and Development and the Development Bank of the Council of Europe. To this economic aid, the cooperation in new identification technologies through biometric data would be added to favor the exchange of information with already operational European agencies such as the SIS or the VIS.

In the area of border control, the European Commission would also help these countries to establish readmission agreements with Afghanistan, Pakistan or Bangladesh to accelerate the repatriation processes of their nationals. And this would be reinforced with an unprecedented deployment of troops and measures at the regional level. Thus, the Rapid Intervention Teams, RABIT (its acronym in English) were reinforced, and the number of police personnel from border countries such as Slovenia and Croatia was displaced in Serbia and Macedonia (European Commission, 2015f) was expanded.

The main condition that the countries of the Western Balkans put was the temporality of the stay. If Belgrade and Skopje were afraid of something,

it would be to become hotspots for refugees. Hence, the emphasis was given in the Action Plan to the completion of a similar one with Turkey, as well as the insistence of strengthening control at the borders of Bulgaria and Greece with Turkey. If something worried the Serbian, Macedonian and Albanian authorities, and not without reason, was the possibility of a regional destabilization as a result of the presence of refugees in their territories and the potential conflicts between states to determine responsibilities.

CONSEQUENCES OF THE HUMANITARIAN AND REFUGEE CRISIS IN THE REGION

The impact of the humanitarian crisis of refugee management in the Balkans has manifested itself in two dimensions, in the migratory flows themselves and regional cooperation.

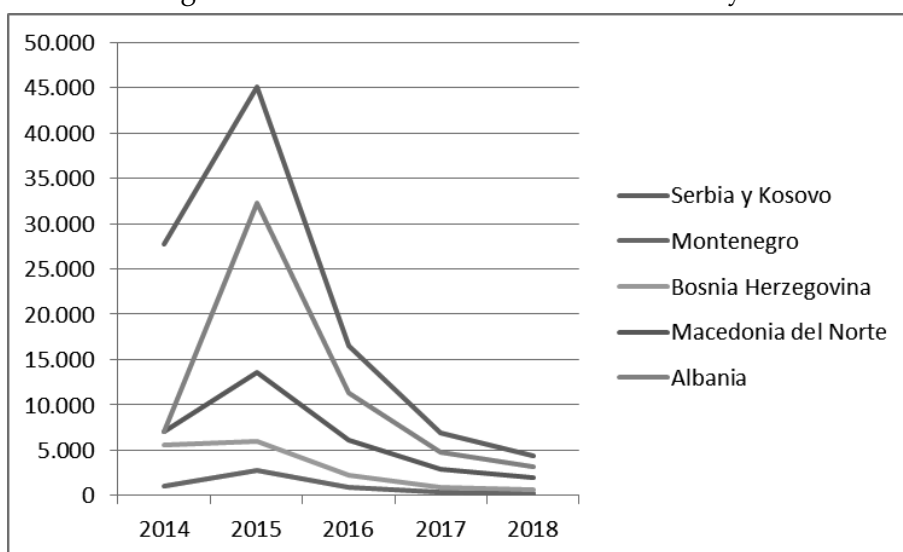
Migrations from the Balkans to the EU

The societies of the Western Balkans throughout the years 2015 and 2016 assumed the reception of a huge amount of displaced people in the absence of the infrastructure and resources necessary to serve them. In addition, other factors contributed to the situation becoming increasingly tense. During the end of 2015 and the first quarter of 2016, legal reforms were made regarding asylum in Germany, Austria and Macedonia, establishing nationalities that would be considered as coming from safe countries. Besides, since the beginning of 2016, Austria and Germany begin to restrict the number of displaced persons they admit. From that moment they will only accept those asylum seekers registered in their countries. Austria would limit the number of asylum claims to 37,500 in 2016 and 130,000 in 2019. Besides, it will expand the repatriations to 50,000 asylum seekers during the next three years, as well as the number of safe countries along with a reinforcement of the fences on the border with Slovenia. Following agreements between the EU with the Western Balkans and with Turkey, Slovenia and Croatia would follow the German trail and reject all those who entered the Balkans.

In this way, the humanitarian crisis and the externalizing agreements reached with Brussels had a direct effect on the roads traditionally used by groups from these States, mainly Albanians and Roma, which until February 2015 constituted numerically one of the groups with a greater number of asylum applications in the EU countries. Thus, in 2015, only 5 of the 44 most

industrialized countries received 66% of asylum applications. The first one was Serbia and Kosovo (577,572), followed by Germany (441,364), Hungary (174,026), Sweden (155,583) and Turkey (133,214). Therefore, in just one year, Serbia was transformed from an issuing country of refugees to a country issuing and receiving them, since the arriving nationalities came from Syria (301,591), Afghanistan (160,831) and Iraq (76,009). In Germany, Syrian applications (158,657) were followed by those originating in Albania (53,805) and Serbia (50,127) (Comisión Española de Ayuda al Refugiado, 2016, pp. 22-23) (Table 1).

Table 1. Migration from the Western Balkans to Germany 2014-2018



Source: Author's design with UNHCR data.

Despite what the numbers show, the percentage of rejection of these requests exceeded 90% in Germany. Between 2014 and 2017, 276,161 asylum files from these countries were examined in Germany, although most of them were rejected (Table 2).

Table 2. Number of decisions taken and % protection for the Western Balkans recognized as safe countries (2014-2017)

	2014		2015		2016		2017 (01/06)	
	decisions	% protection	decisions	% protection	decisions	% protection	decisions	% protection
Albania	3.455	2,2	35.721	0,2	37.673	0,4	6.316	1,5
Serbia	21.878	0,2	22.341	0,1	24.178	0,3	5.028	0,7
Kosovo	3.690	1,1	29.801	0,4	18.920	0,8	3.071	2,2
Macedonia	8.548	0,3	8.245	0,5	14.712	0,3	4.187	0,7
Bosnia	6.594	0,3	6.500	0,2	6.885	0,7	1.446	1,6
Montenegro	868	0	2.297	0,3	3.219	0,5	588	1,2
Total	45.033	0,4	104.905	0,3	105.587	0,5	20.636	1,2
All	128.911	31,5	282.726	49,8	695.733	62,4	408.147	44,7

Source: Federal Office for Migration and Asylum, Germany (Grote, 2018)

Most of the people who came to Europe at that time, especially Germany, were not forced migrants, but economic migrants escaping misery and xenophobia in their countries of origin, thus becoming evidence of the lack of policy effectiveness of conditionality of the EU. Given this situation, Germany decided to reform its Asylum Law, which was approved in October 2015. Through this reform, among other issues, Germany granted the status of a 'safe country' to three Balkans states: Albania, Kosovo and Montenegro.

The Commission Proposal: Inclusion in the Safe Countries List

Following the German trail of the German asylum reform, the European Commission launched a proposal to the Member States to add the Balkans countries to the List of Safe Countries in the EU. It was included in the Europe Migration Agenda of May 2015 and was subsequently approved by the European Council on 25-26 June 2015. Finally, it would reach the status of the Regulation, as a reform of Directive 2013/32/EU, and it would be

approved by the European Parliament in September 2015. The arguments put forward by the Commission were that around 17% of the total number of asylum applications came from citizens of the countries that would be included in that list. The inclusion of asylum applications from the List of Safe Countries is processed through a fast-track, allowing fast returns if the application is unapproved. In this way, the effectiveness of asylum systems would be increased, the attempts to abuse the European Asylum System would be stopped, and it would allow the Member States to allocate a greater number of resources to the protection of people with needs.

In the case of the Balkans and Turkish countries, an unquestionable fact set out in the Copenhagen criteria was appealed: *'When the Member States decide to propose a State as a candidate for membership, they verify that they meet the "Copenhagen Criteria" on the guarantee of democracy, the rule of law, human rights and the respect and protection of their minorities. Candidates are therefore normally safe'* (COM 2018b).

Regional Cooperation in Danger

To all this, it must be added that the future expansion towards the Balkans and Turkey faced a series of hardly salvageable factors. On the one hand, the 'fatigue of enlargement', an argument reinforced by the statements of Jean-Claude Juncker in his inauguration as president of the European Commission in 2014 and which joins a 'reformist laziness' on the part of the affected countries; the economic and euro crisis, with successive bailouts carried out in Greece, Portugal, Ireland or Spain; a persistent socio-economic crisis reflected in the increase in extremism, Euroscepticism and social movements; an institutional crisis that drags the European project since the failure of the Constitutional Treaty and whose last chapter, until now, is the United Kingdom's departure from the European club. In addition, it should be added that the EU was in one of the tensest moments with Moscow as a result of the crisis in Ukraine.

Regional cooperation was another of those affected by the humanitarian crisis, as the arrival of displaced persons destabilized bilateral relations between some countries. These countries had unwittingly become the focus of attention throughout Europe due to the enormous arrival of displaced persons, mostly from the conflict in Syria, but also from Afghanistan, Eritrea or Iraq, among others. The numbers of arrivals - 7,000 people in a single day to Croatia, more than 3,000 to Macedonia daily - made since August 2015, the Balkan corridor became a real bottleneck for the displaced. The means

available to these countries were scarce, and once the strategy of breaking through to Hungary was impeded by the lifting of fences and border closure ordered by the government of Viktor Orbán in Hungary, the new access routes to Europe were inevitably diverted, first to Croatia, then Slovenia, later to Bosnia. The not-so-hidden struggle to try to get refugees to move to the next country in the chain caused an evident deterioration in relations between Serbia, Croatia and Slovenia - countries that during the last twenty years had been trying to weave good neighborhood relations after the fratricidal wars that ended Yugoslavia and that at that time saw sustained relations on very weak foundations.

To this, a relevant factor should be added: some of these countries are candidates to enter the EU, others are already inside, which automatically establishes inequality relations in their positions when establishing cooperation, which is in no way balanced. Despite this, the roadmap established in the fall of 2015 began to be fulfilled. Thus, on 18 February, the Macedonian, Serbian, Croatian, Slovenian and Austrian police would reach an agreement to allow the entry of people on the basis of humanitarian aid and the requirement of biometric identification through photography in the identity document. This, together with the Declaration with Turkey, would close the Balkan route in spring 2016. From that moment on, the Balkans would no longer be host countries.

The diplomatic deterioration, the massive presence of refugees wandering streets and squares, along with the socio-economic instability that had manifested through the increase of social mobilization in practically all the countries of the region - from Bosnia, Macedonia, Serbia, Slovenia and even Montenegro, between 2014-2016 brought the region to the verge of a new collapse.

CONSEQUENCES

From all the above, we can extract several consequences that we have articulated around three levels of impact that will help us to have an articulated approach to the impacts that these countries face: micro-level, medium level and macro-level.

At the micro-level, it can be said with certainty that none of the citizens of these countries will be able to access an asylum grant. This should not be a problem, if there were, indeed, ways of legal access to the EU labor markets. However, the main reaction of the European governments has been

the opposite of the Commission proposal in the European Agenda of Migration and has focused solely and exclusively on border closure.

In this same area, it is expected that citizens from the Balkans countries that have visa liberalization make use of it and move to the EU territory (Ferrero-Turrión, 2015). They will enter, therefore, as tourists, but after three months they will find themselves in an irregular situation in the European territory. This was expressed in the latest report of the Commission on compliance with the requirements of the countries of the Western Balkans and the Eastern Neighborhood of December 2018 (European Commission, 2018). More serious is the situation faced by citizens from Kosovo since it is not recognized as a state by five EU member states (Spain, Romania, Cyprus, Greece and Slovakia) and therefore, their movements to the EU are carried out irregularly. The tightening of asylum laws, both at the European level and by some member states, has made the chances of sexual, ethnic or religious minorities to obtain asylum status very low.

The average level of the impact of the humanitarian crisis can be seen in the approach that Brussels employed towards these countries during the last four years. Far from deepening the Berlin Process strategy to advance the process of European integration of the Balkans, the EU in general, and the member states in particular, have chosen to incorporate as part of the principle of conditionality, more explicitly to the light of the implementation of the 2015 Action Plan, the process of border outsourcing in the region. Thus, these countries have been and are used as a buffer to control the external border of the EU on its eastern route. In addition, as approved in the EUCO on 28-29 June 2018, refugee camps with community funds have been opened in Serbia, North Macedonia and Bosnia-Herzegovina (Council of the European Union, 2018).

Finally, at a higher level, the impact has been substantive. If, since the inauguration of Juncker in 2014, the combination of the 'fatigue of enlargement' by Brussels, together with the 'reform fatigue' by the governments of the countries of the Western Balkans, has already been observed, this crisis has not done anything if not to accelerate the trend. This has revealed the failure of EU policy. The principle of conditionality used on previous occasions has been demonstrated as a tool that must be reviewed, given its lack of efficiency and the loss of EU transformative power in favor of other actors such as Russia, China, Turkey, the Gulf countries that gain presence and influence.

On the other hand, the growing intergovernmentalism towards the Balkans observed in recent times by certain European states, France,

Germany and Austria fundamentally, makes the negotiation and influence capacity of these states greater than in the past. In the same way, this type of approach also favors the emergence of authoritarian political leaders under the EU umbrella that favors regional stability in the face of democratizing processes and reforms. What has been called ‘stabilitocracy’, a term used for the first time by Srđa Pavlović in 2016 to describe non-democratic practices, persist while the West makes a deaf ear and simultaneously appeals to democracy and the rule of law (Pavlović, 2016). Months later, the BIEPAG group conceptualized the term further by describing as stabilitocracy those semi-authoritarian regimes in the region that receive external support, mainly from the EU, for the sake of a false promise of stability (Bieber, 2017).

Finally, the situation in the Balkans puts the EU in front of the mirror. The implementation of reactive policies in the face of structural problems in a globalized context that favors human mobility does not guarantee what is a priori part of its main objectives, to achieve stability and democracy at its borders. The obsession to achieve security and stability at its borders, makes it forget other fundamental issues that are part of its DNA, such as the defense of the rule of law, democratization or pluralism, which causes it to lose leaps and bounds ability to influence compared to other actors that do not have such demanding requirements.

REFERENCES

- Arcos, R. & Palacios, J. M. (2018). The impact of intelligence on decision-making: the EU and the Arab Spring. *Intelligence and National Security*, 33(5), pp. 737-754.
- Bieber, F. (2017, May 5). What is a stabilitocracy?, retrieved from <https://biepag.eu/what-is-a-stabilitocracy/>. Accessed 15 December 2019.
- Comisión Española de Ayuda al Refugiado. (2016). Informe 2016: Las personas refugiadas en España y Europa [Report 2016: Refugees in Spain and Europe]. Comisión Española de Ayuda al Refugiado, Madrid.
- Council of the European Union. (2002, June 21/22). Presidency Conclusions. Seville European Council. Council of the European Union, Brussels.
- Council of the European Union. (2013, June 3). Joint Declaration Establishing a Mobility Partnership between the Kingdom of Morocco and the EU and its Member States. Council of the European Union, Brussels.

- Council of the European Union. (2016, March 18). EU-Turkey Statement [Press Release], retrieved from <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>. Accessed 20 December 2019.
- Council of the European Union. (2018, Jun 28). European Council meeting – Conclusions. Council of the European Union, Brussels.
- European Commission. (2011, November 18). Comunicación de la Comisión al Parlamento Europeo, al Consejo, al Comité Económico y Social Europeo y al Comité de las Regiones. Enfoque Global de la Migración y la Movilidad [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions. Global Approach to Migration and Mobility]. European Commission, Brussels.
- European Commission. (2015a, May 13). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions. European Agenda on Migration. European Commission, Brussels.
- European Commission. (2015b, October 15). EU-Turkey Joint Action Plan. European Commission, Brussels.
- European Commission. (2015c, November 29). Meeting of Heads of State and Government with Turkey-EU-Turkey statement. European Commission, Brussels.
- European Commission. (2015d, November 12). EU Emergency Trust Fund for Africa. European Commission, Valletta.
- European Commission. (2015e, August 26). EU support for the Western Balkans at 2015 Summit in Vienna [Press Release], retrieved from https://ec.europa.eu/commission/presscorner/detail/en/IP_15_5529. Accessed 20 December 2019.
- European Commission. (2015f, October 25). Meeting on the Western Balkans Migration Route: Leaders Agree on 17-point plan of action [Press Release], retrieved from https://ec.europa.eu/home-affairs/what-is-new/news/news/2015/20151026_1_en. Accessed 20 December 2020.
- European Commission. (2018a, December 19). Visa liberalization: Commission reports on fulfilment of visa-free requirements by Western Balkans and Eastern Partnership countries [Press Release], retrieved from https://ec.europa.eu/commission/presscorner/detail/en/IP_18_6819. Accessed 20 December 2019.

- European Commission (2018b) Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the Instrument for Pre-accession Assistance (IPA III). Brussels, 14.6.2018 COM(2018) 465 final 2018/0247(COD), retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52018PC0465&from=EN> Accessed 09 March 2020.
- Ferrero-Turrión, R. (2015). The EU approach to the Western Balkans: A Security or Political Issue?. *Europolity. Continuity and Change in European Governance*, 9(2), pp. 11-27.
- Ferrero-Turrión, R. (2016). Europa sin rumbo: el fracaso de la UE en la gestión de la crisis de refugiados [Europe aimlessly: the failure of the EU in the management of the refugee crisis]. *Revista de Estudios Internacionales Mediterráneos*, 21, pp. 159-176.
- Ferrero-Turrión, R., & López-Sala, A. (2012). Fronteras y Seguridad en el Mediterráneo [Borders and Security in Mediterranean], in: R. Zapata-Barrero & X. Ferrer-Gallardo (Eds.), *Fronteras en Movimiento: Migraciones en el contexto del Euromediterráneo* (pp. 229-254). Barcelona, Ediciones Bellaterra.
- Grote, J. (2018) The Changing Influx of Asylum Seekers in 2014-2016: Responses in Germany. Working Paper 79. German National Contact Point for European Migration Network (EMN).
- International Organization for Migration. (2010). Budapest Process: A Silk Routes Partnership for Migration. 20+ Years of the Budapest Process: An Analysis of Over Two Decades of Migration Dialogue. International Organization for Migration, Budapest.
- Pavlović, S. (2016, December 23). Montenegro's 'stabilitocracy': The West's support of Đukanović is damaging the prospects of democratic change, retrieved from <https://blogs.lse.ac.uk/europpblog/2016/12/23/montenegros-stabilitocracy-how-the-wests-support-of-jukanovic-is-damaging-the-prospects-of-democratic-change/>. Accessed 20 December 2019.
- Terrón i Cusi, A. (2017). La migración internacional y el debate sobre la seguridad en la Unión Europea [International migration and the debate on security in European Union], in: *Las migraciones internacionales, percepción y realidad. Un análisis desde la perspectiva de la seguridad* (pp. 9-28). Madrid, Ministerio de Defensa, Instituto Español de Estudios Estratégicos.
- Western Balkans Summit. (2015, August 27). Final Declaration by the Chair of the Vienna Western Balkans Summit. Vienna.