

HARMONIUS

Journal of Legal and Social Studies in South East Europe

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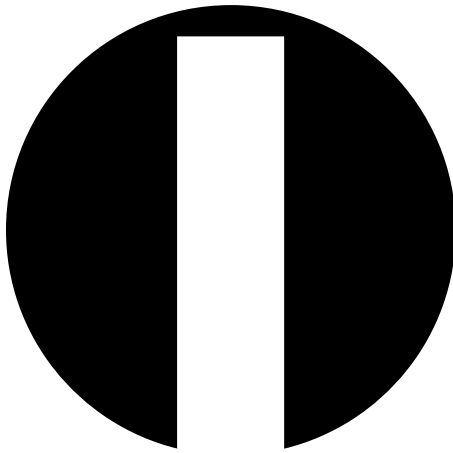
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EDITORIAL NOTE

The Editors are proud to present the latest issue of *Harmonius – Journal of Legal and Social Studies in South East Europe 2023*. This journal aims at fostering and promoting harmonisation of law in the SEE region with EU law and with general principles of international law, whilst providing a forum for the exchange of ideas and scholarly work of young scholars from the region and beyond. In accordance with the mission of the journal, as well as the main objectives of the Harmonius Association, this issue of the journal features 12 original research articles and three contributions on important topics, all of which were presented at an annual international conference – the XVIII Harmonius School of Law “Business and Legal Challenges of the Open Balkan” with participation of the prominent legal scholars, experts, and practitioners from: Bosnia and Herzegovina, Croatia, Macedonia and Serbia. The Conference was organized by the Harmonius Association in cooperation with the Judicial Academy of the Republic of Serbia and was held on November 24th, 2023 at the University of Belgrade – Faculty of Law and at the Chamber of Commerce of the Republic of Serbia. The Organising Team of this year’s Conference consisted of: Associate Professor Dr. Nenad Tesić, Assistant Professor Dr. Milena Djordjević, Teaching Assistants Marija Vlajković, Stefan Jovanović, Mina Kuzminac and Darko Stevanović. This was the eighteenth Harmonius School of Law and in seven different panels it tackled very important and current issues for this region from several legal aspects: procedural, corporate, labor, international, European, private, and public, adding political and economic approaches as well. The first panel “The influence of the EU law on the Open Balkan Countries’ Legal Systems” was moderated by Professor Dr. Bojan Milisavljević, Vice-Dean at the University of Belgrade Faculty of Law. This was followed by the panel “Private Procedure Law in the Open Balkan”, moderated by Professor Dr. Marko Knežević and panel “Other Relevant Topics Relevant for the Legal Harmonization in the Region of the Open Balkan”, moderated by Teaching Assistant, Marija Vlajković, LL.M. The afternoon session taking place in the Chamber of Commerce of the Republic of Serbia was opened with the panel “Regional Cooperation Agreements in

the Balkans as a Condition for the Attraction of Foreign Investment”, moderated by Ass. Professor Dr. Milena Djordjević, after which Professor Dr. Vuk Radović moderated the panel “Business Law Aspects of the Agreement on Regional Cooperation in the Balkans”. Professor Dr. Ljubinka Kovačević chaired “Labor Law Aspects of the Agreement on Regional Cooperation in the Balkans” panel, while Professor Dr. Mirjana Radović chaired the final closing panel of the Conference “Possibilities of the Artificial Intelligence Use in Balkans’ Judiciary. Numerous relevant questions were raised during the panel discussions, not only by the authors presenting their respectful contributions and participants but also by moderators and the members of the audience and Academia.

Members of the Editorial Board are particularly grateful to the Judicial Academy of the Republic of Serbia for their continuous support to organization of Harmonius’ conferences and to the publication of this issue of the journal. Furthermore, we are equally grateful to the Chamber of Commerce of the Republic of Serbia for their support and cooperation in organizing the second part of this year’s Conference. We are also indebted to distinguished professors and scholars who, despite their busy schedules, agreed to review the articles submitted for this issue. In addition to that, the Editorial Board wishes to thank all the contributors without whom the publication of this issue would not have been possible. We believe that the contributions to this issue will be of ample interest to the wide-ranging public in South East Europe, especially having in mind the general topic of this year’s issue and its relevance for this region. We also hope that this issue will enhance interest in publishing in this journal in the future, and that it will continue to attract authors from numerous jurisdictions, thus leading to the full accomplishment of our mission.

Editors

ORIGINALNI NAUČNI ČLANKI

Jordanka Galeva, PhD*

THE “VISEGRAD INITIATIVE “ VIS-à-VIS “OPEN BALKAN INITIATIVE” IN THE PROCESS OF EUROPEAN INTEGRATION

Following the collapse of the communist regimes, in Central European countries, the belief that collaborative efforts could facilitate both social transformation and European integration, served as a key motivation for establishing of the Visegrad Group (V4), comprising of Czechia, Slovakia, Hungary and Poland. In Southeastern Europe, given the war conflicts that occurred during the 1990s, in 1999, the EU Council initiated the Stabilization and Association Process (SAP) to encourage Western Balkans countries (WB) to cooperate among themselves and confirmed their eligibility for EU membership. After the V4 countries joined the EU, the Visegrad Declaration on cooperation in 2004 emphasized the idea of supporting the European integration of neighboring regions, including the Western Balkan region. From 2004 to the present day, the WB countries have applied for EU membership, and they have been granted EU candidate country status. In 2014 they became a part of the Berlin process (BP) initiative and for three of them – Albania, North Macedonia (N. Macedonia) and Serbia – accession negotiations with EU have already been opened. These three countries launched the Mini Schengen initiative in 2019, which was transformed into Open Balkan initiative (OB3) in 2021. Since that both Visegrad and Open Balkan initiatives aim to enhance interstate cooperation and facilitate European integration process for their respective countries, the purpose of this paper is to consider the role of regional organizations and initiatives in accelerating the integration process, to examine whether the OB3 can draw valuable lessons from V4 experience and to elucidate how V4 supports the integration process of OB3.

Key words: *Open Balkan. – Visegrad Countries. – Berlin Process. – EU Integration. – Regional Cooperation.*

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1. INTRODUCTION

After the fall of the Berlin Wall, the European integration process became the dominant policy of almost all East European countries. The largest expansion of the European Union occurred in 2004 (including the Visegrad Group countries), bringing the total number of member states to twenty-five. Furthermore, the EU gained three additional members between 2007 and 2013, but it lost one member (Great Britain) that left the union. Today, it has twenty-seven members and eight European countries holding candidate status, including Albania, N. Macedonia and Serbia (which are part of “Open Balkan”). Additionally, two countries, Kosovo (not recognized by several EU members and Balkan countries) and Georgia formally submitted the application for membership in 2022.

The Visegrad group was founded on the 15th February 1991, by three central European countries: Czechoslovakia, Poland and Hungary. On December 16th, 1991, in Brussels, Association Agreements, known as Europe Agreements, were signed with Hungary, Poland, and Czechoslovakia. In September 1992 European Parliament granted its consent for Poland and Hungary and subsequently the Czech Republic and Slovakia signed the association agreement in October 1993. Following the dissolution of Czechoslovakia in 1993, which resulted in the formation of the Czech Republic and Slovakia, the Visegrad group expanded to become the Visegrad 4 (V4). One of the four motivational factors for its formation was the belief that through joint efforts it will be easier to successfully accomplish social transformation and join in the European integration process. The full involvement in the European political and economic system, as well as the system of security and legislation was one of the basic objectives of the first *Visegrad Declaration on cooperation* in 1991. In December 1992 the V4 founded the *Central European Free Trade Agreement* (CEFTA) as multilateral trade agreement, with ultimate goal to gain EU membership as early as possible. In 1999, the *Content of Visegrad Cooperation* approved the structure of Visegrad intergovernmental cooperation (periodical meetings of prime ministers, heads of states or expert consultations) and the substantive elements of cooperation in the field of: foreign affairs; internal affairs; education, culture, society, youth and sport; science and technology; environment; infrastructure; cross-border cooperation. In

2000, the *International Visegrad Fund* (IVF) was established with the aim of supporting the development of cooperation in culture, scientific exchange, research, education, student exchange, and cross-border cooperation, as well as the promotion of tourism. Since 2004, when all V4 countries became a part of the European Union, the idea to assist the neighborhood in its transformation and EU integration, become one of the priorities of the Visegrad cooperation. In the *Visegrad Declaration on cooperation of 2004*, V4 express readiness to use their regional and historical experience and to contribute to implementing the European Union's policies towards the countries of Western Balkans.

In the south of Eastern Europe, the international community believed that the Balkan region, following the armed conflict, needed to be stabilized first and foremost. In 1999, the EU initiated the *Stabilization and Association Process*, which involved the conclusion of individual *Stabilization and Association Agreements* with each of the Western Balkan countries. The 2003 European Council in Thessaloniki reaffirmed that all SAP countries were potential candidates for EU membership and twenty years later some of them are still only candidates. During this period of two decades the Western Balkan countries became part of the *Berlin Process* initiative created in 2014 (with the goal to revitalize the multilateral relations between the countries of the Western Balkans and the EU, to improve the regional cooperation of the countries of the Western Balkans in the field of infrastructure and economic development) and three of them, Albania, N. Macedonia and Serbia in 2019 launched the *Mini Schengen* initiative which in 2021 was transformed in *Open Balkan*. Its primary objective is to address social, economic, and trade obstacles that impede regional economic progress by introducing the four fundamental European integration principles: free movement of goods, labor, capital, and services.

2. VISEGRAD COUNTRIES VIS-À-VIS OPEN BALKAN COUNTRIES IN THE EU INTEGRATION PROCESS

2.1. *Visegrad initiative and EU integration process*

With adoption of *Declaration on Cooperation between the Czech and Slovak Federal Republic, the Republic of Poland and the Republic*

of Hungary in striving for European Integration (February 15th, 1991 in Visegrad) the signatories have decided to begin a long-term cooperation in a political, economic and cultural field, through meetings and consultations held at various levels and in various forms.¹ Few of the basic objectives were full restoration of state independence, democracy, and freedom; economic transformation (creating a modern, open-market economy); with ultimate goal, full integration into the European political and economic system. By aligning their efforts, they acknowledged that their common goals and strategies provided them with the strength to overcome the challenges ahead.

One of their initial measures was to foster economic collaboration based on the principles of a free market and mutually beneficial trade in goods and services. This approach aimed to facilitate the unhindered movement of labor and capital. Furthermore, to enhance economic effectiveness, it was considered important to create favorable conditions for direct cooperation between enterprises and foreign capital investments. To stimulate trade among the signatory states, on December 21, 1992, in Kraków, the Visegrad countries signed the CEFTA which was established over a five-year period and later extended to include countries in Southeast Europe. The main goal of CEFTA was to promote democracy and free-market economics. It seeks to boost trade in goods and services, eliminate trade barriers between the member states, and attract investment to the region through fair, stable, and predictable trade rules². During an international conference held in Krakow at the end of October 1993, the V4 countries decided to continue their joint integration efforts into Western European structures. In the middle of February 1995, an Agreement on cooperation in customs issues was signed by representatives of the V4 customs authorities. In the autumn of 1998 (on October 21st in Budapest) during the tri-lateral summit of the Presidents of the Czech Republic, Poland and Hungary, the participants expressed their support to the revitalization of the Visegrad co-operation not only in the political domain but also in other fields. Meanwhile, Slovakia was endeavoring to overcome

1 Declaration on Cooperation between the Czech and Slovak Federal Republic, the Republic of Poland and the Republic of Hungary in Striving for European Integration, <https://www.visegradgroup.eu/documents/visegrad-declarations/visegrad-declaration-110412>, 26. 10. 2023.

2 Central European Free Trade Agreement – CEFTA, <https://wits.worldbank.org/GPTAD/PDF/archive/CEFTA.pdf>, 26. 10. 2023.

its international isolation during the mid-1990s, under the leadership of Premier Vladimir Meciar. Following the accession of Czech Republic, Poland, and Hungary to NATO, they extended their support to Slovakia's accession to the European Union alongside the existing Visegrad Group members.

On May 14th, 1999, during the Prime Ministers' Summit held in Bratislava, the *Contents of Visegrad Cooperation* was adopted.³ This document outlines the substantive elements of cooperation in several fields. Concerning foreign affairs, it included the transfer of experience in communication strategy and methods related to NATO and the EU, as well as mutual exchange of experience on EU integration. This involved sharing information on positions during the preparation for accession negotiations and the implementation of *acquis*, along with consultations on the allocation of Pre-accession funds (SAPARD, ISPA, etc.). In the field of internal affairs, the focus was on cooperation in border and immigration affairs, particularly in the context of EU accession, with a specific emphasis on consultations regarding Schengen agreement-related issues. Various opportunities for cooperation were considered in the field of environmental protection and risks; potential for joint fundraising in cultural programs, sports, and youth engagement, as well as the promotion of scientific and technological contacts. There was also a focus on sharing experiences and preparing collaborative projects for participation in EU programs. In the context of infrastructure development, cooperation on joint projects aimed at enhancing the trans-European network was a top priority. This involved aligning infrastructure improvements across areas such as telecommunications, transportation, and power generation systems. Regarding cross-border cooperation, expert consultations revolved around themes like utilizing Pre-Accession Funds, providing information and recommendations for joint participation in EU programs, creating horizontal community programs, using PHARE projects in cross-border programs, exchanging experiences, and developing joint studies.

In 2000, the donor organization – International Visegrad Fund – was established by the governments of the Visegrad Group countries. Its mission was to support progress in seven key areas: culture, education,

3 Contents of Visegrad Cooperation approved by the Prime Ministers' Summit Bratislava on 14th May 1999, <https://www.visegradgroup.eu/cooperation/contents-of-visegrad-110412>, 26. 10. 2023.

innovation, democratic values, public policy, environment and tourism, as well as social development. On May 1st, 2004, all four Visegrad Group countries became members of the European Union. On 12th May in Kromeriz, they presented Declaration⁴ outlining their future cooperation within the V4 area, the cooperation with other partners, NATO, other international organizations and cooperation with the EU. An essential goal of this cooperation with the EU was to actively contribute to the development of the Common Foreign and Security Policy (CFSP), including the “Wider Europe – New Neighborhood” policy and the EU strategy toward the Western Balkans. Consequently, upon joining the EU on May 1st, 2004, the Visegrad Group members left CEFTA (it served as a transitional organization that prepared countries for full European Union membership).

2.2. Open Balkan Countries and EU Integration Process

2.2.1.SAP and CEFTA

The first EU initiative in which the countries of Open Balkan (at that time acting individually), participated, was the Stabilization and Association Process. The SAP was launched by the EU with the aim of stabilizing the region after the violent conflicts that occurred during the dissolution of Yugoslavia. The main objectives for countries of the Western Balkans were to undertake political and economic reforms, strengthen the rule of law, protect human rights, and establish functioning market economies. The implementation of this process was planned to be realized through the conclusion of Stabilization and Association Agreements between the EU and each respective country in the Western Balkans. N. Macedonia was the first country to sign the SAA in 2001 (previously the relations have been regulated, by the Cooperation Agreement signed in April 1997) followed by Albania in 2006 – the agreement entered into force in 2009 (prior to SAA, agreement between Albania and the Economic European Community was

4 Declaration of Prime Ministers of the Czech Republic, the Republic of Hungary, the Republic of Poland and the Slovak Republic, on Cooperation of the Visegrad Group countries after their accession to the European Union, 12 May 2004, <https://www.visegradgroup.eu/documents/visegrad-declarations/visegrad-declaration-110412-1>, 26. 10. 2023; Guidelines of future areas of Visegrad cooperation, <https://www.visegradgroup.eu/cooperation/guidelines-on-the-future-110412>, 26.10.2023.

signed in 1992) and Serbia in 2008 (the first agreement signed with EU together with Interim Agreement on Trade and Trade Related Matters). In 2006, the Central European Free Trade Agreement (CEFTA) was amended to also include the countries from Western Balkan which substituted all 32 bilateral relations that existed between these countries prior to the signing of CEFTA. In the long EU integration process N. Macedonia received candidate status in 2005, but the negotiations talks were only opened in 2022. Albania and Serbia had shorter waiting periods but still substantial. Serbia obtained the candidate status in 2012, while Albania achieved it two years later in 2014. It took eight years for the negotiations talks to finally be opened, with Serbia in 2020 and with Albania in 2022.

2.2.2. Berlin Process

After Croatia became part of the EU in 2013, the EU enlargement was put on hold and the Berlin Process was launched in 2014 to maintain the stability of the Western Balkans (WB), support the ongoing reforms, and to move the cooperation among the regional countries forward. This process is a platform for high level cooperation between the leaders of Western Balkan countries (WB6) and the Berlin Process host countries (Germany Austria, France, Italy, The United Kingdom, Slovenia Croatia, and Poland).⁵The goals of the 2014 *Declaration of the German Chair*⁶, set out to make concrete progress in resolution of outstanding bilateral and internal issues; achieving reconciliation within and between the societies in the region; enhancing regional economic cooperation; and laying the foundations for sustainable growth. After the *Brdo-Brijuni Process meeting* in Dubrovnik and the first Western

5 Other participants are the EU institutions (European Commission, European External Action Service and member state holding the Presidency of Council), International financial institutions (European Bank for Reconstruction and development, European Investment Bank and other investment institutions grouped in WB Investment Framework and Connectivity Europe Facility), Regional initiatives (Regional cooperation Council, South East European Transport Observatory, Energy Community, Central European Free Trade Agreement, Regional Anti-Corruption Initiative).

6 Final Declaration by the Chair of the Conference on the Western Balkans, 28 August 2014, <https://www.bundesregierung.de/breg-en/service/archive/archive/final-declaration-by-the-chair-of-the-conference-on-the-western-balkans-754634>, 26. 10. 2023; Ana Marjanović Rudan, *Berlin process in a Nutshell*, GIZ 2018.

Balkans Summit in Berlin, the next Western Balkans Summits were held in Vienna (2015), in Paris (2016), in Trieste (2017), in London (2018), in Poznań (2019), virtual Summits organized by Bulgaria and N. Macedonia in 2020 and by Germany in 2021. The 2022 Summit was held in Berlin again and the 2023 in Tirana.

In Vienna, the *Chamber Investment Forum* (CIF) was established, and the *Declaration on Bilateral Issues*, as well as the *Agreement to set up the Western Balkan Fund* (WBF), were signed. At the Summit held in Trieste the leaders of WB launched the *Western Balkan Enterprise Development and Innovation Facility* (WB EDIF), endorsed the *Multi-Annual Action Plan for a Regional Economic Area* (REA) in the WB6 and agreed upon establishment of *Western Balkans Research Foundation* (WBRF). At the Summit held in 2020, the *Declaration on the Common Regional Market* and the *Declaration on the Green Agenda* were signed. In 2022, the Heads of Governments of the WB6 signed three mobility agreements under the Common Regional Market (CRM) *Action Plan's mobility agendas* (on Freedom of movement with identity cards, on Recognition of higher education qualifications, and on Recognition of professional qualifications for doctor of medicine, dentists and architects). In Tirana Summit held on 16th October 2023, the participants emphasized the importance of regional cooperation in the Western Balkans in the current context of geopolitical uncertainty and war on European soil. They highlighted the importance of strengthening connectivity, transport, trade, energy, and digital ties in the Western Balkans, as well as between the region and the EU.⁷

Until now, the results obtained in an economic field are: 37 transport projects, 8 energy projects, 2 sustainability programs (energy, renewable energies), Investment in broadband infrastructure (digital), Soft measures in energy and transport, Investment forum of the WB6 chambers, Regional economic area, transport community, Support for SMEs through WB EDIF, Research Foundation for the WB, International Institute for Sustainable Technologies SOE, Common regional market, KfW regional challenge fund and Regional roaming agreement.

7 Chair's conclusions of Summit Meeting of the Berlin Process held in Tirana on 16 October 2023, https://www.berlinprocess.de/uploads/documents/chairs-conclusions-berlin-process-summit-2023_1697629712.pdf, 26. 10. 2023

According to Branimir Jovanovic and Mario Holzner⁸ despite these achievements, only little has been achieved with regards to the original four objectives of the Berlin Process (no great progress in resolving open bilateral and internal issues between Serbia and Kosovo; regional economic cooperation is still limited; the sustainable growth has hardly been established). In their opinion “the general public in the Western Balkans has gained the impression that the Process is a paternalistic project dominated by abroad, in which local actors simply follow the instructions⁹. The name “Berlin Process” also symbolically indicates that the process is being pushed forward by or for Berlin and not by or for the Balkans”.¹⁰ The Berlin Process ignored some of the most important economic and social problems in the region (poor infrastructure, lack of public investment and high poverty and social inequalities), and focusing primarily on improvement of regional cooperation, it neglects the special political economy of small, poor countries and their limited state capacities.¹¹

2.2.3. Mini Schengen and Open Balkan initiative

The Mini Schengen Initiative was launched by Serbian President Aleksandar Vucic, together with Macedonian Prime minister Zoran Zaev and Albanian Prime minister Edi Rama, after French President Emmanuel Macron led opposition to opening membership talks with Albania and N. Macedonia in October 2019, citing the need for internal reform within the EU. At the meeting held between Vucic, Zaev and Rama, (on 10 October 2019 in Novi Sad, in Serbia), was established the Mini Schengen initiative with the primary aim to cross the borders between three countries only with ID cards by the end of 2021. In that occasion at the joint press-conference the President Vucic said, “The document you will see is based on the freedom of movement of capital, goods, services and people, because the people of our countries deserve a better life and lower unemployment” and added that

8 Branimir Jovanovic, Mario Holzner, “The Berlin Process for the Western Balkans: Four Recommendations to Achieve Progress”, *Security Policy Working Paper* 10/2022, Federal Academy for Security Policy 2022, 2 https://www.baks.bund.de/sites/baks010/files/working_paper_2022_10.pdf, 28. 10. 2023.

9 *Ibid.*

10 *Ibid.*

11 *Ibid.*

“these are the pivotal freedoms or values, internationally acknowledged and promoted by the European Union”. He emphasized that “the agreement will yield benefits not only to the citizens, but also to the economies of these countries”.¹² The second meeting was held in Ohrid, N. Macedonia on 10th November where was adopted the *Declaration for the four EU freedoms in the Western Balkans* while on the third meeting held on 21th December in Tirana, Albania, several agreements were signed related to conditions for free access to the job market, electronic identification, collaboration in the fields of veterinary and food safety and lifting of nontariff barriers for businesses, among other things. In occasion of this meeting the Macedonian Prime minister Zaev mentioned the accomplished concrete steps of this initiative, such as the 24 hours functioning of the border controls for phyto-sanitary and veterinary controls; the completed negotiations between N. Macedonia and Serbia and for construction of new border crossing Lojane – Miratovac, as well as the agreement between the customs administrations of N. Macedonia and Albania for One Stop Shop on the border crossing Kjafasan, as the one with Serbia on the border crossing Tabanovce.¹³ The next meeting was held in online format, on 30th October 2020 to due Covid 19 Pandemic situation. During the meeting the participants stated that the Mini Schengen is fully in line with the Berlin Process and agreed that this initiative can also be used to identify joint infrastructure projects aimed at the development of the region, in accordance with the EU Economic and Investment Plan for the countries of the Western Balkans. They also invited Pristina to join the initiative and expressed hope that the governments of Montenegro and Bosnia and Herzegovina will soon be able to join this initiative.¹⁴ The next meeting was held in June 2021. in Skopje, but in online format, while

12 “President Vucic meets the Prime minister of the Republic of N.Macedonia and the Prime minister of the Republic of Albania”, <https://www.predsednik.rs/en/press-center/news/president-vucic-meets-the-prime-minister-of-the-republic-of-north-macedonia-and-the-prime-minister-of-the-republic-of-albania>, 27. 10. 2023.

13 “Prime Minister Zaev on Press Conference of WB Leaders in Tirana: We deliver results of the cooperation – strong economies for each country and more integrated and inter-connected region on our path to EU”, <https://vlada.mk/node/19902?ln=en-gb>, 27. 10. 2023.

14 “The invitation followed the establishment of the framework defined in Washington in September between Serbian President Aleksandar Vučić and Kosovo Prime Minister Avdullah Hoti. Vučić, Zaev and Rama held a video meeting on

in July the leaders met personally. At the meeting of political leaders and businessmen in Skopje on July 21st, 2021, the Mini Schengen became Open Balkan– regional initiative committed to securing conditions for practicing the four European freedoms (movement of people, goods, capital and services) for as many as possible citizens and companies on the Balkans. At the meeting three documents were signed: *Memorandum of Understanding and Cooperation on Facilitating Import, Export and Movement of Goods in the Western Balkans*, the *Memorandum on Free Access to the Labor Market and the Agreement on Cooperation in Disaster Protection*, N1 reports¹⁵. At the next meeting held in November 2021, in Belgrade, the leaders agreed to speed up coordination between governments to fully implement the agreements that would make a difference in either everyday life or doing business. The next meeting was held in December in Tirana where several agreements were signed related to free access to the labor market, electronic identification of citizens, cooperation in the field of veterinary, food and feed safety, and phytosanitary and mutual recognition of authorized economic operator – security and safety (AEOS). Six months later one new agreement (on tackling tax evasion) and three memorandums (recognition of university diplomas, cultural cooperation and cooperation in the tourism sector) were signed at the Ohrid Summit held on 7th and 8th June 2022. At the Belgrade Summit held 1–2th September 2022, the parties concluded two new agreements: on food security mechanisms, energy and on mining cooperation, one *Memorandum of understanding in cinematography and audiovisual activities in the Western Balkans* and the *Operational plan on civil protection between the three countries*.

This initiative of leader’s commitment to regional cooperation was positively assessed by EU with the following words: “we welcome the leaders’ commitments to regional co-operation, an essential element of the Western Balkans’ European perspective and an integral part of the SAP. We understand the desire to move forward. At the same time, a process that spans the entire Western Balkans region is

‘Mini-Schengen”, <https://europeanwesternbalkans.com/2020/10/30/vucic-zaev-and-rama-held-a-video-meeting-on-mini-schengen/>, 27. 10. 2023.

15 “‘Mini Schengen’ renamed ‘Open Balkan’; Vučić, Rama and Zaev sign three documents, European Western Balkans”, <https://europeanwesternbalkans.com/2021/07/29/mini-schengen-renamed-open-balkan-vucic-rama-and-zaev-sign-three-documents/>, 27. 10. 2023.

essential.” The EU spokeswoman Ana Pisonero emphasized that “in this context, it is important for the region to make progress in establishing a Common Regional Market, a political commitment made by the six regional leaders at the Sofia Summit last autumn”.¹⁶

The initiative was also positively estimated by Commissioner Varhelyi who in occasion of the meeting held in Tirana in December 2021 said: “I admire the fact that you are so attached to this initiative, most of all because the initiative comes from the Balkans, not from the EU. When we failed, you continued attracting the participation of all stakeholders in the Balkans. This is the best message that the region can send”.¹⁷ In 2002 the Open Balkan initiative received support from representatives from the State Department of USA, especially for the inclusive, regional, economic, and political cooperation developing through concrete initiatives oriented towards results.¹⁸

3. BERLIN PROCESS AND OPEN BALKAN VIS-À-VIS VISEGRAD INITIATIVE

3.1. *Berlin Process vis-à-vis Open Balkan*

The Berlin Process was initiated in a response to the EU’s announcement that there would be no EU enlargement for five years (the time of the peak of Euroscepticism within EU), whereas the creation of the Mini Schengen (later Open Balkan) emerged as a reaction to the French President Macron’s veto on commencing negotiations talks with N. Macedonia and Albania. Both initiatives, BP and OB promote regional cooperation and they are directed towards realization of the four freedoms of the European Single Market and membership in the EU. In this context one of the main projects of the Berlin Process was the creation of Regional Economic Area (REA) and later Common Regional Market (CRM). The difference between the goals of the CRM and the OB, is that the CRM aimed to reduce the border waiting times for good and citizens with ID, while OB aimed for the complete aboli-

16 “‘Open Balkan’/ After the US, the EU reacts ‘flame for flame’, the strong message is revealed”, <https://sot.com.al/english/aktualitet/open-balkan-pas-shba-reagon-flake-per-flake-edhe-be-ja-zbardhet-mesaz-i457764>, 30. 10. 2023.

17 Open Balkan, <https://vlada.mk/node/30372?ln=en-gb>, 30. 10. 2023.

18 *Ibid.*

tion of border controls for citizens, goods, commercial activities, and services between the states.

Another difference is that the first initiative includes all WB3, while the second initiative consist of only three countries: Albania, N. Macedonia and Serbia. However, the Open Balkan is open to all western countries and its promoters are constantly inviting others to join.

Considering that the Berlin Process was idea of Germany and involves international financial institutions and some of the EU member states, it distinguishes itself from other EU initiatives, as well as from Open Balkan, which is autochthone regional initiative originates from three regional leaders. One question that arises frequently is the difference between these two processes and whether there is a need for both. In this context, Albanian Prime Minister Rama's response to journalists (during the visit of Albania in 2021 of the President of the European Commission's Ursula von der Leyen) is the most authentic. The question posed to Rama was about the necessity of a second process (Open Balkan) alongside the existence of the Berlin Process. In response, Rama clarified that there isn't a second process competing against the first and he explained that only difference is that "the Berlin Process is led by our friends and partners who have thousands and one problems of their own and actually don't wake up with the question of how the Berlin Process is proceeding... But we are here, and when we are waking up in the morning, we are wondering how our economy is doing today, how our trade is doing today".

The two questions posed to Leyen were: first, whether she viewed OBI as a means of stabilizing the region or distancing it further from the EU; and second, whether the EU supported OB or the BP. She answered that "any initiative that is within the Berlin Process and that is inclusive and cooperative is welcomed, emphasizing that the BP is the framework and process that is driving this integration forward to benefit all six countries of WB. Within the Berlin Process there can be initiatives, as long as they are inclusive, as long as they honor the goal of more regional market integration".¹⁹

19 "Differing interpretations of Open Balkan brought up again during von der Leyen's visit to Albania", <https://europeanwesternbalkans.com/2021/09/28/dif>

3.2. *Visegrad initiative vis-à-vis Berlin Process and Open Balkan*

Can the Visegrad initiative be compared with the Berlin Process and Open Balkan? The Visegrad Group was established to find a common way to overcome the political-economic transition, after the fall of the Soviet regime. In 1992 with the aim of promoting trade, facilitating investment and helping the European integration process of its member states, the V4 signed the CEFTA. In the same period during the 90's there was no equivalent initiative to the V4 in the Balkan region. This was due to the conflicts in some Western Balkans countries that arose following the breakup of Yugoslavia. In response, the European Union launched the Stabilization and Association Process in 1999, aimed at stabilizing the region and preparing it for integration. The second initiative designed to foster cooperation among Western Balkan countries is the Berlin Process, which, once again, originates from European countries. The crux of difference between the Balkan process and the Visegrad initiative is similar to Rama's point about the distinctions between the Berlin Process and Open Balkans. The Visegrad countries, having gone through a similar transition following the Soviet Union collapse, may serve as better mentors to support Western Balkan countries. In contrast some European countries of the Berlin process lack this specific experience. Slovenia and Croatia are exceptions, as they share a common past with the former Yugoslav countries of the Western Balkans. However, they entered the EU through individual efforts, not through the efforts made collectively in the Visegrad initiative.

Unlike Berlin Process, a regional initiative and promotes and supported by some EU countries and EU institutions, both the Open Balkan initiative and Visegrad initiative were established by the countries in the respective regions, not promoted by the EU, but with intention of moving closer to the EU. Both initiatives share the goal of enhancing economic cooperation among member countries. A good example of economic cooperation is CEFTA to which both initiative countries are or were affiliated. The Visegrad Group, as a founder of CEFTA, later left the agreement after joining the EU. Each of the Open

fering-interpretations-of-open-balkan-brought-up-again-during-von-der-leyens-visit-to-albania/, 27. 10. 2023.

Balkan countries, on the other hand, joined CEFTA in accordance with the *Agreement on amendment of and accession to the Central European free trade agreement* adopted in 2006. Notably, during this period, the Open Balkan initiative did not yet exist.

One of the key differences between the Visegrad Group and the Open Balkan initiative is their timing. The Visegrad Initiative was launched right from the beginning of the economic and political transition of the Visegrad countries in 1991, and after 13 years of joint efforts, its members successfully entered the European Union. In contrast, Open Balkans emerged as a result of the prolonged waiting for progress in European integration, coming into existence 21 years after Albania's independence and the dissolution of the Social Federative Republic of Yugoslavia.

Another significant distinction relates to the presence of dedicated funds. The International Visegrad Fund was established in 2000. As a donor organization, supported by the governments of the Visegrad Group countries. Conversely, the Open Balkan initiative does not have a specific fund. However, since 2017., the Western Balkans Fund (WBF) has been operating in the region. The WBF is an international organization founded in 2015 and is financed by all six Western Balkan countries. Both funds share a similar focus, which serves as an important example of the transfer of institutional knowledge from the Visegrad Group to the Western Balkans. The IVF primarily supports regional cooperation among civil society organizations and contributes to progress in seven key areas, encompassing culture, education, innovation, democratic values, public policy, environment and tourism, and social development. On the other hand, the WBF aims to promote cooperation and shared values among citizens, civil society, and people-to-people contacts by providing funding for small and medium-sized projects in various key areas.

4. CHALLENGES OF OPEN BALKAN AND VISEGRAD 4 SUPPORT

4.1. Challenges of Open Balkan

The term “Western Balkans” (WB) was originally coined by Austria, referring to the former Yugoslav republics, which included

Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, and Serbia, as well as Albania. Since Croatia joined the EU and Kosovo declared independence (not recognized by several EU members such as Spain, Slovakia, Cyprus, Romania and Greece, as well as by Balkan countries, Bosnia and Herzegovina and Serbia), the term WB6 now includes Bosnia and Herzegovina, N. Macedonia, Montenegro, Serbia, Albania and Kosovo. All WB6 are part of CEFTA, the Berlin Process, and the Western Balkans Fund, but only three of them are part of the Open Balkan initiative.

The primary challenge of Open Balkan is the inclusion of the other three Western Balkan countries. In recent years, Bosnia and Herzegovina and Montenegro have participated in several meetings as observers, while Kosovo declined an offer to participate. The initiative has been met with skepticism in Kosovo, because of the ongoing disputes with Serbia. During a press conference held in February 2020 in Albania, Kosovo's Prime Minister, Albin Kurti expressed his opposition to the Mini-Schengen Initiative. However, after the signing of the document *Economic Normalization* (referred to the *Washington Agreement* signed and separately submitted to U.S. President Trump, by new Kosovo's Prime Minister Hoti and Serbia's President Vučić on September 4, 2020) Kosovo declared its intention to join the initiative. Nevertheless, in the first public statements following the new elections on February, 14th 2021, Kurti confirmed that the dialogue between Kosovo and Serbia would not be his government's priority.²⁰ While he expressed gratitude for the invitation from Macedonia's Prime Minister Kovacevski to the Open Balkan meeting held in Skopje in July 2022, Kurti stated that Kosovo would not participate in the Summit due to Serbia's "unequal treatment of the Kosovo citizens".²¹ He explained that Kosovo is already engaged in the Berlin Process, and thus sees no reason to join the Open Balkan initiative. Another significant challenge in this process is the mutual non-recognition between Kosovo and Serbia, as well as Kosovo and Bosnia and Herzegovina. Although these entities are part of the Berlin Process, the Open Balkan initiative is led by

20 Robert Muharremi, "The 'Washington Agreement' Between Kosovo and Serbia", *Insights* 25(4)/2021.

21 Valentina Dimitrievska, "Bosnia and Montenegro attend Open Balkan summit but Kosovo shuns event", <https://www.intellinews.com/bosnia-and-montenegro-attend-open-balkan-summit-but-kosovo-shuns-event-246904/>, 31. 10. 2023.

regional actors and is not mandatory like other EU initiatives, giving Kosovo the option to abstain from participation.

The Montenegrin ex-Prime Minister Dritan Abazovic expressed his support for OB verbally but didn't sign any official document. A document published by the Ministry of European Integration²² in November 2022 pointed out that the OB Initiatives coincides with Berlin's process, while at the Regional conference related to regional initiatives, it was concluded that Montenegro should continue on its path of integration into the EU and thoroughly analyze all the details before deciding to join Open Balkan. Montenegro's newly elected President, Jakov Milatovic, emphasized that the decision to join the Open Balkan initiative would be a subject of discussion within the future Government and Parliament. He expressed a clear political stance, favoring participation in an open Balkan rather than remaining in a closed one.²³

In September 2020, the tripartite Presidency of Bosnia and Herzegovina issued several conclusions that congratulated OB Initiative. However, Ministries of Foreign Affairs and of trade and economic relations conducted their own and internal analysis, which raised questions about the added value of OB. They cited the absence of financial and political support from outside especially the EU, as well as exclusion of existing regional organizations and institutions. Additionally, they pointed out the potential political implications of OB, such as the dominance of Serbia in the region²⁴.

Concerns are prevalent across the three countries regarding the potential economic and political dominance of Serbia in the region if the Open Balkan initiative's declared goals are implemented. Some critics have even labeled Open Balkan as a "Greater Serbian project".²⁵

22 Merita Toska *et al*, *Скрининг иницијативе "Отворени Балкан" – анализе земаља*, Центар за економске анализе – Скопје, Мај 2023, 13, https://ceves.org.rs/wp-content/uploads/2023/06/1.-OBI-Project-Regional-Report_Task_SR.pdf, 31. 10. 2023.

23 Beta, NIN, "Milatovic: Open Balkans better than closed Balkans", <https://n1info.rs/english/news/milatovic-open-balkans-better-than-closed-balkans/>, 31. 10. 2023.

24 *Ibid.*

25 Marina Vulović, "Introduction the Berlin Process in the Western Balkans: Big Ideas, Difficult Implementation", *SWP Comment 70/2022* Stiftung Wissenschaft und Politik, German Institute for International and Security Affairs,

These criticisms include the fear of having a Belgrade-dominated political and economic sphere, akin to the situation during Yugoslavia, as well as the possibility of undesirable external influences from actors like Russia and China²⁶.

It has emphasized repeatedly the Open Balkan is aligned with BP and EU integration. The alignment was reaffirmed by Marjan Zabrcanec the Macedonian National Coordinator for OB, who highlighted, that “in addition to the basic economic goal, the initiative also accelerates the membership of each of the six countries of the Western Balkans in the European Union”²⁷. Taking in consideration the Rama’s statement of July 2023 that the OB has fulfilled the mission for which it was born and announcement that the focus should be on the Berlin Process, after the Rama-Kovacevski joint press conference in Skopje held on the end of July, Zabrcanec believes, that the Open Balkan is not the finished story.²⁸ “However, Rama also denies having ended the initiative”²⁹.

European Commissioner Olivér Várhelyi for the first time participated in the Summit held in Tirana 2021, via video link, while the summit held in Skopje in 2022 was attended in person. In this occasion, he affirmed that “Open Balkan can be an opportunity for speeding up the EU integration path. If we do the job well, we will speed up the economic integration of the region”³⁰. On the same summit the US

https://www.swp-berlin.org/publications/products/comments/2022C70_Berlin_Process.pdf, 31. 10. 2023.

26 Ferenc Németh, “Western Balkans. From the Berlin Process to the Open Balkan Initiative. Prospects for the Accession Process”, *Mediterranean Yearbook*, IEMed 2022, 228, *<https://www.iemed.org/publication/western-balkans-from-the-berlin-process-to-the-open-balkan-initiative-prospects-for-the-accession-process/>*, 31. 10. 2023.

27 “Zabrcanec: The ‘Open Balkan’ initiative enjoys enormous support from the population of North Macedonia, Albania, and Serbia”, *<https://www.kosovo-online.com/en/news/open-balkan/zabrcanec-open-balkan-initiative-enjoys-enormous-support-population-north>*, 28. 10. 2023.

28 *Ibid.*

29 Faktoje, “The Balkans opened or closed?”, *<https://en.faktoje.al/the-balkans-open-or-closed/>* 31. 10. 2023

30 Siniša Jakov Maruci, “Montenegro Mulls Joining ‘Open Balkan’ Initiative, Kosovo Remains Opposed”, *<https://balkaninsight.com/2022/06/08/montenegro-mulls-joining-open-balkan-initiative-kosovo-remains-opposed/>*, 31. 10. 2023.

Deputy Assistant Secretary Gabriel Escobar delivered a video address that the US supports the initiative, and that the countries involved should strive to keep it focused on economy and not make it a political movement³¹. The Belgrade Summit organized in September 2022 was attended by representatives of BiH and Montenegro, as well as by Hungarian Minister of Foreign Affairs, Péter Szijjártó and Turkish Minister of Foreign Affairs Mevlüt Çavuşoğlu. In that occasion, Hungarian minister said that “if it were for Budapest, Western Balkans countries would now all be EU members”. He also said the Hungarian government was ready to build closer cooperation with countries of the Open Balkan to promote the security of energy and food supplies. He added that Hungary had increased its trade with that region by 87 percent in the past decade.³²

The second challenge faced by the OB initiatives pertains to political opposition within each OB country. In Albania the opposition argues that the OB initiative draws parallels with the European Union and primarily benefits Serbia, which possesses the most competitive economy and market in the region. The opposition asserts that Prime Minister Rama is using the initiative to self-promote and overemphasize his role in Balkan peace, creating an opportunity for Serbia to present itself as a peaceful actor as well³³. This, they claim, comes at the cost of Kosovo’s interests.

In the case of N. Macedonian, several laws have been blocked in the committees of the Macedonian Assembly led by the opposition party, and their representatives have refrained from voting on these laws in the Assembly. The leader of the Macedonian political party VMRO-DPMNE (opposition), Mickovski, stated that his party is ready to support any regional initiative aimed at improving the quality of life and the citizens’ standards. However, he expressed a lack of informa-

31 *Ibid.*

32 “Hungarian Foreign Minister attends Open Balkan Summit in Belgrade”, *Daily News Hungary*, <https://dailynewshungary.com/hungarian-foreign-minister-attends-open-balkan-summit-in-belgrade/>, 27. 10. 2023.

33 Ilir Kalemaj, “Open Balkans: Challenges and Opportunities Emanating from Tirana”, *Tirana Observatory* 5(1), Albanian Institute of International Studies, 12/2022, 30.

tion about Open Balkan and its specific goals³⁴. Following Rama's statement from July 2023, the Albanian opposition in N. Macedonia remains firmly opposed to the Open Balkans initiative. Demiri from BESA argues that "Open Balkans is nothing more than putting the Albanians under the clutches of Serbia and Russia...All projects that violate the interests of any nation, especially Kosovo in this situation, remain unacceptable"³⁵.

In Serbia the pro-Western political opposition strongly supports regional cooperation and integration as a means to address the historical conflicts that have divided the Balkans. However, certain factions within the opposition, particularly those with nationalist or conservative leanings, invoke the term "Greater Albania" to critique the government's collaborations with Albania and neighboring countries. They contend that such initiatives may encroach upon national sovereignty and Serbia's territorial integrity³⁶.

In Albania 74 percent believes that the Open Balkan facilitates the freedom of movement of people in the Balkans, while 67 percent believe that it helps also the movement of capitals and 73 percent agree that it helps the movement of goods. Moreover, 61 percent agree that the initiative could help with the opening of new jobs.³⁷ Data from the International Republican Institution in 2022³⁸ indicates the level of support for border opening and the Open Balkans initiative in the WB countries: 75 percent in Serbia, 61 percent in N. Macedonia, 68 percent in Bosnia and Herzegovina, 66 percent in Montenegro and 42 percent in Kosovo.

The third challenge is related to full implementation of the four freedoms of goods, people, capital and services. The participating countries are already beginning to use the benefits of this cooperation.

34 "Мицкоски: 'Отворен Балкан' не смее да е замена за полноправното членство во ЕУ", *Fokus*, <https://fokus.mk/mitskoski-otvoren-balkan-ne-smee-da-e-zamena-za-polnopravnoto-chlenstvo-vo-eu/>, 28. 10. 2023.

35 "Сите албански партии, освен ДУИ, бараат повлекување од 'Отворен Балкан'", <https://alsat.mk/mk/site-albanski-partii-osven-dui-baraat-povlekuvane-od-otvoren-balkan/>, 28. 10. 2023.

36 М. Тоска, *op. cit.*, 12.

37 I., Kalemaj, *op. cit.*, 35.

38 Western Balkans Regional Survey 2022, January-February 2022, Center for insight in survey research, 2022, 132. <https://www.iri.org/resources/2022-western-balkans-regional-survey--january-february-2022/>, 30. 10. 2023.

The implementation of the agreement related to free access to the labor market, which entails the removal of work permits for citizens of the OB countries is in its final phase.³⁹ Analyzing the Macedonian case, several factors need to be considered, such as the current structure of the labor market, salary structure compared to the other countries and readiness for structural changes. For instance, the Employment Agency currently has 112,000 registered unemployed individuals, while companies are in need of approximately 15,000 workers for 2023.⁴⁰ The analysis revealed surpluses in certain occupations, where there is an excessive supply of unemployed individuals compared to the demand. On the other hand, there are deficits in other occupations. High-skilled occupations particularly face surplus gaps.

Serbian economist Ljubomir Savic⁴¹ pointed out that all three countries are grappling with labor shortages, primarily in craft-related professions. He emphasized that labor exchange between the three countries has not been fully realized, and there is a decreasing number of available workers. For example, Serbia is facing a shortage of drivers, tilers, plumbers, and construction workers who often come from countries outside the Open Balkans, such as those in Asia. Savic believes that the Open Balkans initiative offers great opportunities, including open borders without delays, duty-free import and export possibilities, and a unique phytosanitary certificate that does not need to be checked at every border.

Within the framework of the Open Balkans initiative, several customs facilities have been introduced to expedite the flow of goods between the countries. Slavica Kutirov, the Director of the Customs

39 Macedonian Minister of labour and social policy, Sanja Trenchevska mentioned this progress, in an interview in August 2023; vid.Sanja Janchevska, "Interview with Minister Jovanka Trenchevska. 'The focus on young people is a focus on the future and on success'", <https://www.fakulteti.mk/news/12082023/intervju-so-ministerkata-jovanka-trenchevska-fokusot-staven-na-mladite-e-fokus-kon-idninata-i-kon-uspehot>, 30. 10. 2023.

40 "Open Balkan- incentive and pressure for faster reform of the labor market", <https://www.financethink.mk/en/open-balkan-incentive-and-pressure-for-faster-reform-of-the-labor-market/>, 30. 10. 2023.

41 "Political conditions in the region are slowing down the Open Balkans; the participating countries are already reaping the benefits", <https://www.kosovo-online.com/en/news/open-balkan/political-conditions-region-are-slowing-down-open-balkans-participating-countries>, 28. 10. 2023.

Administration, in N. Macedonia in an interview with Macedonian Radio, mentioned that special Open Balkans lanes for trucks have been opened at the border crossings of N. Macedonia with Serbia and Albania to facilitate faster transportation of goods. The One Stop Shop tool works with Serbia. In 2022, approximately 190,000 freight motor vehicles entered in N. Macedonia through this crossing, which on average means over 500 freight vehicles per day. In the heights of the annual holidays 10 lanes were enabled: 2 for cargo, one for buses and 7 for passenger, as well as priority lane for the countries of the Open Balkans, for the CEFTA countries for vehicles with sensitive goods, and for goods intended for companies with OEO status and special fast lane for empty trucks and trucks that transport goods with a European transit document NCTS.⁴²

Another significant benefit within Open Balkan pertains to initiatives aimed at reducing taxes and administrative barriers. For example, in 2022, Albania achieved a 25% increase in agricultural trade value with the Open Balkan countries, Serbia, and N. Macedonia. The export of agricultural products from Albania to Serbia increased by 58.2% in value and 13.6% in quantity and Albanian exports to Serbia reached a value of 13.5 billion lek (about 125 million euros), while imports were around 33 billion lek (circa 312 million euros).⁴³ In the past year of 2022, exports to Serbia exceeded 385 million euros, as reported by the State Statistics Office.⁴⁴ This represents a growth of nearly 32 percent compared to 2021 or an increase of nearly 53 percent compared to 2019. In 2022, imports from Serbia to N. Macedonia, reached approximately 755 million euros. This indicates a growth of about 14 percent compared to 2021 and a 19 percent increase compared to 2019. In 2022, exports from N. Macedonia to Albania exceeded 102 million

42 Media Center, <https://customs.gov.mk/mk-MK/media-centar.nspk>, 30. 10. 2023.

43 “Jaka: Strengthening economic and trade cooperation between Serbia and Albania the right path to EU”, <https://www.kosovo-online.com/en/news/open-balkan/jaka-strengthening-economic-and-trade-cooperation-between-serbia-and-albania-right>, 28. 10. 2023.

44 Љубиша Арсиќ, “Отворен Балкан си работи: Северна Македонија со континуиран раст на трговската размена со Албанија и Србија од стартоот на иницијативата”, <https://racin.mk/analizi/otvoren-balkan-si-raboti-makedonija-so-kontinuiran-rast-na-trgovskata-razmena-so-albanija-i-srbija-od-startot-na-inicijativata/>, 28. 10. 2023.

euros, marking a 7 percent increase compared to 2021 and a substantial 40 percent rise compared to 2019.

Despite all these positive results, the slow ratification of some agreements remains a challenge for the further development of the initiative.

4.2. *The Visegrad Four support to Open Balkan countries*

Since the Visegrad group countries became part of the EU, they have established themselves as a vocal supporter of the European perspective for the Western Balkans. Czech (2009), Hungarian (2011) and Polish (2011) EU Council presidencies had Western Balkan integration high on the agenda, while the Bratislava presidency (2016) included more general goal of enlargement policy. The first three were supporters of finalization of integration talks with Croatia and beginning accession talks with Serbia, while Slovakia have suggested that WB should be part of the enlargement strategy and taking part in various policy-making processes prior to their EU accession in 2018.

On the occasion of the 20th anniversary of the of the Visegrad Group, on 15 February 2011 in Bratislava was adopted the *Bratislava Declaration of the V4 prime ministers*.⁴⁵ This declaration reaffirmed the Visegrad Group's status as a recognized symbol of successful political and economic transformation. Furthermore, it emphasized that the V4 served as a model for regional cooperation in many areas. Confirming their determination to continue and further develop mutual cooperation they express the intention to: develop the principles expressed in the values of the four freedoms, which opened up new opportunities for jobs, economic cooperation, trade, investment and contacts among citizens (the V4 countries welcome the full liberalisation of access to labour markets across the EU to be completed in); and to facilitate the process of enlarging the area of stability and democracy in the EU neighbourhood and actively contribute towards the implementation

45 The Bratislav Declaration of the Prime Ministers of Czech Republic, The Republic of Hungary, the Republic of Poland and the Slovak Republic in the occasion of the 20th anniversary of the Visegrad Group, Bratislava (15. 02. 2011), <https://www.visegradgroup.eu/2011/the-bratislava>, 26. 10. 2023.

of European and Euro-Atlantic ambitions of the countries of Eastern Partnership and continue to support the Western Balkans countries in their EU and NATO integration. In 2015, all Visegrad Group countries jointly prepared an article titled “We Offer You Our Helping Hand on the EU Path”⁴⁶ which was published in major newspapers across the Western Balkans. In this article, they reassured the Western Balkan nations that the European Union’s ongoing challenges, particularly the migration and refugee crisis, would not deter their support for further EU enlargement. The Visegrad Group emphasized the importance of giving special attention to the Western Balkans transit route and called for collective European action from the outset of the migration crisis. They also highlighted their commitment to providing both unified and bilateral assistance to the most affected Western Balkans countries.” Complementary to constructive initiatives and proposals encouraging further integration, the V4 has been also united in criticizing the EU for wavering on the WB’s integration”.⁴⁷ During the meeting of the Foreign Ministers of the Visegrad Group (V4) and those of the Western Balkans (WB6) held in Prague on February 27, 2020, a Memorandum of Understanding was signed between the International Visegrad Fund and the Western Balkans Fund, representing yet another confirmation of the V4 countries’ commitment to supporting the Balkan region. Regarding the future of WB countries Visegrad Insight prepared *Strategic Foresight Report for 2030*⁴⁸ and presents five scenarios for five fundamentally different Western Balkans: *Forced Hand, Dark Future, Elusive Europeanisation, Defragmenting the WB and Banding together*. In the first scenario, the EU decides to accelerate its enlargement policy as the only limit to Russian and Chinese expansion in the WB; in the second scenario external powers will also continue to be

46 “We offer you our helping hand on the EU path”,https://www.mzv.cz/file/1695091/We_offer_you_our_helping_hand_on_the_EU_path.pdf, 26. 10. 2023.

47 Zgut, Edit, Zbytniewska, Karolina, Yar Lucia, Plevák, Ondrej, “Transforming words into deeds – the Visegrad Group and Western Balkans’ EU integration”, <https://www.euractiv.com/section/enlargement/news/transforming-words-into-deeds-the-visegrad-group-and-western-balkans-eu-integration/>, 31. 10. 2023.

48 Barbora Chrzova, et al., *Western Balkan futures*, Strategic Foresight Report for 2030, Special edition 1 (19)/ 2022, <https://visegradinsight.eu/app/uploads/2022/03/Western-Balkans-Final.pdf>, 30. 10. 2023.

active; in the third scenario EU is so preoccupied with its own problems that it becomes unable to keep the Western Balkans on the path to democratization – the enlargement policy will then lose its ideological character, the process will slow down further; the fourth scenario envisions a harmonious future where deepening economic integration fosters the reconciliation of historical grievances (idyllic scenario); in the final scenario, the growing prevalence of crises, such as the coronavirus, environmental catastrophes, and economic downturns, drives Western Balkan leaders to adopt a pragmatic approach and collaborate more closely. The pandemic marks a promising beginning, with Serbia and Albania exhibiting solidarity by providing vaccines to neighboring nations. Additionally, the scenario emphasizes the significance of regional cooperation, exemplified by initiatives like Open Balkans, in addressing shared challenges.⁴⁹

5. CONCLUSION

This research was guided by three objectives: explore the role of the regional organizations and initiatives in expediting the integration process, to examine whether the Open Balkan countries can draw valuable lessons from experiences of Visegrad Group and to elucidate how V4 supports the integration process of OB countries.

The Visegrad experience serves as a compelling example of how regional cooperation and solidarity are pivotal for EU accession. Following Slovakia's inability to join NATO alongside the other three Visegrad countries, the common objective became joint participation in the EU integration processes. In this process of solidarity with Slovakia, the exchange of information, experiences, advice, and support among the other three members played a crucial role. The strength of this initiative was the unwavering political will of all four members, earning V4 the reputation of a guarantor of stability and development in the region.

While political will for regional cooperation exists among the OB countries, integrating the other three Western Balkan nations remains

49 Ferenc Németh, "Where to Next, Western Balkans? To Join or to Keep Dragging", <https://visegradinsight.eu/where-to-next-western-balkans/>, 31. 10. 2023.

a challenge for this initiative. The primary reason for their absence is that they do not perceive this initiative as adding value to the Berlin Process. The most authentic response to the question *if the OB is necessary alongside the existence of the Berlin Process*, comes from Albanian Prime Minister Rama. He explained that partners in the Berlin Process are preoccupied with numerous challenges of their own and do not constantly focus on its progress. In contrast, those in the Open Balkan initiative are primarily concerned with the state of their economies and trade, “we are here, and when we are waking up in the morning, we are wondering how our economy is doing today, how our trade is doing today”.

The positive reaction were also received from European Commissioner Olivér Várhelyi, who suggested that Open Balkan could expedite the EU integration path, and US Deputy Assistant Secretary Gabriel Escobar, who expressed US support for the initiative, emphasizing the need to maintain its focus on the economy rather than making it a political movement. One of the most significant challenges lies in Kosovo’s resistance to involvement in this initiative, primarily due to unresolved issues with Serbia.

Despite Open Balkan already yielding positive results, it faces the challenge of garnering full support from the opposition. There is a prevailing political trend to discontinue projects attributed to the ruling party, even if they have been successful. Therefore, the institutionalization of the Open Balkan initiative is essential to ensure its continuity as a state policy rather than merely a governing one.

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„VISEGRAD“ INICIJATIVA VIS-À-VIS „OPEN BALKAN INICIJATIVA“ U PROCESU EVROPSKE INTEGRACIJE

Rezime

Nakon rušenja komunističkih režima, u zemljama Srednje Europe, vera da zajednički naponi mogu olakšati društvenu transformaciju i evropsku integraciju, poslužila je kao ključna motivacija za osnivanje Višegradske grupe (V4), koja se sastoji od Češke, Slovačke, Mađarske i Poljske. Na jugoistoku Evrope, s obzirom na ratne konflikte koji su se odigrali tokom devedesetih, 1999 godine, Savet EU je pokrenuo Proces stabilizacije i asocijacije (SAP) kako bi podstakao zemlje Zapadnog Balkana (ZP) na međusobnusatradnju i potvrdio njihovu sposobnost za članstvo u EU. Nakon što su se zemlje V4 pridružile EU, Deklaracija Višegrada o saradnji iz 2004 godine istakla je ideju podrške evropskoj integraciji susednih regiona, uključujući i region Zapadnog Balkana. Od 2004 godine do danas, zemlje ZP su podnele zahtev za članstvo u EU i dobile status kandidata za EU. Godine 2014 postale su deo inicijative Berlin Process (BP), a za troje njih – Albaniju, Severna Makedoniju i Srbiju – otvoreni su pregovori o pristupanju EU. Ove tri zemlje su pokrenule inicijativu Mini Šengen 2019 godine, koja je transformisana u inicijativu Open Balkan (OB3) 2021 godine. Budući da obe inicijative, i Višegrad i Open Balkan, imaju za cilj unapređenje međudržavne saradnje i olakšavanje procesa evropske integracije za svoje zemlje, svrha ovog rada je razmotriti ulogu regionalnih organizacija i inicijativa u ubrzanju procesa integracije, istražiti da li OB3 može izvući vredne lekcije iz iskustva V4 i objasniti kako V4 podržava proces integracije OB3.

Ključne reči: Otvoreni Balkan. – Zemlje Višegradske grupe. – Berlinski proces. – EU Integracija. – Regionalna saradnja.

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