

EU WORKS IN MYSTERIOUS WAYS:
ISOLATION AS A STEP TOWARDS WESTERN BALKANS INTEGRATION

I. Introduction

With the fall of the Berlin wall a new page in the history of Europe was opened. Signaling the end of the Cold War it awoke new hope for a united Continent. Without the dark shadow of the Iron Curtain and communism finally defeated, East European countries started transforming their societies indicating readiness to promote democratic values, support the concept of free market economy and ultimately join the EU.

However, in ex-Yugoslavia history was taking a completely different turn. With the dissolution of the republics, violent conflicts emerged, eventually turning into brutal civil wars in which more than 100.000 people lost their lives and around 2 million were displaced. Without legal instruments and a strong will to address the issue, EU Member States and other European countries closed their borders fearing that the refugee exodus might spread into their territories.

Eight years after the last Balkans armed conflict, citizens living in what is today known as the Western Balkans² (hereinafter: WB) still perceive Europe as an impenetrable region. EU Member States invested a great amount of resources to protect their borders and utilized a massive bureaucratic apparatus to distinguish the *worthy* from the *unworthy* visitors. With the newest enlargement of the Schengen region a look at the free movement map of Europe shows a black hole within the continent where *Fortress Europe* walls encircle the *Balkan ghetto*. More than 20 million citizens of Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia are enclosed within their own borders and can not travel to EU Member States without possessing a visa. Obtaining one is a time consuming, costly and a humiliating process.

The Henley Visa Restrictions Index, which ranks countries according to the visa-free access its citizens enjoy to other countries, in its Global Ranking Report for 2008³, places the WB countries between the 62nd and 76th place out of 89 countries. What makes this situation ironic is the fact that, since the 1960s, as a result of bilateral agreements with almost every European country, citizens of the federal republics in former Yugoslavia, enjoyed visa free travel regime. Thanks to the non-aligned status of Socialist Yugoslavia and the decision to open its borders to all foreigners, becoming the first Communist country to abolish visas⁴, its citizens were free to travel both to the Western and Eastern bloc countries. Even EU citizens at that time could not enjoy this privilege. The dissolution of Yugoslavia and the outbreak of the war in Bosnia and Herzegovina marked the end of this era and visa free travel became something unknown for the younger WB generations.

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² Although the EU defines the Western Balkans as “Albania and the constituent republics of the former Yugoslavia, minus Slovenia”, for the purpose of this paper the definition by the European Bank for Reconstruction and Development, under which the Western Balkans comprises Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia (including Kosovo under UN Resolution 1244), will be used.

³ Available online at: http://www.henleyglobal.com/fileadmin/pdfs/content/HVRI2009_GlobalRanking.pdf

⁴ Time Magazine, “*Beyond Dictatorship*”, USA, January 20, 1967. Available at: <http://www.time.com/time/magazine/article/0,9171,843306,00.html>

II. EU Concerns

The main reasons behind the rigidity of the EU Visa Policy towards the WB countries are the fears of illegal immigration, organized crime (drug trafficking, cigarette smuggling, trafficking of stolen vehicles, money-laundering and human trafficking), corruption and even terrorism.

1. Illegal Immigration

Illegal immigration issues contributed to an advance of far-right and xenophobic political parties in many countries of the EU⁵. High unemployment rates in the WB countries ranging from 20-35% add to the concern of possible illegal economic migration. However, more recent reports of the International Labor Organization predict that, as a result from aging European population, if labor shortage is not duly addressed there will be a drop of 22% per capita by 2050⁶.

Another report⁷, funded by the UNDP, concluded “the main finding of this report is that people in Southeastern Europe don’t move as much as is presumed – or feared – in the West. [E]ven if Schengen visas are lifted for the Western Balkans countries... the large majority of the population would not even travel, not to speak of settling abroad”.

In a recent publication⁸, concerning a study with the objective to assess misuse of visa and residence permits by students from the WB, it was stressed that “there is currently little or no misuse of visa or residence permits granted to students from the Western Balkans. Misuse is in fact an exception.” It is furthermore stated that “in general, it can be concluded from the information provided that the misuse of student visas by nationals from Western Balkan countries is of only minor importance or even completely irrelevant.”

2. Organized Crime

The idea of Yugoslavian unity and cooperation embodied in the motto *Bratstvo i jedinstvo* (*Brotherhood and unity*), was paradoxically only maintained in organized crime activities.⁹

Organized crime is a considerable problem and Europol repeatedly stresses the issue of the *Balkan route* through which illicit drugs, weapons and human beings are trafficked¹⁰. Concerning illegal drugs, heroin trade causes most concern. The shortest route from Afghanistan, where around 90% of the heroin intended for the European market is produced, to the street corners of Western European capitals, leads straight through the Balkans. The increase in European seizures is primarily due to the doubling of opiate seizures in South-East Europe (Balkan route countries). The largest increases in South-East Europe were reported by Turkey, Serbia and Montenegro, Croatia and Albania. More than 15 metric tons were seized

⁵ In France the National Front, in Austria the Peoples Party and the Freedom Party, in Belgium Vlaams Belang, in Italy the Northern League, in Denmark the People’s Party, in the UK the British National Party, in Sweden the Sweden Democrats etc.

⁶ ILO. “Towards a Fair Deal for Migrant Workers in the Global Economy”, International Labour Conference 92nd Session, Geneva, June 2004. Report VI. pg. 14 Available at: www.ilo.org/public/english/standards/relm/ilc/ilc92/pdf/rep-vi.pdf

⁷ Alina Mungiu-Pippidi, “Seeking the Virtuous Circle: Migration and Development in the Balkans”, 2005, pg. 1. Available at: [www.esiweb.org/pdf/White 20List 20Project 20Paper 20- 20Pippidi 20Virtuous 20Circle 20study.pdf](http://www.esiweb.org/pdf/White%20List%20Project%20Paper%20-%20Pippidi%20Virtuous%20Circle%20study.pdf)

⁸ Irma Salihović and Martin Hofman, “Students from the Western Balkans: The experience of EU countries regarding admission and misuse of procedures”, International Centre for Migration Policy Development and King Baudouin Foundation, Brussels, October 2008.

⁹ Věra Stojarová, “Organized Crime in the Western Balkans”, HUMSEC Journal, Issue 1, Graz, July 2007, pg. 112. Available at: www.etc-graz.at/cms/fileadmin/user_upload/humsec/Journal/Stojarova_Organized_Crime_in_the_Western_Balkans.pdf

¹⁰ Visit <http://www.europol.europa.eu/index.asp?page=publications> for the annual European Organized Crime Threat Assessments (OCTA).

in South-East Europe, exceeding the total seizures made in West and Central Europe (9 metric tons) and Eastern Europe (4 metric tons) countries.¹¹

The International Organization for Migration estimates that around 400.000 people are being trafficked yearly through the Balkans to the EU. Another 170,000 women are trafficked annually into the Balkan region.¹² However, a report¹³ prepared by the UN in 2008 reads that “most of the region is safer than Western Europe”. It is assumed that there are only few organized groups operating in the field which brings the conclusion that the majority is being made to pay for a criminal minority.

3. Corruption

Corruption is a widespread phenomenon in the WB. Transparency International, in its Corruption Perceptions Index for 2008¹⁴ places the countries of the WB between 72nd and 92nd place on the world corruption rankings list. On the other hand, there are 6 South American countries who are ranked even worse than the WB countries but nevertheless enjoy visa free travel regime with the EU. Corruption opens the door to organized crime, because once you have corrupted a politician or a civil servant in the security sector, there is no way he or she can fight against organized crime. This is basically the way that organized crime has gone about ensuring political support, and nobody can deny that corruption has penetrated very high in the political life of these countries, which makes it even more difficult to fight.¹⁵ With corrupted public sector the EU finds it difficult to establish mutual trust. Scandals with France's, Germany's Austria's and Belgium's visa issuing authorities, where it was proved that consular employees were selling visas, revealed that corruption can easily emerge from frigid visa rules and can also be linked to organized crime. For illustration, in 2004 the Italian border control apprehended a number of Albanian citizens in possession of German Schengen visas who, after being interrogated, admitted to have paid bribes ranging from €1,700 to €2,400 for their visas¹⁶.

4. Terrorism

After the terrorist attacks in the USA, UK and Spain, the EU pays particular attention to terrorist organizations. A decade of wars and riots in the WB left behind large number of weapons out of governmental control. The war in Bosnia witnessed fundamental Islamists (jihadi) fighting alongside with Bosnian Muslim population and there were suspicions that Al-Qaeda was present in Serbia at the time of the conflict in Kosovo in 1999. However, recent reports on terrorism¹⁷ do not mention the WB as a potential harbor for terrorist activities. It must be therefore concluded that neither terrorists nor terrorist

¹¹ Dejan Anastasijevic, “*Organized Crime in the Western Balkans*”, Paper presented at the First Annual Conference on Human Security, Terrorism and Organized Crime in the Western Balkan Region, Ljubljana, 23-25 November 2006, pg. 4. Available online at: <http://www.etc-graz.at/cms/index.php?id=888>

¹² Nicole Lindstrom, “*Regional Sex Trafficking in the Balkans Transnational Networks in an Enlarged Europe*”, Problems of Post-Communism, vol. 51, no. 3, USA, May/June 2004, pg 46. Available at: www.ceu.hu/polisci/Illicit_Trade-CEU/Week10-Lindstrom.pdf

¹³ United Nations Office on Drugs and Crime, “*Crime and its Impact on the Balkans*”, Vienna, March 2008, pg.9. Available online at: www.unodc.org/documents/data-and-analysis/Balkan_study.pdf

¹⁴ Transparency International is an international non-governmental organization addressing corruption. In its annual reports on corruption it orders the countries of the world according to “the degree to which corruption is perceived to exist among public officials and politicians”. The Corruption Perceptions Index for 2008 is available online at: http://www.transparency.org/news_room/in_focus/2008/cpi2008

¹⁵ Istvan Gyarmati, “*Security Sector Reform as a Contribution to Crime Prevention in South Eastern Europe*” pg. 59. Available online at: http://www.pfpcconsortium.org/PRODUCTS/publications/journals/pfpc_qj_vol2no2_en.pdf

¹⁶ Frankfurter Allgemeine Sonntagszeitung, “*Glückwunsch, du kannst nach Deutschland*” (Congratulations, you can travel to Germany), Frankfurt, 20.02.2005, No. 7, pg. 4. Available online (in German) at: http://www.faz.net/s/Rub594835B672714A1DB1A121534F010EE1/Doc~E11C40E9635C44133A004CADF861876AB~ATpl~Ec_ommon~Scontent.html

¹⁷ See for example the “Country Reports on Terrorism” by the US Department of State or “*EU Terrorism Situation and Trend Reports*” by Europol.

organizations are active in the WB region. Furthermore, as a result of the presence of the European Forces in Bosnia and Herzegovina (EUFOR, 7,000 troops) and the NATO Kosovo Force (KFOR, 14,000 troops), it is very unlikely that anyone would try to engage in terrorist activity.

III. Legal, Political and Administrative Aspects of the EU's Visa Policy

With the coming into force of the Maastricht Treaty in 1993 immigration from outside EU was handled by intergovernmental cooperation under the Justice and Home Affairs Pillar. In 1995 the Schengen Agreement entered into force and the borders inside the Union started disappearing marking the creation of the Schengen zone. The new EU treaty of Amsterdam from 1997 incorporated the Visa policy into the matters of the European Community (hereinafter: EC) where legislation is passed solely by EU institutions. In 1999 the Council adopted a Regulation¹⁸ listing all third country nationals requiring a visa to enter the Union. This "black list" contains all of the WB countries despite their relationship with the EU as candidate or potential candidate states.

Article 62, point (2)(b) of the Treaty establishing the European Community¹⁹, stipulates that the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. The procedure for the adoption of these rules is prescribed in Article 251 under which the Commission shall submit a proposal to the European Parliament and the Council. Afterwards, the Council, acting by a qualified majority after obtaining the opinion of the European Parliament, approves or rejects the proposal. As mentioned above, Council Regulation (EC) No 539/2001 as subsequently amended is currently in force. The Regulation provides for full harmonization as regards the third countries whose nationals are subject to the visa requirement and those whose nationals are exempt from that requirement²⁰. All of the WB countries are listed in Annex I of the Regulation.

The Common Consular Instructions²¹ regulate the procedure for examination of visa applications and the issuance of visas. Aliens are required to fill in the uniform visa form and provide supporting documents regarding the purpose of the journey. The basic requirements for WB applicants, concerning the supporting documents, are not harmonized, but they usually include valid passport, two photos, official statement of employment or statement of student status, a letter of invitation or other proof of purpose of the stay, proof of return ticket, means of subsistence (cash, traveler's check, credit card etc.), health insurance and proof of accommodation in the visiting state. Other documents which can be required include proof of place of residence, proof of ties with the country of residence, proof of personal income, birth certificate, marriage certificate, driving license and previous visas. In some cases applicants are required to provide officially translated or notarized documents. The visa fee is €35 and is non-refundable in case of rejection. Collecting all these documents and traveling to an embassy is time costly and expensive process which in some cases can equal to an average salary (between €200 and €400 in the WB countries) and is not a guarantee that the visa will be issued.

In 2003, at a milestone EU-WB summit in Thessaloniki, it was declared that the place of the WB countries is within the EU and it is not a question "if" but rather "when" will they be able to join the

¹⁸ Council Regulation (EC) No 574/1999 of 12 March 1999 determining the Non-EU Member Countries whose nationals must be in possession of visas when crossing the external borders of the Member States. This Regulation was replaced by Council Regulation (EC) No 539/2001 of 15 March 2001 which was subsequently amended three times in 2001, 2003 and 2005 respectively.

¹⁹ Treaty establishing the European Community (consolidated text), Official Journal C 325 of 24 December 2002. Available online at: http://eur-lex.europa.eu/en/treaties/dat/12002E/pdf/12002E_EN.pdf

²⁰ Currently 29 countries are exempt from the visa requirement and they are listed in the second Annex to the Regulation whilst all other countries requiring a visa are listed in the first Annex.

²¹ Common Consular Instructions on Visas for the Diplomatic Missions and Consular Posts (2005/C 326/01). Available online at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2005:326:0001:0149:EN:PDF>

Union. In an official Declaration²² it was stated that “The EU is aware of the importance the peoples and governments in the Western Balkans attach to the perspective of liberalization of the visa regime. Meanwhile, progress is dependent on these countries implementing major reforms in areas such as the strengthening of the rule of law, combating organized crime, corruption and illegal migration, and strengthening their administrative capacity in border control and security in documents”.

As a matter of fact, the actual definition [of major reforms] itself also leaves room for maneuver that leads to a quasi total discretion to the European Union (or more precisely the Schengen countries), mixing political and legal considerations, facts, expectations and acts of encouragement.²³

In 2007, agreements on facilitation of issuance of short-stay visas²⁴ (hereinafter: VFAs) between the EC and the WB countries were signed and entered into force in 2008. The explanatory memorandum of the agreements states that this is a “transitional step towards the lifting of the visa obligation which remains a medium-term perspective”. The agreements further reveal the need for such move which is “to facilitate people to people contacts as an important condition for a steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens”. It was agreed that a decision whether or not to issue a visa will in principle have to be taken within 10 calendar days. The visa fee shall amount to €35 (the regular fee for other countries needing Schengen visa is €60) but will be free of charge for certain categories of persons²⁵ and the documents in regards to the purpose of the stay are simplified and decreased for the stated categories of persons. Prior to the signing of these agreements, the agreements on readmission (of illegal immigrants)²⁶ between the EC and the WB countries were signed. The signing of those agreements was a prerequisite for signing the VFAs and it was argued by some²⁷ that the EU is exchanging simplified visa regime for *bona fide* travelers for a legal instrument governing extradition of illegal immigrants from the WB countries or any other third country nationals who traveled to the EU via the WB. Other authors argued that the decision to conclude the VFAs “was triggered by Kosovo’s independence, which was finally to be declared in February 2008. This led the EU to look for a sweetener for Serbia... once the dialogue was established with Serbia, it could not have been denied to its neighbors”.²⁸ Signing the VFAs instead of granting visa-free travel regime enables the EU to push for further reforms in the WB countries, which if successful could lead to visa-free travel for their citizens.

More than one year since the VFAs entered into force there are conflicting reports in relation to their implementation. While the consular offices of the EU Member States claim that the number of granted visas has risen, the procedure has been considerably simplified and the percentage of rejected applications has fallen, a recent research study concluded: “our monitoring has pointed out that the VFAs do not perform according to plan and that certain dispositions of the agreements are sometimes not upheld in the member states’ consulates. In addition, the EU member states consulates’ seem to have quite distinct

²² Declaration, EU-Western Balkans Summit, Thessaloniki, 21 June 2003. Available online at: www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/misc/76291.pdf

²³ Peter Kovacs, “*The Schengen Challenge and its Balkan Dimensions*”, CEPS Policy Brief No. 17, Brussels, March 2002, pg. 2. Available online at: http://shop.ceps.be/downfree.php?item_id=118

²⁴ Available online at: <http://www.esiweb.org/index.php?lang=en&cid=351>

²⁵ Close relatives, government officials, students, disabled persons, journalists, representatives of the religious communities and civil society, members of train crews, pensioners, children under the age of 6, drivers conducting international cargo and passenger transportation services, humanitarian cases and persons participating in cultural, educational exchange programmes and sport or cultural events.

²⁶ Available online at: <http://www.esiweb.org/index.php?lang=en&cid=351>

²⁷ See for example “*EC Visa Facilitation and Readmission Agreements: Implementing a New EU Security Approach in the Neighbourhood*” by Florian Trauner & Imke Kruse, CEPS Working Document No. 290, April 2008. Available online at: shop.ceps.eu/downfree.php?item_id=1646

²⁸ “*The White List Project EU Policies on Visa-Free Travel for the Western Balkans*”, ESI Background Paper, November 2008. Available online at: http://www.esiweb.org/pdf/esi_document_id_106.pdf

policies in terms of honoring the provisions of VFAs. In other words, some consulates seem to be more restrictive than others or have their own visa policies”.²⁹

In May and June of 2008 the countries of the WB were presented with Visa liberalization roadmaps³⁰, prepared by the EU Commission, they contain approximately 50 requirements that the countries must meet in order to become eligible for visa free travel. The first set of requirements is in relation to effective implementation of the readmission agreements, and the second set concerns implementation of the VFAs. The requirements are divided into four blocks: document security, illegal migration, public order and security, and external relations. The document security block relates to issuance of biometrical passports with fingerprints of the owner, straightening the administrative capabilities of the border authorities, use of IT technology equipment and conclusion of a working arrangement with FRONTEX³¹. The second block is dedicated to Illegal migration, including readmission. WB countries are required to implement the legislation in the area of asylum in line with international standards (1951 Geneva Convention with New York Protocol) and the EU legal framework and standards and provide adequate infrastructure and strengthen responsible bodies, in particular in the area of asylum procedures and reception of asylum seekers. Furthermore, data both on illegal and legal migration must be collected and analyzed and effective expulsion of illegally residing third country nationals must be insured. Public order and security is the third block and consist of preventing and fighting organized crime, terrorism and corruption, judicial co-operation in criminal matters, law enforcement co-operation and data protection. This block includes requirements for development of working relations with Eurojust³² and implementation of the action plan for the signature of an operational cooperation agreement with Europol³³. The fourth block is dedicated to external relations and fundamental rights and the requirements include ensuring the freedom of movement of citizens, adoption and enforcement of legislation for effective protection against discrimination and implementation of relevant policies regarding minorities.

Although some of the requirements in the roadmaps are clearly defined (issuance of biometrical passports for example), others are firmly broad and it will be hard to draw a conclusion in relation to their fulfillment (fight against organized crime and corruption for example). This makes it possible for the EU to postpone the visa liberalization process should it decide to do so. It must be borne in mind that the final decision is made by the Council of the EU which is a political body. Therefore, such decision is bound to be a political one.

WB countries find themselves at a different stage in relation to the fulfillment of the requirements from the roadmaps. While Macedonia, Montenegro and Serbia are fairly advanced in this process and have a potential opportunity to be included on the “white Schengen list” by the beginning of 2010, the same can not be said for Albania and Bosnia and Herzegovina.

IV. Implications for the Western Balkans Countries

Where other European countries profit from free trade, the WB is left to its economical stagnation; where European youth benefits from the "Erasmus programme" the WB youth only sees the EU on television. A report prepared by the International Commission on the Balkans pointed out that “more than 70 of students in Serbia have never traveled abroad, [a]nd experience the greatest difficulties in visiting the

²⁹ Amra Seleskovic, Ditmir Bushati, Daliborka Uljarevic, Olja Homa and Tanja Hafner Ademi “*Does it Really Matter? Visa Facilitation in the Western Balkans: Monitoring of the New Agreements*”, The Hotline Report, December 2008. Available online at: www.em-al.org/Briefing_report-visa-English.pdf

³⁰ Available online at: <http://www.esiweb.org/index.php?lang=en&id=352>

³¹ Frontex is an EU agency, created as a specialized and independent body tasked to coordinate the operational cooperation between Member States in the field of border security. Its activities are intelligence driven. Frontex complements and provides particular added value to the national border management systems of the Member States.

³² Eurojust is an EU body with a view to reinforcing the fight against serious organized crime.

³³ Europol is an European Law Enforcement Organisation which aims at improving the effectiveness and co-operation of the competent authorities in the Member States in preventing and combating terrorism, unlawful drug trafficking and other serious forms of international organized crime.

EU³⁴ The same, if not worse, can be supposed for the rest of the WB countries. The EU visa regime has negative impact on business, education, culture, science and people to people contacts. It is indeed ironical that citizens of WB countries (all of which were reassured that their place is in the EU), in reality, are unable to freely travel and visit the Union they want to join. Macedonians are applying for Bulgarian citizenship as Bosnians do for Croatian in order to facilitate travel. This practice undoubtedly undermines statehood which is rather dangerous for young and emerging democracies.

Aside from being frustrated for having to wait for hours in long queues under open sky, citizens of the WB countries are often resented by the treatment they receive from consular staff when applying for visa. They describe their experiences as inhumane and degrading. In 2005 a scandal involving the British embassy in Skopje illustrated how absurd the visa application process can become. 45 members of a folkdance group went to the embassy to apply for visas in order to attend a folk festival in Wales. Having invested for new costumes and set aside around €2,000 for visa fees, they arrived at the embassy in the 40°C noon heat. The consular clerk, attempting to prove they are genuine, asked them to dance. In the end, not everyone got their visas and the ensemble was not able to perform at the festival. In Serbia, a book comprised of 20 best stories³⁵ from visa queues was published, exemplifying the hardships of visa applicants wishing to travel to the EU.

Looking at the positive side, “the issue of visa relief created a common cause in the Western Balkans. It has become a catalyst for cooperation among different groups in this fractious region. For instance, the Catholic, Jewish, Muslim and Ortodox communities in Bosnia and Herzegovina have started to work together in an effort to gain more travel opportunities for the country’s citizens. Perhaps most remarkably, the common cause has brought together Serbians and Albanians.”³⁶

V. Future Prospects

At a conference organized by the European Policy Center in 2005, Franco Frattini (at that time serving as a Commissioner responsible for Justice, Freedom and Security), delivered a speech³⁷ stating, *inter alia*, that the visa liberalization is his personal and EU’s goal as well. However, he added that “at this stage, we [the EU] consider that the lifting of the visa obligation for citizens of Western Balkan countries is not yet an option”. Five years later, in April 2009, Franco Frattini (now serving as a Foreign Minister of Italy), together with foreign ministers from seven other EU Member States, sent a joint letter, addressed to the EU Commission, requesting immediate lifting of visa regime for the WB. “We believe that the necessary decision for liberalization of the visa regime should be made without delay, once the countries fulfill the requirements and criteria. [T]he Commission should issue a recommendation to the Council of Europe for canceling of the visa requirement”³⁸, the letter stated.

Currently, the EU Commission is finalizing the assessment reports in relation to the WB countries’ progress towards fulfilling the criteria set by the visa liberalization roadmaps as well as the progress made in the implementation of the readmission and visa facilitation agreements. WB countries are being assessed individually, on a case-by-case basis. If the assessment is positive, the Commission is expected to prepare a proposal for amending Council Regulation (EC) No 539/2001 and include some of the WB countries in Annex II (white list) and remove them from Annex I (black list). As mentioned above,

³⁴ Report of the International Commission on the Balkans, “*The Balkans in Europe’s Future*”, Sofia, April 2005, pg. 34. Available at: www.cls-sofia.org/uploads/files/Projects_20files/International_20Commission_20on_20the_20Balkans.pdf

³⁵ Available online at: <http://www.needvisa.net/new/best/best1.htm>

³⁶ Florian Trauner, “*EU Justice and Home Affairs Strategy in the Western Balkans Conflicting Objectives in the Pre-Accession Strategy*”, CEPS Working Document No. 259, February 2007, pg. 16. Available online at: shop.ceps.eu/download.php?item_id=1469

³⁷ “*EU and the Western Balkans : Visa, Asylum and Immigration*”, SPEECH/05/754, Brussels, 30 November 2005, pg. 3. Available online at: <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/05/754>

³⁸ MAKFAX, “*Immediate lifting of visa regime for Western Balkan*”, Skopje, 9.4.2009. Available online at <http://makfax.com.mk/en-us/Details.aspx?ItemID=2901>

Macedonia, Montenegro and Serbia have fulfilled most of the roadmap requirements and expect abolishment of the visa obligation. The final decision will be made by the Council of the EU, presumably in November 2009, and as from the beginning of 2010 visa free travel could become reality for a number of WB countries.

VI. Conclusion

The aim of this paper has been to assess the necessity of the EU visa policy towards the countries of the WB. Despite the fact that Macedonia is an official EU candidate state and Albania, Bosnia and Herzegovina, Montenegro and Serbia are all potential candidate states, the EU has closed its borders and requires citizens of the WB countries to be in a possession of visa when entering the Schengen zone. Although reasons for such move were clearly existent in the 1990s (civil wars created immigration and security risks) it is highly questionable whether keeping the borders closed for the last eighteen years represents a sensible solution. Arguments in support of the visa regime, including illegal immigration, organized crime, corruption and terrorism might appear compelling at first glance, but scrutinizing them shows that they are not entirely convincing. This paper presented reports from a number of trustworthy organizations and sources proving that EU's concerns are not completely substantiated. In relation to illegal migration, it is reasonable to presume that most of those who wanted to migrate have already found a way to do so. Recent studies show that people from the WB countries don't move as much as is presumed – or feared – in the West. Concerning organized crime, it must be borne in mind that the WB region is safer than previously thought, even safer than Western Europe. Regarding corruption, the argument does not sound very firm when it is no secret that South American countries, which are on the white visa list, are much more corrupted than the WB countries. Finally, no proof of terrorist activities in the WB exists. Business, education, culture, science and people to people contacts have been all greatly hindered as a result of the visa regime. WB countries are not taking part in important European economic, cultural and academic networks. It should not be overlooked that inclusion in such social networks might be the key to bringing stability and prosperity to the WB while integrating the region that shares the same European history and values. Ahead of the Thessaloniki Summit in 2003, the EU Commissioner for External Relations, Chris Patten said: "Thessaloniki will send two important messages to the Western Balkans: The prospect of membership of the EU is real, and we will not regard the map of the Union as complete until you have joined us." It is time for the EU to start fulfilling its promise and thus end the era of isolation.