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CHINA'S DEVELOPMENT ASSISTANCE TO THE WESTERN BALKANS AND ITS IMPACT ON DEMOCRATIC GOVERNANCE AND DECISION-MAKING

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Abstract: *China's development assistance to the Western Balkans has been little researched and aid-funded projects are often mistermmed as Chinese investments. This article aimed to shed light on specific 'China Aid' disbursement and management procedures by examining the signed agreements and contracted projects in five countries - Albania, Bosnia and Herzegovina, Montenegro, N. Macedonia, and Serbia during the period 2000-2020. The objective was to determine the impact of China's development assistance on democratic governance and decision-making. Attride-Stirling's thematic networks tool was used to analyze the procedures in each project cycle phase and their compliance with the principles of good governance and aid effectiveness. The findings suggest that the assistance, shaped by Chinese rules in combination with Western Balkans domestic agency, is marked by the opacity of the procedures, lack of accountability, disregard for rules in public finance management, and public procurement. Moreover, China could use its grant and loan agreements to influence sovereign decision-making on issues that affect China's interests. To conclude, although China's development assistance to the Western Balkans could benefit the recipients' economic development, it also constrains their democratic governance and decision-making and serves China's foreign policy interests.*

Keywords: *China; Western Balkans; Development Assistance; Aid; Development Cooperation*

INTRODUCTION

While there is abundant scholarship regarding PR China's economic engagement in the Western Balkans (WB) in terms of trade, investments, and infrastructure projects, there is a lack of previous research from the perspective of development assistance as a specific instrument in China's foreign policy. Few articles dealing with China-funded projects make a distinction between projects funded through development assistance and those funded through commercial loans and instruments such as concessions, public-private partnerships, and private investments. Instead, China-funded projects are usually labeled as investments, which may lead to a skewed perception of China's intentions and influence in the region.

Moreover, there are numerous projects which are announced, but not all of them are implemented, which may create an exaggerated perception of China's actual presence in the WB region. On the other hand, China terms its development assistance as development cooperation, which can obfuscate the fact that the funding flows in only one direction and, although it may not be widely acknowledged, China is a donor in the WB.¹

The paper at hand aims to address these gaps by focusing on China's development assistance towards five Western Balkan (WB) countries - Albania, Bosnia and Herzegovina (B&H), Montenegro, N. Macedonia and Serbia in the period 2000-2020.² It specifically discusses the disbursement and management procedure and its influence on the countries' democratic governance and decision-making.

The causality between development and governance is put forward by the UN agencies which define democratic governance as "a process of creating and sustaining an environment for inclusive and responsive political processes and settlements" (UN 2012, 3). Good governance is "participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and follows the rule of law" (Banerji 2015). These principles are considered crucial for development (UN 2012, 3).

The Paris Declaration on aid effectiveness also establishes a clear link between democracy, governance, and the development of aid recipients (Paris Declaration 2005, 15). It recommends that the aid conditionality be transparent, result-oriented, and based on the beneficiary's policy (Paris Declaration 2005, 20). Most OECD Development Assistance Committee (DAC) donors focus their conditionality on improving good governance to maximize the aid's positive impact on development. China, on the other hand, emphasizes the fact that its development cooperation does not include any strings attached. According to China's foreign policy principles and understanding of development, national authorities have the sole responsibility for a country's development and the path to achieving it (Zhang 2015). Hence, the Chinese side sees itself as a mere executor of national authorities' requests and, while it sets the rules, it does not interfere with decisions in different project cycle phases.

China's history as a donor dates back to the 1950s when it sought to support like-minded communist countries (North Korea, Vietnam, Mongolia, and Albania). Its evolution has been marked by the expansion in scope to many other countries, dissociation from ideological drivers and linkage to economic and foreign policy objectives, as well as the increasing prominence of concessional loans as opposed to grants (De Haan 2018, 374).

Although it provides development assistance in various forms and increasingly high amounts, China remains the biggest donor outside OECD's DAC.

¹The paper uses interchangeably the terms development assistance, aid, and cooperation as they are used by different stakeholders to designate the same concept.

²Kosovo does not have official relations with China and is not a recipient of its development assistance, hence will not be included in the analysis.

Its assistance focuses on economic and social infrastructure (De Haan 2018) and does not fully correspond to the definition of official development aid published on OECD's website being "government aid aimed to promote economic development and wellbeing in developing countries which includes grants, 'soft' or concessional loans with a high grant component and technical assistance" (OECD 2021).

Since the 1990s, all the WB countries have been receiving China's development assistance through grants and, except Albania, also loans. Concessional loans are provided by China's Exim Bank and are considered China's development cooperation regardless to which extent the loan conditions are more favorable than those on the open market, which is a key difference in comparison to OECD's definition. In that context, under Western terms, the scope of China's development assistance corresponds more to official development finance than to development aid.

Given the fact that China does not publish disaggregated information at the country and project level, as well as the scarcity of official data published by WB authorities, this research used an open-source dataset on Chinese official finance as a starting point (AidData 2021). A total of 88 development cooperation projects (69 grants and 19 concessional loans) were identified and verified as being contracted through a review of official documents, including 12 grant and loan agreements,³ press statements, media articles, requests for access to information submitted to public authorities and 20 semi-structured interviews. Moreover, the paper makes use of the author's personal experience as a government official working on the management of China's development assistance and EU funds.

The analysis of the qualitative data was conducted using Attride-Stirling's thematic networks tool at the level of projects and taking into account the phases of the project cycle as 'organizing themes': needs identification, project selection, preparation, financing, tendering, implementation, sustainability, and impact. The procedure for each phase was then analyzed in light of the above-mentioned democratic governance principles as 'global themes' (Attride-Stirling 2001).

³The analysis of concessional loans is based on eleven agreements (10 from Serbia and 1 from Montenegro) published by AidData, while the remaining loan contracts are not publicly available: <https://www.aiddata.org/how-china-lends>

OVERVIEW OF CHINA'S DEVELOPMENT ASSISTANCE TO THE WESTERN BALKANS

The procedure and amounts disbursed through the two instruments available to the WB, grants and concessional loans, varies greatly. Chinese grants are allocated through bilateral Technical and Economic Cooperation Agreements (TECA) signed between the governments. A total of 47 such agreements have been signed between 2000 and 2020. They are not signed on regular basis, but once every 1-3 years and amount, on average, between €1 and €2 million per country annually. Only some of the agreements include a provision on the priority area or the specific project for which the funds have been earmarked. Generally, it is the national government of the beneficiary country that decides and selects the projects according to its internal procedures.⁴

While it is impossible to determine the exact value of the assistance in grants per country, based on publicly available data, it can be assessed at a minimum of €123.38 million in signed TECAs and €83,16 million in implemented projects for the whole region in the period 2000-2020. In terms of type, most grant projects are donations -supplies of goods, equipment, and materials, while only a handful are complete projects that include works and installation.

The priority areas include education, health, infrastructure, and agriculture, but there are notable exceptions in terms of donations of military equipment to Serbia and Bosnia and Herzegovina (B&H).

When it comes to concessional loans, while the number of agreements and implemented projects is much lower, the overall amounts are much higher. The total value of the 19 projects contracted, ongoing, and implemented in the five WB countries amounts to almost €11 billion (Table 1). The interest rates range between 2-3%, the repayment period usually extends to 15-20 years and there is a grace period of several years. Most projects fall within the scope of large infrastructure in different areas – transport (highways, railways, and bridges), energy (thermo-power plants), environment (waste-water treatment plants, heating infrastructure) and there are only two supply contracts (ships in Montenegro and customs scanners in Serbia).

However, there are significant differences in the overall amount per country, with Albania having contracted 0 and Serbia €7,759 billion of Chinese concessional loans. Albanian authorities do not think that implementing projects with Chinese concessional loans leads to maximizing their interests because of the procedures imposed by the Chinese side.⁵ Serbian authorities on the other hand see the Chinese side as a preferred partner because, unlike the EU, it does not impose strict conditions.⁶

⁴Interviews with a Macedonian civil servant, Albanian, Bosnian and Serbian diplomats (March-July 2021).

⁵Interview with an Albanian diplomat (Tirana, 07 July 2021).

⁶Interview with a Serbian diplomat (Belgrade, 20 May 2021).

Table 1: Chinese Development Assistance to the WB Countries in the Period 2000-2020 (Source: Author's depiction 2021)

Country	N° of Signed TECAs	Value of TECAs (Mill. €)	N° of Grant Projects	Value of Grant Projects (Mill. €)	N° of Loan Projects	Value of Loan Projects (Mill. €)
Albania	11	16,38	10	10,75	0	0
B&H	6	22,2	14	16,77	2	1322
N. Macedonia	13	33,4	11	18,81	1	909
Serbia	10	35,8	22	23,42	14	7759
Montenegro	7	15,6	12	13,41	2	975
Total	47	123,38	69	83,16	19	10965

IMPACT OF THE ASSISTANCE ON DEMOCRATIC GOVERNANCE AND DECISION-MAKING

Although China's development assistance is more limited in amounts compared to that allocated by the EU and other Western donors, it is sometimes seen as a quick and cheap alternative to fill in certain development gaps,⁷ which makes it more attractive for politicians seeking to show results during their political mandate. This is also relevant for the WB countries' where infrastructure needs largely exceed national budgets and the amounts available from Western donors and lenders. While most Chinese aid projects in the WB are part of national strategic documents and are widely accepted by local communities to be beneficial for the recipient countries, the implementation model sometimes challenges the established norms of democratic governance which all five countries strive to implement in their aspiration to join the EU.⁸

Transparency and Participation

In line with China's guidelines on the management of its development assistance, information regarding the disbursement to the WB countries is not publicly available, nor easily accessible. There are not any documents enumerating signed agreements or implemented projects and some of the governments, as is the case of Serbia, consider information related to China's development assistance to be classified.⁹

In cases when Chinese authorities have come forward with exact numbers, there are notable differences in the overall value compared to the amounts reported by the WB national institutions. This is the example of North Macedonia, where according to

⁷Online interview with a representative of DG Near (23 April 2021).

⁸Interviews with Serbian China scholars (Belgrade, 19 May 2021) and with Montenegrin think tank researchers (Podgorica, 7 July 2020).

⁹Response to a request for information submitted by the author in March 2021.

the incumbent Chinese Ambassador, the development assistance amounts to €42 million (Secretariat for European Affairs 2019), while the national institutions can only account for €31,2 million in signed agreements.¹⁰

When it comes to concessional loans, the project amounts are publicly available because they have to be approved by the national parliaments which in principle operate transparently. However, when it comes to other details and information related to project implementation, some countries choose to classify documents related to the implementation (Calovic-Markovic and Milovac 2020, 48). This stems from the fact that the signed agreements are usually ambiguous. An analysis of 12 project agreements shows that all contracts signed after 2014 contain a confidentiality clause that is subject to the beneficiary's national legislation. In other words, while the Chinese side would prefer the agreements not to be widely publicized, it does not prohibit the WB governments from publishing the information that they are obliged to make public under national legislation.

Moreover, the procedures related to needs identification and project selection do not include public consultation, and projects are not always prioritized in line with the national Single Project Pipelines, but at closed-door meetings.¹¹ Different stakeholders, usually institutions and municipalities, can voice their needs by addressing the governments or the Chinese embassies, which on one hand allows for greater flexibility, but also represents a deviation from the EU-prescribed project selection criteria of maturity and strategic impact.¹²

Efficiency and Effectiveness

Shortcomings in project selection and preparation lead to the financing of projects with low economic, financial, and environmental sustainability, such as the highways in Montenegro and North Macedonia or thermopower plants.¹³ Moreover, the selection of concessional loans as a funding option for such projects lead to soaring national debt levels and, in some cases, a worrisome state of affairs in terms of public finance stability and sustainability. The case of Montenegro is particularly telling: China holds approximately 25% of the national debt which reached 103% of GDP in 2020 (Jankovic and Standish 2021). In the case of Serbia, the country with the highest value of Chinese concessional loans, by the end of 2021 the public debt was expected to rise to 70% of GDP, surpassing the EU's threshold of 60% and the Serbian legal threshold of

¹⁰Interview, Macedonian civil servant (Skopje, 15 March 2021).

¹¹Interviews (March-July 2021).

¹²Interview, DG Near.

¹³Interviews with a Montenegrin think tank researcher (Podgorica, 7 July 2021) and a Bosnian environmental activist (Tuzla, 25 July 2021).

45% (Rankovic 2020). The opacity of the tendering and contracting procedure leaves room for undue influence and corruption.

Namely, in all Chinese-funded projects, the contractors are not selected through a public and competitive procedure, but either directly chosen by the Chinese side using its procedures and criteria or selected by the authorities of the beneficiary country among companies previously shortlisted by the Chinese side. An investigation into the selection of Sinohydro as the most favorable bidder to build N. Macedonia's highways revealed that Macedonian high-level officials did not take into account a second, more favorable offer by the company CWE and negotiated commission for awarding the contract to Sinohydro (Krstinovska 2019).

The value of specific works is usually negotiated behind closed doors and sometimes reaches amounts that are considered exaggerated. That is the case in Serbia's Frushka Gora Corridor where the agreed price doubled the amount envisaged with the feasibility study (Pavkova 2021) or in the case of N. Macedonia's highway where the agreed price per unit was four times higher than the price offered by the same contractor at a public tender to build a local road (Vecer 2019).

In both cases, the procedure makes it impossible for WB domestic companies or companies from any other country to compete in the bids, raising questions about whether the WB states obtain the best value for money and benefits for the local economies (Stevanovic 2021). The choice of the contractor(s) and the circumvention of the national public procurement legislation are usually approved by special laws voted in the beneficiary's national parliament. Most contracts contain a clause to include domestic sub-contractors to conduct works amounting to 30-49% of the total value of the contract. In the absence of a transparent procedure or official explanation, the choice of subcontractors seems to be a prerogative of the Chinese contractor. In the case of the highway in Montenegro, one of the subcontractors, a company close to the ruling party in power when the contract was signed, received more than half of the €420 million paid to subcontractors until 2019, or more than all the other subcontractors together, while employing fewer workers on the project (Calovic-Markovic and Milovac 2020, 26). On the other hand, Serbian national authorities point out that the current project implementation model allows for the transfer of technology and know-how from the Chinese contractors to the WB subcontractors, ultimately benefitting local companies.¹⁴

While donations of goods and materials do not display major issues, many of the projects involving works have experienced various implementation challenges leading to additional costs and delays. For instance, the construction of a primary school using a Chinese grant in N. Macedonia cost more than twice the initially envisaged amount of €1,5 million and took 4, instead of 2 years to be finished, due to issues related to the

¹⁴Interview with a Serbian diplomat (Belgrade, 20 May 2021).

technical standards, bad communication and cooperation practices between the Chinese contractor and the Macedonian subcontractors.¹⁵ As a result, since 2017 the Macedonian Government decided to prioritize supply overworks contracts.¹⁶

In the case of the highways Bar-Boljare and Kichevo-Ohrid, poor quality of the project preparation and documentation led to additional costs of around €200 million and €180 million respectively; the deadlines were extended several times, as in the case of the Belgrade-Budapest rail, and the projects are still not finished (Fokus 2022; Beta RS 2021; Veljkovic 2021).¹⁷ Moreover, given the poor quality of the environmental impact assessments, some of the projects may cause potentially irreparable environmental damage, as is the case with the thermopower plants,¹⁸ as well as the highway in Montenegro which severely harmed the Tara river valley, a UNESCO-protected natural heritage site (Calovic-Markovic and Milovac 2020).

Accountability and Rule of Law

Regardless of whether the assistance comes in the form of grants or loans, due to shortcomings in the infrastructure project cycle management taxpayers in specific WB countries may end up receiving lesser value for money. However, there is no evidence of procedures in place aimed to conduct an independent evaluation, draw a lesson from the past mistakes, locate the responsibility for the problems or take appropriate measures at the political or technical level. China's principle of non-interference in host country national conditions and the reliance on the host-state governance system does not take into account the existence of 'captured states' nor the weak institutional framework and rule of law.¹⁹ Across the region, there is limited action on behalf of public bodies to safeguard the public interest. Competition and anti-corruption authorities have not been proactive to investigate or take measures against the lack of tendering procedures and national parliaments seldom exercise their supervisory role to hold the executive branch of government accountable (Nenadic 2021, 12). In the case of Montenegro's highway, the national environment inspectorate undertook 5 controls and fined the Chinese contractor CRBC a total of €20.000, which is an insignificant amount compared to its revenues in the country (Calovic-Markovic and Milovac 2020, 42). There are two notable exceptions, the above-mentioned judgment in N. Macedonia in the case of the so-called "Chinese highways" (Krstinovska 2019) and the ongoing investigation by Kolasin's prosecution office into the damage to the Tara river (Kajosevic 2021).

¹⁵Interview with Macedonian civil servant.

¹⁶Interview with Macedonian civil servant.

¹⁷The initial deadline for the second highway section in N. Macedonia was 2018 and the last extension is 2023; for the Montenegrin highway the initial deadline was May 2019 and the last extension is September 2022; for Serbia's section of the Belgrade-Budapest rail, the initial deadline was 2018 and the current estimate is 2025.

¹⁸Interview with a Bosnian environmental activist.

¹⁹Interview with an Albanian think tank researcher (Tirana, 06 July 2021).

Democratic Decision-Making

When examining the loan agreements, it becomes evident that the Chinese approach towards the WB is not entirely strings-free. Unlike the EU's conditionality which is related to specific projects or domestic reforms, China's conditionality is related to the beneficiaries' activities which may influence its relationship with China. Namely, according to a specific clause in the loan agreements, China has the power to unilaterally terminate a project agreement and ask for immediate repayment of the loan towards the Exim Bank if it deems that a law or policy adopted by the beneficiary country affect the agreement.

The cancellation option is even more explicitly mentioned in the grant agreement to reconstruct the bridge Djurdjevic on the Tara River in Montenegro which includes a clause that the agreement can be terminated due to political or diplomatic reasons (Government of Montenegro 2020). The possibility to cancel a grant-funded project, although not explicitly mentioned, has been already tested in the case of the E-Education project implemented in North Macedonia by Huawei. The implementation of the second phase which was supposed to extend the digital education network from the capital to the entire territory has been stalled due to Huawei's exclusion from the tender to build a 5G network.²⁰

Moreover, according to the loan agreements, China has the final word whether it will allow the debtor to cancel or refinance the loan, as in the case of Montenegro's current struggle to secure funding under better terms for its highway from European or US banks (Nyabiage 2021). It can also trigger cancellation if the beneficiary wants to change any policy which may affect the loan-funded project, as in the case of Serbia's desire to cancel the loan for the Kolubara plant to honor its environmental commitments and pledges to phase-out coal (Spasic 2021). Such provisions, if triggered, could put beneficiaries in a financially dire situation and, depending on the size of the loan, potentially drive a country to bankruptcy.

Finally, the agreements further deter the debtor from violating any of the already asymmetric provisions through their dispute-settlement mechanism. Namely, in case of dispute Chinese laws apply and the parties will appear before China's International Economic and Trade Arbitration Commission, which puts into question the objectivity and impartiality of potential arbitration outcomes.


²⁰Interview with a Huawei representative (Skopje, 19 October 2021).

CONCLUSION

This paper aimed to provide insights into China's development assistance towards the WB countries, focusing specifically on its disbursement, management, and impact on democratic governance and decision-making. WB countries have been eager to exploit the potential benefits of development cooperation to maximize their interests. They have all been receiving on average between €1-2 million in grants per year, while there are notable differences in terms of concessional loans. While Albania has contracted zero concessional loans, Serbia is the frontrunner with a total of €7,759 billion during the period 2000-2020.

China's development cooperation differs from the established practices related to development assistance among Western donors. It has the potential to fill in certain gaps in the WB development needs, especially in terms of infrastructure, and is disbursed without strict requirements in terms of project maturity and strategic impact, making it attractive for WB governments seeking quick solutions. However, the procedures related to the implementation of projects with Chinese grants or loans are largely shaped by Chinese rules and principles and sometimes undermine the principles of good governance.

While supply contracts seem to be implemented without major issues, works often encounter issues during different project cycle phases. The needs assessment, project identification, and selection procedures lack transparency and objective criteria, which sometimes leads to the selection of projects which are not economically, financially, or environmentally viable. Project preparation is not always meticulous, which often entails issues during the implementation phase, such as prolonged deadlines, environmental damage, and additional costs, reducing the "value for money" ratio. Loan-financing contributes to soaring public debt levels while tendering and contracting are not performed according to the established open and competitive public procurement procedures, paving the way for obscure deals and potential corrupt practices. Yet, there is no accountability for these omissions on either side. When it comes to impact, at present only a few works projects have been finished, making it impossible to determine the long-term effects of China's assistance on development.

Finally, the projects do not seem to be exempt from all conditionality. Some clauses in project agreements restrict the beneficiary's sovereign decision-making on issues that may harm China's interests, even in areas that are not directly related to the project itself. Thus, China's development assistance is largely used as a foreign policy tool to pursue China's interests and to ensure that the WB countries will remain cooperative or otherwise risk the cancellation of the grant or loan. 

COMPLIANCE WITH ETHICAL STANDARDS

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