KEEP UP WITH KEEPING UP!
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Last May, the Balkans in Europe Policy Advisory Group (BIEPAG) published the report “The Unfulfilled promise: Completing the Balkan Enlargement”. The report identified four different scenarios highlighting opportunities and risks for the enlargement process. The first was the ‘business as usual’ scenario – continuation of the gradual and slow approach to EU membership, based on enhanced conditionality, a strong focus on the rule of law and a new means of engaging with countries at an impasse. The second and third were gloomier and examined possibilities of countries giving up on the goal of accession, with EU conditionality losing its credibility and hence the ability to support reforms (scenario two) or a prolonged internal crisis in the EU and opposition to further enlargement, which might bring in alternative actors (scenario three). Finally, the ‘big bang’ scenario that would see the acceleration of integration, including the start of accession talks with all of the Balkan countries and the offer of a single entry date, was presented as the best way to mitigate risks and transform the region into a vibrant and prosperous democratic space.

While there were some positive developments since the launch of the first BIEPAG report (among others, Albania became a candidate country; a proposal for the Stabilisation and Association Agreement with Kosovo was adopted by the Commission; the launching of the Berlin Process), the words of the incumbent Commission President that no further enlargement would take place over the next five years cast a long shadow over the enlargement process. More than merely stating the obvious – which is that no country would have been able to join the EU during the mandate of this Commission anyway – this statement, and the rationale behind it, convey the feeling that it is ‘business as usual’ rather than the ‘big bang’ that we can hope for. This year’s report will look at developments in the EU and the region to examine how they fit with our previous analysis and will make recommendations aimed, if not to shorten the time in the waiting room, to at least make it more rewarding.
EU developments

Daily challenging neighbourhood vs ground-hog day in the Western Balkans

The new Commission’s first months in office have confirmed the concern that the EU’s focus has shifted from enlargement policy towards deeper engagement with Europe’s neighbours. Not only were accession negotiations conflated with the ENP in the same Directorate General (DG), NEAR, but the focus of attention clearly shifted towards the Union’s East and South. The violent crisis in Ukraine and the ongoing unrest in several countries of the southern neighbourhood are forcing the EU to reconsider its engagement with countries it is not willing to grant an accession perspective to. Commissioner Hahn’s DG in March 2015 launched a broad consultation in view of reinvigorating the neighbourhood policy, last reviewed in 2011 following the ‘Arab Spring’. In consequence, strategic efforts are focused on the neighbourhood region rather than on energising the accession process. As a result, ensuring stability at its borders has become a clear priority for the EU over pursuing the democratisation of the accession candidates.

With the Western Balkan countries appearing to have reached a sufficient level of stability so as not to cause any immediate concern to the EU, but not having progressed enough as to be able to accede before at least the first half of the 2020 decade, the Commission’s October 2014 enlargement package does convey some positive messages but fails to create an impression of the region ‘on the move’. Reports on individual countries’ progress are lengthy and all-encompassing but lack clarity regarding the progress made (some progress, moderate progress, limited progress) and focus. The strategy paper speaks of a ‘standstill’ in Bosnia and Herzegovina (BiH), ‘backsliding’ in Macedonia and the need for the remaining countries to deliver on reform promises before any further steps can be taken. While the paper reiterates the EU’s general commitment to Western Balkans’ EU membership, the emphasis lies on the need to ensure the credibility of enlargement, understood as a rigorous application of membership conditionality and an insistence on the ‘fundamentals first’ approach. A lot hinges on the new-found economic governance dimension of this year’s Commission enlargement strategy, which draws inspiration from EU policies – like the European Semester and Europe 2020 strategy – in order to help the broken Balkan economies get on healthy footing and avert instability. The irony is that the Balkans is now ‘competing’ with the EU in economic problems, including high (youth) unemployment, budget deficits or reduced growth and competitiveness. If the European experience has taught us anything, it is that the Balkan countries will need incentives if recommendations – no matter how sound – are to be implemented in response to the crisis.

Member States as champions of the process

While enlargement seems to have taken the backbench and neighbourhood policy the centre stage in the new Commission, individual EU member states have stepped forward to endorse the European perspective of the Balkan countries. Chancellor Angela Merkel convened a high-level conference in Berlin in August last year to reassure any sceptics that the region still has a clear prospect of joining the Union. Only a few months later, in November 2014, the German Foreign Minister Frank-Walter Steinmeier and the British Foreign Secretary Philip Hammond announced a joint initiative aimed at getting Bosnia and Herzegovina out of its prolonged impasse and onto the EU track. And, the Berlin Process will continue this year with a similar event planned in August by the Austrian government in Vienna.

Such gestures would suggest that important member states are willing to assume more responsibility on the enlargement dossier at a time of severe crises inside the Union, when advocates for EU widening are a rare breed and the European institutions are under intense fire for their performance. The political theatre does matter. In this sense, more involvement with the Balkans on behalf of EU capitals could help to broaden the fan base among other member states and increase the legitimacy of enlargement policy. It will be central to broaden the number of individual member states to participate in this engagement with the Western Balkans.

However, the extent to which they will succeed in making a difference for the EU-hopeful countries of the Balkans remains an open question. In order to amount to anything more than a life-support system for Balkan enlarge-
ment, these initiatives need to complement the work of the Commission and offer genuine solutions to outstanding challenges in the region. Reiterating principles – like democracy and regional cooperation – and restating regional problems – including poor governance, economic predicament and unresolved statehood – will not break new ground. The European Commission is already monitoring the situation in these countries, including in its annual Progress Reports, and a duplication of efforts in assessing and assisting with progress in the Balkans is counterproductive.

**Regional developments**

**Patient no longer**

Economic hardship and its social impact are taking a toll on the convergence narrative that once allowed the Balkans to dream of European prosperity, as well as on these countries’ motivation to push through reforms in the name of EU integration. The year 2014 was economically a difficult one, with Serbia and BiH hit by major floods and external shocks aggravating an already difficult economic situation. While most countries can expect a modest gain from the dramatic reduction in the oil price and an increased pickup in net exports due to a nascent (if modest) recovery in the Eurozone, the overall outlook remains subdued, reflecting country-specific constraints. Unemployment remains high across the region, and especially among the young.

While the flow of migrants from the region has been an issue for some time, the protests and mass migration from Kosovo during the first months of 2015 are just the latest signs of popular frustration and despair with difficult economic conditions in the region. A few years ago, visa-free travel granted to the other Western Balkan countries led to the first wave of migrants from the region. The fact that Kosovo has been the only Western Balkan country excluded from the visa liberalisation with the EU did not prevent an increase in irregular migration but might have contributed to the feeling of injustice. The systematic departure from Kosovo of tens of thousands of people during the previous six months to different Western European countries (mainly Germany, Austria, France, Hungary, and Switzerland) has brought to the surface many of the deficiencies in the country’s post-conflict economic reconstruction.

While economic factors are certainly the most important ones (unemployment affects 30% of the economically active population and 55% of young people; decline in foreign direct investment due to the government’s failure to create a business-friendly environment; average monthly wage amounting to €230-250), they are by no means the only ones. Many people feel despair over widespread corruption becoming endemic in their countries and express frustration with the poor quality of education and healthcare services. Moreover, to the extent that ethnic groups (that is, Roma, Ashkali and Egyptians) appear to be disproportionately represented in the emigration flows, we should not discount their particular sense of marginalisation. Another pull factor was the spread of false information through the Internet and the social media concerning the rights of immigrants in countries of destination that was promoted by networks of human smugglers. Above all, the Kosovars are very pessimistic about the prospects of genuine political change and reforms in their country and do not expect that Kosovo’s EU accession will happen any time in the near future. While far from being as challenging as immigrants coming to the EU via the Mediterranean, this is worrying for two reasons. First, it shows that people are no longer believing their leaders’ promises of a better future that would soon come. Second, with anti-immigrant feelings running high in many EU member states, this makes it much harder for the EU politicians to support enlargement – and, eventually, freedom of movement of new entrants.

**Elites seem to be talking among themselves (even if messages are often mixed)...**

The previous year saw a number of positive developments within the region – the Albanian Prime Minister (PM) visited Serbia for the first time after nearly 70 years, the Serbian PM went to Zagreb for the inauguration of the new Croatian President and announced his intention to go to Srebrenica in July, regional cooperation is much more inclusive – Serbian Foreign Minister visited Prishtina and his Kosovar counterpart Belgrade (although in
the context of regional gatherings) while the (not so easy) implementation of the EU-facilitated agreement between Serbia and Kosovo continues. There were, however, a fair number of provocative statements and heated exchanges, with some bilateral disputes hammering on the region with full force.

To begin with, the rhetoric that leaders resort to when it comes to interpreting regional challenges is more inflammatory than it is conducive to solutions. A case in point is the drone incident, which occurred at the Serbia-Albania football game that preceded (and was the reason for the postponing of) PM Rama’s visit to Belgrade; Rama’s recent comments about Albania’s and Kosovo’s “unification” through European integration; the exchange of statements regarding Thaci’s possible visit to Serbia. Add to this ‘loose cannons’ like Šešelj and the burning of the Croatian flag in Belgrade, and the danger of rhetoric spiralling out of control becomes obvious. Knowing that unresolved issues (one fewer after the ICJ dismissed Serbia’s and Croatia’s genocide claims against each other) still plague the region, this risk should not be underestimated. While Croatia is heading towards an uncertain outcome in the upcoming parliamentarian elections with national-conservative HDZ sitting currently in the front seat in opinion polls, any further deterioration of relations between Zagreb and Belgrade increases the chances that Croatian authorities might change their unconditional support for the EU accession of neighbouring countries and start thinking about possible veto points.

…but engaging in a dialogue with their own citizens seems to be more difficult

Proclaiming the end of the accession process to be comfortably outside the lifespan of any regional government currently in power and, even more importantly, geopolitics taking precedence over internal transformation, is having tangible consequences in the Western Balkans region: the loss of EU leverage has further slowed reform efforts, with new concerns about media freedom and authoritarian tendencies emerging. This generalised backsliding is dangerous not only for enlargement policy, but also for the wider credibility of the EU’s transformative power in its neighbourhood. In several countries of the region, governments are dominated by a single party, with a strong parliamentary majority. While this makes it possible for these governments to take on difficult issues, it is hardly contributing to the already poor political culture, as there are no incentives to engage in dialogue with other actors or seek consensual solutions. This affects the quality of the democratic process leading to, in extreme cases, infringements of the freedom of media and expression and attacks on independent bodies. As these societies are only starting to build independent judiciaries and professional, de-politicised civil services, the current situation is all the more alarming.

Challenging in their own right – Bosnia and Herzegovina and Macedonia

Bosnia-Herzegovina is in a multifaceted and profound crisis that includes constitutional deadlock, dysfunctional state structures, self-interested and self-perpetuating political elites, and a stagnating economy – agonies that together speak of the limits of the EU’s transformative power. After last year’s elections, modest changes occurred in the political arena, though with a majority of well-known political actors still around. The political narrative is, however, changing, especially after the establishment of the Council of Ministers and the Federation Government, even if there is still some concern from Member States to what extent this new rhetoric is credible. Following on the German-British initiative and the Council conclusions of December 2014, the country’s squabbling elites committed themselves, in a written statement endorsed by the Parliament, to the functionality of government institutions, economic and social reform and the rule of law. This unblocked the Stabilisation and Association Agreement with the country, which was on hold due to its inability to resolve the Sejdic/Finci case. The actions are currently divided in two directions: (1) economic reforms that would be defined jointly by BiH and the EU, while monitored and financially backed-up by international financial institutions; (2) issues related to the rule of law that would be managed on the ground through the EU Delegation (DEU), supported by EU Member States and other relevant actors.
It is essential that the momentum be kept on both sides; newly appointed BiH leaders presented themselves and their programmes of actions to almost all EU Foreign Ministers on the margins of the Foreign Affairs Council in April, with EU High Representative Mogherini and Commissioner Hahn providing support, yet asking for solid results. Simultaneously, the newly appointed Special Representative for BiH will kick-off the economic reform agenda for the country at the end of May or in early June, based upon the outcomes of consultations primarily with the IMF and results of the working group composed of EU and BiH government representatives. The key challenge will be whether elites in BiH will translate their commitment into reality. The extensive negotiations over their signature to the proposal of the German-British initiative casts some doubt over their dedication.

Similarly problematic, the long-running row with Greece over the country’s name has prevented Macedonia from opening accession negotiations for the past seven years. The real concern has, over time, become the inability of its ruling politicians to resist democratic back paddling, like on media freedom, and to fuel inter-ethnic tensions. Macedonia today finds itself in a deep political crisis. The ongoing political polarisation between the two main Macedonian parties is further deepened after Prime Minister Gruevski accused the opposition of espionage and the opposition leader began regularly releasing wiretapped calls that suggest corruption, systematic abuse of office, electoral fraud and a range of other crimes by the prime minister and his closest associates. Worryingly, it remains to be seen whether and what kind of effect the ongoing crisis will have on the shaky interethnic relations in the country.

Commissioner Hahn expressed ‘serious’ and ‘deep’ concern related to the ongoing developments in Macedonia. However, the EU has been noticeably reluctant to get involved, with different views between EU governments on how to react only causing additional confusion. The EU’s current engagement focusing on the MEPs-led, low-level mediation between government and opposition is simply not enough. For the EU to be a credible actor in the Macedonian crisis, it needs to take a more forceful line and define its own parameters for mediation.

Looking elsewhere for more gain and less pain

The appeal of external actors in the Balkans is giving the EU a run for its money on its own turf. The cancellation of the South Stream project deprived several regional countries of the investment they relied on and adversely affected their energy security. Still, the Kremlin has been cosy-ing up to Serbia (which refused to join EU sanctions against Russia and organised a hero-welcoming parade for Putin in Belgrade) but also to Montenegro and Bosnia-Herzegovina. Moreover, the regional countries are increasingly, since the 2008 crisis, looking to Turkey, the Middle East and China for investment, although their primary orientation remains towards Western Europe. While pragmatism rather than a search for alternatives to European integration has motivated these experiences both on the side of the Balkan countries and of Russia, they are a reminder that the ‘job’ is not done in the region and that any delaying tactics can allow the Balkans to slip away from the Western sphere of influence. The EU needs to be more pro-active – politically and economically – if European integration is to continue to be the main ‘game in town’ and redeem its leverage in the Balkans.
Policy recommendations

While this brief overview makes it clear that the dramatic acceleration of integration did not happen, it also proves that doomsday scenarios did not materialise either - yet. EU conditionality is, however, losing credibility and its ability to support reforms, with internal transformation waning as a result. Similarly, the countries of the region have not turned their backs on the EU, but are adjusting to the fact that they are in for the long haul and that the focus has shifted elsewhere. This invites the conclusion that the process amounts to an exercise of mutual duplicity, where neither of the two sides is fully sincere and committed. The “EUropean” narrative is, however, still dominant in the public discourse of the countries of the region, which needs to be built on and strengthened, to which end we offer the set of policy recommendations.

Re-launch strategic thinking on the enlargement process – the fact that regional problems do not seem to be as threatening as the ones the Union faces in the East and South does not mean that they cannot escalate or do not deserve strategic thinking. The German-British initiative on Bosnia and Herzegovina is a positive sign that at least some member states are continuing to think strategically about ways to keep aspiring countries’ reform processes on track. The EU as a whole should continue to engage with the Balkans region, not least to maintain the credibility of the membership perspective throughout the ‘enlargement break’, and to prevent backsliding in the form of authoritarian tendencies and threats to media freedom.

Make sure that more neighbourhood does not mean less enlargement – the EU’s transformative power in the Western Balkans region relies on a credible membership perspective that must be maintained and actively pursued throughout the current Commission’s mandate. Not only is this crucial for the Balkans region, but it also sends an important signal to the neighbourhood countries that the EU lives up to its commitments. As enlargement and neighbourhood countries often face similar challenges, linkages should be sought between the two processes. The aim should be to make them complimentary rather than mutually exclusive - both in terms of resources available and promises made.

Ability to engage in a dialogue with one’s own citizens matters – putting enlargement on hold because a sufficient level of stability has been achieved or subordinating it to foreign policy goals is a dangerous strategy. Not only does it reduce the incentives for further democratisation, but it can even result in authoritarian tendencies becoming accepted as a price for stability, while the EU deals with other, seemingly more pressing issues. Instead, any backsliding in democratic standards should be addressed head-on in order to prevent a further deterioration of the political climate in the region. Not doing so risks things deteriorating to the point when addressing them becomes much more difficult (Macedonia being a case in point). Furthermore, the enlargement process is much more than investing in a relationship with the leadership of a country – not sending clear messages when democratic standards are breached risks alienating those in civil society who see the EU standing for values and not only for bureaucratic rules, and whose support is essential for the continuation of the process.

Find ‘carrots’ to replace (or, at least, complement) the usual ‘sticks’ in the region – leaders of the Balkan countries understand that membership is long off and, for all those for whom visa-free travel has already been granted, there are no benefits that could be associated with the process in the short term. An option to explore might be phasing in certain benefits of membership (looking at positive experiences from the Energy Community or the European Common Aviation Agreement extension) prior to countries actually joining, and in particular those related to infrastructural connectivity within the region, as well as with key European corridors. The recently agreed Western Balkan Core Transport Network is an important step in the right direction.

Consider changing the format used for reporting progress made by aspiring countries – the Commission’s annual Progress Reports are an important contribution to the debate in the countries in the region. The reports should be concise, precise and concrete, making sure that successes, but also things that still remain to be done, are not drowned in too many words and bureaucratic descriptions, and that the priorities and next steps are clear.
Influential friends are useful, but a proper division of labour between the Commission and member states needs to be found – rather than duplicating the Commission’s monitoring of the progress in the aspiring countries, there are many ways in which the member states can have an added value compared to the Brussels’ executive – for instance, by boosting foreign investment and helping with bi-lateral problems. Germany’s role in getting Serbia to take seriously the normalisation of relations with Kosovo is a good example of how member states’ assertiveness can impart positive change in the Balkans and score points for enlargement policy.

Address both short- and long-term issues leading to immigration waves from the region, and from Kosovo in particular – a number of measures was taken to address the issue in the short term (tightening of border controls, the acceleration of the process of asylum request examination, the launch of an information campaign to increase awareness about the real prospects of legally immigrating into an EU country, and the like) and Pristina was warned that the continuation of the emigration flow could put in jeopardy the visa liberalisation process. In the longer run, however, devoting greater energy to the fight against corruption and the improvement of the rule of law in Kosovo, and generally inspiring more trust in institutions and political processes across the region, as well furthering the EU perspective of Kosovo, and by extension of the entire region, should receive a new stimulus to restore people’s faith in their countries’ prospects.

Approach open bilateral disputes creatively:

whatever works – the discussions on how best to approach and resolve bilateral issues should become an integral part of the Berlin process. As the Austrian government is preparing a study on open bilateral issues for the Vienna Summit in August 2015, the Vienna event should be used to develop roadmaps for resolving the most burning bilateral disputes. Such disputes should be resolved by arbitration and mediation mechanisms or, in the absence of effective tools at the EU level, by a troika of EU member states facilitating these disputes. The EU engagement in Kosovo and Serbia was an example of the EU not using just conditionality, but rather the combination of a window of opportunity, pragmatism and direct incentives to address a bilateral dispute. The EU should build on this success to address other such political problems in the region that hinder the completion of EU enlargement.

include civil society in creating an enabling environment for the solution of bilateral disputes – in the last decade, civil society organisations in the region provided a necessary civic arena for debating open bilateral issues and regional cooperation. As the climate of trust is a necessary pre-condition for any sustainable solution to bilateral issues, NGOs and civil society (including media) in the region should be involved as ‘soft tools’ in all official efforts at the regional level. Here, the Vienna Summit in August 2015 with its focus on regional civil society and media, can provide a framework for an intensified dialogue between civil society, NGOs and political stakeholders on a common (working) agenda related to open bilateral issues.

Bosnia-Herzegovina and Macedonia – it is imperative that the Union finds ways to engage with these two ‘laggards’ while they are stuck in the waiting room, least of all to dispel any latent security risks.
Bosnia and Herzegovina:

1. Continuous pressure by both Commissioner Hahn, High Representative Mogherini and Member States’ representatives on political elites in BiH, reminding them of the need to translate their words into deeds.

2. Assisting in: reform agenda-setting (‘small steps to success’); monitoring progress towards achieving goals that were set jointly with the BiH institutions; strategic planning and project preparation and implementation, as well as coordination and information exchange with representatives of IFIs;

3. If the above is to be achieved, better organisation and division of responsibilities among institutions on different levels, horizontally and vertically, needs to be introduced; this could then be used as a basis for the EU coordination mechanism;

4. Stronger involvement of civil society representatives in the monitoring of the implementation of the reforms which were jointly agreed, where they have capacity to do so (mainly rule of law issues).

Macedonia

1. The current mediation by MEPs from a distance is too irregular to deliver sustainable results. Commissioner Hahn and EU High Representative Mogherini should jointly appoint a mediator for Macedonia, who would report to both on progress and would be active in the country. Such mediation should have the full authority of the EU and involve a political heavyweight. This mediator would have to ask for a transparent investigation of both VMRO and SDSM accusations. Apart from state institutions, like courts, the investigation would include representatives of civil society, and would be internationally monitored.

2. The EU needs to view the crisis in Macedonia not only as a dispute between government and opposition, but rather as a serious challenge to the state of democracy in the country. The nature of the allegations levied by the opposition are of a serious nature and if proved to be correct, would suggest that democracy in Macedonia is seriously undermined and the independence of institutions is seriously jeopardised. As a result, EU engagement needs to insist on an independent and transparent investigation of these claims.

3. The EU should consider identifying clear rewards and penalties for Macedonia, if no progress is made in clarifying the serious accusations made by the opposition. This should include the withdrawal by the Commission of the recommendation to begin accession talks and an initiative to re-solve the name dispute with Greece led by EU member states.
**About the Balkans in Europe Policy Advisory Group**

The Balkans in Europe Policy Advisory Group (BiEPAG) is a co-operation initiative of the European Fund for the Balkans (EFB) and Centre for the Southeast European Studies of the University of Graz (CSEES) with the aim to promote the European integration of the Western Balkans and the consolidation of democratic, open countries in the region. BiEPAG is composed by prominent policy researchers from the Western Balkans and wider Europe that have established themselves for their knowledge and understanding of the Western Balkans and the processes that shape the region. Current members of the BiEPAG are: Florian Bieber, Dimitar Bechev, Milica Delević, Dane Taleski, Dejan Jović, Marko Kmezić, Leon Malazogu, Corina Stratulat, Marika Djolai, Jovana Marović, Nikolaos Tzifakis, Natasha Wunsch, Theresia Töglhofer, Mirna Vlašić Feketija, Milan Nič and Vedran Džihić.

**About the European Fund for the Balkans**

The European Fund for the Balkans is a multi-year joint initiative of European Foundations including the Robert Bosch Stiftung, the King Baudouin Foundation, the Compagnia di San Paolo and the ERSTE Foundation. It is designed to undertake and support initiatives aimed at bringing the Western Balkans closer to the European Union through grant-giving and operational programmes. The Fund’s objectives are: to encourage broader and stronger commitment to the European integration of the Western Balkan countries and societies; to strengthen the efforts undertaken by a range of stakeholders in this process also with a view to developing effective policies and practices in the region and in the EU; and to support the process of member state building as envisaged by the International Commission on the Balkans, in particular by building constituencies in the societies of Southeast Europe who will be offered an opportunity to experience and learn about Europe.

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About the Centre for Southeast European Studies, University of Graz

The Centre for Southeast European Studies was set up in November 2008 following the establishment of Southeast Europe as a strategic priority at the University of Graz in 2000. The Centre is an interdisciplinary and cross-faculty institution for research and education, established with the goal to provide space for the rich teaching and research activities at the university on and with Southeast Europe and to promote interdisciplinary collaboration. Since its establishment, the centre also aimed to provide information and documentation and to be a point of contact for media and the public interested in Southeast Europe, in terms of political, legal, economic and cultural developments. An interdisciplinary team of lawyers, historians, and political scientists working at the Centre has contributed to research on Southeast Europe, through numerous articles, monographs and other publications. In addition, the centre regularly organizes international conferences and workshops to promote cutting edge research on Southeast Europe.

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