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PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

2022 Communication on EU Enlargement Policy

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I. INTRODUCTION

The beginning of 2022 was marked by Russia's unprovoked and unjustified war of aggression against Ukraine – a harsh awakening to a new geopolitical reality. This has once again put EU enlargement to the fore of the European agenda.

Following the **applications for EU membership submitted by Ukraine, the Republic of Moldova and Georgia** in spring 2022, on 17 June the European Commission presented its **opinions**¹ as invited by the Council. The Commission recommended to grant a **European perspective** to Ukraine, Moldova and Georgia and to grant Ukraine and Moldova candidate status on the understanding that steps are taken in a number of areas, and for Georgia once a number of priorities have been addressed. On 23 June, the European Council endorsed the Commission's recommendations, recognising the European perspective of the three applicant countries and granting the status of EU candidate country to Ukraine and Moldova². The Commission will report on the fulfilment of the steps/priorities specified in the Commission's opinions on the respective membership applications as part of its regular enlargement package, in which Ukraine, Moldova and Georgia will be included as of 2023. In addition, by the end of 2022, the Commission will present its assessments on the ability of the three countries in question to assume the obligations of EU membership. The Russian aggression has demonstrated more clearly than ever that the perspective of membership of the European Union is a **strong anchor not only for prosperity, but also for peace and security**.

Against this background, **EU and Western Balkans leaders** met on 23 June ahead of the European Council. Leaders discussed progress on EU integration and the challenges stemming from Russia's aggression against Ukraine. The meeting was also an opportunity to underline the significance of alignment with EU values and the common foreign and security policy (CFSP), an issue that has grown in importance in this new geopolitical context. Particular focus was placed on the integration of the Western Balkans into EU measures to reduce the negative impact of the Russian aggression on Ukraine in terms of food and energy supplies and independence, and measures to support capacity-building for cyber security and the social agenda, notably involving youth in the economy.

The **full and unequivocal commitment to EU membership perspective of the Western Balkans** was reconfirmed by EU leaders on 23-24 June. The European Council called for acceleration of the accession process and for further advancement of the gradual integration between the European Union and the Western Balkans during the enlargement process in a reversible and merit-based manner, based on the revised methodology. The European Council reiterated the importance of reforms, notably in the area of rule of law and in particular in the independence and functioning of the judiciary and the fight against corruption. The European Council reaffirmed the urgency of making tangible progress to resolve outstanding bilateral and regional disputes, particularly the Belgrade-Pristina dialogue on normalisation of relations between Serbia and Kosovo*. The European Council stated it was ready to grant candidate country status to Bosnia and Herzegovina and to that end it invited the Commission to report to the Council

¹ [COM\(2022\) 405 final](#), [COM\(2022\) 406 final](#), [COM\(2022\) 407 final](#)

² <https://www.consilium.europa.eu/media/57442/2022-06-2324-euco-conclusions-en.pdf>

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo Declaration of Independence.

without delay on implementation of the 14 key priorities set out in its opinion, with special attention to the priorities that constitute a substantial set of reforms in order for the European Council to revert to decide on the matter.

On 19 July the first intergovernmental conferences on accession negotiations took place with **North Macedonia** and **Albania**, opening a new phase in the EU's enlargement policy. The Commission immediately launched the **analytical examination of the EU *acquis* (screening)** process.

The geopolitical challenges, in particular Russia's aggression against Ukraine, have also brought the **EU and the Western Balkans** closer together and have required **full solidarity** with one another. The EU has integrated the Western Balkans into its own food and energy security initiatives in response to the war. The region is part of the European food security crisis preparedness and response mechanism, and has been invited to participate in the EU's joint gas, liquefied natural gas and hydrogen purchases. Türkiye³ has played a key role in brokering direct negotiations between Russia and Ukraine and the July grain deals. It is a strategic partner when it comes to global food security as a major producer of agriculture products.

Albania, Bosnia and Herzegovina, Kosovo, North Macedonia and Montenegro aligned with **EU restrictive measures** in response to Russia's war of aggression against Ukraine. Serbia, as well as Türkiye have not done so to date.

Türkiye remains a key partner for the European Union and a candidate country. Accession negotiations with Türkiye are at a standstill since 2018. Türkiye has continued to move away from the EU, on account of continuing backsliding in the areas of fundamental rights, the independence of the judiciary, economic management, and the lack of reforms in some sectoral issues. On the Eastern Mediterranean, the European Council in June 2022 expressed deep concern about the recent repeated actions and statements by Türkiye.

In June 2022, the European Council held a strategic discussion on the European Union's relations with its partners in Europe. On 6 October 2022, the first meeting of a broader format of European countries, the so-called European Political Community, took place in Prague. More than forty leaders of European countries debated energy, security, climate and the economic situation in Europe. The future direction of the platform was also discussed and a decision was taken to hold the next meeting in Moldova. This informal framework will **not replace existing EU policies and instruments, notably enlargement**, and will fully respect the European Union's decision-making autonomy.

Overview of key developments

Russia's war of aggression against Ukraine has upended energy markets, triggering heightened price volatility and energy insecurity impacting the EU and its immediate neighbourhood. The rise in energy prices is also having an impact on other sectors such as transport (rise of fuel prices) and industry (rise of feedstock and fertiliser prices). Besides energy, the crisis has had a major impact

³ In line with the request of the Republic of Türkiye regarding the use of the country's new official name in English, this document uses the name "Türkiye" instead of "Turkey" in English. This administrative change is limited to the nomenclature used in EU documents, does not have a retroactive effect, and entails no legal consequences. This approach is without prejudice to the nomenclature used by Member States.

on the agri-food sector and other markets, notably on the availability and affordability of food, cereals, some raw materials and the prices of other commodities. There is large untapped potential for building sustainable and responsible strategic partnerships in the area of critical raw materials, while it is important to integrate the Western Balkans into EU supply chains.

The EU has associated the Western Balkans with its efforts to mitigate the impact of the war and of the COVID-19 pandemic.

Much is being done to **accelerate the integration of the Western Balkans**, given their status as candidate countries and potential candidates. This is being done through participation in EU programmes and agencies, but also through the implementation of the Stabilisation and Association Agreements (SAAs), the Economic and Investment Plan⁴ (EIP), inclusive regional cooperation frameworks like the EU strategy for the Adriatic-Ionian region and the EU strategy for the Danube region, and potentially through regional economic integration. The EU has been steadily enhancing its policy engagement with the Western Balkans, focusing on areas of joint interest such as justice and home affairs, the economy and the single market, energy, transport and digital policy, civil protection, social policy, education, and research and innovation, as well as on foreign affairs, security and defence. Engagement in the latter fields includes support to strengthen cyber and defence capacities. The stabilisation and association process already provides for considerable integration in advance of the date of accession. Beyond the opportunities under the SAA, other regional agreements notably on the **Transport Community** and the **Energy Community** offer considerable scope for integration. Through the **Energy Community**, the EU is also opening its **electricity market** to the Western Balkans, subject to regulatory reforms. In this context, advancing the electricity market integration agenda in the region and with the EU is critical, including the adopting of a common methodology for transmission capacity calculation. Green transition is Europe's best chance of **becoming more energy independent** and also contributing to **slowing down climate change** and improving people's lives. The **REPowerEU Plan**⁵, supported by the EU external energy engagement in a changing world⁶, both launched by the European Commission in May 2022 will help to reduce the EU's and the Western Balkans' dependence on Russian gas. The Western Balkans are expected to fully align with EU legislation and policy priorities under this plan. The new EU Energy Platform will help pool demand, coordinate infrastructure use, negotiate with international partners and prepare for **joint gas, hydrogen and liquefied natural gas purchases**. REPowerEU also encourages energy diversification as part of enhancing energy security, including diversifying the supply of natural gas. While short-term measures can help mitigate the effects of this situation, the crisis is clearly showing the **urgent need to embrace the green and digital transitions** as drivers for sustained growth and diversification.

Cooperation in these fields is supported by increased participation of the Western Balkans in **informal councils** and regular **high-level contacts**. **EU leaders** continued to engage with their counterparts in the Western Balkans, including at **summit level**, most recently during the EU and Western Balkans leaders' meeting of June 2022. Following the May 2022 Foreign Affairs Council, EU foreign ministers held, for the first time, an informal exchange of views with all six Western

⁴ [COM\(2020\) 641 final](#)

⁵ [COM\(2022\) 230 final](#)

⁶ JOIN/2022/23 final

Balkans counterparts. Since the commitments taken at the Brdo Summit, Western Balkans partners have been invited to contribute in writing to Foreign Affairs Council meetings and are subsequently debriefed. They are also participating in the pilot phase of the European Diplomatic Academy. In December 2021, in Brdo pri Kranju, the annual **EU-Western Balkans Ministerial Forum on Justice and Home Affairs** was an opportunity for the EU to have discussions with the region on strengthening migration, asylum and border management, countering terrorism, extremism and radicalisation, tackling organised crime, strengthening the rule of law and judicial reforms. The **Ministerial Meeting** of the three Western Balkans Platforms on **culture, research and innovation, education and training** was held in **Tirana in June 2022** in the context of the closer cooperation set in motion by the Western Balkans agenda on innovation, research, education, culture, youth and sport. A **Ministerial Dialogue** on regulatory aspects of **digital policy** took place in June 2022, in Brussels.

The **Economic and Investment Plan for the Western Balkans** (EIP) continued to link reforms and investments needed in the different countries, providing a long-term vision notably on infrastructure and connectivity policies. The plan entered its implementation stage and continued to be the blueprint for EU assistance to bridge the socioeconomic gap between the region and the EU and to help its green and digital transition. The Economic and Investment Plan and the **Green agenda**⁷, which focuses on climate action, circular economy, biodiversity, fighting pollution and sustainable food systems, are the best tools for the region to gradually build resilience and energy independence. The key flagships of the plan are aimed at **transitioning from coal**, diversifying gas supply routes, investing in **renewable** energy sources, and intensifying energy savings through the **renovation wave**. A detailed overview of the implementation of the EIP can be found in annex to this Communication.

The Western Balkans Investment Framework approved EU and bilateral donor co-financing for 24 infrastructure flagship investments in key energy and transport corridors and for social, digital, renewable energy, energy efficiency, and waste and wastewater treatment plants, of a total value exceeding EUR 3.3 billion. The region is also progressing in the implementation of the Green agenda with the support of the EU. Further efforts are needed on reforms to support the green transition and regional economic integration so as to unleash the full potential of investments.

To better support the post-pandemic economic recovery and to deal with the fallout of Russia's war against Ukraine, it is crucial that the next **Economic Reform Programmes** (ERPs) propose measures promoting inclusive and sustainable economic growth in line with the EU priorities of **green transition** and **digitalisation**. To embrace the opportunities and to minimise potential negative implications of these challenges, it is crucial that the Western Balkan partners and Türkiye maintain macro-fiscal stability and implement structural reforms to address identified weaknesses in their economies and to increase their resilience in the long run. Given high uncertainty, the deteriorating growth outlook, high and persistent inflationary pressures, targeted and temporary measures will be needed to mitigate adverse impacts on the most vulnerable parts of the population. This support needs to be carefully balanced with the need to rebuild fiscal buffers and reduce public debt-related vulnerabilities through credible medium-term fiscal consolidation strategies. Reversing very high and still rising inflation, curbing macroeconomic imbalances and restoring the credibility of macroeconomic

⁷ [SWD\(2020\) 223 final](#)

policies are particularly important in Türkiye. Full commitment to implementing the reforms set out in the Economic Reform Programmes and in the policy guidance jointly adopted with EU Member States⁸ is therefore essential not only to improve competitiveness, foster job creation and facilitate social inclusion, but also to ensure fiscal sustainability, meet the economic criteria in the accession process and maximise the potential impact of the EU's investment package.

With the adoption of the **IPA III Regulation**⁹ in September 2021 and the IPA III programming framework in December 2021, implementation of IPA III is under way. Before the end of 2021, the Commission adopted annual and multi-annual financing decisions worth over EUR 4 billion. This has notably enabled the implementation of the Economic and Investment Plan for the Western Balkans. Programming of IPA III has continued to be based on a solid policy-driven approach involving strategic and dynamic deployment of assistance with the fundamental requirements for membership at its core. Two high-level geopolitical dialogues were held between the Commission and the European Parliament in October 2021 and May 2022 to discuss the general approach to the implementation of IPA III, its objectives and the programming of IPA funds.

The Western Balkans need to step up their efforts and muster the political will to resolve issues hampering the implementation of the **Common Regional Market**, which will maximise the benefits of the EIP. At the Berlin Process Sofia Summit in November 2020, the region agreed on an ambitious plan to establish a Common Regional Market. Some progress has been made, e.g. the extension of the green lanes to EU Member States. However, due to disagreements unrelated to the substantive work on the Common Regional Market, to date it has not been possible to have political approval of the agreements completed at the technical level. These agreements under the Common Regional Market would bring significant benefits in terms of increasing the attractiveness and competitiveness of the entire region, speeding up the post-pandemic recovery and mitigating the impact of Russia's aggression against Ukraine. This would also attract investors looking for diversification of supply and shorter value chains, and help maximise the benefits of investments in connectivity infrastructure. It is therefore important that all parties play a constructive role in building the Common Regional Market and delivering on their joint commitments for the benefit of people and business in the region. The Open Balkan initiative launched by Albania, North Macedonia and Serbia can play a positive role in the process, provided it is based on EU rules and remains inclusive towards all Western Balkans partners. Despite emerging supply constraints, the Western Balkans should refrain from introducing unilateral restrictions on trade. Any existing measures contrary to the Stabilisation and Association Agreements and to the Central European Free Trade Agreement (CEFTA) and against the spirit of the Common Regional Market should be abandoned as a matter of priority.

Russia's aggression against Ukraine has resonated strongly across the region and further underlined the importance of **common foreign and security policy** alignment in the enlargement process. Western Balkans and Türkiye aligned with the vast majority of the international community, including the EU, voting on two UN General Assembly resolutions on Russia's invasion of Ukraine and its humanitarian impact, and also when voting on the suspension of Russia from the Human Rights Council. As a non-permanent member since January 2022, Albania has

⁸ [Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey](#)

⁹ [Regulation \(EU\) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance \(IPA III\)](#)

been actively engaged in the UN Security Council including as a co-penholder of resolutions condemning the aggression. Full alignment with the EU's CFSP by Albania, Montenegro and North Macedonia is a strong signal of their strategic choice of EU accession. The significant increase in formal CFSP alignment rate by Bosnia and Herzegovina and unilateral alignment by Kosovo are also recognised and welcomed. Serbia's CFSP alignment rate has substantially decreased over the reporting period. Serbia is expected, as a matter of priority, to fulfil its commitment and progressively align with the EU CFSP, including with restrictive measures, in line with its negotiating framework. Türkiye's CFSP alignment further deteriorated during the reporting period, including by not aligning with EU restrictive measures against Russia.

Montenegro and **Serbia** continued to apply the revised methodology set out in the Commission Communication *Enhancing the accession process - A credible EU perspective for the Western Balkans*¹⁰ and endorsed in June 2021 at the political intergovernmental conferences held with these countries. Montenegro has all chapters open for negotiations, three of which are provisionally closed. Serbia's reform progress allowed for the opening of negotiations under cluster 4 on the Green agenda and sustainable connectivity at the intergovernmental conference with Serbia held in December 2021. The intergovernmental conference also set out the path towards the opening of further clusters based on expected progress by the country, in particular on rule of law reforms and normalisation of relations with Kosovo. The intergovernmental conference with Montenegro held in December 2021 provided a political steer on accelerating work to meet the rule of law interim benchmarks which remains the next milestone necessary to advance in the accession negotiations.

In line with the revised methodology, in the conclusions and recommendations of this Communication the Commission assesses the overall balance in the accession negotiations with Montenegro and with Serbia and proposes the way ahead for each country. The next intergovernmental conferences should take place following the publication of the present annual package of reports and the subsequent Council Conclusions.

On 19 July, the Intergovernmental Conferences on accession negotiations took place with **North Macedonia** and **Albania**. This was a recognition of the enduring commitment, reform achievements and resilience of both countries in moving forward on their EU path. For the first time, the revised enlargement methodology is applied in its entirety, thus injecting into the entire negotiation process more predictability, more dynamism and a stronger political steer. The Commission immediately launched the **screening** process. Screening represents an analytical examination of the body of EU law, carried out jointly by the Commission and each of the candidate countries. This process allows the latter to familiarise themselves with the *acquis* and, subsequently, to indicate their level of alignment with EU legislation and outline plans for further alignment.

The Commission's Opinion on **Bosnia and Herzegovina's** application for membership of the European Union¹¹ identified 14 key priorities that Bosnia and Herzegovina needs to fulfil for the Commission to recommend opening EU accession negotiations. The Council endorsed the 14 key priorities in 2019. In June 2022, the European Council expressed its readiness to grant the status of candidate country to Bosnia and Herzegovina and invited the Commission to report on the implementation of the 14 key priorities, with special attention to those that constitute a substantial

¹⁰ [COM\(2020\) 57 final](#)

¹¹ [COM\(2019\) 261 final](#)

set of reforms. This package responds to this request.

The EU continued to support the implementation of the Stabilisation and Association Agreement with **Kosovo** and to advise the government on key EU-related reforms. The Commission's proposal to lift the visa requirements for Kosovo citizens is still pending in the Council. There is a renewed sense of urgency to deal with this as a matter of priority. The Commission maintains its assessment from 2018 that all criteria set by the Council for visa liberalisation with Kosovo have been fulfilled.

Türkiye is a candidate country and a key partner for the EU in essential areas of joint interest such as trade, migration, counter-terrorism, public health, climate, energy, transport and regional issues. On energy, Türkiye continues to be an important and reliable transit country for the EU. Accession negotiations with Türkiye remain at a standstill. Türkiye has not reversed the negative trend of moving further away from the European Union, with serious backsliding in the areas of democracy, rule of law, fundamental rights and the independence of the judiciary. Dialogue on such issues remains an integral part of the EU-Türkiye relationship.

Dialogue and cooperation with Türkiye intensified in line with the guidelines of the European Council of 2021. The European Union is ready to engage with Türkiye in a phased, proportionate and reversible manner to enhance cooperation in a number of areas of common interest, provided that de-escalation of tensions is sustained and that Türkiye engages constructively, and subject to the established conditions set out in the recent European Council conclusions. The EU has a strategic interest in a stable and secure environment in the Eastern Mediterranean and in the development of a cooperative and mutually beneficial relationship with Türkiye. Taking into account the Joint Communication¹², the EU reaffirmed its determination, in case of renewed provocations or unilateral actions in breach of international law, to use the instruments and options at its disposal to defend its interests and those of its Member States as well as to uphold regional stability. The 2016 EU-Turkey Statement continued to yield results and remained the key framework for cooperation on migration. Türkiye sustained its remarkable efforts to host over four million refugees from Syria and other countries. However, problems continued over the implementation of the Statement due to Türkiye's unilateral suspending of returns of irregular migrants and its rejection of asylum seekers from the Greek islands from March 2020 onwards. The number of irregular border crossings between Türkiye and the EU remained significantly lower than before the adoption of the EU-Turkey Statement. The alternative smuggling routes to the government-controlled areas of Cyprus and to Italy, accounted for the biggest part of arrivals to the EU in 2021. Irregular migration flows through these routes have substantially increased in 2022.

The EU continued to stand by its commitment to provide significant financial support for refugees and host communities in Türkiye. The Facility for Refugees in Turkey has mobilised EUR 6 billion. Its full operational budget was contracted at the end of 2020, with over EUR 4.7 billion disbursed as of June 2022. Its achievements included helping 1.9 million refugees meet their basic needs, helping 740 000 refugee children go to school, the ongoing building of 405 schools, and delivering over 22.8 million primary health care consultations. The Commission allocated an

¹² JOIN(2021) 8 final/2

additional package of EUR 3.5 billion covering the 2020-2023 period. This will include funding for migration management and border control, notably at Türkiye's eastern border.

Both the EU and Türkiye continue to benefit from the Customs Union and Türkiye's economic integration with the EU remains high. The Commission continued intensified engagement with Türkiye on trade irritants hampering the smooth functioning of the Customs Union. However, scant progress was achieved and the vast majority of the trade barriers have not been addressed.

Türkiye's unilateral foreign policy continued to be at odds with EU priorities under the CFSP and broader EU interests, notably due to its interventions and support for military actions in some regional conflicts. However, Türkiye remained open for political dialogue on regional issues. Türkiye's CFSP alignment rate further deteriorated. The European Council expressed its expectation that Türkiye and all parties involved contribute positively to the resolution of regional crises. Türkiye is actively engaged diplomatically to address the various challenges of Russia's aggression in Ukraine, seeking to de-escalate the conflict by for instance achieving a cease-fire. It also undertook a diplomatic initiative to facilitate the export of Ukrainian grain. The deal agreed by Ukraine and Russia in July in Istanbul, under the facilitation of the UN and Türkiye, would not have been possible without Türkiye's constructive role, which is also involved in facilitating its implementation. Nevertheless, Türkiye's non-alignment with EU restrictive measures against Russia is of particular concern due to the free circulation of products, including dual use goods, within the EU-Turkey Customs Union. This creates a risk of undermining EU restrictive measures. For the Customs Union to continue functioning the parties must fully respect existing rules and avoid undermining mutual trust. Türkiye has signed a Memorandum of Understanding for developing economic and trade relations with Russia.

Pursuing dialogue in good faith and abstaining from unilateral actions which run counter to EU interests and violate international law and the sovereign rights of EU Member States is an essential requirement to ensure a stable and secure environment in the Eastern Mediterranean and to develop a cooperative and mutually beneficial relationship between the EU and Türkiye. All differences must be resolved through peaceful dialogue and in accordance with international law.

Actions in Varosha that run contrary to the relevant UN Security Council Resolutions continued to undermine the prospect of resuming negotiations and reaching a comprehensive settlement of the Cyprus problem. Türkiye is expected to immediately reverse all actions and steps taken on Varosha since October 2020.

II. THE FUNDAMENTALS OF THE ACCESSION PROCESS

Enlargement countries are expected to advance steadily on their respective reform agendas in the areas of the 'fundamentals', pursuing reforms and demonstrating concrete progress in the rule of law, the economy, the functioning of democratic institutions, and public administration reform. Securing solid and irreversible achievements in all these areas remains decisive for meeting the requirements of EU membership. Progress was achieved in some cases in judicial reform, in fine-tuning the human rights legal framework and in public administration reforms. Despite the progress made, strong political will to establish a track record of reform implementation has yet to be demonstrated. Progress towards fulfilling the economic accession criteria has been too slow to substantially narrow the economic gap with the EU. Political and institutional resistance to change continues and negative developments have been observed in some countries. These pertain, for

example, to an increasingly hostile environment for civil society, freedom of expression and freedom of the media, and attempts to exercise undue influence and political interference on the judiciary. Sound enforcement of anti-corruption frameworks should remain a priority across enlargement countries, including mainstreaming of anti-corruption measures across the sectors most vulnerable to corruption. Progress is needed on aligning public procurement with European standards and good practices, strengthening the prevention of conflict of interest and consolidating integrity across the public service. Coherent and consistent efforts are necessary to contain and effectively address elements of state capture. The establishment of a solid track record of proactive investigations, prosecutions and final convictions in the fight against corruption at all levels and in serious and organised crime remains a long-term objective that continues to require further reinforced and consistent efforts, including through further strengthening of strategic and operational capacities.

Functioning of democratic institutions

Introducing measures relevant to consolidating the functioning of democratic institutions is crucial for the enlargement process, but genuine political will to pursue relevant reforms has yet to be demonstrated in many cases. Strong political polarisation and lack of cross-party dialogue still affect the functioning of parliaments, notably across the Western Balkans, although some positive steps were noted in the reporting period.

In Serbia, presidential, early parliamentary and Belgrade city elections were held on 3 April 2022 in a generally calm atmosphere. All relevant political forces took part, leading to a more pluralistic and inclusive Parliament compared to the 2020 elections. Also, prior to the elections, a broad range of political actors engaged in constructive inter-party dialogue facilitated by the European Parliament. However, international observers led by the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe noted a number of shortcomings in the parliamentary elections. Significant delays in finalising the electoral outcomes and hence in forming a new Government led to a slowing down of decision-making. The new Code of Conduct was amended in September 2021 and in October 2021 the ethics commission was established. Offensive language against political opponents and civic activists continued to be used in parliamentary debate.

In Montenegro, polarisation, the absence of constructive engagement between political parties and the failure to build consensus on key matters of national interest continued and caused two fractious governments to fall on votes of no-confidence. The proper functioning of Montenegrin institutions has been seriously affected by political volatility, stalling decision-making and reform implementation. The functioning of the main judicial bodies was weakened by their incomplete composition caused by Parliament's inability to elect new members. As of mid-September the Constitutional Court was unable to fulfil its role due to the absence of a quorum, amplifying political uncertainty.

In Kosovo, the government elected in 2021 enjoyed political and institutional stability thanks to its solid majority. This should have given Kosovo the opportunity to accelerate its efforts to strengthen democracy and the rule of law, fight corruption and intensify legislative activities, including on EU-related reforms. However, a frequent lack of quorum in the Assembly and boycotts by opposition parties caused delays in adopting key laws. Efforts are needed to strengthen the role of the Assembly as a forum for constructive political dialogue and consensus-building,

particularly regarding the EU reform agenda. In autumn 2021, local elections took place in a generally well-administered, transparent and competitive manner, with the exception of Kosovo-Serb municipalities where political competition was limited. Long-standing shortcomings still need to be addressed.

In Albania, following the 2021 general elections, the elected members from the largest opposition parties took their seats in Parliament. As for EU-related reforms, the Assembly reached cross-party consensus on constitutional amendment to extend the term of the judicial vetting bodies. Internal conflict within the largest opposition party has nonetheless affected parliamentary life. At government level, Albania has continued to maintain overall focus on the EU reform agenda.

In North Macedonia, the Parliament remained the main forum for political dialogue. Following intense debates, Parliament adopted conclusions on the proposal which paved the way for the opening of accession negotiations. However, its work was affected by political polarisation and the ‘active blockage’ by the main opposition party, which affected the adoption of some pieces of legislation. Parliament and government committed to launch and achieve as a matter of priority the relevant constitutional changes, with a view to including in the Constitution citizens who live within the borders of the state.

In Bosnia and Herzegovina, political polarisation and obstructions led to a standstill in the work of democratic institutions and in reforms along the EU path. The Presidency, Council of Ministers and Parliament remained blocked until spring 2022. Policy dialogue meetings with the EU under the Stabilisation and Association Agreement could not take place until June 2022. The *Republika Srpska* entity pursued initiatives to unilaterally take over State competences. These initiatives are now either suspended or under constitutional review. The High Representative used his executive powers four times during the reporting period to overcome obstruction including to provide funds to organise the October 2022 elections. A state budget was not adopted until the end of June. State institutions started to return to functioning in spring 2022 and initial steps were taken to address the backlog of reforms. Political actors demonstrated a unified approach in allowing Bosnia and Herzegovina to adopt the public procurement law, as well as to become a Participating State of the Union Civil Protection Mechanism. General elections took place on 2 October; according to the preliminary findings of OSCE/ODIHR, they were overall competitive and well organised but marked by mistrust in public institutions and ethnically divisive rhetoric. On the same day, the High Representative imposed amendments to the constitution of the Federation entity and to the election law, aimed at addressing a number of functionality issues and the timely formation of authorities.

In Türkiye, democratic backsliding continued during the reporting period. Despite the ending of the state of emergency in 2018, several legal provisions granting extraordinary powers to government authorities and retaining several restrictive elements of the emergency rule remained integrated into the legal system, which affected democracy and fundamental rights. Structural deficiencies of the presidential system remained in place. The parliament continued to lack the necessary means to hold the government accountable.

Judiciary and fundamental rights

An independent, impartial, accountable and professional **judicial system**, which functions efficiently and whose decisions are effectively executed represents the backbone of the rule of law.

Some progress was achieved in certain cases with judicial reforms. However, across the Western Balkans and Türkiye, judicial institutions remain exposed to many challenges. In particular, undue external pressures on the judiciary continued, undermining the independence of judges and prosecutors, compromising the overall institutional balance and ultimately affecting the separation between state powers. As a result, the principle of equality before the law continues to be weakened. Decisive progress in implementing judicial reforms, based on strong political will, remains essential. The consolidation of judicial functions, resulting in a solid long-term track record, is essential for further progress in the accession process.

Albania has continued to make good progress in the implementation of its comprehensive justice reform, including by continuing to ensure tangible results in the vetting process. The Constitutional Court continued to be fully operational. Appointments at the High Court have resulted in a first decrease of its backlog. Progress on the case management system and the legal education system remain outstanding.

North Macedonia made some progress through the steady implementation of its judicial strategy. The judiciary has demonstrated its commitment to protect its integrity and independence. Judicial institutions have implemented consistently the new rules for the appointment, promotion, discipline and dismissal of judges and prosecutors. The necessary resources need to be allocated to ensure that the automated case-management information system is fully functional.

Serbia made some progress overall to strengthen the independence and accountability of the judiciary, taking an important step by approving relevant amendments to the Constitution in February 2022. As a next step it will be important that implementing laws which will give full effect to the reform will be amended in line with the constitutional deadlines. Serbia has established two expert working groups tasked with the drafting of the implementing legislation.

Kosovo made some progress in advancing judicial reforms. Steps were taken to start implementing the rule of law strategy and action plan, and a new legislative framework governing the prosecutorial system was adopted. However, further steps are needed to increase the judiciary's efficiency and independence.

Montenegro made limited progress in key judicial reforms. Concerns remain on the functioning of institutions and the consolidation of independent Judicial and Prosecutorial Councils, and the track record on judicial accountability is at an early stage. Investigations by the Special Prosecution Office into several high-level cases led to the arrests of former President of the Supreme Court and the President of the Commercial Court on charges of corruption and organised crime. The cases being investigated have not yet been brought to trial.

Bosnia and Herzegovina is lagging behind on justice reform, with no progress in strengthening the sector. The legislative amendments aimed at establishing a system of verification of asset declarations by judicial office holders were rejected in Parliament in May 2022. Due to lack of genuine political commitment to the rule of law and to the EU path, the overall integrity of the justice sector continued to deteriorate.

In Türkiye, the backsliding observed in recent years has continued. The systemic lack of independence of the judiciary has not been addressed. Political pressure on the judiciary has continued, undermining independence and the overall quality of the judiciary. Türkiye's refusal to implement relevant judgments of the European Court of Human Rights (ECtHR) has further

increased concerns about Türkiye's adherence to international and European standards. The non-execution of the ECtHR judgment in the Kavala case, leading to the initiation of an infringement procedure against Türkiye by the Council of Europe, has raised serious doubts about the country's commitment to its obligations as a member of the Council of Europe. Suspensions and dismissal of judges and prosecutors have continued to weaken the judicial system's independence, efficiency and professionalism. Turkish authorities need to address urgently a number of serious shortcomings in the system, including in relation to the right to a fair trial and rigorous compliance with the principle of presumption of innocence.

Corruption continues to be widespread in the Western Balkans and Türkiye. Progress in fighting corruption effectively is uneven. Some progress has been achieved in certain countries, primarily in areas related to corruption prevention. Genuine political will and a clear commitment to sustaining reform efforts are still needed to improve transparency and integrity and to achieve tangible results with a convincing track record of investigations, prosecution and final convictions. There is a need to further mainstream anti-corruption measures in key sectors in order to foster reforms and tackle corruption across the board in a more meaningful and effective way. Sectors most vulnerable to corruption require targeted risk assessments to identify corruption risks, vulnerabilities and eventually trigger the design of robust anti-corruption measures. Anti-corruption strategies and action plans need to be implemented in a systematic and structured manner, including in key sectors such as public procurement, public finance management, energy, transport, health, water, infrastructure, natural resources and education. High-level and political corruption need to be tackled in more decisive ways, since signs of strong entanglement of public and private interests persist. Public procurement remains particularly prone to widespread corruption. The control mechanisms throughout the procurement process need to be strengthened and transparency significantly increased through robust and more ambitious measures.

North Macedonia has pursued its efforts in the fight against organised crime and corruption, ensuring some further progress. The State Commission for Prevention of Corruption has carried out its mandate proactively. The country continued to cooperate with international partners, and to coordinate with them domestic activities against organised crime. In Albania, the Specialised Anti-Corruption and Organised Crime Structure (SPAK) conducted criminal proceedings and financial investigations, which notably resulted in final convictions in a few high-level cases; the vetting of the judiciary continues to bring results in the fight against corruption within the judiciary. Serbia made some progress with the further implementation of the recommendations of the Council of Europe's Group of States against Corruption (GRECO). The preparation of a new anti-corruption strategy, accompanied by an action plan is long overdue. Montenegro improved its track record on prevention of corruption, however it remains necessary to demonstrate a credible criminal justice response in the fight against corruption, including high-level corruption. In Kosovo, some progress was achieved with the adoption of a significant anti-corruption legislative package, which includes the new law on the criminal procedure code, the law on the agency for the prevention of corruption, the law on asset declaration, and legislation regulating political party financing. Bosnia and Herzegovina's Parliament rejected a law on conflict of interest, while the judicial follow-up in corruption cases of public resonance was selective and non-transparent. The number of final convictions in high-level cases remained very low.

In Türkiye, there was no progress during the reporting period. The legal framework and institutional architecture need to be improved to limit political and undue influence in the

prosecution and adjudication of corruption cases. Most of the GRECO recommendations have not been implemented.

Across the Western Balkans, the persistent scarcity of human and financial resources in the judicial institutions, as well as the lack of dedicated capacity and expertise on financial investigations, continue to hinder the effective investigation and adjudication of cases of organised crime and corruption. While capacity building activities for the justice sector are available, insufficient incentive structures, ineffective performance management systems and the vulnerability of the justice sector to political pressure contribute to poor case management, lengthy procedures and low rates of seizure and confiscation measures.

Fundamental rights are largely enshrined in the legislation in the Western Balkans, but challenges remain in ensuring their effective implementation. The policy framework is gradually being completed, notably on anti-discrimination and fighting gender-based violence, but systemic gaps remain in funding measures promoting and protecting human rights and many sectors remain donor-dependent. The Ombudsperson institutions continue to play a key role in the promotion and protection of human rights in the Western Balkans and their own recommendations as well as those of other independent bodies. Governments in the region need to consistently address all the recommendations of international and regional human rights monitoring bodies, including on prison conditions and the prevention of ill-treatment. Civil society continues to supplement or even replace government action in providing services to disadvantaged groups. The concerns and recommendations of the previous country reports remain largely valid and need to be addressed as a matter of urgency. In Türkiye, the human rights situation continued to deteriorate and remains a serious concern.

Freedom of expression, media freedom and pluralism are key pillars of a democratic society and must be upheld. Throughout the Western Balkan region there was limited progress in this regard and in some countries there was no progress. Recommendations of past reports still largely remained unaddressed. Pluralism remains a feature in most of the region but media independence and the development of quality professional journalism remain hampered by interconnected business and political interests and poor labour market conditions which lead to self-censorship. Cases of threats, intimidation and violence against journalists and as derogatory remarks by public officials continue to cause serious concern. These can have a chilling effect on the exercise of media freedom and the pace of investigations into and prosecutions of such incidents needs to be stepped up. The independence of media regulators and public broadcasters needs to be guaranteed, including through adequate funding and merit-based appointments in management structures. The effective functioning of independent self-regulatory bodies also needs to be further supported. All countries in the region need to increase transparency on media funding.

Serious backsliding continued in Türkiye, where the exercise of freedom of expression and the dissemination of opposition voices continued to remain considerably limited. Criminal cases and convictions of journalists, human rights defenders, lawyers, writers, opposition politicians, students and social media users continued. The authorities in much of the Western Balkans enhanced their strategic frameworks to implement commitments in the field of **gender equality** and in combating gender-based violence, but this needs to be translated into practical improvements: the necessary funds need to be allocated and assistance to victims of all forms of violence needs to be strengthened, as gender-based violence including domestic violence remains

a serious concern. In Türkiye, backsliding in the area of gender equality and the regression of the rights of women and girls continued, and there was an increase in hate speech targeting independent women's organisations.

Laws and policies on **non-discrimination** are generally in place, but equality bodies and entities tasked with protection from discrimination need to be provided with sufficient means to fulfil their mandate. There is a trend towards increased hate speech in the region and insufficient follow-up of cases of discrimination, hate crime and hate speech. The legislative and policy framework for the rights of **lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons** is being developed but buy-in from all parts of society remains a challenge and several laws remain stalled. Laws need to be upheld in practice, as discrimination and hate speech remain frequent. In Türkiye, the protection of the fundamental rights of LGBTIQ persons is not safeguarded and hate speech and smear campaigns against the LGBTIQ community are still a matter of serious concern.

Efforts are still needed to strengthen the **rights of the child** and to improve interinstitutional coordination for effective child protection and childcare systems in line with the best interests of the child. Child-friendly justice systems need to be further developed and alternatives to detention made available and used more systematically, with detention used only as a last resort. Violence against children, as well as early marriages, remain serious concerns.

The **rights of people with disabilities** need to be better protected and given due attention. Issues that need addressing include transition to community-based care and independent living, in line with the requirements of the UN Convention on the Rights of Persons with Disabilities, and generally more acceptance, accessibility and inclusion.

Protecting minorities requires better coordination and it must be ensured that the right to self-identification is respected. **Roma** remains the most deprived community in the region. However, this year, most governments (with the exception of Türkiye) proved their political commitment on Roma inclusion by adopting new Roma strategies and action plans aiming to align with the EU framework. Priority should now be given to their implementation, including allocation of the necessary financial means.

Justice, freedom and security

Organised crime remains an important security threat to the Western Balkans and Türkiye. Powerful criminal networks continue to operate in and beyond the region, playing important roles in the global trade of illicit goods and in smuggling people to and within the European Union. These criminal networks have proven to be very adept at exploiting the COVID-19 pandemic and there is a risk that they take advantage of the Russian invasion in Ukraine, including of the availability of large stockpiles of weapons in Ukraine. Investor citizenship schemes and investor residence schemes available in some countries may be used to bypass the EU short-stay visa procedure and the in-depth assessment of individual migratory and security risks this procedure entails, including a possible evasion of measures to prevent money laundering and financing of terrorism, as well as the circumvention of international sanctions. Such schemes should be terminated without delay. In case the granting of citizenship under investor citizenship schemes is

deemed to constitute an increased risk to the internal security and public policy of the Member States, the visa-free regime may be suspended¹³.

Law enforcement cooperation between the EU and the Western Balkan countries – including with EU Justice and Home Affairs Agencies – continued to intensify. Following the adoption of Council Conclusions in March 2021, law enforcement cooperation with third countries was mainstreamed in all European Multidisciplinary Platform against Criminal Threats (EMPACT) operational action plans, resulting in a boost in the Western Balkans' participation in EMPACT. In 2022, 300 instances (compared to 159 in 2021) were reported where Western Balkan partners committed to participating in operational actions. Albania continued to lead one operational action, Montenegro and Albania were co-leading four and two operational actions respectively, while Serbia and North Macedonia were each co-leading one operational action. Bosnia and Herzegovina is the only partner, which scaled down its participation in EMPACT.

In the context of EMPACT, the partners from the region also participated in several joint action days, targeting among other things the facilitation of irregular immigration, drug trafficking and trafficking of firearms, which led to immediate results in terms of arrests and the seizure of criminal assets. With the help of Europol and the Southeast Europe Police Chiefs Association, good progress was made in stepping up the region's capacity to conduct strategic and operational criminal analysis in an EU-harmonised manner. Since the start of Russia's war of aggression against Ukraine, Serbia refrained from participating in a number of regional events in the security field.

National strategies on drugs are outdated and require revision in Serbia and Montenegro. A strategy and its corresponding action plan are in place in Kosovo and North Macedonia. Bosnia and Herzegovina has a strategy in place, but the adoption of the corresponding action plan is still outstanding. In Albania, the issue is covered under the national strategy on fighting organised crime, with a dedicated action plan. Efforts are clearly needed across the region to reinforce the strategic framework, also based on proper evaluation, and advance on implementation. Despite long-standing support by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) on the matter, national early-warning systems and national drug observatories – essential contributors to supply, demand and harm reduction – either have yet to be established or are severely under-resourced and hence not operational, with the exception of Serbia. Swift action is needed in this respect. National data collection remains partially aligned with EMCDDA protocols and the national data sets submitted by most Western Balkan partners are incomplete or delayed. Poor institutional coordination between national bodies sometimes translates into fragmented and incomplete data sets. It is therefore recommended to further raise awareness and find alternative and more efficient ways to motivate Western Balkan partners to commit more and better in this information area at political, institutional and technical level. With the support of the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons, all partners have continued to be actively engaged in the implementation of the EU's 2020-2025 action plan on firearms trafficking, which aligned the goals and key performance indicators of the 2018 regional roadmap for a sustainable solution to the illegal possession, misuse

¹³ See, in this respect, Council Decision (EU) 2022/366 of 3 March 2022 on the partial suspension of the application of the Agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver (OJ L 69, 4.3.2022, p. 105).

and trafficking of small arms and light weapons and their ammunition in the Western Balkans. Partners continued to make further progress in the legal alignment with the relevant EU *acquis*.

Prevention, prosecution, and cross-border cooperation in trafficking in human beings cases continue to require a more holistic approach, including special attention for intelligence-led and proactive investigations. Further improvements are necessary in the early identification and referral of victims, in particular those belonging to vulnerable communities, to adequate protection, support and assistance services, in line with a victim-centric, gender- and child-sensitive approach.

However, no changes can be reported in the assessment of the generally weak track records on final convictions as regards serious and organised crime. Strong domestic support is needed to step up the strategic and operational capacities of law enforcement authorities and the judiciary to successfully investigate, prosecute and bring to trial serious and organised crime cases, and thus dissuade potential perpetrators. Plea bargaining is regularly used in complex serious organised crime and high-level corruption cases, leading very often to disproportionately low sentencing. Financial investigations still do not systematically accompany criminal proceedings from the start, and their effectiveness remains limited across the region. As a consequence, the track record of seized and confiscated criminal assets also needs to be substantially improved. In the past year, several cases have illustrated once more the vulnerability of law enforcement bodies and the judiciary to infiltration by criminal groups. Firm and immediate action to prevent and punish corruption therefore remains necessary, both in the Western Balkans and Türkiye. The overall lack of significant results in fighting crime and eradicating corruption feeds a sentiment of impunity and inequality.

Albania made further progress on the seizure and confiscation of criminal assets but needs to step up its capacity to address cybercrime and (online) child sexual abuse. Bosnia and Herzegovina did not make progress in fighting organised crime and criminal organisations operating in the country. Continued lack of progress at all levels increases the risk of backsliding. Despite some recent successes in the fight against organised crime, Kosovo needs to improve its track record and ensure more concrete results both in dismantling criminal network and addressing high-level cases and achieve more proactive investigations, final court decisions and final confiscation of assets. North Macedonia made some progress in the operational cooperation with international partners but needs to step up efforts on asset recovery and addressing cybercrime. In Montenegro, progress was made in restoring the full use of special investigative measures and some important operational results were achieved in the fight against drugs and cigarettes smuggling. However, a substantial improvement of the judicial response to corruption, high-level corruption and organised crime as well as an improved track record in the area of corruption and high-level corruption, tobacco smuggling, money laundering, financial investigations and asset confiscation are needed. Montenegro also needs to step up measures to mitigate the risk of infiltration of organised crime in the police and the judiciary and take measures to destroy confiscated cigarettes. Serbia consolidated a good level of cooperation with Eurojust, Interpol and Europol but needs to better target criminal networks and step up the confiscation of their assets. Türkiye made limited progress and still needs to amend its legislation on cybercrime and witness protection and establish an asset recovery office.

Cooperation with the Western Balkans on **counter-terrorism and prevention of radicalisation** continues to be of key importance. While terrorism and violent extremism in all their forms and

irrespective of their origin continue to pose a challenge, during the reporting period no incidents of an extreme or violent nature took place. At the EU-Western Balkan Justice and Home Affairs Ministerial Forum held in December 2021, the validity of the joint action plan on counter-terrorism for the Western Balkans was confirmed and progress and gaps in its implementation were discussed. The June 2022 Council Conclusions on ‘Addressing the external dimension of a constantly evolving terrorist and violent extremist threat’¹⁴ underlined the need to further strengthen cooperation with the Western Balkans including through the continued implementation of the joint action plan. A fourth set of reports on the implementation of the joint action plan was submitted by Western Balkan partners in spring 2022 and confirmed the region’s engagement and willingness to deliver on commitments made.

In general, more efforts are needed to prevent all forms of radicalisation, including of a religious, ethno-nationalist or political nature, as well as to prevent and counter risks of online radicalisation. Structured support is being ensured since January 2021 through the “RAN in the Western Balkans” project, and will be further expanded for the next 30 months through RAN policy support. For Albania and North Macedonia, since most of the actions have already been implemented, discussions at technical level have started in order to update the respective implementing arrangements. This aims at stepping up cooperation and capacities to counter terrorism and extremism with additional actions to be implemented.

Albania made substantial progress and the five implementing arrangements have been almost fully achieved. Actions to be still implemented include for Albania a new strategy on countering violent extremism that is in preparation and which will include strategic communication and measures for countering terrorist content online. On **countering terrorism financing and anti-money laundering**, progress was achieved, but Albania remains listed by the Financial Action Task Force and needs to implement the remaining elements of the Financial Action Task Force action plan. The adoption of a tax and criminal amnesty against the advice of the EU and Moneyval could jeopardise progress in this area. Montenegro adopted in December 2021 a strategy for the prevention and suppression of terrorism, money laundering and financing of terrorism for 2022-2025, with an action plan for 2022-2023, which needs to be implemented. North Macedonia continues to make substantial progress on the legislative and institutional frameworks and on preventing/countering violent extremism. Bosnia and Herzegovina needs to continue efforts in the fight against terrorism and the prevention of violent extremism, and to urgently adopt a new law on anti-money laundering and terrorism financing in line with the EU *acquis*. The contact point for Europol needs to become fully operational in order to facilitate exchange of information. In Serbia the new counter-terrorism and preventing/countering violent extremism strategy is being drafted. Serbia has to step up efforts to counter and prevent all forms of radicalisation and violent extremism, including violent right wing extremism and ethno-nationalism. Kosovo has made some progress in the fight against terrorism and the prevention of violent extremism, in line with the objectives set out in the EU-Kosovo implementing arrangement for the joint action plan on counter-terrorism for the Western Balkans. Kosovo needs to combat money laundering more effectively. More efforts are required in the implementation of the protection of critical infrastructure at regional level, and support will be ensured by a new IPA regional project. The EU

¹⁴ <https://www.consilium.europa.eu/media/57229/st10179-en22.pdf>

is supporting the revision of national counterterrorism and preventing and countering violent extremism strategies in the region.

Western Balkans partners continue to repatriate **foreign terrorist fighters** and family members from North-East Syria. They are committed to prosecuting foreign terrorist fighters and promoting their systemic reintegration and resocialisation, in particular that of women and children. The monitoring of reintegration and resocialisation measures, in particular in prisons, needs to be improved. This includes the cooperation among institutions at national and local level. Exchange of information through Europol's Secure Information Exchange Network Application improved significantly. Western Balkan partners should continue to proactively communicate information on the return of foreign terrorist fighters and their families through the appropriate channels.

In the whole region, legal provisions are in place for the prosecution of foreign terrorist fighters upon their return. In Kosovo, the early conditional release of violent extremist offenders from prison remains a matter of concern and more efforts should be made on rehabilitation and reintegration. In Bosnia and Herzegovina very limited assistance is available, in prison or upon release, for disengagement from violent extremism. Significant further efforts are needed to prepare inmates for release, including former foreign terrorist fighters. Montenegro has prosecuted nationals returning from the 2014 Ukraine conflict and from North-East Syria, where its nationals are still present.

Türkiye continued to face threats from various terrorist groups. It has carried on with efforts to tackle terrorism, leading to a sustained reduction in terrorist activities and an improved security situation. Türkiye has prioritised the fight against the PKK and the dismantling of the Gülen movement. The PKK remains on the EU's list of people, groups and entities involved in acts of terrorism. Türkiye has a legitimate right to fight terrorism. However, counter-terrorism efforts should be in line with the rule of law and fundamental rights and freedoms. Changing the Turkish anti-terrorism legislation and practices in line with EU standards remains an essential outstanding reform. Türkiye was included in the list of jurisdictions under increased monitoring (on the 'grey list') by the Financial Action Task Force (FATF) in October 2021. Following this decision, Türkiye was not added to the EU's list of high-risk third countries due to its candidate status, its high-level political commitment to the EU to address outstanding shortcomings identified by the FATF and its aim of full alignment with the EU *acquis*. Türkiye needs to continue addressing outstanding recommendations to be taken off the FATF's grey list.

Hybrid threats have become an even more serious and threatening issue in enlargement countries since the Russian invasion of Ukraine. In the Western Balkans region, state and non-state operators, including from outside the region, have continued to engage in information manipulation activities, including **disinformation** with the aim of challenging the EU's credibility, undermining public trust in democratic institutions and deepening polarisation and ethnic divides. Information manipulation activities, including disinformation campaigns have been particularly intense since 24 February 2022 and anti-EU narratives have been spreading in the Western Balkans. Serbia needs to take urgent action to protect its citizens against foreign information manipulation and interference and from anti-EU narratives, including in the context of the Russian aggression on Ukraine, which has obvious spill-over effects across the region. Several Russian state-sponsored outlets which are on the EU sanctions list are broadcasting radio and multimedia programmes, including the Kremlin's disinformation outlet Sputnik Srbija, as well Russia Today,

which opened an office in Belgrade in summer 2022. However, the bulk of information manipulation, including disinformation in the region is produced and spread by domestic players for domestic purposes, and/or acting as proxies for third states aiming to influence public discourse, using information manipulation to antagonise the public against the EU and Western democracies in general.

Given the current geopolitical situation and in line with EU priorities under the joint framework on countering hybrid threats, the Western Balkans strategy and the Zagreb Declaration, the Commission and the High Representative have increased their policy dialogue and assistance to enlargement partners on countering hybrid threats, in particular on cyber resilience and cybersecurity, including the protection of critical infrastructure and food and energy security. In the second half of 2022 Albania, Kosovo and Montenegro have all been subject to cyber-attacks. It is imperative that the region adopts the EU framework on cybersecurity. It is also crucial for the Western Balkans to deliver on their commitment to implement the memorandum of understanding on 5G signed at the Western Balkan Digital Summit in 2020 in Tirana. On strategic communications and countering information manipulation and disinformation, a more robust and target-oriented resilience-building action has been established, focused on by raising awareness, working on media literacy and engaging with local institutions, civil society actors and media to deal with this kind of hybrid threat to Western Balkans societies and their path to the EU.

North Macedonia adopted the national strategy on building resilience and confronting hybrid threats (2021-2025) together with an action plan in October 2021. Recommendations from the hybrid risk surveys¹⁵ are addressed with the help of EU support. Follow-up on the risks surveys is expected in selected countries.

Irregular **migration** continued to be a key challenge for the Western Balkans and Türkiye. Cooperation was further developed along the Eastern Mediterranean/Western Balkans migratory routes. Smuggling of migrants, unaccompanied minors, trafficking in human beings and insufficient capacity of national asylum systems remain of concern. The war in Ukraine and the crisis in Afghanistan have resulted in an increase in Ukrainian and Afghan refugees and require continued close cooperation between the EU and the partner countries. In this context, refugees were hosted by all partners in the region, in particular in Montenegro, Kosovo, Albania and North Macedonia.

In 2022, the overall number of irregular arrivals from the Western Balkans to the EU are increasing compared to 2021, with 70 770 irregular border crossings detected on the EU external borders in the first 7 months of 2022, nearly three times the total from the same period last year. The total number of irregular arrivals at the external borders of the EU from the Western Balkans was around 62 000 in 2021, compared to 27 000 in 2020. At the end of July 2022 there were approximately 9 800 migrants and refugees in the reception centres in the region and an estimated 2 900 outside reception facilities. The total reception capacities are approximately 14 500. Factors influencing the high number of flows include movements by migrants already present in the region, as well as people arriving by air to Serbia due to visa-free regimes. Given the sharp increase of arrivals, the Commission is monitoring the situation with increased vigilance and intensified its engagement with Western Balkan partners. Progress is being achieved, but further efforts are needed in the

¹⁵ Under Action 18 of the Joint Framework on countering hybrid threats, hybrid risks surveys have been launched with seven partners, including four partners in the Western Balkans (Albania, Kosovo, North Macedonia and Montenegro).

Western Balkans for the creation of more robust institutions, laws and procedures in the areas of asylum, return, legal migration and border management, also in view of the transposition of complex and demanding EU *acquis*. Western Balkan partners should assume responsibility and ownership for all aspects of migration. There is a need to strengthen asylum systems, stepping up voluntary and non-voluntary returns and cooperation on readmission with countries of origin in line with international and EU standards. Increased regional and international cooperation are needed to combat organised crime groups engaged in migrant smuggling and trafficking of human beings. Regional cooperation and coordination with the EU remain key.

Status agreements allowing the European Border and Coast Guard Agency (Frontex) to deploy European Border and Coast Guard teams with executive powers in the zones bordering the EU's external borders, in support of national border authorities, have been concluded and operationalised with Albania, Montenegro and Serbia. Similar status agreements were negotiated between the EU and Bosnia and Herzegovina and between the EU and North Macedonia, but have not yet been signed. These will need to be renegotiated to take into account changes in the legislative landscape since their negotiation. To take into account changes in the legislative landscape, particularly the adoption of the European Border and Coast Guard Regulation in 2019, the Commission negotiated a new status agreement text with North Macedonia in 2022 which is expected to be signed before the end of the year.

As corroborated by the 2021 report under the visa suspension mechanism¹⁶, Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia need to ensure further visa policy alignment with the EU lists of visa-required third countries, in particular as regards those third countries which present irregular migration or security risks for the EU. Visa policy alignment with the EU is crucial for the good functioning of the visa-free regime of these partners with the EU. Türkiye continues to host one of the largest refugee populations, with approximately 4 million refugees from Syria and other countries present on its territory. In the first 7 months of 2022, the total number of arrivals from Türkiye to the EU was 13 163 compared to 7 481 in the same period in 2021 (76% increase). Of those migrants, 6 225 arrived in Italy, which amounts to a substantial increase compared to the previous year, 6 257 in Greece, 601 in Bulgaria and 80 in Romania. During the same period in 2022, 11 137 arrivals were reported at the government-controlled areas of Cyprus (10 771 through the Green Line, 366 by boat), compared to 5 118 arrivals through the Green Line and by boat in the same period last year (115% increase). Türkiye needs to also further harmonise its visa policy with the EU's visa policy, including notably further alignment of its visa requirements with the EU lists of visa-free and visa-required countries.

Given the Taliban takeover in Afghanistan and the perception of migrants among the Turkish population, the Turkish authorities are increasing the number of returns to Afghanistan and reinforcing their border infrastructure along the border with Iran. Turkish authorities are also increasing resources to prevent and combat migrant smuggling, but there is a need for greater international law enforcement cooperation on the whole migration route from countries of origin to Türkiye, including Iran, the Western Balkans and the EU, to combat smuggling networks. Continued close cooperation in the field of border management and combating migrant smuggling

¹⁶ [COM/2021/602 final](#)

remains a key priority.

Public administration reform

The European Commission's Strategic Foresight Report¹⁷ includes 'strengthening the resilience of institutions' as one of the key challenges for Europe's future. Public institutions and administrations need to be responsive to societal concerns and effective in delivering policies. Modernising public administrations remains a key concern throughout the enlargement countries. Politicisation continues to erode capacities and public administrations' attractiveness as an employer. While there is awareness of key reform needs for creating more professional and merit-based administrations overall, more leadership and effort will be needed for improving policy planning, public finance, people management and accountability. There are examples of positive reforms, for example in digital service delivery. Improving **administrative capacity** will be essential to fulfil the functions of the state, plan and execute essential investments in strategic infrastructure and strengthen alignment with the EU *acquis*.

The **quality of policymaking** is of paramount importance to steer a country's economic and social development and help navigate through continuous crises. Policymaking should be predictable as far as possible. It should be planned for the medium term and linked to the budget perspective, it needs to be evidence based, and consulted on with relevant stakeholders. Among Western Balkan partners, however, a large share of government-proposed laws are not part of the government work programmes. Consistent policy planning and coordination between government and parliaments could be further improved. The excessive use of shortened proceedings hampers legislative quality and democratic accountability. Improving **policy monitoring** would further enhance the administration's effectiveness across the region.

Accountable public administrations are organised rationally, are effective, efficient and transparent, and act with integrity. This builds societal trust, which is essential for cooperation and development. In the Western Balkans, government structures do not always follow these principles. Government agencies are not always created and organised rationally or effectively (for example in Albania and Kosovo). In several places, regulatory and institutional frameworks for accountability have improved, but not the actual practice of accountability (Albania, North Macedonia and Serbia). North Macedonia still needs to approve a new law on state organisation, while Bosnia and Herzegovina has not started developing a legal framework that would ensure more accountability. Montenegro needs to improve accountability and access to public information. In Türkiye, the politicisation of the administration continued, with limited accountability to the public and an ongoing lack of political will to reform.

Strategic and professional **human resources and civil service management** is of critical importance for the public sector to be able to attract, develop and retain talent. This includes fair and competitive remuneration and merit-based recruitment, promotion and dismissal. A lack of well-qualified staff is one of the main reasons for low administrative capacity and weak performance of public authorities throughout the region. All countries still struggle to control political patronage in order to build a more professional and stable public administration.

¹⁷ [European Commission, 2021 Strategic foresight report. The EU's capacity and freedom to act](#)

Improving **public services to businesses and the general public** is high on the agenda throughout the region and is the area where most improvements have been noted. However, legal certainty for business and citizens needs to be improved across the region by promoting effective harmonisation of sectoral legislation with the standards of the law on general administrative procedures. Serbia, Albania, Montenegro and North Macedonia launched e-government initiatives and services. Albania has rolled out a comprehensive platform for digital services – however it needs to ensure equitable access for citizens with limited digital skills. Bosnia and Herzegovina and Kosovo need to expedite efforts to develop a comprehensive e-government policy and clarify institutional responsibilities.

Improving the **public procurement and public finance management systems** remain important priorities for ensuring state effectiveness and integrity throughout the region. Kosovo, Montenegro and North Macedonia made progress on the digitalisation of their procurement systems. Albania launched an electronic appeals and complaint system. In Serbia, exemptions from the application of the law on public procurement have increased substantially and raise very serious concerns as a trend that needs to be reversed and about transparency in general. Türkiye continues to have large gaps in its alignment with the EU *acquis*, as the scope of public procurement rules is significantly reduced.

Reforming national governance systems for **sound financial management**, managerial accountability and external audit is crucial to ensure the sustainability of the state's finances. There was some progress, as Serbia, Montenegro, and North Macedonia drafted / adopted new public finance management programmes. Albania has taken steps to prepare a new medium-term revenue strategy. Sound implementation of these programmes now needs to follow. In Bosnia and Herzegovina, the first ever comprehensive public finance management strategy is awaiting adoption by the Council of Ministers. There were no major developments in the public finance management area in Türkiye.

Strengthening **public investment management** systems and capacities needs to be a clear priority for all enlargement countries, especially in the context of the **Economic and Investment Plan for the Western Balkans**. However, little progress was made over the past year. Montenegro has conducted a public investment management assessment. Building up increased capacity is now essential. In North Macedonia, implementation of the public investment management action plan is behind schedule and a public investment management unit has not yet been established. Serbia needs to apply the full methodology of the Decree on capital projects management to all capital investments. For all, a unified, comprehensive, effective and transparent system for planning and management of capital investments needs to be put in place.

Progress on **public internal controls** and managerial accountability was generally slow, but three countries made some progress: Albania adopted guidelines for auditing arrears and approved a revised methodology for performance audit. In Bosnia and Herzegovina, the secondary regulations and methodologies were updated at all levels and incorporated in the IT application for public internal financial control, generating consolidated annual reports at all levels. Serbia implemented two pilot peer reviews on internal audit arrangements and recently improved guidelines on managerial accountability.

All enlargement countries must strengthen their capacity to produce good quality **statistics**, in line with the principles established in EU law and further elaborated in the European statistics Code,

based on professional independence, impartiality, reliability, as well as transparency and confidentiality. It is also critical to increase the provision of data to Eurostat. North Macedonia and Türkiye have carried out population and housing census in the 2021 round. The rest of Western Balkans should also conduct census and allocate sufficient resources to their statistical offices. One specific sector where all need to make progress is macro-economic statistics, including government finance statistics. It is necessary to strengthen the coordination of the statistical system in each country.

Regional and local authorities have a key role to play in the EU alignment process and future application of EU rules. Regional and local governments are closest to the citizens and play a key role in providing public services as well as in building citizens' trust in their State institutions. The governments need to ensure balance between central, regional and local government, and the coherent application of rules, procedures, standards and human resources management across public administration at all levels. This has a direct impact on the quality of sector policies, public services, and ultimately competitiveness and growth and should therefore receive more attention in the enlargement countries.

Civil society

There continues to be a largely active and vibrant **civil society** in the Western Balkans which monitors governmental action and contributes to policymaking. Adoption of legal measures led to improvements in some Western Balkan countries; however, the legal framework needs to be further improved and consistently implemented to ensure an enabling environment for civil society, including as regards registration processes, enhancing the availability and transparency of public funding (Bosnia and Herzegovina, North Macedonia, Serbia) and conditions for volunteering (Albania, Kosovo). It is essential that security measures are not misused, e.g. through anti-terrorism legislation or legislation on preventing the financing of the proliferation of weapons of mass destruction (Türkiye), prevention of money laundering and terrorist financing (Kosovo) or restrictions on free access to information (Montenegro) or freedom of assembly (Bosnia and Herzegovina).

There are continued weaknesses in the institutionalised mechanisms for cooperation between civil society and the government. It is essential that governments ensure the conditions for meaningful and inclusive participation of civil society organisations in policymaking processes.

Civil society is under pressure in Serbia and the *Republika Srpska* entity of Bosnia and Herzegovina. Verbal attacks and smear campaigns against civil society organisations and their financing continued in Serbia, while the exercise of freedom of assembly remains restricted in the *Republika Srpska* entity of Bosnia and Herzegovina. In Türkiye, there continued to be serious backsliding. Civil society faced continuous pressure and their space to operate freely has continued to diminish, with restrictions on the activities of human rights defenders and civil society. Civil society organisations in the enlargement region also continue to provide services to disadvantaged groups, complementing or substituting the work of public authorities.

Economy

Following the strong negative impact of the COVID-19 pandemic in 2020, the economies of the Western Balkans and Türkiye recovered quickly in 2021. The strength of the upturn varied widely across the economies, with double-digit real GDP growth in Montenegro (12.4%), Türkiye (11%)

and Kosovo (10.5%), a somewhat slower but still robust pace of expansion in Albania (8.3%), Serbia (7.4%) and Bosnia and Herzegovina (7.1%), and more moderate output growth in North Macedonia (4%). The gradual lifting of COVID-19-related containment measures and the base effect from strong downturns in 2020 (in particular due to the sectoral share of tourism) played a significant role in the rebound in some countries, accounting in particular for the very strong expansion in Montenegro. The key drivers of solid rebound were: buoyant private consumption, fuelled by pent-up demand and continued crisis-mitigation support measures in some countries; increased investment, in particular public capital spending in Serbia and North Macedonia; and strong growth in exports, especially in Türkiye's case.

The economic outlook is surrounded by very high uncertainty due primarily to the economic fallout of Russia's invasion of Ukraine, which is expected to have a negative impact on economies although in a varying degree, reflecting differences in: each country's direct and indirect trade links; each country's energy intensity; the significance of food price inflation; and the role of tourism.

In all countries, the fiscal measures that have been adopted to mitigate the impact of rising energy and food prices, combined with the contractionary economic result of Russia's war against Ukraine, could possibly derail or decelerate fiscal consolidation. Inflation has accelerated substantially in the Western Balkans, while in Türkiye the effect of global price pressures was aggravated by unorthodox monetary policy decisions, triggering a large depreciation of the lira and driving inflation up to a two-decade high (over 80% in July 2022).

The need to accelerate structural reforms has become even more important to foster a sustainable recovery in the medium term and to make further progress towards meeting two economic criteria for EU membership: ensure functioning market economies, and demonstrate the capacity to cope with competitive pressure and market forces within the EU.

Most of the Western Balkans have made some or good progress in fostering functioning market economies, except for Bosnia and Herzegovina where there has been some backsliding. Türkiye made no progress in this respect. Currently, none of the Western Balkan partners can be considered a fully functioning market economy and the level of compliance varies. While Bosnia and Herzegovina and Kosovo are still at an early stage, North Macedonia has already reached a good level of preparation. Albania and Montenegro are considered to be moderately prepared while Serbia is between a moderate and a good level of preparation. Türkiye's market economy is well advanced, but serious concerns have increased over its functioning as there has been backsliding on important elements, such as the conduct of monetary policy, the institutional and regulatory environment, intervention in price setting and non-transparent state aid. In terms of their capacity to cope with competitive pressure and market forces, only Türkiye is well advanced, with Serbia, Montenegro and North Macedonia being at a moderate level of preparation and Albania having some level of preparation, while Bosnia and Herzegovina and Kosovo are still at an early stage.

The Economic and Financial Dialogue between the EU and the Western Balkans and Türkiye has over years become an important platform to discuss and agree on medium-term fiscal plans and economic policy strategies and priorities on the basis of Economic Reform Programmes submitted by the partners on an annual basis. The process culminates in jointly agreed Ministerial conclusions

containing country-specific policy guidance meant to steer fiscal and structural policies in the Western Balkans and Türkiye.

The level of implementation of the jointly agreed policy guidance worsened across the Western Balkans and Türkiye, falling from 50.8 % in 2020 to 42.9 % in 2021. This deterioration is partly linked to the return in 2021 to policy guidance on more challenging reforms after the focus on short-term COVID-19 crisis-related measures in 2020. Efforts should continue in order to enhance fiscal stability and to shift budgets towards a more growth-oriented composition, also by promoting the digital and green transitions and human capital development. Reducing vulnerability to external shocks and increasing food and energy security has become crucial. Improving the business environment and deepening regional economic integration based on EU rules and standards would also significantly increase the Western Balkan region's attractiveness as an investment destination and further contribute to its economic growth. In Türkiye, restoring the functional independence of the economic and financial regulatory authorities is a key challenge.

Labour markets in the Western Balkans and Türkiye continue to be characterised by overall low activity (especially among women and young people) and employment as well as by high informality and unemployment. The gender employment gap in 2020 in the enlargement countries ranged from around 13-15 pps in Montenegro, Serbia and Albania to around 33 pps in Kosovo and 38 pps in Türkiye, well above the EU-27 average of 11 pps. There is a clear need to improve the poorly targeted active labour market policies to help people find work or training. In this context, the Western Balkan partners committed in July 2021 to gradually setting up, implementing and enhancing Youth Guarantee schemes following the EU model, and most of them established inter-ministerial expert groups to develop Youth Guarantee implementation plans.

Structural mismatches in skills persist, due to weak education systems and underinvestment in human capital. Reforms and investments in the education systems and upskilling and reskilling are key to improve the labour market situation and addressing emerging shortages of skilled labour. Digitalising the economy and developing the digital skills of all segments of society are also essential for boosting employability and advancing the digital economy. High levels of poverty remain a problem in all partner economies, aggravated by the COVID-19 pandemic and high private expenses for health care, and poverty levels are expected to be exacerbated further by the recent surge in food and energy prices. Therefore, improving the effectiveness of social protection systems and targeting social spending towards the poorest segments of the population has become even more critical.

III. ABILITY TO ASSUME THE OBLIGATIONS OF MEMBERSHIP

Alignment in the area of the **internal market**¹⁸ will allow the countries to benefit fully from the Stabilisation and Association Agreements and to further increase their trade integration with the

¹⁸ The internal market cluster covers: free movement of goods (Chapter 1); freedom of movement for workers (Chapter 2); right of establishment and freedom to provide services (Chapter 3); free movement of capital (Chapter 4); company law (Chapter 6); intellectual property law (Chapter 7); competition policy (Chapter 8); financial services (Chapter 9); and consumer and health protection (Chapter 28).

EU – which remains by far the region’s leading trading partner. It will also make EU investments more attractive and facilitate supply chain synergies, job creation and access to capital.

The Western Balkans are, in general, moderately prepared in many areas of the internal market. On free movement of goods, Kosovo, Montenegro and Serbia made some progress, Albania made limited progress, and Bosnia and Herzegovina and North Macedonia made no progress. Albania and Kosovo made some progress on the free movement of services, while North Macedonia, Montenegro and Serbia made only limited progress. North Macedonia made good progress on free movement of capital, while Albania, Kosovo, and Montenegro made some progress. In the area of competition policy, Kosovo and Montenegro made some progress, Albania and Serbia made limited progress, while Bosnia and Herzegovina and North Macedonia made no progress. Albania made good progress on intellectual property law, where Kosovo, Montenegro and Serbia all made some progress. Albania further made good progress in the area of financial services, in which Kosovo, North Macedonia, and Montenegro also made progress. Regional cooperation and inclusive regional cooperation frameworks like the EU strategy for the Adriatic-Ionian region or the EU strategy for the Danube region continued to facilitate preparations for eventual participation in the EU internal market. Such frameworks are fostering administrative capacity on different EU policies, including cohesion policy, and offering a platform for cooperation for different levels of governance. The Western Balkans Common Regional Market, which builds on EU rules and standards, is a stepping-stone in integrating the region more closely with the EU single market before accession. Türkiye made some progress in the area of financial services and limited progress in the areas of free movement of goods, intellectual property law and consumer and health protection. It is well advanced in the area of company law, and has a good level of preparation in the areas of free movement of goods, financial services, consumer and health protection and intellectual property law. The amount of counterfeits remains a concern, however, and better enforcement is needed. It remains at an early stage of preparation in the areas of free movement of services and free movement of workers, where no progress was made.

Reforms on **competitiveness and inclusive growth**¹⁹ are extremely relevant for the Western Balkans’ Economic Reform Programmes and receive support through the Economic and Investment Plan, as they will help to increase the region’s competitiveness and attractiveness for businesses and help reduce the existing gap with the EU economy. To support the competitiveness of the private sector, the first call for private sector blending was launched in February 2022 under the Western Balkans Investment Framework (WBIF). During the Operational Board meeting in Rome in June 2022 the first two blending operations and two technical assistance projects of EUR 47 million for the private sector received a positive opinion of the Board. The Commission also presented three guarantee proposals worth EUR 125 million during the first EFSD+ Operational Board in April 2022. The guarantee schemes supporting micro, small and medium enterprises, entrepreneurs in agriculture and measures for energy efficiency and digital transition will start implementation by early 2023.

¹⁹ The competitiveness and inclusive growth cluster covers: digital transformation and media (Chapter 10); taxation (Chapter 16); economic and monetary policy (Chapter 17); social policy and employment (Chapter 19); industrial policy (Chapter 20); science and research (Chapter 25); education and culture (Chapter 26); and customs (Chapter 29).

Most Western Balkan partners have a moderate level of preparation in the areas linked to this cluster. However, Bosnia and Herzegovina remains at an early stage in several areas. In the area of taxation, Montenegro and North Macedonia have made some progress, while Albania, Kosovo and Serbia made limited progress and no progress was evident in Bosnia and Herzegovina. In the area of customs union, Bosnia and Herzegovina and North Macedonia have made some progress, while Albania, Kosovo, Montenegro and Serbia have made limited progress. In the area of education and culture, Albania, Kosovo, Montenegro, and Serbia made some progress. In the area of science and research, Montenegro and Serbia made some progress. Kosovo made some progress in the area of digital transformation and media. Some progress was also made in the area of economic and monetary policy by Kosovo and North Macedonia, and in the area of social policy and employment by Albania, Kosovo, North Macedonia and Montenegro. In the area of enterprise and industrial policy Albania, Kosovo, North Macedonia and Montenegro made some progress. In general, the region must undertake socioeconomic reforms to address structural weaknesses, low competitiveness, high unemployment and the impact of the COVID-19 pandemic. Progress on aligning with EU rules in the areas of VAT, excise duties and direct taxation would help encourage intra-regional and international trade. The region also needs to significantly strengthen its research and innovation ecosystem to allow the economies to catch up with developments, including in digital and green technologies. Türkiye continued to align with the EU *acquis* to a limited degree only and there was backsliding in the areas of digital transformation and media, economic and monetary policy, social policy and employment, and industrial policy. Türkiye made good progress in the area of science and research and some progress in education and culture, where the country needs to continue to make education more inclusive, especially for girls. Türkiye's preparations in the area of science and research are well advanced. Türkiye's trade integration with the EU is high and there is a good level of preparation for the customs union, but limited progress was made, including in its implementation. Türkiye's deviations from its obligations under the EU-Turkey Customs Union continue, contributing to a high number of trade irritants.

The **Green agenda and sustainable connectivity**²⁰ are key to a sustainable and future-proof recovery, as are economic integration within the region and with the EU, which will benefit both businesses and the broader public. These objectives are also rooted in the Economic and Investment Plan.

Albania, North Macedonia and Serbia are moderately prepared in the area of energy, while Montenegro is at a good level of preparation. In the area of trans-European networks, Albania, Bosnia and Herzegovina and Kosovo have some level of preparation, Serbia is moderately prepared, Montenegro is moderately prepared /has a good level of preparation and North Macedonia has a good level of preparation. Albania, North Macedonia, Montenegro and Serbia have some level of preparation as regards environment and climate change. Bosnia and Herzegovina significantly improved its civil protection system and show a clear commitment in the area of disaster management; in September 2022 the country joined the Union Civil Protection Mechanism as a full member. Albania also took the necessary steps to be able to join the Mechanism. Kosovo and Montenegro made some progress in the area of transport policy, while Albania, Bosnia and Herzegovina, North Macedonia and Serbia recorded limited progress. On

²⁰ The Green agenda and sustainable connectivity cluster covers: transport policy (Chapter 14); energy (Chapter 15); trans-European networks (Chapter 21); and environment and climate change (Chapter 27).

energy, Kosovo and Montenegro made some progress and the rest of the Western Balkan partners made limited progress. On trans-European networks, Albania, Kosovo and Serbia have made some progress, while only limited progress was recorded in Bosnia and Herzegovina, North Macedonia and Montenegro. On environment and climate change, for a second year in a row only limited progress was achieved across the board in the Western Balkans. Urgent action is therefore needed across the region to speed up alignment with EU *acquis* and strengthen implementation, law enforcement and investments. Administrative capacities in the sector need to be significantly strengthened and structural reforms need to be implemented.

The energy crisis has affected the Western Balkan countries and Türkiye differently depending on their degree of dependence on Russian fossil fuels. The countries that do not import oil or gas from Russia have been affected indirectly by the energy crisis and Russia's aggression. Countries have been coping with the energy crisis by stepping up energy efficiency, producing more energy from local resources, working towards diversifying their supply sources, increasing storage or accelerating the deployment of renewables. For instance, construction works of the Serbia-Bulgaria gas interconnector started in January 2022. This largely EU-funded project will enable Serbia to diversify its gas supplies by next year. The Economic and Investment Plan for the Western Balkans brought strong support to flagships across the region such as the Trans Adriatic Gas pipeline, the development of floating photovoltaic production on hydropower plant reservoirs, or energy efficient rehabilitation of kindergartens, schools and other buildings. Türkiye has accelerated imports of gas from Azerbaijan and other countries, although it remains dependent on Russian gas. It also continues to rely on Russia for the construction and subsequent operation of its first nuclear power plant. In general, more effort will be needed to further diversify energy supplies, in particular of natural gas and renewables, and enhance energy security including through greater energy efficiency. Closer coordination of actions and cooperation amongst countries and with the EU to tackle the energy crisis will be needed.

The Green agenda for the Western Balkans was endorsed by the leaders of the Western Balkans at the Sofia Summit in November 2020, with a more specific action plan approved in Brdo, Slovenia in October 2021. In line with the European green deal²¹, the agenda is a driver for the transition to modern, carbon-neutral, climate-resilient and resource-efficient economies, and for unlocking the potential of the circular economy, sustainable food systems, fighting against pollution and improving waste management, towards a cleaner, safer and healthier future.

Türkiye is moderately prepared in terms of its transport and energy policy. It needs to work further on gas market liberalisation and to develop cooperation on nuclear safety and security. It has made some progress on energy and transport networks, with the construction of the Halkali-Kapikule railway line connecting the Bulgarian border with Istanbul still ongoing. Türkiye has some level of preparation in the area of environment and climate change but faces critical environmental and climate challenges, both as regards mitigation and adaptation. Türkiye has ratified the Paris Agreement on climate change (pending submission of its ratification instrument to the UN). Türkiye has also expressed readiness to cooperate with the EU on the European Green Deal objectives. These are welcome developments. However, there have been very few concrete actions

²¹ [COM\(2019\) 640 final](#)

taken to translate these objectives into domestic legislation and the mainstreaming of climate action into other policies still remains limited.

Preparations are stagnating in the areas of **resources, agriculture and cohesion**²². North Macedonia, Montenegro and Serbia are moderately prepared in most chapters of this cluster. Albania and Kosovo mostly have some level of preparation, while Bosnia and Herzegovina is still at an early stage in most chapters. In the area of agriculture and rural development, Albania, North Macedonia, Montenegro and Serbia made some progress, and Kosovo made limited progress. In the area of food safety, veterinary and phytosanitary policy, Kosovo and North Macedonia made some progress and Albania and Serbia recorded limited progress. On fisheries, only Albania made good progress. On regional policy and the coordination of structural instruments, Bosnia and Herzegovina, North Macedonia and Serbia made no progress while the other Western Balkans countries made limited progress.

Türkiye's agricultural support policy has moved away from the principles of the EU common agricultural policy. The country has made good progress on fisheries and some progress on regional policy and coordination of structural instruments. It made limited progress in the area of food safety, veterinary and phytosanitary policy, where there are concerns about the level of pesticide residues in exports of food products to the EU.

The **external relations** cluster covers external relations (Chapter 30) and foreign, security and defence policy (Chapter 31). All the Western Balkan partners have either a good level of preparation or are moderately prepared in the area of external relations, except for Bosnia and Herzegovina which has some level of preparation. In the area of foreign, security and defence policy, Albania, Montenegro and North Macedonia have a good level of preparation, Serbia is moderately prepared, and Bosnia and Herzegovina has some level of preparation. In the area of external relations, Montenegro made good progress, Albania made some progress, Kosovo and North Macedonia made limited progress, Serbia and Bosnia and Herzegovina made no progress. On foreign, security and defence policy, North Macedonia made very good progress, Albania and Montenegro made good progress, Bosnia and Herzegovina made some progress, and Serbia showed backsliding. The close cooperation between the EU and the Western Balkans on common foreign and security policy/common security and defence policy (CFSP/CSDP) continued, including through partners' important contributions to the EU's CSDP missions and operations. The importance of the alignment with the EU CFSP as a part of the EU integration process further increased following Russia's unprovoked and unjustified aggression against Ukraine. Albania and Montenegro maintained their record of full alignment and were joined by North Macedonia, which retroactively fully aligned with all Declarations by the High Representative on behalf of the EU and EU restrictive measures and has continued to maintain a 100% rate following Russia's aggression. Bosnia and Herzegovina improved its alignment rate by formally joining High Representative declarations and restrictive measures following Russia's aggression, although significant implementation challenges remain. Kosovo also aligned unilaterally with those measures. Serbia has so far refused to align with all EU restrictive measures related to Russia and with most declarations by the High Representative on behalf of the EU on the Russian Federation.

²² The resources, agriculture and cohesion cluster covers: agriculture and rural development (Chapter 11); food safety, veterinary and phytosanitary policy (Chapter 12); fisheries (Chapter 13); regional policy and coordination of structural instruments (Chapter 22); and financial and budgetary provisions (Chapter 33).

What is more, Serbia has continued to maintain its close relations with Russia. Western Balkan partners and Türkiye joined the vast majority of the international community, including the EU, voting for the two UN General Assembly resolutions following Russia's aggression against Ukraine and for Russia's suspension from the Human Rights Council.

Türkiye is moderately prepared in the area of external relations and has some level of preparation in the area of foreign, security and defence policy. Türkiye has made limited progress on external relations. Türkiye's CFSP alignment rate further deteriorated to 7% as of August 2022 (11% in 2021 and in 2020 and 21% in 2019). Overall, Türkiye's increasingly assertive foreign policy continued to be at odds with the EU's CFSP priorities. While Türkiye and the EU have restarted dialogue on foreign and security policy and on regional issues, Türkiye should still take decisive steps to significantly improve alignment with EU declarations and Council decisions.

IV. REGIONAL COOPERATION AND GOOD NEIGHBOURLY RELATIONS

In the Western Balkans, good neighbourly relations and regional cooperation are essential elements of the stabilisation and association process and the enlargement processes.

After the successful introduction of '**roam like at home**' within the six Western Balkan economies as of 1 July 2021, further preparatory steps were taken towards **lowering roaming charges between the Western Balkans and the EU**. A roadmap for lowering roaming costs between the EU and the Western Balkans was drawn up based on a combination of commercial voluntary agreements and further reforms in the digital area in the Western Balkans. The ultimate goal of the process is to lower roaming prices with the EU to a level close to domestic prices by 2027. There are two parallel streams in this process: implementation of a set of policy reforms by Western Balkans governments aimed at improving the business environment in the region, and preparatory activities with the Western Balkans and EU mobile operators in order to facilitate implementation of the proposed glide path starting as of January 2023.

In October 2021, the six agreed on a "Regional framework for the **free flow of data** in Western Balkans region" and will work together on the harmonisation of legislation, notably alignment with the General Data Protection Regulation (GDPR), GDPR adequacy decisions among the countries, free flow of non-personal data and open data and the re-use of public sector information. The Western Balkans need to ensure alignment of domestic legislation to the EU's Regulation on electronic identification and trust services for electronic transactions in the internal market. A joint statement on interoperable Western Balkans was signed in this regard, by all six on 13 October 2021.

There has been substantial technical work across the full range of areas covered by the **Common Regional Market** initiative. This work under the auspices of the **Regional Cooperation Council, CEFTA** and the **Western Balkans 6 chamber investment forum** aims to enable freedom of movement for people, professionals and the provision of electronic services, and to facilitate trade and ease customs procedures within the region. For example, green lanes have been established at both road and rail border crossings in the region facilitating the transit of priority goods, while in July this year a pilot began between Greece and North Macedonia to extend the green lanes initiative between the Western Balkans and the EU. However, disagreements on status issues

between Belgrade and Pristina continued to prevent the formal adoption of agreements²³. The region needs to show political leadership to complete this work and to adopt legally binding agreements or decisions among all Western Balkan partners for the benefit of their citizens and businesses. This requires a joint focus on the establishment of the Common Regional Market, building on EU rules and standards and avoiding unilateral steps jeopardising this work. The lack of progress in the implementation of the Common Regional Market led to the Open Balkan initiative, which has made initial steps to implement the four freedoms between Albania, North Macedonia and Serbia. As long as the Open Balkan initiative is in line with the framework of the Common Regional Market, complies with EU standards and is fully open and inclusive, it is a useful step towards developing a common market among the six economies of the region.

The implementation of the **Western Balkans agenda on innovation, research, education, culture, youth and sport** continued supporting sustainable socioeconomic development of the region and creating new opportunities for students, researchers, innovators and entrepreneurs to boost their skills and access new markets. The association of the Western Balkan partners with the Horizon Europe, and Creative Europe programmes was finalised and work has continued on the development of smart specialisation strategies. Serbia and North Macedonia are both associated to Erasmus+, with North Macedonia also associated to the European Solidarity Corps. Albania, Bosnia and Herzegovina, Kosovo and Montenegro are so far not associated but benefit from the international dimension of Erasmus+ funded through the Instrument for Pre-Accession assistance III (IPA III), with a dedicated amount of EUR 374 million for the period 2021-2027.

In addition, a new enhanced partnership was created with education organisations and institutions in the Western Balkans not associated with the Erasmus+ programme. This partnership gives them the opportunity to take part in important strategic actions, starting with the European Universities initiative. The extension and access to such flagship actions to all Western Balkan partners further strengthens the cooperation with the region.

The **Regional Youth Cooperation Office** continued to play an important role in further developing regional cooperation and good neighbourly relations by providing cooperation and exchange opportunities for young people from the Western Balkans.

The **EU and Western Balkans Leaders Meeting on 23 June** was an opportunity to reaffirm the EU perspective of the partners in the region and intensify the cooperation and integration agenda. Particular focus was placed on the integration of the Western Balkans into EU measures to reduce the negative impact of the Russian aggression against Ukraine in terms of food and energy supplies and independence, as well as support for cybersecurity capacity building and the social agenda, particularly involving youth in the economy. The meeting was also an opportunity to discuss closer political cooperation, alignment of the Western Balkans with EU positions and measures, and the possible design and functioning of a European geopolitical community.

²³ The four flagship agreements yet to be adopted are (1) Western Balkans Agreement on freedom of movement and stay (ID Travel); (2) Western Balkans Agreement on freedom of movement for third country nationals; (3) Western Balkans Agreement on recognition of academic qualifications; (4) Western Balkans Agreement on recognition of a number of professional qualifications.

The comprehensive **normalisation of relations between Serbia and Kosovo** through the EU-facilitated dialogue remains central to their European future and for the stability of the whole region. The process continued throughout the reporting period with regular monthly meetings on the level of Chief Negotiators and a High-level meeting on 18 August 2022. While some progress was achieved in the areas of energy, integrated border management and freedom of movement, relations between Kosovo and Serbia remain tense. Both Parties need to engage more constructively towards the objective of concluding a legally-binding comprehensive normalisation agreement that addresses all key outstanding issues between them and fully implement all past Dialogue agreements.

Existing bilateral agreements, including the Prespa agreement between North Macedonia and Greece and the Treaty of Friendship, Good Neighbourliness and Cooperation with Bulgaria, need to be implemented in good faith by all parties.

Overcoming the legacy of the past and addressing disputes arising from the conflicts of the 1990s remain key. Important outstanding bilateral issues still have to be solved, including border issues and delivering justice to war crimes' victims, identifying remaining missing persons, and establishing an accurate record of past atrocities at regional level. There is no place in the EU for inflammatory rhetoric or the glorification of war criminals, from any side.

Territorial cooperation allows Western Balkan countries to work together and with neighbouring Member States in key social and economic sectors. More specifically, **cross-border cooperation** programmes create opportunities for dialogue and cooperation at local government level, with the involvement of communities, the private sector and civil society organisations. As such, they represent key instruments for good neighbourly relations and reconciliation in border areas. Given their focus on local development, cross-border cooperation programmes bring also the Economic and Investment Plan and the Green agenda to the grass-root level and help with the economic recovery of remote areas.

The situation in the Eastern Mediterranean has again become tenuous. There were no unauthorised drilling activities by **Türkiye** in the reporting period. However, incidents were reported with regard to the survey activities in the Cypriot Exclusive Economic Zone (EEZ) and violations of the national airspace of the Republic of Cyprus. Türkiye's military exercises in Cyprus's maritime zones continued. Relations with Greece deteriorated in April 2022, following repeated violations of Greek airspace by Turkish fighter jets and unmanned aerial vehicles in the Aegean, including a high number of flights over inhabited areas, as well as threatening Turkish statements over the sovereignty of Greek islands. The de-escalation in the Eastern Mediterranean needs to be sustained. The EU, most recently at the June 2022 European Council, has repeatedly urged Türkiye to avoid making any kind of threat, creating sources of friction or undertaking actions that damage good neighbourly relations and the peaceful settlement of disputes.

The EU remains committed to defending its interests and those of its Member States as well as to upholding regional stability. In November 2021, following the second review of the framework for restrictive measures, the Council extended the regime for one more year. Currently two individuals are subject to sanctions.

The sovereign rights of EU Member States include, *inter alia*, the right to enter into bilateral agreements and to explore and exploit natural resources in accordance with the EU *acquis* and

international law, including the UN Convention on the Law of the Sea. The sovereignty and sovereign rights over the airspace and the maritime zones of all neighbouring coastal states, including those that their islands are entitled to, need to be respected and the delimitation of exclusive economic zones and continental shelf should be addressed in accordance with international law through dialogue in good faith and in pursuit of good neighbourly relations. Pursuing dialogue in good faith and abstaining from unilateral actions which run counter to the EU interests and violate international law and the sovereign rights of EU Member States is an absolute requirement to ensure stable and secure environment in the Eastern Mediterranean and the development of a cooperative and mutually beneficial relationship between the EU and Türkiye. Türkiye needs to commit itself unequivocally to good neighbourly relations, international agreements and the peaceful settlement of disputes in accordance with the United Nations Charter, having recourse, if necessary, to the International Court of Justice.

Türkiye's continued commitment and contribution in concrete terms to the negotiations for a fair, comprehensive and viable **settlement of the Cyprus issue** within the UN framework and in accordance with the relevant United Nations Security Council resolutions, as well as in line with the EU *acquis* and the principles on which the EU is founded, is of paramount importance. It is important that Türkiye reaffirms its commitment to and constructive engagement in the United Nations-led settlement talks on Cyprus in line with the relevant UN Security Council Resolutions, including their external aspects. No unilateral actions should be taken that could raise tensions on the island and undermine a return to talks. With regard to Varosha, Türkiye must immediately reverse all actions and steps taken on Varosha since October 2020 that run contrary to relevant UN Security Council resolutions and statements. Türkiye needs to urgently fulfil its obligation of fully implementing the Additional Protocol to the EU-Turkey Association Agreement and make progress towards the normalisation of relations with the Republic of Cyprus.

Good neighbourly relations and reconciliation are intrinsically linked to the rule of law, economic governance and regional cooperation. The specific objective of **IPA III** in this area is to contribute to societal cohesion and resilience by addressing the legacy of the conflicts of the past and bringing justice to all victims of the conflicts. Likewise, improving good neighbourly relations fosters citizens' confidence and helps remove impediments to political, economic and social exchanges and cooperation. The Commission has already adopted the first IPA III financing decisions to (a) support war crimes prosecution at the domestic level through the provision of expertise for judicial authorities and (b) raise public awareness of past crimes, including through dialogue and exchanges among and between a broad range of stakeholders.

V.CONCLUSIONS AND RECOMMENDATIONS

Based on the above analysis and the assessments in the country summaries in annex, the Commission puts forward the following conclusions and recommendations:

I

1. Russia's brutal invasion of Ukraine in February 2022 has fundamentally changed the geopolitical landscape and is putting the rules-based order to the test. In this context, the EU's **enlargement policy** is more than ever a geostrategic investment in long term peace, stability, and security of the whole of our continent and is consequently featuring high on the EU's political agenda. Built on **strict but fair conditionality** and the principle of **own merits**, it continues to drive forward transformation and modernisation in the partner countries and bring them even closer to the EU. The **Western Balkans** are part of the European family. It is in the EU's strategic interest and essential to their own stability and prosperity that all Western Balkan partners keep advancing on the path towards full EU membership by fully embracing and **defending democracy, the rule of law and fundamental rights**, which are at the heart of EU values. **The future of these countries and their citizens lies within the European Union.**
2. **Within the last year, major developments** have taken place on the EU enlargement agenda. The first intergovernmental conference with **Albania** and a political intergovernmental conference with **North Macedonia**, to present the next steps of the enlargement process after the adoption of the Negotiating Framework, were held on 19 July 2022. This opened a new chapter in the EU's enlargement policy.

The European Council recognised the European perspective of **Ukraine**, the **Republic of Moldova** and **Georgia**. EU leaders decided to grant the status of candidate country to Ukraine and the Republic of Moldova, and to grant the status of candidate country to Georgia once the priorities specified in the Commission's opinion on Georgia's membership application have been addressed.
3. **Türkiye** remains a key partner for the European Union in essential areas of joint interest, such as migration, counterterrorism, economy, trade, energy, food security and transport. High-level dialogues and intensified engagement in these areas continued. In June 2019, the Council reiterated that Türkiye continues to move further away from the European Union, and that Türkiye's accession negotiations have effectively come to a standstill and no further chapters can be considered for opening or closing. The underlying facts leading to this assessment still hold. Bilateral tensions with some Member States increased. Türkiye has facilitated dialogue between Russia and Ukraine and played a key role in the agreement on the export of grains. However, it has also decided to increase trade and financial relations with Russia and has not aligned with EU restrictive measures. This is a cause for increasing concerns that requires close EU monitoring.
4. Russia's war against Ukraine has further underlined the importance of **CFSP** alignment as a key aspect of the EU integration process. 100% alignment with the EU CFSP by Albania, Montenegro and North Macedonia continues to be a strong signal of their commitment and

strategic choice of EU integration, while Bosnia and Herzegovina's significant improvement in CFSP alignment and Kosovo's unilateral alignment are commendable and must be recognised. Serbia and Türkiye continued their policy not to align with restrictive measures against Russia. Both need to take decisive steps to improve alignment with EU CFSP, including EU restrictive measures, and avoid actions that go against both countries' stated objective to join the EU.

5. The current **energy** crisis Europe is facing is a challenge for the Western Balkans and Türkiye, as well as for the EU. The EU has invited the Western Balkans to join the common EU energy purchases platform. Serbia and North Macedonia have joined the first regional group meeting of the South-East Europe regional task force. The regional task force has already agreed on an action plan, including for better energy cross-border flows. The EU is supporting the Western Balkans in targeting financial support to renewable energy and energy efficiency investments, to decrease energy consumption and costs. At the same time, the EU expects all partners in the region to fully align with EU legislation and policy priorities in the area of energy, including those in the REPowerEU plan and to reduce their dependency on Russian fossil fuels as soon as possible. Subject to regulatory reforms, the EU is also opening its electricity market to the Western Balkans through the Energy Community.
6. Decarbonisation is one of the main pillars of the **Green agenda** for the Western Balkans, embedded in the Economic and Investment Plan. Following the adoption, in October 2021, of the Brdo action plan to implement the Green agenda, further progress is expected. The EU is supporting the region in implementing the Green agenda, for instance, by promoting the development of regional approaches; regional cooperation is a key pre-requisite for dealing with climate change and environmental challenges and opportunities.
7. 2021 was the first full year of implementation of the **Economic and Investment Plan** for the Western Balkans (EIP), aiming at closer integration and bridging the socio-economic gap between the region and the EU, assisting its post-COVID recovery and bringing the Western Balkans closer to the EU Single Market. It is supported by a **package of €9 billion of EU grants and the Western Balkans guarantee facility to crowd in up to €20 billion in investments**. Since it was launched, a total of €1.3 billion in EIP-related investment grants have been approved under the Western Balkans Investment Framework, for financing 24 flagship projects with a total investment value of €3.3 billion. The EIP is instrumental in helping the region respond to the impact of the Russian war in Ukraine, particularly through speeding up the energy transition towards renewable sources, diversification of supply and upgrading the energy efficiency of public and private buildings. With €500 million adopted in 2021 for the implementation of measures in the agricultural sector under the instrument for pre-accession assistance for rural development (IPARD), the partners in the region stand better prepared to tackle the possible impact of the food security and supply crises.
8. Following the adoption of the **IPA III** legal framework in 2021, programming of IPA assistance has followed a solid policy-driven approach, with a particular focus on the fundamental requirements for membership.
9. Leaders from the Western Balkans continue to reaffirm their commitment to the **Berlin process**. The upcoming Berlin process summit in November should be an occasion to remove

outstanding obstacles in inclusive regional economic integration and ensure that the objectives set in previous summits are fully realised.

10. Currently the inability of parties to the **Common Regional Market** to agree and implement technically finalised decisions and agreements that will have a tangible impact on producers and consumers across the region is an obstacle to the potential benefits the market could bring. It will be important for all to work constructively towards unblocking the decision-making process and allow the measures to come into effect. The Open Balkan initiative launched by Albania, North Macedonia and Serbia can play a positive role in the process, provided it is in line with the framework of the Common Regional Market, based on EU rules and is inclusive towards all Western Balkans partners.
11. The current geopolitical challenges call for strengthening our cooperation with the region, whose **security** is ultimately tied up with that of the EU itself. The EU has long been the most important economic partner of the Western Balkans. With the adoption of the EU's Strategic Compass, the foundations are laid for the EU and its Member States to further entrench their role as the region's most important security and defence partners, acting also in close cooperation with likeminded international security actors. Strengthening capacities against hybrid threats such as cyber security, enhancing the resilience of critical infrastructure, and countering disinformation are key priorities.

II.

12. In **Montenegro**, the political commitment of the authorities to the country's EU accession process is regularly and consistently stated as the key priority for the country and is generally reflected in relevant policy decisions. This included a steady 100 % alignment rate with the EU's common foreign and security policy. However, political volatility, government instability and tensions have stalled decision-making processes and reform implementation, leading to a slowdown of negotiations.

The Commission assessment is that, in line with the negotiating framework, an overall balance is currently ensured between progress under the rule of law chapters, on the one hand, and progress in the accession negotiations across chapters, on the other.

The priority for further overall progress in the accession negotiations - and before moving towards the provisional closure of other chapters or clusters - remains the **fulfilment of the rule of law interim benchmarks set under chapters 23 and 24**. In order to reach this milestone, Montenegro needs to intensify its efforts to address the outstanding issues, including in the critical areas of freedom of expression and media freedom and fight against corruption and organised crime, and ensuring functionality and credibility of the judiciary.

This requires political stability and constructive engagement by all stakeholders, leading to the establishment of a stable government, firmly committed to the EU strategic direction, and broad political consensus in Parliament on key reforms, maintaining institutional functionality and strengthening focus on core deliverables to advance the EU integration agenda in practice.

13. While Serbian authorities continued to declare that European integration is their strategic goal, they also maintained close relations with Russia.

Serbia made an important advance on its EU accession path, with the opening of negotiations under cluster 4 (Green agenda and sustainable connectivity) in December 2021, following reform progress, including on the constitutional reform in the area of the judiciary. Serbia took an important step on the independence and accountability of the judiciary with the approval of relevant amendments to the Constitution. The dissolution of the Parliament in February 2022 and the holding of the early parliamentary elections led to a more pluralistic legislative. However, the electoral results were significantly delayed, the formation of the new government is not yet complete, and the pace of EU-accession related reforms has slowed down, including no progress on freedom of expression. Serbia should as a matter of priority establish a government, firmly committed to the EU strategic direction and reform path.

Serbia's alignment with EU common foreign and security policy dropped significantly. Serbia has so far refused to align with the EU restrictive measures against the Russian Federation. Some statements and actions by high-level Serbian officials went directly against EU positions on foreign policy, including in September 2022 with the signature of joint foreign policy priorities between Serbia and Russia for 2023-2024. The EU expects Serbia to stand up for common principles, values, and security, stepping up its efforts in progressively aligning with EU positions on foreign policy, including declarations and restrictive measures, in line with the negotiating framework.

On the normalisation of relations with Kosovo, overall, Serbia has remained engaged in the Dialogue. However, the Serbian government needs to uphold its previous commitments and commit to the full implementation of all past Dialogue agreements. Moving forward, Serbia also needs to make further substantial efforts to avoid actions that undermine stability and rhetoric that is not favourable to dialogue. Serbia should contribute to a conducive environment for the conclusion of a legally binding normalisation agreement with Kosovo, including in its international relations. Serbia is expected to engage more constructively in the negotiations on the legally binding normalisation agreement in the coming period and show readiness to compromise in order to make rapid and concrete progress.

On rule of law, further work and political commitment are needed to continue and deepen reforms and address shortcomings, in particular in the key areas of the judiciary, fight against corruption and organised crime, media freedom, freedom of assembly and the domestic handling of war crimes. In particular, Serbia should adopt the legislation needed to apply the constitutional changes in practice within the foreseen deadlines, to effectively strengthen the independence of the judiciary and the autonomy of the prosecution, and to tackle undue influence.

In addition to the reforms, the Serbian authorities need to take responsibility for proactive and objective communication on the EU, which is Serbia's main political and economic partner, in line with their declared strategic goal of European integration. Serbia also needs to robustly tackle all forms of disinformation and foreign information manipulation.

Serbia's progress on the rule of law and the normalisation of relations with Kosovo will continue to determine the overall pace of the accession negotiations. The Commission's assessment is that, in line with the negotiating framework, an overall balance is currently ensured between progress under the rule of law chapters and normalisation of relations with

Kosovo, on the one hand, and progress in the accession negotiations across chapters, on the other.

The Commission's assessment that Serbia has technically fulfilled the benchmarks to open cluster 3 (Competitiveness and inclusive growth) remains valid. An unequivocal demonstration of Serbia's commitment to its strategic objective of European integration, as set in the negotiating framework is essential.

14. The launch of the EU accession negotiations process with **North Macedonia** this year was a major breakthrough and marked the beginning of a new phase in the EU-North Macedonia relations. The first political intergovernmental conference with North Macedonia took place on 19 July, following the approval by the Council of the negotiating framework. This was a clear recognition of the progress achieved by North Macedonia to advance the EU reform agenda and to deliver tangible and sustained results, including under the fundamentals cluster. Following Russia's invasion of Ukraine, North Macedonia confirmed its strong and clear strategic orientation towards the EU by fully aligning with all EU common foreign and security policy decisions and declarations and has since maintained a 100% alignment rate. By doing so, North Macedonia has shown its determination to advance on its EU path as a reliable partner.

To advance the pace of the accession negotiation process of North Macedonia, in line with the negotiating framework, **the Commission started immediately the screening, which is the first step in the negotiation process.** North Macedonia has shown a high level of commitment and the screening process is proceeding smoothly. Throughout the entire process, it is important to ensure coordination among all institutions, as well as an inclusive approach by working with all stakeholders, the civil society and regular communication to the wider public.

As a negotiating country, North Macedonia has both new responsibilities and new opportunities. This new and demanding phase requires constructive engagement from both government and opposition as well as other parts of society, fostering broad consensus on EU-related reforms. The country needs to continue delivering on its reform priorities, including in key areas of rule of law, the fight against corruption and organised crime. The country provides a good example of a multi-ethnic society. The amendment of the Constitution, in line with the commitment of North Macedonia, will further advance fundamental rights.

15. The launch of the EU accession negotiations process with **Albania** this year was a major breakthrough and marked the beginning of a new phase in the EU-Albania relations. The first intergovernmental conference on accession negotiations held with Albania on 19 July was a clear recognition of the progress achieved by Albania to advance the EU reform agenda and to deliver tangible and sustained results.

Albania has continued to make progress in reforms under the fundamentals cluster. The implementation of the comprehensive justice reform has continued. The country's commitment to strengthen the rule of law, to fight corruption and organised crime is commendable. As non-permanent member, Albania has been actively engaged in the UN Security Council including as a co-penholder of resolutions condemning the Russian aggression against Ukraine. Full alignment with EU common and foreign security policy by

Albania is a strong signal of the strategic choice of EU accession and of its role as a reliable partner.

To advance the process of accession negotiations with Albania, in line with the Negotiating Framework, **the Commission started immediately the screening, which is the first step in the negotiation process**. Albania has shown a high level of commitment and the screening process is proceeding smoothly.

As a negotiating country, Albania has both new responsibilities and new opportunities. While robust preparatory work was already undertaken, this new and demanding phase requires Albania's sustained commitment and effective coordination among all its institutions, as well as continuous engagement from both government and opposition as well as other parts of society. The country needs to avoid steps that go against the rule of law. Albania should further intensify its efforts in key areas such as the reform of the judiciary, the fight against corruption and the fight against organised crime, as well as on freedom of expression, property rights, and minority issues.

16. In June 2022, the European Council expressed its readiness to grant the status of candidate country to **Bosnia and Herzegovina** and to that aim it invited the Commission to report without delay on the implementation of the 14 key priorities set out in its Opinion with special attention to those which constitute a substantial set of reforms for the European Council to revert to decide on the matter.

Despite political turmoil and the upcoming general elections, the leaders of the political parties represented in the Parliamentary Assembly of Bosnia and Herzegovina in June 2022 committed to principles for ensuring a functional Bosnia and Herzegovina that advances on the European path. The parties agreed to implement these commitments urgently and no later than six months from the formation of all authorities, following the elections, which took place on 2 October.

Subsequently, in line with the 14 key priorities, Bosnia and Herzegovina adopted amendments to the public procurement law in August and amendments of the comprehensive strategy on public financial management by all levels of government in June-July. The policy dialogue with the EU, under the Stabilisation and Association Agreement, was also resumed after many months of standstill, due to a blockage by political parties based in the *Republika Srpska* entity of state-level legislative and executive institutions. The Presidency ratified several international agreements, including Horizon and Creative Europe, and the Union Civil Protection Mechanism. Significant steps were taken to improve migration management. Bosnia and Herzegovina took an important step forward improving its alignment with EU foreign and security policy, up to 81% by end-August 2022. However, full implementation remains pending.

In relation to the fight against corruption and organized crime, Bosnia and Herzegovina made important gains. The operationalisation of the Europol contact point is nearly finalized, in addition preparations for formalisation of Bosnia and Herzegovina-Eurojust cooperation have also advanced.

The Federation entity government remained in office for the full 2018-2022 term in a caretaker capacity. Political parties could not agree on constitutional and electoral reforms, and the High

Representative at his own initiative used the Bonn Powers four times, including on electoral standards, financing of elections and amendments to the constitution of the Federation entity. The adoption of rule of law reforms has been delayed and is overdue. The June 2022 European Council called on the leaders of Bosnia and Herzegovina to urgently finalise the pending constitutional and electoral reforms. These reforms should be advanced as an utmost priority.

The Commission, therefore, recommends that Bosnia and Herzegovina be granted candidate status by the Council, on the understanding that the following steps are taken:

- adopt, as a matter of priority, integrity amendments in the existing law of High Judicial and Prosecutorial Council;
- adopt a new law on the High Judicial and Prosecutorial Council and adopt the law on Courts of Bosnia and Herzegovina;
- adopt the law on Prevention of Conflict of Interest;
- take decisive steps to strengthen the prevention and fight against corruption and organised crime;
- decisively advance work to ensure effective coordination, at all levels, of border management and migration management capacity, as well as ensuring the functioning of the asylum system;
- ensure prohibition of torture, notably by establishing a national preventive mechanism against torture and ill-treatment;
- guarantee freedom of expression and of the media and the protection of journalists, notably by ensuring the appropriate judicial follow-up to cases of threats and violence against journalists and media workers;
- ensure a track record in the functioning at all levels of the coordination mechanism on EU matters including by developing and adopting a national programme for the adoption of the EU *acquis*.

The Commission stands ready to continue supporting the efforts of Bosnia and Herzegovina on its European path by further engaging in policy dialogue and by setting up a high-level political forum to monitor the implementation of the abovementioned steps and report on further progress on the ground. Fulfilling the 14 key priorities will allow the Commission to recommend opening EU accession negotiations with Bosnia and Herzegovina.

17. **Kosovo** enjoyed political stability, and the authorities continued to demonstrate visibly their commitment to Kosovo's European path. This political environment was conducive to Kosovo stepping up its work to implement EU-related reforms and the SAA. Municipal elections held in October and November 2021 were overall well organised, transparent and competitive. Kosovo needs to intensify its efforts to strengthen democracy, public administration, the rule of law and to fight corruption. Kosovo should also push forward with its new energy strategy's implementation in order to build energy resilience.

On the normalisation of relations with Serbia, overall, Kosovo has remained engaged in the Dialogue. However, the Kosovo government needs to uphold its previous commitments and commit to the full implementation of all past Dialogue agreements. Moving forward, Kosovo

also needs to make further substantial efforts to avoid actions that undermine stability and rhetoric that is not favourable to dialogue. Kosovo should contribute to a conducive environment for the conclusion of a legally binding normalisation agreement with Serbia, including in its international relations. Kosovo is expected to engage more constructively in the negotiations on the legally binding normalisation agreement in the coming period and show readiness to compromise in order to make rapid and concrete progress.

The Commission's proposal for visa liberalisation is still pending in the Council and should be treated as a matter of urgency. The Commission stands by its assessment of July 2018 that Kosovo fulfils all visa liberalisation benchmarks, and welcomes that discussions in the Council are about to resume.

18. The European Council has repeatedly re-affirmed its strategic interest in a stable and secure environment in the Eastern Mediterranean and in the development of a cooperative and mutually beneficial relationship with **Türkiye**. In June 2022, the European Council expressed deep concern about recent repeated actions and statements by Türkiye. Türkiye must respect the sovereignty and territorial integrity of all EU Member States. Recalling its previous conclusions and the statement of 25 March 2021, the European Council stressed its expectation from Türkiye to fully respect international law, to de-escalate tensions in the interest of regional stability in the Eastern Mediterranean, and to promote good neighbourly relations in a sustainable way. Intensified engagement in the key areas of common interest continued.

Regarding the Russian war of aggression against Ukraine, Türkiye aimed at facilitating direct talks, working on de-escalation and cease-fire. It also undertook an important diplomatic initiative to facilitate, along with the United Nations, the export of Ukrainian grain. The deal reached in July 2022, in Istanbul opened the path for commercial food exports from key Ukrainian ports and should help prevent food shortage for millions worldwide.

Türkiye's non-alignment with the EU restrictive measures against Russia is of concern due to the free circulation of products, including dual use goods, within the EU-Turkey Customs Union. This is a cause for increasing concerns that requires close EU monitoring. In addition, Türkiye has signed a Memorandum of Understanding to further develop its economic and trade relations with Russia. The EU is determined to safeguard the effectiveness of the restrictive measures adopted in response to Russia's war of aggression against Ukraine.

Türkiye is expected to actively support the negotiations on a fair, comprehensive and viable settlement of the Cyprus issue within the UN framework, in accordance with the relevant UN Security Council resolutions and in line with the principles on which the EU is founded. On Varosha, Türkiye must immediately reverse the unilateral actions announced and all steps taken since October 2020 that run contrary to relevant UN Security Council resolutions. Furthermore, it is urgent that Türkiye fulfils its obligation to ensure full and non-discriminatory implementation of the Additional Protocol to the EU-Turkey Association Agreement and removes all the obstacles to the free movement of goods, including restrictions on direct transport links with the Republic of Cyprus.

There are serious deficiencies in the functioning of Türkiye's democratic institutions. The EU's serious concerns on the continued deterioration of democracy, the rule of law, fundamental rights and the independence of the judiciary have not been addressed by the country. Türkiye

needs to reverse this negative trend as a matter of priority with addressing the weakening of effective checks and balances in the political system. Dialogue on rule of law and fundamental rights remains an integral part of the EU-Türkiye relationship.

The March 2016 EU-Turkey Statement continued to yield results and Türkiye continued to play a key role in addressing migration along the Eastern Mediterranean route. However returns from the Greek islands have not resumed yet and irregular migration to Cyprus and Italy has increased substantially. Türkiye continued its enormous efforts to host a very large refugee population and the EU continued to demonstrate solidarity, notably through additional financial contribution to refugees and host communities in Türkiye (close to EUR 10 billion since 2016).

Regarding the economy, concerns have further increased over the building up of macro-economic imbalances, the proper functioning of Türkiye's market economy and the lack of independence of regulatory authorities. The EU and Türkiye continue to benefit from the EU-Turkey Customs Union. Despite limited positive developments, Türkiye should continue intensified engagement with the Commission to address its trade irritants hampering the smooth functioning of the Customs Union.

VI. ANNEXES

- 1. Summaries of the findings of the reports**
- 2. Implementation of the Economic and Investment Plan for the Western Balkans**
- 3. Statistical data**
- 4. Third party indicators related to the status of democracy, good governance and the rule of law in candidate countries and potential candidates**