



Council of the  
European Union

028220/EU XXVI. GP  
Eingelangt am 26/06/18

Brussels, 26 June 2018  
(OR. en)

10555/18

ELARG 41  
COWEB 102

## OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	10374/18
Subject:	ENLARGEMENT AND STABILISATION AND ASSOCIATION PROCESS – Council conclusions

Delegations will find attached Council conclusions on Enlargement and Stabilisation and Association Process as adopted by the Council on 26 June 2018.

**GENERAL AFFAIRS COUNCIL****COUNCIL CONCLUSIONS ON ENLARGEMENT AND STABILISATION AND  
ASSOCIATION PROCESS**

1. The Council takes note of the Communication from the Commission of 17 April 2018 on the EU Enlargement Policy and the reports on Montenegro, Serbia, Turkey, the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina and Kosovo\*. The Council welcomes the application of the Commission's new methodology and the harmonisation of its reporting cycle with the assessment of the Economic Reform Programmes. The Council also takes note of the Commission's Communication "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans" of 6 February 2018.
2. The Council reaffirms its commitment to enlargement, which remains a key policy of the European Union, in line with the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006 and subsequent Council conclusions. It continues to represent a strategic investment in peace, democracy, prosperity, security and stability in Europe. Embracing and committing to core European values is a choice, and is essential for all partners aspiring to EU membership. In line with this, the Council expects partners to take ownership and fully commit to European values and the vigorous pursuit of necessary reforms in the interest of their people. Building on progress already achieved, the Council welcomes the commitment expressed by the Western Balkans at the Sofia Summit, and their alignment with the Sofia Declaration. Recalling the Thessaloniki Agenda and the Sofia Declaration, the Council reiterates the EU's unequivocal support to the European perspective of the Western Balkans. The EU is determined to strengthen and intensify its engagement at all levels to support the region's political, economic and social transformation, including through increased assistance, based on tangible progress on the rule of law, as well as on socio-economic reforms, by the Western Balkans. Turkey remains a candidate country and a key partner in many areas.

---

\* 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.

3. In line with previous Council conclusions, and in the framework of the Copenhagen political criteria and of the Stabilisation and Association Process, which remains the common framework for relations with the Western Balkans, the Council reaffirms the need, in accordance with the renewed consensus on enlargement, for fair and rigorous conditionality and the principle of own merits, combined with the EU's capacity, in all its dimensions, to integrate new members.
4. The Council underlines the continued need to focus on fundamental reforms to address persisting structural shortcomings in the areas of rule of law, fundamental rights, economic development and competitiveness, the strengthening of democratic institutions and public administration reform. A solid track record of reform implementation and concrete and tangible results in these crucial areas remain essential, in particular for the overall pace of the accession negotiations.
5. The rule of law is a fundamental value on which the EU is founded and which is at the heart of both the Enlargement Process and the Stabilisation and Association Process. Reforms are needed to tackle the important remaining challenges in this area, notably in ensuring an independent, impartial, accountable and efficient judiciary, and in the fight against corruption and organised crime, as well as in the protection of fundamental rights, including the rights of persons belonging to minorities, the non-discriminatory treatment of national minorities and in tackling the discrimination of vulnerable groups such as the Roma and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. The situation regarding the freedom of expression and the independence of media remains a particularly serious concern, which needs to be addressed in a determined and effective way as a matter of priority. Urgent and concrete steps need to be taken to avoid intimidation of, threats to and attacks on journalists, and to resolve such cases where they occur. Further work is also required to ensure gender equality and respect for women's rights as well as the rights of children. Further progress on public administration reform is also required in order to strengthen and improve governance at all levels. The Council notes with concern the tendencies to boycott parliaments. Ensuring inclusive political dialogue, notably within parliaments, and a stronger role for civil society organisations remain essential elements of a well-functioning democracy. The Council underlines the importance of free, fair and transparent elections, in line with OSCE standards.

6. With regard to the economic criteria, the Council welcomes and shares the Commission's analysis of the need to address the major structural economic and social challenges. The Council encourages all partners to implement the measures included in the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey of 25 May 2018, based on their Economic Reforms Programmes. Economic reforms and the strengthening of the rule of law produce mutually reinforcing benefits. The Council underlines the importance of addressing structural challenges, improving economic governance, competitiveness, the business environment, the investment climate, sustainability of public finances, growth and job creation. The Council reiterates the importance of tackling brain drain and of creating further opportunities and ensuring a positive perspective for youth.
7. Good neighbourly relations and regional cooperation remain essential elements of the Enlargement Process, as well as of the Stabilisation and Association Process. The Council welcomes progress made and reiterates the importance of regional cooperation, also underscored at the Sofia Summit, and in particular of connectivity within the region and with the EU. It fully supports constructive initiatives and structures which reinforce inclusive regional cooperation. The Council calls for further efforts to overcome legacies of the past and to foster reconciliation, including through promoting a climate of tolerance. Statements and actions which negatively impact on good neighbourly relations and the peaceful settlement of disputes, must be avoided. Decisive efforts and the strongest political determination are needed to ensure that outstanding bilateral disputes are solved. The Council further reiterates the need to handle domestic war crimes cases without discrimination, addressing impunity and ensuring accountability, including through meaningful regional cooperation and full cooperation with and support to the work of the Mechanism for International Criminal Tribunals and the Specialist Chambers. Outstanding disputes and issues should be solved in line with international law and established principles, including the Agreement on Succession Issues.

8. The Council reiterates the importance of further deepening of cooperation on foreign policy issues and expects enhanced alignment with the EU Common Foreign and Security Policy, notably on issues where major common interests are at stake, such as restrictive measures and tackling hybrid threats. Joining the EU is a choice, and one that requires sharing the principles, values and goals the Union seeks to promote in its neighbourhood and beyond, including reaching full alignment with the Common Foreign and Security Policy, and refraining from any actions contrary to it.
9. While recognising in particular the importance of visa liberalisation for citizens, the Council encourages the Commission to continue to closely monitor the implementation of all conditions set for visa liberalisation, including through its follow-up mechanism. Recalling the suspension mechanism, the Council encourages the authorities concerned to intensify their efforts to tackle the flow of manifestly unfounded asylum applications.
10. Terrorism, radicalisation and organised crime continue to pose a security threat to the EU and to the whole region. In line with earlier **European Council** and Council conclusions, the Council recalls the importance of the external dimension of the EU's counter-terrorism work and of further strengthening cooperation on counter-terrorism with Turkey and the Western Balkans, in particular regarding the fight against foreign terrorist fighters and the financing of terrorism, the prevention and the countering of radicalisation, reinforced border checks and illegal trafficking of firearms and light weapons. Further efforts and a solid track record are also needed in the fight against organised crime. Recalling the EU's support, notably through the Integrative Internal Security Governance (IISG), the Council continues to call on partners to step up and enforce legal and operational measures in all these areas.

11. The Council commends Turkey and the Western Balkans for their renewed efforts and constructive cooperation in addressing the migration crisis, which have delivered clear results. The Council reiterates that continued implementation of the EU-Turkey Statement and continued support for partners along the Western Balkans route is required. Further actions are needed to ensure sufficient administrative and enforcement capacity to tackle migration challenges, including combating the smuggling of migrants. The EU will continue its financial support and technical assistance to strengthen cooperation in this field, including through the EU Facility for Refugees in Turkey.
12. The Council continues to stress the importance of strategic communication to ensure public support for and understanding of the benefits and obligations of enlargement, while addressing disinformation. The Council underlines the responsibility of all partners to clearly communicate those benefits and obligations, as well as their own commitment to EU values and perspectives. Continued engagement of the EU and of its Member States, also in pursuing a more effective strategic communication policy both towards the partners and EU citizens, in particular through the StratCom Western Balkans Task Force, remains crucial.
13. The Council recalls the continued EU financial and technical assistance for the Enlargement Process and the Stabilisation and Association Process, in particular in the form of the Instrument for Pre-Accession Assistance (IPA II), the mid-term review of which is being finalised. The focus should remain on key priorities and enhanced coherence between the financial assistance and the overall progress made in the implementation of the pre-accession strategy, including through the disbursement of a performance reward based on the progress and results achieved.
14. The Council welcomes the launch of the Sofia Priority Agenda, which draws on the relevant aspects of the Commission's Communication adopted on 6 February 2018.

## ENLARGEMENT

### MONTENEGRO

15. The Council welcomes the overall progress made in the accession negotiations with Montenegro, with 31 out of 35 chapters opened and 3 provisionally closed so far. With the institutional framework complete and the legal framework largely in place, the entire rule of law system should now deliver more tangible results and a strengthened and sustainable track record. In particular, the Council recalls that progress on the rule of law and fundamental rights chapters, as set out in the Negotiating Framework, will continue to determine the pace of accession negotiations overall. Therefore Montenegro should now focus its reform efforts on meeting the interim benchmarks for chapters 23 and 24, and on implementing the respective Action Plans.
16. The Council strongly encourages Montenegro to further step up the fight against corruption and organised crime, money laundering and trafficking in human beings, including effective investigations, prosecutions and final convictions, and to improve on the seizure and confiscation of criminal assets. Recent attacks against journalists highlight the urgent need for the authorities to guarantee a safe climate, conducive to freedom of expression and independence of the media. Further actions are also needed to pursue the public administration reform and to strengthen the independence of institutions.
17. On economic reforms, the Council, in line with the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey, positively notes the continuous economic growth and encourages Montenegro to take measures to ensure fiscal sustainability, decrease the high public debt, reduce the trade deficit, advance reforms in important areas such as public procurement and labour market and improve the business environment.

18. With regard to elections, Montenegro's authorities need to address all irregularities reported by international observers and maintain the political commitment to a comprehensive and inclusive electoral reform process, in order to increase trust in the electoral framework. The Council reiterates that returning the political debate to the Parliament remains the responsibility of all parties.
19. The Council warmly welcomes Montenegro's continued positive role in further developing regional cooperation and advancing good neighbourly relations.
20. The Council strongly commends Montenegro for its consistent cooperation on foreign policy issues, and in particular its continuous full alignment with the EU Common Foreign and Security Policy.

## **SERBIA**

21. The Council welcomes the overall progress made in the accession negotiations with 14 out of 35 negotiating chapters opened and 2 chapters provisionally closed so far. The Council recalls that progress on the rule of law and fundamental rights chapters, as well as on the normalisation of Serbia's relations with Kosovo as set out in the Negotiating Framework, is essential and will continue to determine the pace of accession negotiations overall. The implementation of interim benchmarks for chapters 23 and 24 and of the respective Action Plans should continue to guide future reforms leading to a solid track record.
22. The Council welcomes the reaffirmed commitment of the Serbian government to EU integration as its strategic objective. It is now crucial that this strategic choice be more actively and unambiguously communicated in the public debate.



23. The Council urges Serbia to significantly step up its reform efforts in the area of rule of law, and in particular to ensure the independence and overall efficiency of the judicial system. A special focus needs to be put on effective reform implementation in this area, including tangible results and a sustainable track record with effective investigations, prosecutions and final convictions, notably as regards the fight against corruption, organised crime and money laundering. The lack of progress in the area of freedom of expression raises increasing concern. The authorities should guarantee a safe climate conducive to the unhindered exercise of freedom of expression and the independence of the media as a matter of priority, including by stepping up efforts to investigate cases of attacks against journalists. Serbia needs to pay particular attention to the full respect of fundamental rights, including protection of the most vulnerable groups, as well as the non-discriminatory treatment of national minorities throughout Serbia, especially in the areas of education, use of minority languages, access to media and religious services in minority languages. Cases of hate speech, intimidation and attacks should be addressed promptly and firmly. The Council reiterates its call for effective implementation of the relevant strategic documents. Moreover, transparency, inclusiveness and quality of law making need to be enhanced, including by promoting an enabling environment for civil society. Further progress on the proper functioning of independent bodies and of democratic institutions, including parliamentary oversight, as well as on constitutional reforms, is urgently needed. Following the latest elections, the Council underlines that the recommendations of international election observers need to be followed up as a matter of priority. The Council also underscores the importance of domestic handling of war crimes and full cooperation with the Mechanism for International Criminal Tribunals (MICT).
24. On economic reforms, in line with the Joint Conclusions of the Economic and Financial dialogue between the EU and the Western Balkans and Turkey, the Council positively notes the continuous progress made and encourages Serbia to further improve the business environment, tackle the government debt and advance on the implementation of structural reforms, in particular in the energy and transport sectors, the labour market, the tax administration and public procurement, including the restructuring and privatisation of state-owned enterprises.

25. As regards the EU facilitated Dialogue between Belgrade and Pristina, the Council welcomes that both sides have committed themselves vis-à-vis the High Representative to work on a comprehensive normalisation of relations, including in the form of a legally binding agreement, which is key for their respective European paths and essential for sustainable regional stability.
26. The Council welcomes the long overdue start of the work of the Management Team to draft the statute of the Association/Community of Serb majority municipalities in Kosovo in accordance with the 2013 Brussels Agreement and the 2015 August Agreement and expects both sides to engage constructively in the process in order to rapidly fulfil this longstanding commitment. The Council calls for swiftly overcoming the remaining hurdles in the implementation of the agreement on Energy. Taking account of the slow pace of progress, the Council stresses the importance of completing the implementation of all other past agreements and in particular the Mitrovica Bridge, Integrated Border Management and the mutual recognition of diplomas. The Council urges Serbia to swiftly implement in good faith its part of all past agreements and to engage constructively with Kosovo in formulating and implementing future agreements. The Council welcomes the implementation of the agreement on Justice in autumn 2017 that ensures the functioning of an integrated judiciary in Kosovo and offers access to justice for all the communities. The Council will continue to monitor closely Serbia's continued engagement towards visible and sustainable progress in the normalisation of relations with Kosovo, so that Serbia and Kosovo can continue on their respective European paths, while avoiding that either can block the other in these efforts and with the prospect of both being able to fully exercise their rights and fulfil their responsibilities. The Council expresses its appreciation for the work of the High Representative in facilitating the Dialogue and looks forward to her further intensive engagement with the parties, with a view to reaching comprehensive normalisation.
27. The Council reiterates its call on Serbia to progressively align with the EU Common Foreign and Security Policy, in line with the Negotiating Framework, and to reverse the current declining trend as a matter of priority.

28. The Council also calls on Serbia to refrain from diverging from the EU common visa policy, where recent practices, such as the conclusion of visa liberalisation agreements with certain third countries, raise concern.
29. The Council welcomes Serbia's constructive engagement in regional cooperation and encourages Serbia to continue sustained efforts to strengthen good neighbourly relations.

## **TURKEY**

30. The Council reaffirms the importance it attaches to EU relations with Turkey, a key partner. It remains committed to maintaining an open and frank dialogue, to addressing common challenges and to cooperating in essential areas of joint interest such as migration, counter-terrorism, energy, transport, economy and trade. The Council commends Turkey's significant efforts in hosting and addressing the needs of more than 3.5 million refugees. The continued implementation of the EU-Turkey Statement, which reduces irregular and dangerous crossings and saves lives in the Aegean Sea, is in the interest of both sides and remains crucial. Reinforced management of the common borders with the EU continues to be a priority. Pending the full and effective implementation of the EU-Turkey Readmission Agreement vis-à-vis all Member States, existing bilateral readmission agreements and provisions in similar agreements and arrangements with EU Member States, should be adequately implemented. Cooperation in the area of justice and home affairs with all EU Member States remains essential.

31. The Council recalls its conclusions of 18 July 2016 which immediately and strongly condemned the 15 July coup attempt and expressed solidarity with the Turkish people and full support for the democratic institutions of Turkey. However, the disproportionate scale and scope of measures taken in its aftermath raise serious concern. The Council recalls the international standards and the obligations to which Turkey has subscribed and committed itself, and calls on Turkey to urgently reverse the negative trends.
32. The Council is especially concerned about the continuing and deeply worrying backsliding on the rule of law and on fundamental rights including the freedom of expression. The deterioration of the independence and functioning of the judiciary cannot be condoned, nor can the on-going restrictions, detentions, imprisonments, and other measures targeting journalists, academics, members of political parties including parliamentarians, human rights defenders, social media users and others exercising their fundamental rights and freedoms. The Council reiterates its grave concerns over these negative developments, as well as over the continued detention of EU citizens, including two Greek soldiers. Turkey needs to urgently and effectively address these and the many other serious shortcomings and outstanding issues identified in the Commission's report. Turkey should also step up its cooperation with the Council of Europe and its relevant bodies and institutions, address their key recommendations and implement all judgments of the European Court of Human Rights in line with Article 46 of the ECHR. The Council specifically notes that the latest amendments to the Turkish Constitution were critically assessed by the Venice Commission as lacking sufficient checks and balances and endangering the separation of powers.

33. The Council continues to expect Turkey to unequivocally commit to good neighbourly relations, international agreements and to the peaceful settlement of disputes, having recourse, if necessary, to the International Court of Justice. Recalling and affirming previous Council and European Council conclusions in all these respects, including the European Council conclusions of 22 March 2018 strongly condemning Turkey's continued illegal actions in the Eastern Mediterranean and the Aegean Sea, the Council conclusions of 11 December 2006 as well as the Declaration of 21 September 2005, the Council calls on Turkey to fulfil its obligations under the Negotiating Framework, including the full, non-discriminatory implementation of the Additional Protocol to the Association Agreement towards all Member States. The Council reiterates that recognition of all Member States is essential. Turkey must avoid threats and actions that damage good neighbourly relations, normalise its relations with the Republic of Cyprus and respect the sovereignty of all EU Member States over their territorial sea and airspace as well as all their sovereign rights, including inter alia the right to explore and exploit natural resources, in accordance with EU and international law, including UNCLOS. It remains crucial that Turkey commits and contributes to a comprehensive settlement of the Cyprus problem, including its external aspects, within the UN framework in accordance with relevant UNSC resolutions and in line with the principles on which the EU is founded and the *acquis communautaire*, as well as refrains from any activities that contribute to polarisation in EU Member States.
34. The Council reiterates its call on Turkey to progressively align with the EU Common Foreign and Security Policy and to reverse the current declining trend as a matter of priority and recalls its position on accession of Member States to international organisations.
35. The Council notes that Turkey has been moving further away from the European Union. Turkey's accession negotiations have therefore effectively come to a standstill and no further chapters can be considered for opening or closing and no further work towards the modernisation of the EU-Turkey Customs Union is foreseen.

## STABILISATION AND ASSOCIATION PROCESS

### FORMER YUGOSLAV REPUBLIC OF MACEDONIA

36. The Council welcomes that the country has overcome its deep political crisis, including through continued implementation of the Pržino Agreement and substantial progress on the Urgent Reform Priorities. The Council welcomes that, since May 2017, even in a difficult political context, the new government has taken significant steps to gradually restore a culture of compromise by reaching out to all stakeholders including the opposition, to strengthen democracy and rule of law, to show a genuine desire to reform in an inclusive and transparent manner, and reached out to its neighbours in a spirit of good neighbourly relations.
37. Early parliamentary elections, as part of the Pržino agreement, took place on 11 December 2016 and local elections were also organised in October 2017. The Council notes that OSCE/ODIHR considered those latest elections to be competitive and that the respect of fundamental freedoms contributed towards the conduct of democratic elections. The Council acknowledges that progress has been made in addressing the recommendations of the OSCE/ODIHR and restoring citizens' trust in electoral processes.
38. The Council welcomes the first concrete progress towards restoring the independence of the judiciary, improving the work of the courts and the follow-up to the work of the Special Prosecutor's Office, thereby starting to reverse the backsliding of previous years. The Council recalls the importance of continuing to establish legal accountability for the wrong-doings brought to the fore by the 2015 wiretaps, and the related failures of oversight, and that accountability for the attack on Parliament on 27 April 2017 must be established. The Council encourages the continued implementation of the judicial reform strategy and further efforts to address outstanding recommendations, achieve further tangible results and ensure that the judiciary can function independently.

39. The Council positively notes the progress achieved in moving forward the EU reform agenda. It encourages all parties to maintain the constructive dialogue and continue to deepen the current reform momentum, in particular in key rule of law areas such as the fight against corruption and organised crime, the reform of the judiciary, the fight against radicalisation and terrorism, and the reform of intelligence services. It emphasises the importance of a depoliticised and merit-based public administration, electoral reform, media freedom, and strengthening oversight over the executive. The Council also recalls the importance of the effective implementation of ongoing and planned reforms.
40. The Council welcomes the constructive role played by civil society in supporting democratic transformation processes, the substantial improvement of the environment in which civil society operates and the commitment to genuine dialogue and inclusiveness shown by the government. The Council recalls the importance of good inter-ethnic relations, supports the commitment of the government and welcomes that a number of steps were taken to build greater trust among communities and to further implement the Ohrid Framework Agreement.
41. The Council welcomes the noteworthy improvement in the public financial management framework and its transparency. The Council also calls on the country, in line with the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey, to address key challenges such as combatting the informal economy and corruption, addressing the lack of systematic and efficient law enforcement and non-transparent regulatory framework, tackling high youth and female unemployment, and modernising the education system at all levels.
42. The Council positively notes the country's increased alignment with the EU Common Foreign and Security Policy and encourages the country to further improve its alignment.

43. As set out in previous **European Council** and Council conclusions, maintaining good neighbourly relations, including a negotiated and mutually accepted solution to the name issue under the auspices of the UN, is essential. The Council strongly welcomes the signature of the agreement on the name issue with Greece, which brings the longstanding discussions to a conclusion, and looks forward to the ratification and implementation of this agreement. The Council also welcomes the conclusion of the Treaty on Friendship, Good-neighbourliness and Cooperation with Bulgaria and stresses the importance of its continued implementation. These two major steps should put an effective end to any claims based on misinterpretation of history.
44. In view of the above progress, in particular on implementation of the Pržino agreement, the Urgent Reform Priorities and the positive momentum created by the agreement on the name issue with Greece, the Council agrees to respond positively to the above progress made by the former Yugoslav Republic of Macedonia and sets out the path towards opening accession negotiations in June 2019. Accordingly, the Council underlines the critical need for the former Yugoslav Republic of Macedonia to continue making concrete progress on the Urgent Reform Priorities and to deliver further tangible results in the fight against corruption, maintaining and deepening the current reform momentum. To this effect, the Council calls on the Commission to monitor closely the above reform efforts of the former Yugoslav Republic of Macedonia and will assess progress on the basis of the yearly Commission report. The Council recalls that the decision to open accession negotiations with the former Yugoslav Republic of Macedonia will be subject to completion of national parliamentary procedures and the endorsement by the **European Council** and swiftly thereafter be followed by the first **Intergovernmental Conference** by the end of 2019, depending on progress made. The Council underlines that this assessment of progress should include further tangible and sustained results, focusing in particular on:
- judicial reforms and proactive investigations, prosecutions and final convictions in corruption and organised crime cases, including at high level;
  - intelligence and security services reform;
  - public administration reform.

The Council takes note of the intention of the Commission to begin the necessary preparatory work.



## ALBANIA

45. The Council welcomes Albania's steady progress in pursuing reforms related to the five key priorities: public administration reform, reform of the judiciary, fight against corruption, fight against organised crime and protection of human rights, including rights of persons belonging to minorities and property rights. Institutional restructuring of the judiciary is ongoing, as a cornerstone of a comprehensive justice reform. The re-evaluation process for judges and prosecutors (vetting) has started to deliver its first tangible results, including on high-ranking members of the judiciary, under the oversight of the International Monitoring Operation. The Council encourages Albania to continue its good cooperation with the International Monitoring Operation. The Council encourages Albania to build on the progress so far and pursue intensively the justice reform, aimed at increased independence, accountability, professionalism and efficiency of the judicial system, notably through further advancing the vetting process, which is crucial for its success.
46. The Council welcomes the efforts towards establishing a solid track record of pro-active investigations, prosecutions and final convictions in the fight against corruption and organised crime, while taking note that dismantling organised crime groups remains an important challenge. The Council stresses the importance for Albania to further pursue tangible and sustainable results, including in the specific area of countering cultivation and trafficking of drugs. The Council encourages Albania to continue and deepen efforts to reduce cannabis cultivation, building on the first significant results which were observed in the last months. The Council commends Albania for its close and strengthened cooperation with law-enforcement agencies of EU Member States and expects this mutually beneficial practice to be continued.

47. The Council also underlines that Albania needs to intensify its efforts in all these areas and ensure that further tangible results are achieved also in the fight against corruption at high level, as well as in dismantling organised criminal networks. There should be systematic judicial follow up to successful law enforcement operations. In the framework of the ongoing justice reform, the specialised institutions to fight corruption and organised crime still need to be established according to the legal framework already in place. The establishment of a solid track record of proactive investigations, prosecutions and convictions in the fight against organised crime and corruption, at all levels, remains an essential long-term objective that continues to require further structured and consistent efforts.
48. The Council reiterates the need for effective legislative and policy measures to reinforce the protection of human rights and anti-discrimination policies, including the equal treatment of all minorities and access to rights for persons belonging to them throughout Albania, and to ensure consistent implementation of the framework law by addressing in relevant bylaws all outstanding issues, including the right to free self-identification. The Council also reiterates the need for efficient implementation of property rights.
49. The Council notes that consistent and constructive dialogue between the government and the opposition on EU-related reforms remains crucial to advance on the reform agenda to the benefit of the citizens, and move the country closer to the EU.
50. The Council reiterates that Albania should step up reforms aimed at increasing competitiveness and tackling the informal economy. In line with the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey, the Council encourages Albania to further improve the business and investment environment, including ensuring enforcement of property rights, vigorously pursuing fiscal consolidation and strengthening tax administration. The Council welcomes some progress made in the liberalisation of energy market, transport infrastructure and digitalisation. The Council encourages Albania to take steps to address the problem of waste management.

51. The Council strongly commends Albania's continued full alignment with the EU Common Foreign and Security Policy. The Council welcomes the commitment and progress in fighting terrorism and countering violent extremism and encourages Albania to further pursue efforts.
52. The Council welcomes Albania's continued constructive engagement in regional cooperation. The Council also welcomes that Albania intensified dialogue with neighbouring countries to address important bilateral issues and to ensure good neighbourly relations, which remain essential.
53. The Council positively notes the increased efforts by Albania to put in place effective measures aimed at countering the high flow of manifestly unfounded asylum applications lodged by Albanian citizens to EU Member States and Schengen Associated countries. These measures must be further pursued, along with continued cooperation and dialogue with the most affected countries, until sustained results are achieved.
54. In view of the above progress, in particular on the five key priorities, the Council agrees to respond positively to the above progress made by Albania and sets out the path towards opening the accession negotiations in June 2019. Accordingly, the Council underlines the critical need for Albania to further consolidate progress made on judicial reform in particular through the vetting, and to deliver further tangible results in the fight against corruption at all levels and in the fight against organised crime, in particular on the cultivation and trafficking of drugs, maintaining and deepening the current reform momentum. This includes:
- further advancing the process of re-evaluating judges and prosecutors, in particular completing all priority dossiers, and finalising the establishment of the independent judicial structures as foreseen by the Constitutional reform;
  - finalising the establishment of specialised bodies, namely the Special Anti-Corruption and Organised Crime Structure (SPAK) and National Bureau of Investigation (NBI) and Court;
  - strengthening the track record of proactive investigations, prosecutions and final convictions in the fight against corruption and organised crime, including at high level.

To this effect, the Council calls on the Commission to monitor closely the above reform efforts by Albania and will assess progress on the basis of the yearly Commission report. The Council recalls that the decision to open accession negotiations with Albania will be subject to completion of national parliamentary procedures and endorsement by the European Council and will swiftly thereafter be followed by the first Intergovernmental Conference by the end of 2019, depending on progress made. The Council underlines that this assessment of progress should include further tangible and sustained results focusing in particular on the rule of law. On elections, the Council attaches particular importance to Albania addressing the outstanding recommendations of the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights. The Council also attaches particular importance to Albania's continued efforts in reducing the number of manifestly unfounded asylum applications and also asks the Commission to ensure that this is taken into account.

The Council takes note of the intention of the Commission to begin the necessary preparatory work.

## **BOSNIA AND HERZEGOVINA**

55. The Council welcomes the finalisation of the country's answers to the Commission's Opinion Questionnaire on Bosnia and Herzegovina's EU membership application through the coordination mechanism and urges Bosnia and Herzegovina to make further use of this important mechanism for the preparation of consistent and comprehensive strategic countrywide documents including those requested under the Stabilisation and Association Agreement. The Council recalls that while Bosnia and Herzegovina's EU membership application of February 2016 represents a strategic commitment to advance towards the EU, it needs to be translated urgently into comprehensive reform results on the ground. The Council welcomes the adoption of some EU-oriented reforms in Bosnia and Herzegovina such as on excise duties or regarding country-wide strategies for environment and rural development. However, the Council notes with concern that divisive rhetoric and pre-electoral campaigning have significantly slowed down the pace of reforms, particularly as regards the Reform Agenda.

56. The Council recalls that it expects Bosnia and Herzegovina to ensure the full and effective implementation of the Reform Agenda in line with the action plan agreed by the Bosnia and Herzegovina authorities and in close consultation with civil society, to the benefit of its citizens and in close cooperation with the European Union, international financial institutions and international partners. Inclusive socio-economic reforms, the strengthening of the rule of law, including strengthening the independence and impartiality, as well as the accountability, professionalism and efficiency of the judiciary, the fight against corruption and organised crime, against radicalisation and terrorism, against irregular migration as well as public administration reform in line with European standards at all levels of government, and further improving cooperation between all levels of government, remain high priorities.

Furthermore, the Council regrets the lack of progress on freedom of expression and building independent media and calls on Bosnia and Herzegovina to intensify efforts to address this issue.

57. The Council urges Bosnia and Herzegovina to adopt as its highest priority provisions of the criminal procedure code of Bosnia and Herzegovina in accordance with international standards. It also calls for complete adoption of the Law on Conflict of Interests as well as the Law on the Intelligence Services.

58. The Council takes note of the announcement of the general elections scheduled for 7 October 2018. The Council regrets the unwillingness to compromise shown to date by political parties and strongly calls on Bosnia and Herzegovina's authorities to urgently amend the electoral framework with a view to ensuring the implementation of the results of the October 2018 elections. In this respect, all political leaders need to assume their responsibilities and find a solution with regard to the Federation House of Peoples. The Council considers that electoral reforms should be approached in a spirit of dialogue, as an important matter, thereby also calling on Bosnia and Herzegovina to implement OSCE-ODIHR recommendations in order to move the country towards European standards, improving democratic processes of future elections. The Council also acknowledges that other election-related issues, including provisions for holding local elections in Mostar and the Bosnia and Herzegovina Presidency, should be addressed in due course after the elections, in line with European standards; in this regard the Council underlines that no legislative or political steps should be taken which would make the implementation of the Sejdić-Finci ruling and related rulings more challenging. Those reforms shall not impair, however, further implementation of the Reform Agenda.
59. The Council further reiterates its unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country and encourages all authorities and political forces in Bosnia and Herzegovina to overcome divisive rhetoric rooted in the past, to end the glorification of convicted war criminals as well as to actively promote reconciliation, including through education. The Council encourages Bosnia and Herzegovina to further actively engage in regional cooperation and building of neighbourly relations.

60. The Council welcomes the progress concerning economic development and competitiveness. However, in line with the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey, the Council calls on Bosnia and Herzegovina to address key challenges such as a weak rule of law, a still poor business environment, the absence of a common economic space, a fragmented regulatory environment, a large and inefficient public administration, a substantial informal economy, weak access to finance for some segments of the economy, corruption, labour market imbalances with high structural unemployment and low employment rate related to a poor education system, weak institutional capacities and an unsupportive investment climate, and to strengthen the comprehensive bank resolution framework. The Council also reiterates the need for more efforts by Bosnia and Herzegovina authorities in the area of environmental protection.
61. The Council encourages Bosnia and Herzegovina authorities at all levels to actively commit to the Commission's Opinion preparation process and to provide their input to the Commission's requests. The Council recalls that when preparing its Opinion, the Commission will need to pay particular attention to the implementation of the Sejdić-Finci ruling. Whilst acknowledging that the Constitution of Bosnia and Herzegovina lists Bosniacs, Croats and Serbs as constituent peoples (along with Others), the Council reiterates that the principles of equality of all citizens and of non-discrimination shall be fully warranted. The Council will revert to Bosnia and Herzegovina's EU integration process on the basis of the future Commission's Opinion on the country's application for EU membership.

## KOSOVO

62. The Council underlines the importance of the Stabilisation and Association Agreement (SAA) with Kosovo and encourages its continued implementation. This EU-only agreement, which is without prejudice to Member States' positions on status, provides the contractual framework within which the EU and Kosovo are intensifying their cooperation and taking stock of developments in their relationship. It offers Kosovo an opportunity for sustainable progress and rapprochement with the Union, in line with the European perspective of the region, and creates trade and investment opportunities.
63. The Council welcomes the ratification by the Kosovo Assembly of the border/boundary agreement with Montenegro in March 2018, which constitutes the fulfilment of one of the key criteria for Kosovo's visa liberalisation and an important achievement in the spirit of good neighbourly relations. The Council takes note of the Commission's intention to present an assessment of the final benchmark on the strengthening of the track record in the fight against organised crime and corruption and invites the Commission to report on whether the other benchmarks continue to be met.
64. The Council welcomes that the parliamentary and municipal elections, held in 2017, were generally competitive and well-administered in most places in Kosovo. However, the campaign environment was marred by a deep pattern of intra-Serb intimidation within many Kosovo Serb communities. More broadly, the Council calls on Kosovo to tackle long-standing weaknesses of the electoral process, guided by the recommendations of the EU election observation missions and in close cooperation with other international actors including OSCE/ODIHR.



65. The Council encourages greater efforts to build consensus across the political spectrum to advance Kosovo's European agenda. The Assembly should substantially improve its performance as the key forum for legislative work, political dialogue and representation, as well as in its oversight functions. The Council expresses its concern about repeated incidents of violence in the Assembly over the border/boundary demarcation vote.
66. The Council strongly encourages Kosovo to accelerate the implementation of the comprehensive reforms necessary to meet its obligations under the SAA in order to fully benefit from the opportunities it brings. The Council calls on Kosovo to redouble efforts to complete the thorough implementation of the European Reform Agenda launched in November 2016, with the objective of improving the rule of law and socio-economic development in Kosovo and building a track record of SAA implementation.
67. The Council welcomes the improvements in the business environment and calls on Kosovo, in line with notably the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey, to increase efforts to combat corruption and the informal economy, to bring down the high unemployment, in particular youth unemployment, to improve public procurement, to protect EU investors' property rights, to ensure effective contract enforcement procedures, to improve education, to enhance institutional capacities and to strengthen the tax administration as well as the overall resilience of the banking sector. In the important field of energy, Kosovo needs to increase energy efficiency, to foster renewable energies and to follow up on its commitment to decommission the Kosovo A power plant, one of the biggest sources of pollution in the Western Balkans, also to improve the quality of life.

68. The Council calls on Kosovo to urgently intensify its efforts to improve the rule of law, including judicial independence and due process of law. The Council notes that the context in the north of Kosovo poses particular challenges, particularly the fight against criminal networks which requires urgent and efficient cooperation of all actors involved, and remains deeply concerned about the murder of Oliver Ivanović in northern Mitrovica in January 2018. It stresses the necessity that the perpetrators are brought to justice. Kosovo also needs to continue to intensify its fight against organised crime and corruption. The Council expresses concern about the deportation of six Turkish citizens without respecting their guaranteed rights. The Council notes substantial progress in fighting radicalisation, extremism and terrorism and encourages further efforts. In this context, the Council particularly underlines the need for effective and intense regional and international cooperation, including with Europol and Eurojust, with full respect to their regulation and without prejudice to Member States' positions on status.
69. With regard to public administration reform, merit-based and transparent recruitment, promotions and dismissals based on objective criteria need to be implemented, including in the case of independent institutions and agencies to ensure the independent functioning and effective management of these bodies. Effective promotion and protection of human rights throughout Kosovo needs to be pursued, including the full protection of cultural and religious heritage. The inclusion and protection of persons belonging to minorities, including additional efforts to implement the existing legal framework and to ensure a safe environment and safeguarding of their property rights should be addressed, as well as the strengthening of social cohesion.
70. As regards the EU facilitated Dialogue between Pristina and Belgrade, the Council welcomes that both sides have committed themselves vis-à-vis the High Representative to work on a comprehensive normalisation of relations, including in the form of a legally binding agreement, which is key for their respective European paths and essential for sustainable regional stability.

71. The Council welcomes the long overdue start of the work of the Management Team to draft the statute of the Association/Community of Serb majority municipalities in Kosovo in accordance with the 2013 Brussels Agreement and the 2015 August Agreement and expects both sides to engage constructively in the process in order to rapidly fulfil this longstanding commitment. The Council calls for swiftly overcoming the remaining hurdles in the implementation of the agreement on Energy. Taking account of the slow pace of progress, the Council stresses the importance of completing the implementation of all other past agreements and in particular the Mitrovica Bridge, Integrated Border Management and the mutual recognition of diplomas. The Council urges Kosovo to swiftly implement in good faith its part of all past agreements and to engage constructively with Serbia in formulating and implementing future agreements. The Council welcomes the implementation of the agreement on Justice in autumn 2017 that ensures the functioning of an integrated judiciary in Kosovo and offers access to justice for all the communities. The Council will continue to monitor closely Kosovo's continued engagement towards visible and sustainable progress in the normalisation of relations with Serbia, so that Kosovo and Serbia can continue on their respective European paths, while avoiding that either can block the other in these efforts and with the prospect of both being able to fully exercise their rights and fulfil their responsibilities. The Council expresses its appreciation for the work of the High Representative in facilitating the Dialogue and looks forward to her further intensive engagement with the parties, with a view to reaching comprehensive normalisation.
72. The Council recalls that progress in the process of normalisation of relations with Serbia is an essential principle of the SAA and underpins the development of relations and cooperation between the EU and Kosovo.
73. Recalling its strong concern at the attempted abrogation of the laws on the Kosovo Specialist Chambers, the Council urges continued commitment by Kosovo to the Specialist Chambers, in full compliance with its international obligations and as way to demonstrate genuine efforts to guarantee the rule of law, fundamental freedoms, justice and reconciliation.

74. The Council welcomes the agreement reached on the extension of the EULEX mission until June 2020. It urges Kosovo to continue to cooperate closely and effectively with EULEX and contribute actively to the full and unhindered execution by EULEX of its mandate.
75. The Council welcomes the conclusion and entry into force of the Framework Agreement between the European Union and Kosovo on the general principles for the participation of Kosovo in Union programmes and stresses the importance for Kosovo to take full advantage of these programmes. It welcomes that Kosovo will join the Erasmus+, COSME, Europe for Citizens and Creative Europe Programmes.
-