



Council of the  
European Union

160943/EU XXVII. GP  
Eingelangt am 09/11/23

Brussels, 9 November 2023  
(OR. en)

15094/23

ELARG 71  
COWEB 135  
COEST 586

## COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	9 November 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2023) 690 final
Subject:	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS 2023 Communication on EU Enlargement Policy

Delegations will find attached document COM(2023) 690 final.

Encl.: COM(2023) 690 final



EUROPEAN  
COMMISSION

Brussels, 8.11.2023  
COM(2023) 690 final

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
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**2023 Communication on EU Enlargement Policy**

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{SWD(2023) 693 final} - {SWD(2023) 694 final} - {SWD(2023) 695 final} -  
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{SWD(2023) 699 final}

## 2023 Communication on EU Enlargement Policy

### I. INTRODUCTION

**EU enlargement is a driving force for long-term stability, peace and prosperity** across the continent. EU membership is a **geostrategic investment** in a strong, stable and united Europe based on **common values**. It is a powerful tool to promote democracy, the rule of law and respect for fundamental rights. A credible, merit-based prospect of EU membership is the **key driver of transformation** and thus enhances our collective security and socio-economic prosperity. It is essential for fostering reconciliation and stability on the European continent. The geopolitical significance of EU enlargement was further underlined in 2022, when Ukraine, the Republic of Moldova<sup>1</sup> and Georgia applied to become EU members in the wake of Russia's unprovoked and unjustified war of aggression against Ukraine, with the European Council<sup>2</sup> recognising the European perspective of Ukraine, Moldova and Georgia and granting Ukraine and Moldova candidate status. The granting of candidate status to Bosnia and Herzegovina in December 2022 was an important step in maintaining the momentum of the enlargement process.

Today, the Western Balkans, Türkiye<sup>3</sup>, Ukraine, Moldova and Georgia have a **historic window of opportunity** to strongly bind their future to the European Union. Accession is and will remain a merit-based process fully dependent on the objective progress achieved by each enlargement partner. Therefore, the enlargement countries will have to act with determination to implement the necessary reforms and make tangible and irreversible progress, starting with the **fundamentals of the EU accession process**. The rule of law, in particular the independence and functioning of the judiciary and the fight against corruption, fundamental rights, the economy, the functioning of democratic institutions and public administration reform continue to be the cornerstones of the enlargement policy.

EU membership is a **strategic choice**. Partners must embrace and promote **EU values** firmly and unequivocally. Alignment with the EU's **common foreign and security policy** is a more significant signal than ever of shared values and strategic orientation in the new geopolitical context.

### II. KEY DEVELOPMENTS

#### A united response to Russia's war of aggression

The last 2 years were marked by **Russia's war of aggression against Ukraine**. The Office of the United Nations High Commissioner for Human Rights (OHCHR) recorded more than 27 000 civilian casualties in Ukraine, including 9 600 killed<sup>4</sup>, with the exact number of deaths expected to be much higher. Humanitarian needs remain high: 17.6 million people in Ukraine, 49% of the country's total population<sup>5</sup>, and 6.2 million in refugee-hosting countries<sup>6</sup>, continue to need multi-sectoral humanitarian assistance. The war has also caused devastation and

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<sup>1</sup> Hereinafter 'Moldova'.

<sup>2</sup> [EUCO 24/22](#).

<sup>3</sup> 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.

<sup>4</sup> Figures as of end of August 2023.

<sup>5</sup> United Nations Office for the Coordination of Humanitarian Affairs, August 2023.

<sup>6</sup> United Nations High Commissioner for Refugees, September 2023

destruction of production and property, disruption of trade, diminished investment, the erosion of human capital, and immense damage to the environment.

The **EU's response** to Russia's war of aggression was unprecedented, united, determined and immediate. The 27 EU Member States and their partners around the world **condemned the unprovoked and unjustified war of aggression**. They acted swiftly, isolating Russia politically and economically, condemning the violations of international humanitarian law and supporting steps to ensure full accountability for war crimes and other violations committed in connection with Russia's war of aggression. The EU has adopted so far **11 packages of far-reaching sanctions against Russia and Belarus**. Demonstrating its unwavering support for Ukraine, the EU continues to provide broad **humanitarian, financial, economic and military support** to the country. Through a 'Team Europe' approach, the EU, its Member States and financial institutions have so far **mobilised EUR 82.6 billion** (September 2023; incl. EUR 25 billion in military support), including funding made available to host refugees in the EU. The Council extended until March 2025 the temporary protection for people having fled the war against Ukraine, providing certainty for more than 4 million Ukrainians currently living in the EU. In response to Russia's blockage of the Ukrainian Black Sea Ports, since May 2022, the EU, together with Ukraine and Moldova, has been implementing the EU-Ukraine Solidarity Lanes, which connect Ukraine and Moldova to the European Union, facilitating their trade with the EU and the rest of the world, including in critical products such as grains. The Commission supports a range of efforts to monitor and record the environmental damage. The EU will continue to support Ukraine as long as it takes.

The European Commission, together with Ukraine and G7 partners, set up in January 2023 the **Multi-agency Donors' Coordination Platform** to coordinate support for Ukraine's immediate financing needs and future economic recovery and reconstruction.

In June 2023, the European Commission proposed a dedicated medium-term financing instrument that will provide Ukraine with coherent, predictable and flexible support for the period 2024-2027. The new **Ukraine Facility**<sup>7</sup> will support efforts to sustain macro-financial stability and will promote recovery. The plan is for the **Facility to be endowed with EUR 50 billion** in grants and loans for 2024-2027.

The EU also delivered two comprehensive **support packages to Moldova**<sup>8</sup>, particularly to address the impact on the country from Russia's war of aggression against Ukraine. Moldova has faced a major influx of refugees from Ukraine, soaring inflation, threats to its energy supplies, violations of its airspace, and a multitude of hybrid hostile actions such as staged protests, massive disinformation campaigns and cyberattacks.

Russia's war of aggression against Ukraine generates fear in the broader region, including in Georgia. In this context, security and defence, countering hybrid and cybersecurity threats continue to be among the priority areas for EU-Georgia cooperation. A total of EUR 62 million has been mobilised in support to the Georgian Defence Forces through the European Peace Facility.

The European Commission put forward in December 2022 an **Energy Support Package** of EUR 1 billion for **the Western Balkans**<sup>9</sup>. Addressing the immediate, short-term and medium-term needs in the region, the substantial energy support package helped the Western Balkan

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<sup>7</sup> 2023/0200 (COD)

<sup>8</sup> [The European Union will grant the Republic of Moldova another EUR 250 million; Support Package for the Republic of Moldova.](#)

<sup>9</sup> [https://ec.europa.eu/commission/presscorner/detail/en/AC\\_23\\_3196](https://ec.europa.eu/commission/presscorner/detail/en/AC_23_3196)

partners to begin decreasing their dependence on Russian fossil fuels, accelerate decarbonisation and improve the region's energy security. The EU stepped up its support in **cybersecurity**, also in light of several cyberattacks in the Western Balkan countries. The European Commission co-hosted a High-Level Cybersecurity Conference in June 2023 in Brussels.

**Russia's war** of aggression against Ukraine has impacted the enlargement countries, in particular Ukraine as the victim of the aggression, and EU Member States, with **major economic and social challenges**. Confronted with growing foreign instability, strategic competition and security threats, the EU has assumed more international responsibility and has taken further decisive steps towards reducing dependencies and building a more robust economic base. These objectives are relevant for all enlargement countries.

### **EU enlargement gaining new momentum**

The **enlargement agenda gained new momentum in June 2022**, when the European Council endorsed the Commission's recommendations, recognising the **European perspective of Ukraine, Moldova and Georgia and granting Ukraine and Moldova candidate country status**. This followed the **applications for EU membership** submitted by the three countries in spring 2022, and the **Opinions**<sup>10</sup> presented by the European Commission in June same year. The European perspective has reinforced the countries' determination to carry out the necessary reforms required by the EU accession process, in particular the steps/priorities mentioned in the Commission Opinions. The Commission as of now reports on the fulfilment of these steps/priorities as part of its regular enlargement package, in which Ukraine, Moldova and Georgia are included as of this year.

In the **Western Balkans**, the first Intergovernmental Conference with Albania and with North Macedonia on **accession negotiations** took place in July 2022, followed by the analytical examination of the EU *acquis* (screening) process, which is due to be finalised in December 2023. In December 2022, the European Council granted Bosnia and Herzegovina **EU candidate status** on the understanding that the country implements the steps specified in the Commission's October 2022 communication on enlargement policy<sup>11</sup>. In December 2022, **Kosovo\*** applied for EU membership. The EU agreed in spring 2023 on visa liberalisation for Kosovo, applicable from 1 January 2024.

**Engagement at high level** with the enlargement countries continued. During the November 2022 **Western Balkan Summit** of the **Berlin Process**, the Commission announced a substantial Energy Support Package of EUR 1 billion in EU grants to help the Western Balkans address the immediate consequences of the energy crisis and build resilience in the short and medium term. **The EU-Western Balkans Summit** took place in December 2022 in Tirana. The fact that the summit was organised for the first time in the region was a clear sign of the EU's full and unequivocal commitment to the European Union membership perspective of the Western Balkans. The EU welcomed the breakthrough in the negotiations for three new Common Regional Market agreements facilitating freedom of movement and employment across the region. A roadmap for lowering roaming costs between the EU and the Western Balkans was adopted in the margins of the summit.

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<sup>10</sup> [COM\(2022\) 405 final](#), [COM\(2022\) 406 final](#), [COM\(2022\) 407 final](#).

<sup>11</sup> [COM\(2022\) 528 final](#).

\* 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.

On 6 October 2023, at the **informal meeting of heads of state or government in Granada**, EU leaders reconfirmed enlargement as a geo-strategic investment in peace, security, stability and prosperity<sup>12</sup>. They highlighted that aspiring members need to step up their reform efforts, notably in the area of rule of law, in line with the merit-based nature of the accession process and with the assistance of the EU. In parallel, the Union needs to lay the necessary internal groundwork and reforms for further enlargement, to complete the European Union. As a concrete expression of EU support for the enlargement partners, it is crucial to mobilise the corresponding funding, including in the context of the mid-term revision of the current multi-annual financial framework<sup>13</sup>.

The **Berlin Process Summit** on 16 October 2023, held for the first time in the region – in Tirana, saw progress in the Common Regional Market, with the signature of the Agreement on recognition for professional qualifications for midwives, vets, nurses and pharmacists and a number of joint statements related to regional cooperation. It was also an opportunity to discuss the EU Growth Plan for Western Balkans with the leaders of the region and to inaugurate the representation office of the College of Europe in Tirana including launching of the enrolment of students for academic year 2024/25.

Accession negotiations with **Türkiye** are at a standstill since 2018, in line with the decision of the Council. Türkiye remains a key partner for the European Union and a candidate country, and highlights the EU accession as its strategic goal. Nevertheless, Türkiye has continued to move away from the EU, mainly on account of continuing backsliding in the areas of fundamental rights and rule of law, including the independence of the judiciary, and the lack of reforms in some sectoral issues.

The 2016 EU-Turkey Statement remained the key framework for cooperation on migration and continued to yield results, despite continued challenges over its implementation. Türkiye continues to host 3.6 million refugees. Türkiye also continued to play a key role in addressing migration along the Eastern Mediterranean route. The Commission expects Türkiye to uphold its commitments under the EU-Turkey statement, in line with the European Council conclusions of October 2021, including prevention of irregular migration from land and sea routes, and resuming returns.

In line with the European Council conclusions of 2021<sup>14</sup> on a positive agenda with Türkiye, the Commission engaged in high-level dialogue with the Turkish authorities on agriculture and rural development, on climate change, as well as on research and innovation, and launched the newly established Turkey Investment Platform. The next EU-Türkiye high-level dialogue on migration and security is scheduled to take place on 23 November 2023. 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. The European Council in June 2023 invited the High Representative and the Commission to submit a report to the European Council on the state of play of EU-Türkiye relations<sup>15</sup>, building on the instruments and options identified by the European Council, and with a view to proceeding in a strategic and forward-looking manner.

Since the start of Russia's aggression against Ukraine, the EU relations with Ukraine have attained an unprecedented level. The 24<sup>th</sup> **EU-Ukraine Summit** and a meeting between the

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<sup>12</sup> <https://www.consilium.europa.eu/en/press/press-releases/2023/10/06/granada-declaration/>

<sup>13</sup> COM(2023) 336

<sup>14</sup> EUCO 7/21.

<sup>15</sup> EUCO 7/23.



College of Commissioners and the Government of Ukraine took place in Kyiv in February 2023. The first ever EU–Ukraine informal foreign ministers meeting in Kyiv gathered Ukraine, the EU and the 27 Member States on 2 October 2023. The EU reiterated its unwavering support and commitment to Ukraine’s independence, sovereignty and territorial integrity within its internationally recognised borders and to the country’s EU path.

On 1 June 2023, Moldova hosted the second meeting of the **European Political Community**, bringing together 45 European leaders to discuss joint efforts for peace and security, as well as energy resilience and connectivity and mobility in Europe.

Russia’s war of aggression against Ukraine has further underlined the need for unity and solidarity among the EU and its closest partners and thus the importance of **common foreign and security policy** (CFSP) alignment in the enlargement process. Continued full alignment by Albania, Montenegro and North Macedonia remained a strong signal of their strategic choice of EU accession. Ukraine’s overall cooperation and alignment with the EU’s CFSP increased. The significant increase in the CFSP alignment rates of Moldova and Bosnia and Herzegovina, and Kosovo’s continued unilateral alignment, were also important confirmations of their strategic direction towards the EU, although the implementation of sanctions remains a challenge in Bosnia and Herzegovina. Serbia maintained its alignment pattern over the reporting period and is expected, as a matter of priority, to fulfil its commitment and progressively align with the EU CFSP, including on EU restrictive measures, in line with its negotiating framework, and to avoid actions and statements that go against EU positions on foreign policy. Georgia’s alignment with CFSP remains low and the country is expected to reverse this trend. Türkiye made no progress on CFSP alignment during the reporting period, maintaining a very low rate. Türkiye continued to refrain from aligning with the EU restrictive measures against Russia. Its rhetoric in support to terrorist group Hamas following its attacks against Israel on 7 October 2023 is in complete disagreement with the EU approach. At the same time, Türkiye, together with the UN, facilitated the export of Ukrainian grain via the Black Sea through the Black Sea Grain Initiative, until Russia’s unilateral suspension of the mechanism. Partners continued their valued contributions to common security and defence policy missions and operations.

The Western Balkans, Türkiye, Ukraine, Moldova and Georgia continued to align with the EU, when voting on the majority of relevant UN General Assembly resolutions related to Russia’s war of aggression against Ukraine. As a non-permanent member of the UN Security Council, Albania continued to be actively engaged in promoting and defending international law, the UN Charter and the rules-based international order.

Albania, Bosnia and Herzegovina, Moldova and Ukraine joined the Union Civil Protection Mechanism. They achieved significant progress in civil protection by increasing their administrative and operational capacity to demonstrate EU solidarity. The participating states of the Union Civil Protection Mechanism have the same rights and obligations as the EU Member States under the mechanism.

The Commission encourages all enlargement countries to be more ambitious and strengthen their coordinated action on the green transition, especially by prioritising the mainstreaming of the European Green Deal in all policy areas. The countries who are party to the Energy Community Treaty are encouraged to implement commitments under the Energy Community’s Decarbonisation Roadmap and prepare for the Emissions Trading System in line with the Energy Community recommendation.

### III. THE ENLARGEMENT COUNTRIES ON THEIR WAY TO THE EU

**Montenegro** has all chapters open for negotiations, three of which are provisionally closed. The next milestone is meeting the interim benchmarks for the rule of law chapters. **Serbia** has 22 out of 35 negotiating chapters open, 2 of which are provisionally closed. The path towards opening further clusters will depend on progress by the country, in particular on the pace of rule of law reforms and normalisation of relations with Kosovo.

In line with the revised methodology<sup>16</sup>, in this Communication's conclusions and recommendations, 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 could take place following publication of the present annual package of reports.

Following the first Intergovernmental Conference with **Albania** and with **North Macedonia** on 19 July 2022, the Commission launched the **screening** process immediately. All sessions on cluster 1 (fundamentals), cluster 2 (internal market), cluster 3 (competitiveness and inclusive growth) and cluster 4 (Green Agenda and sustainable connectivity) have taken place. Explanatory and bilateral sessions for the remaining two clusters are ongoing or scheduled until December 2023. The screening reports for the fundamentals cluster were presented to the Council in July 2023. The authorities have consistently stated their political commitment to the strategic goal of EU integration and their ambition to move forward in the accession negotiations based on continuing reform progress.

After the October 2022 general elections in **Bosnia and Herzegovina**, a new state-level Council of Ministers took office in late January, and a new government of the Federation entity took office in early May 2023. Following the granting of **candidate status** in December 2022, the new ruling coalition declared advancing on the EU path as a top priority of its coalition agreement and expressed commitment to addressing the 14 key priorities from the Commission's Opinion on Bosnia and Herzegovina's application for membership of the EU, Bosnia and Herzegovina's Council of Ministers adopted several strategies (on terrorism, organised crime, money laundering and migration) and draft laws. Parliament adopted a number of laws related to the 14 key priorities and the steps specified in the Commission recommendation for candidate status. The Constitutional Court quashed several legal and political acts adopted by the *Republika Srpska* entity as being in breach of the constitutional and legal order. The reintroduction of criminal penalties for defamation in the *Republika Srpska* entity in July 2023 severely impacts the environment for civil society and represents a major step backwards in the protection of fundamental rights. A draft law targeting civil society groups as 'foreign agents' was adopted in the first reading by the entity assembly; if fully adopted, would mark another regrettable and undeniable major step backwards. In June 2023, the *Republika Srpska* entity adopted two laws on the non-implementation of the Constitutional Court's rulings and the High Representative's decisions, thereby breaching the constitutional and legal order of the country.

The Council of the EU and the European Parliament adopted the decision on visa liberalisation for **Kosovo** in spring 2023. In December 2022, Kosovo applied for EU membership. The situation in the north of Kosovo during the reporting period was characterised by several crises of varying intensity on a number of issues, with a violent attack against Kosovo Police on 24 September 2023 constituting the gravest escalation in recent years. Other crises were triggered

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<sup>16</sup> [COM\(2020\) 57 final](#).



by issues over licence plates, which led to the collective resignation of Kosovo Serbs from Kosovo institutions in November 2022.

Kosovo and Serbia reached an Agreement on the Path to Normalisation and its Implementation Annex in February and March 2023 respectively. Both Kosovo and Serbia are yet to start implementation of their respective obligations stemming from the Agreement, which are binding for the Parties and part of their European paths.

The EU and **Türkiye** continued engagement in line with the **European Council** conclusions of 2021. Türkiye is a candidate country and a key partner for the EU in essential areas of joint interest such as trade, migration, counterterrorism, public health, climate, energy, transport and regional issues. Accession negotiations remain at a standstill, as Türkiye has not reversed the negative trend of moving away from the European Union, with serious backsliding in a number of key areas. On energy, Türkiye continues to be an important and reliable transit country for the EU. The EU immediately responded in solidarity to the February 2023 earthquakes that struck south-eastern Türkiye with rescue teams and in-kind support via the Union Civil Protection Mechanism, and contributed to mobilising an overall pledge of EUR 6 billion by the international community. Both sides are successfully cooperating to implement the EUR 1 billion of assistance pledged by the EU. The Customs Union between the EU and Türkiye continued to benefit both sides. Full respect of EU restrictive measures should be ensured, in particular taking into consideration the free circulation of products within the EU-Turkey Customs Union.

The Commission's Opinion on **Ukraine's** application for membership of the EU identified 7 steps for Ukraine to proceed on its EU accession path. The **European Council** granted candidate status to Ukraine and invited the Commission to report on the implementation of the 7 steps as an integral part of this package.

The Commission's Opinion on **Moldova's** application for membership of the EU identified 9 steps for Moldova to proceed on its EU accession path. The **European Council** granted candidate status to Moldova and invited the Commission to report on the implementation of the 9 steps as an integral part of this package.

The Commission's Opinion on **Georgia's** application for membership of the EU identified 12 priorities for Georgia to proceed on its EU accession path. The **European Council** expressed readiness to grant the status of candidate country to Georgia once these priorities have been addressed. The **European Council** invited the Commission to report on the implementation of these priorities as an integral part of this package.

#### **IV. FUNDAMENTALS OF THE EU ACCESSION PROCESS**

The **rule of law, fundamental rights, the functioning of democratic institutions, public administration reform** and the **economic criteria** form the core of what is known as the **'fundamentals' of the EU accession process**. Quality of institutions and governance is the basis for enhancing competitiveness, prosperity and societal well-being, and underpin the ability to comply with the EU *acquis* across the board. Credible and irreversible reforms on the fundamentals are crucial for enlargement countries to secure progress on their respective EU accession paths. Over the past year, advancement on the reform agendas linked to the fundamentals was noted particularly in Ukraine and Moldova in response to the recommendations in the respective Commission's Opinions.

The entrenchment of the rule of law requires an independent, impartial, accountable and professional **judicial system**, which operates efficiently, and with adequate resources, free

from undue external interference and where decisions are executed effectively and in a timely manner. Progress was achieved in some cases, with judicial reforms advancing, for instance in Albania, Moldova, Serbia and Ukraine. However, in most enlargement countries judicial bodies remain exposed to many challenges and vulnerabilities. Attempts by politicians in several countries to publicly expose and pressure magistrates, particularly on sensitive cases, remained a worrying practice. Institutional arrangements that negatively affect the independence of judges and prosecutors remained in place, ultimately affecting the balance and separation of powers. As a result, the judiciary's credibility overall remained rather low, including a common public perception of impunity. In several countries, justice reforms revealed limited implementing capacity even where there is political will. Effectiveness of investigative and judicial authorities, resulting in a credible track record of results, is essential for further progress in the EU accession process.

The **fight against corruption** remains a priority for governments in the enlargement countries. **Corruption**, including high-level corruption, continues to be widespread across enlargement countries, and entanglement of public and private interests remains an issue of concern. Some efforts were made to strengthen the fight against corruption. Mainstreaming of anti-corruption measures across the most vulnerable sectors remains an important priority, while law enforcement and judicial bodies require greater empowerment and independence. Elements of state capture persist, with threats to democratic stability, high-level corruption and undue influence by **oligarchs** being observed, alongside attempts by organised criminal networks to infiltrate the economic and political systems, administrations, and media. These challenges need to be urgently addressed through systemic and comprehensive approaches. A key indicator of success will be a credible track record of proactive investigations, prosecutions and final convictions related to corruption, organised crime and money laundering. To be credible, all actors in the rule of law chain should produce solid results and a track record of proactive investigations, prosecutions and final convictions related to corruption, organised crime and money laundering.

Stable and consolidated **democratic institutions** and processes are a central pillar of the EU accession process. The Commission has begun implementing a strengthened and streamlined engagement with enlargement countries on the general framework for democracy, whether this concerns the electoral process, the functioning of Parliament (including its oversight role in government performance and policymaking and the still-excessive reliance on accelerated procedures in many cases) or the role of civil society.

Most countries continued to be affected by marked political **polarisation**, lack of cross-party cooperation, and shrinking space for civil society. Lack of effective cross-party dialogue resulted in prolonged political impasse and the stagnation of reforms. In some cases, parliamentary debates were marked by tensions, offensive language and occasional violent incidents.

In a number of enlargement countries there was some progress on **fundamental rights**, with greater understanding of the importance of these rights and freedoms being guaranteed. At the same time, some negative trends continued, with gender-based violence remaining prevalent, while freedom of media continued to be hindered by political and economic interests, which weakens control over public authorities, opens space for foreign interference and undermines communication about the EU. In some countries, positive initiatives are being put in place on the rights of the child and persons with disabilities. In practice, however, the protection of fundamental rights is negatively affected by insufficient implementation of laws and policies and the ineffectiveness of redress mechanisms across the board. Challenges remain in ensuring

effective protection from all forms of hatred and discrimination, including that which is directed towards minorities.

On **justice, freedom and security**, law enforcement and judicial cooperation between the EU and enlargement countries continued to evolve positively, while challenges remain. The Western Balkans continue to function as a hub for criminal activities and groups active in the EU, being an important transit point for victims of trafficking in human beings, migrant smuggling and illicit commodities, in particular for drugs entering the EU. Criminals and criminal networks originating from the Western Balkans also have a significant impact on serious and organised crime in other parts of the world. Türkiye remains the key transit country for heroin trafficked to the EU. Organised crime groups from Moldova and Georgia are active in migrant smuggling, organised property crime, trafficking in human beings, cyber-dependent crime, non-cash payment fraud, excise fraud, and other types of crimes such as document fraud. Ukraine is geographically at the crossroads of smuggling illegal goods to the EU, and is also a source, and destination country for trafficking in human beings. Despite the war-related challenges including stretched institutional capacities due to significant losses of resources to fight organised crime, relevant Ukrainian institutions demonstrated remarkable resilience and operational capabilities.

Ratification and correct implementation of international conventions in the field of judicial cooperation in civil matters, in particular those developed by the Hague Conference on Private International Law, is of the utmost importance in the perspective of future accession of these countries to the EU.

Cooperation on **counterterrorism and prevention of radicalisation** is relevant for all enlargement countries. Terrorism and violent extremism continued to pose a challenge and a security threat. **Hybrid threats**, including disinformation, foreign information manipulation and interference (FIMI) and cyberattacks, in particular against critical infrastructure, remain a political and security challenge for the enlargement countries. After a steep increase last year following Russia's war of aggression against Ukraine, these threats continue to pose a considerable risk to both the EU and enlargement countries. The Joint Action Plan on Counterterrorism for the Western Balkans has been the main framework for cooperation in this matter since 2018.

Alongside an overall increase in irregular **migratory** flows, changing patterns in the Western Balkan routes demand constant vigilance in particular as regards the illegal activity of networks involved in migrant smuggling and trafficking in human beings. There is progress on migration management capacities in the Western Balkans region. An EU Action Plan on the Western Balkans was presented by the Commission in December 2022 to address increasing flows of irregular arrivals to the EU via the Western Balkan route. The implementation of this Action Plan has brought first results with a decrease of migratory pressure on the Western Balkans route in 2023 thanks in particular to an increased political, financial and operational engagement between the EU and the Western Balkan partners on migration and an improved alignment with EU visa policy. Visa policy alignment with the EU remains crucial for the good functioning of the visa-free regime of these partners with the EU. Further efforts should continue to progress on all the strands of the Action Plan.

To help addressing the ongoing challenges along the Eastern Mediterranean route, the Commission presented an EU Action Plan on the Eastern Mediterranean route in October 2023. It outlines operational measures to prevent irregular departures, combat smuggling, provide

legal pathways, improve border management, support return and readmission cooperation, and sufficient reception capacity.

Russia's war against Ukraine has led to a rise in the number of Ukrainian refugees. Moldova, which hosts the highest number of Ukrainian refugees per capita among enlargement countries, but also countries like Montenegro, Serbia, Albania and North Macedonia have played a crucial role in hosting these refugees.

The quality of **public administration** and of the regulatory framework is crucial for the EU's **long-term competitiveness**<sup>17</sup>. Overall, enlargement countries remain at best **moderately prepared** in terms of quality of their public administration. During the reporting period, reform progress was very limited overall. Most recommendations from earlier years still apply. A typical pattern is that a formal legal and institutional basis for a professional administration is at least partially in place, but not systematically applied.

Since the start of Russia's war of aggression against Ukraine in February 2022, the majority of the 10 enlargement **economies** have faced major economic and social challenges. In Ukraine, GDP dropped by 29.1% in 2022, as the whole country was profoundly impacted by Russia's war of aggression resulting in significant pressure on macroeconomic stability. The Western Balkan region's **GDP growth** slowed to 3.2% in 2022, down from 7.7% rebound from the COVID-19 impact in 2021, but the severity of the slowdown varied across economies, with real GDP growth decelerating to 6.1% in Montenegro, 4.8% in Albania, 4% in Bosnia and Herzegovina, 3.5% in Kosovo, 2.3% in Serbia and 2.1% in North Macedonia. In Türkiye, GDP growth slowed to 5.6%. In Moldova, GDP contracted sharply by 5.9%, while in Georgia GDP continued to grow at double-digit levels of 10.1%. Country-to-country differences in the economic growth were mainly driven by direct and indirect consequences of the war against Ukraine, including its impact on trade links, energy, food prices and refugee flows. The economic outlook for the 10 economies remains surrounded by high uncertainty about the war's potential further consequences on growth, employment and social cohesion.

It is increasingly important that all 10 enlargement economies accelerate **structural reforms** to enable a **sustainable recovery** in the medium term and advance their progress towards meeting the economic criteria for EU membership. This involves ensuring the functioning of market economies and demonstrating the capacity to cope with competitive pressure and market forces within the EU.

A more detailed overview of the situation regarding the fundamentals of the EU accession process across the enlargement countries can be found in annex 1.

## **V. ECONOMIC CONVERGENCE NEEDS TO BE ACCELERATED IN THE WESTERN BALKANS**

In 2023, after 6 consecutive quarters of slowing growth, economic output in the Western Balkan region expanded faster in the first quarter of 2023 than in the previous 3 months. The region's GDP growth accelerated marginally to 1.7% year on year from 1.6% in the preceding quarter, as most countries except Albania and Bosnia and Herzegovina recorded a pick-up in the rate of output growth. Growth was generally driven by net exports and recovering investment. Private consumption showed a mixed performance, as it decelerated in most countries and even turned negative in some cases, but continued to increase at a robust pace in Montenegro.

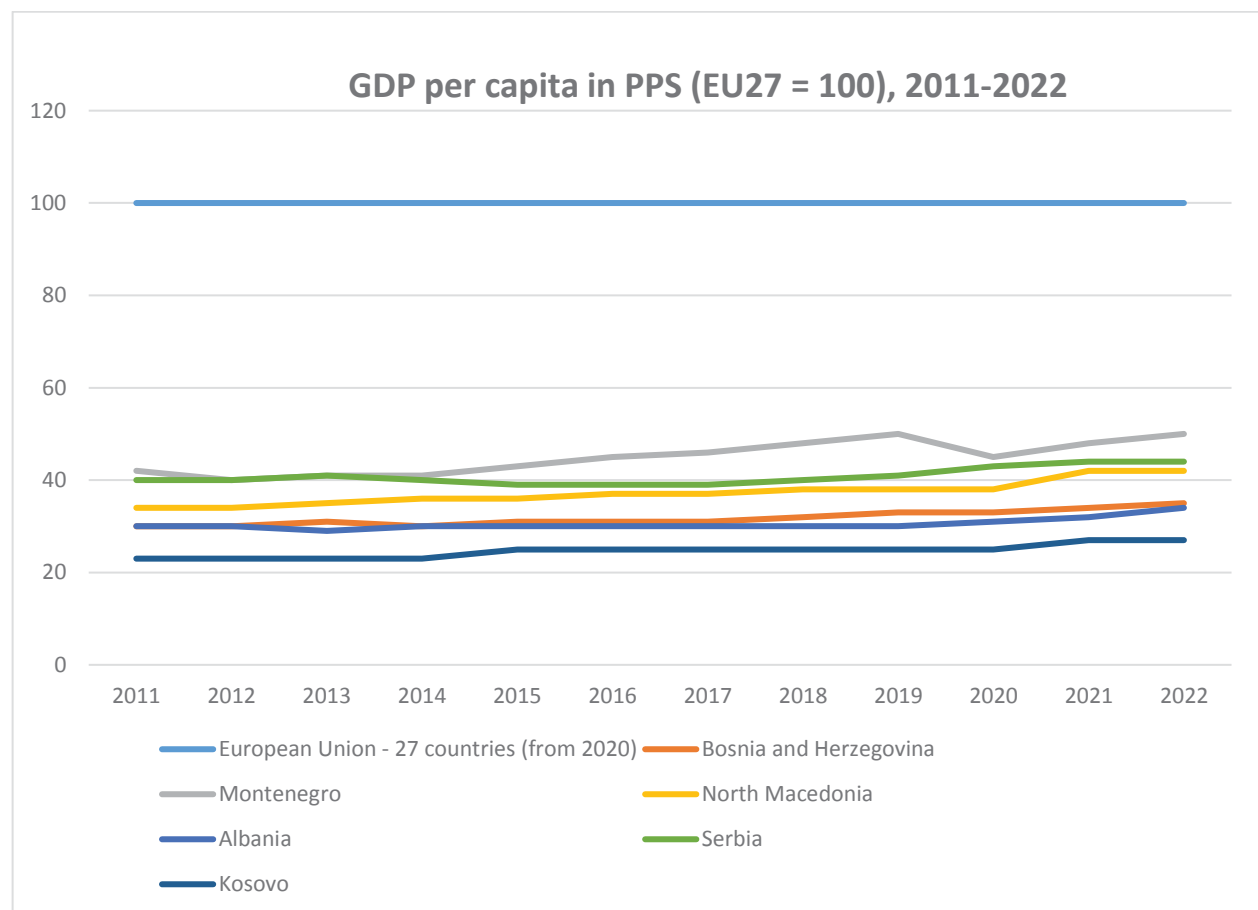
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<sup>17</sup> [COM\(2023\) 168 final](#).

Even before the COVID-19 pandemic, the economies of the Western Balkans faced **major challenges** preventing them from taking full advantage of their economic potential. The countries were lagging behind in reforming their economic structures and improving competitiveness, and faced high unemployment rates (in particular among young people), large skills mismatches, a persistent informal economy, unfriendly business environments and low levels of innovation.

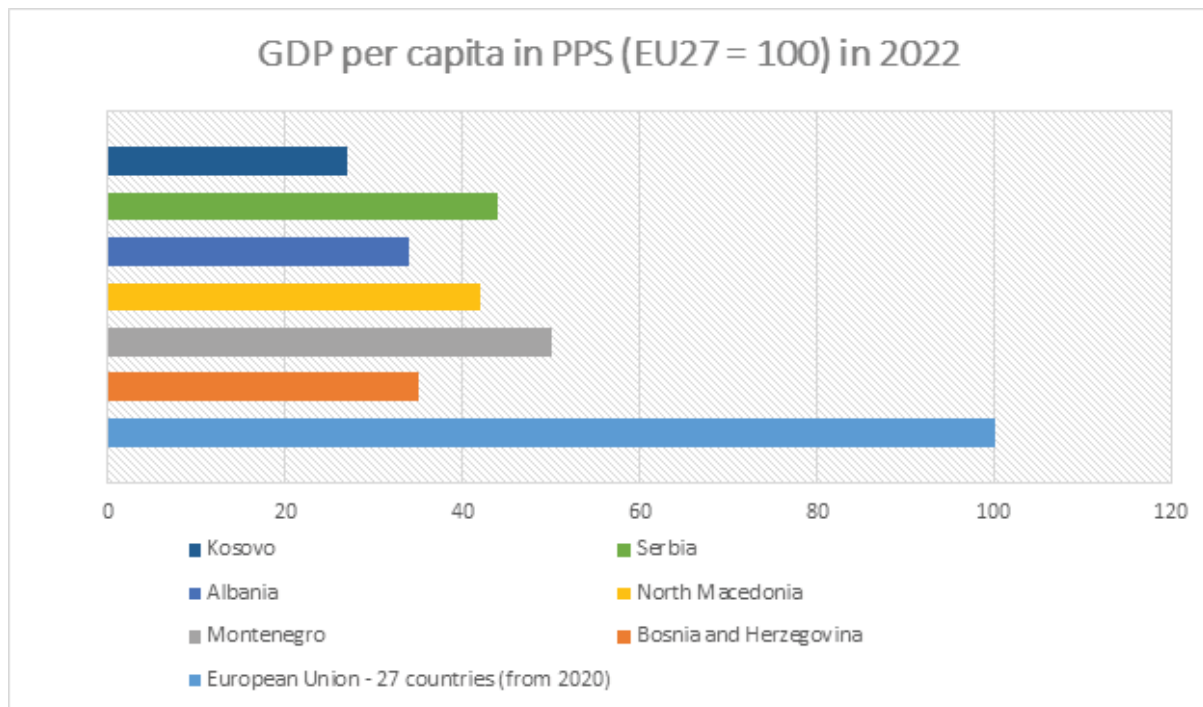
The **investment climate** in the Western Balkans is characterised by a weak rule of law, the lack of adequate enforcement of State aid control, an entrenched grey economy, poor access to finance, and low levels of regional integration and connectivity. State interference in the economy persists, exacerbating the risk of corruption through weak public financial management and frequent changes in the regulatory environment and taxes. There is a strong need to upgrade infrastructure; investments should be channelled through single project pipelines and be consistent with the priorities agreed with the EU.

**Economic convergence** is at the heart of EU membership benefits. For the Western Balkans, convergence is low, at between 30 and 50% of the EU average (in terms of purchasing power parity), and is not progressing fast enough. The experience of the fifth round of EU enlargement demonstrates the positive impact that membership of the EU single market combined with structural funds has on economic convergence.



Source: Eurostat, World Bank





*Source: Eurostat, World Bank*

To further accelerate reforms and deliver more in terms of **socio-economic convergence** of the **Western Balkans** with the European Union, and to help the countries meet the requirements of EU membership, the European Commission is proposing a new **Growth Plan for the Western Balkans**<sup>18</sup>, which would bring forward some of the advantages and further reform incentives of EU membership before accession.

## **VI. REGIONAL COOPERATION AND GOOD NEIGHBOURLY RELATIONS**

In the Western Balkans, good neighbourly relations and regional cooperation are essential elements of the stabilisation & association and 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 adopted on the margins of the Tirana EU-Western Balkans Summit in December 2022. The first phased reduction in charges started in October 2023. The ultimate ambition of the process is to lower roaming prices with the EU to a level close to domestic prices by 2027. On 31 May 2023, the EU and Moldova telecom operators agreed to voluntarily lower roaming tariffs from January 2024, bringing Moldova closer to the Roam Like at Home area.

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**, the **Central European Free Trade Agreement (CEFTA)** and the **Western Balkans 6 Chamber Investment Forum**, aims to enable freedom of movement for people, professionals and the provision of electronic services, to facilitate employment and trade and to ease customs procedures within the region. In November 2022, at the Berlin Process Summit, leaders of the WB6 approved a number of ‘mobility agreements’ covering

<sup>18</sup> COM (2023) 691

travel within the region on the basis of ID cards, recognition of higher education qualifications and recognition of professional qualifications. Once implemented, these agreements will offer the right to ‘travel, study and work’ across the region. Additional green and blue lanes have been established between Italy, and Montenegro and Albania respectively, and between Croatia, and Montenegro and Bosnia and Herzegovina respectively, with the active support of the Transport Community and CEFTA. More generally, the Transport Community has played an important role supporting the Western Balkans in the enlargement process through the implementation of the relevant EU transport *acquis*, and will do likewise for Ukraine, Moldova and Georgia, following their closer association to the Transport Community. However, disagreements on status issues between Serbia and Kosovo continued to prevent the formal adoption of an increasing number of economically important draft decisions technically agreed in the CEFTA framework. 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 populations and businesses. This requires joint focus on establishing the Common Regional Market, building on EU rules and standards, and avoiding unilateral steps jeopardising this work.

The comprehensive **normalisation of relations between Kosovo and Serbia** through the EU-facilitated Dialogue remains central to their European future and for the stability of the whole region.

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

In the Western Balkans, **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.

Relations between **Türkiye** and Greece deteriorated until early 2023, however, the solidarity shown by the Greek people and government after the February 2023 earthquakes prompted a marked improvement in relations. High-level exchanges followed, including meetings at head of state level.

During the reporting period, Türkiye did not engage in any unauthorised drilling activities in the Eastern Mediterranean.

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 essential 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 is expected to unequivocally commit to good neighbourly relations, international agreements and to the peaceful settlement of disputes in accordance with the United Nations Charter, having recourse, if necessary, to the International Court of Justice.

The EU remains committed to defending its interests and those of its Member States as well as to upholding regional stability.

It is of paramount importance that Türkiye commits and actively contributes to the negotiations for a fair, comprehensive and viable **settlement of the Cyprus issue** within the UN framework,

on the basis of a bicomunal, bizonal federation with political equality, and in accordance with the relevant UN Security Council resolutions, as well as in line with the EU *acquis* and the principles on which the EU is founded. No unilateral action should be taken that could raise tensions on the island and undermine a return to talks. Türkiye must immediately reverse all actions and steps taken since October 2020 with regard to Varosha that run contrary to relevant UN Security Council resolutions. Türkiye urgently needs to fulfil its obligation of fully implementing the Additional Protocol to the EU-Turkey Association Agreement and make progress towards normalising relations with the Republic of Cyprus. Türkiye continued to advocate for a two-state solution, contrary to UN Security Council Resolutions.

Russia's war of aggression against **Ukraine** has had an impact on relations with its bilateral partners and neighbouring countries. The Ukrainian authorities have sought to maintain and further strengthen cooperation and diplomatic ties with European countries.

Ukraine's relations with the Western Balkan countries have improved overall, with diverging views with Serbia and Bosnia and Herzegovina's *Republika Srpska* entity over their relations with Russia. Relations with Georgia have experienced some strain, notably due to non-alignment by Georgia with the sanctions against Russia. Türkiye continues to be a strategic partner for Ukraine, with important bilateral economic and people-to-people ties, evidenced by a bilateral visa-free regime and a free trade agreement signed in February 2022. Türkiye has also been a prominent participant in Ukraine's International Crimea Platform.

Following Russia's war of aggression against Ukraine, **Moldova** stepped up cooperation with Ukraine and Romania on humanitarian support for Ukrainian refugees, energy security, transport and connectivity. Since the beginning of Russia's war of aggression against Ukraine, the European Commission has provided more than EUR 48 million in humanitarian assistance to Moldova to support both the Ukrainian refugees living in the country, and the Moldovan families hosting them.

Bilateral cooperation with Ukraine continued to improve during the reporting period. Moldova has shown solidarity with Ukraine since the start of Russia's war, voted in favour of relevant UN General Assembly resolutions, and aligned itself with a number of political statements in international organisations that condemn the military aggression. The country hosted and supported a large number of refugees, heavily relying on international humanitarian donors, and actively supported the development of new trade routes under the 'Solidarity Lanes' initiative. In the aftermath of the Kakhovka dam destruction, Moldova offered bilateral assistance to Ukraine to deal with the humanitarian consequences of the disaster.

**Georgia** has had diplomatic relations with all its neighbours except the Russian Federation since the war in 2008. Both sides participate in the Geneva International Discussion, co-chaired by the EU, UN and the Organization for Security and Co-operation in Europe. Georgia has a strategic partnership with Türkiye. Georgia continues to support Ukraine's territorial integrity and sovereignty, including through co-sponsorship of UN resolutions in support of Ukraine, however it has not aligned with EU restrictive measures against Russia. The resumption of flights between Russia and Georgia and the health conditions in prison of former Georgian President Saakashvili, a Ukrainian citizen, have led to additional diplomatic tensions.

Ukraine, Moldova and Georgia also continue to participate actively in the **Eastern Partnership**.

Territorial cooperation enables the enlargement countries to work together and with neighbouring EU 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. The EU Strategy for the Adriatic and Ionian Region and the EU Strategy for the Danube Region have continued contributing to cooperation between Member States and candidate countries, by fostering administrative capacity on different EU policies, including cohesion policy; and offering a platform for cooperation.

## VII. CONCLUSIONS AND RECOMMENDATIONS

### I.

1. In a rapidly changing **geopolitical environment**, the EU has demonstrated it is ready to rise to the occasion by strengthening its stance on the world stage. In line with the aim of the Union to promote peace, its values and the well-being of its peoples, EU enlargement continues to be a powerful tool to promote democracy, the rule of law and respect for fundamental rights. A credible, merit-based accession perspective is the key driver of transformation and thus enhances our collective security and socio-economic prosperity. It is essential for fostering reconciliation and stability on the European continent. Responding to the **call of history**, we must now work on **accelerating EU enlargement** and **completing the Union**.
2. The **EU's enlargement policy has already gained new momentum**. A firm prospect of EU membership for the Western Balkans, Ukraine, Moldova and Georgia is in the EU's very own political, security and economic interest and essential in the current geopolitical context.

In the Granada declaration<sup>19</sup>, EU leaders recall that “*Enlargement is a driver for improving the economic and social conditions of European citizens, reducing disparities between countries, and must foster the values on which the Union is founded.*” They also note that **both the EU and future Member States** need to be ready for a further enlarged Union. For this, the Union needs to lay the necessary internal groundwork and reforms. At the same time, it is essential that aspiring members step up their reform efforts, notably in the area of rule of law, in line with the merit-based nature of the accession process and with the assistance of the EU.

3. **Significant developments** have taken place on the EU enlargement agenda in the past year. The European Council recognised the European perspective of **Ukraine, 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.

In the **Western Balkans**, the first Intergovernmental Conferences with Albania and with North Macedonia on **accession negotiations** took place in July 2022, followed by the analytical review of the EU *acquis* (screening) process. In December 2022, the European Council granted Bosnia and Herzegovina **EU candidate status** on the understanding that the country implements the steps specified in the Commission's October 2022 communication on enlargement policy. In December 2022, **Kosovo** applied for EU

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<sup>19</sup> [Granada declaration](#)

membership. The EU agreed in spring 2023 on visa liberalisation for Kosovo, which will enter into force from 1 January 2024.

4. All enlargement countries now have a **historic window of opportunity** to strongly bind their future to the European Union. The Commission is ready to accelerate their respective accession processes and to make sure that the **next enlargement is a catalyst for progress**. Accession is and will remain a **merit-based process** fully dependent on the objective progress achieved by each country. The rule of law, the economy, the functioning of democratic institutions, and public administration reform continue to be the cornerstones of the enlargement policy. The countries will have to act with stronger determination to implement the necessary reforms and make tangible and irreversible progress on the fundamentals in order to make full use of the new momentum.
5. Furthermore, economic growth in many of the countries is too slow and hence the convergence with the EU is not happening fast enough. Targeted structural reforms are needed in particular to unlock the growth potential of the Western Balkan region. Improving the rule of law and the business environment are key for attracting the level of investment as well as enhancing trade integration that are needed to boost growth and to bring the region closer to the EU. The Commission therefore proposes in parallel a new **Growth Plan for the Western Balkans**<sup>20</sup>. The plan consists of four pillars that will be mutually reinforcing, (i) increasing integration with the EU's Single Market which needs to go hand in hand with (ii) opening the markets to all Western Balkan neighbours and building a Common Regional Market. (iii) In order to deepen current reforms, investment priorities and reforms will be articulated in Reform Agendas per country, building on the Economic Reform Programmes. (iv) Delivering on these reforms will unlock increased financial assistance.

**Bilateral issues**, notably in the Western Balkans, are holding back not only regional economic integration but also slow down the respective EU paths of the countries. Unresolved issues generate a risk of instability and even escalation, as evidenced by the violent attack against Kosovo police of 24 September in Banjska, in the north of Kosovo. It is therefore essential that open issues are addressed, and mutually acceptable solutions found by the parties concerned. In this context, both Kosovo and Serbia are urged to engage more constructively in the EU-facilitated dialogue implementation of the Agreement on the path to normalisation and its Implementation Annex as well as other agreements reached in the EU-facilitated dialogue without further delay or preconditions. This includes the establishment of the Association/Community of Serb Majority Municipalities. Normalisation of relations is an essential condition on the European path of both Parties. Both risk losing important opportunities in the absence of progress.

6. **Türkiye** remains a key partner for the European Union in essential areas of joint interest. 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 partnership with Türkiye.

In December 2022, 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 currently be considered for opening or closing. The underlying facts leading to this assessment still hold. The European Council in June 2023 invited the High Representative and the Commission to submit a report to the European

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<sup>20</sup> COM (2023) 691; COM (2023) 692



Council on the state of play of EU-Türkiye relations, building on the instruments and options identified by the European Council, and with a view to proceeding in a strategic and forward-looking manner. This report will be submitted in November 2023. The Commission and the High Representative will update the European Council on the state of play on the aforementioned steps by the end of 2024.

## II.

7. In **Montenegro**, the political commitment of the authorities to the country's EU accession process is the key priority for the country and is generally reflected in policy decisions. This includes a continued 100 % alignment rate with the EU's common foreign and security policy, including sanctions. Montenegro has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans. However, in the last two years political instability, tensions, the weak functioning of democratic and judicial institutions and the absence of a fully-fledged government have stalled decision-making processes and reform implementation, leading to a marked 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. 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, the fight against corruption and organised crime, and accelerate and deepen reforms on the independence, professionalism and accountability of the judiciary including judicial appointments. The constitution of the new parliament and the new government took place at the end of October 2023. The new government needs to focus on delivering key pending EU-related reforms, and a properly functioning Parliament is key. Work must focus on building up broad political consensus on key reforms and on strengthening the focus on core deliverables to advance the EU integration agenda in practice.

8. In **Serbia**, the pace of reforms picked up after the formation of the new government in late October 2022, although political developments following the two tragic mass shootings in May 2023 generated a temporary slowdown. In the area of rule of law, Serbia made steps to strengthen the independence and accountability of the judiciary with the timely adoption of the legislation giving practical effect to the constitutional amendments of 2022. Serbia also prepared and adopted new media legislation whose implementation can significantly improve the regulatory environment. It improved its alignment with EU visa policy and repealed the Law on special public procurement procedures for linear infrastructure projects. Further work and long-lasting political commitment are needed to adopt and implement the necessary reforms in the area of rule of law. The legal framework that will allow gas sector unbundling was put in place, however delays are now significant. Serbia

has concluded a Free Trade Agreement with China, raising serious questions. Serbia needs to improve, as a matter of priority, its alignment with EU common foreign and security policy, including restrictive measures and statements on Russia, and must refrain from actions and statements that go against EU positions on foreign policy and other strategic matters. The Commission's assessment is that, in line with the negotiating framework, much more progress could have been achieved in the accession negotiations. Constant attention is needed to preserve the overall balance 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. Normalisation of relations is an essential condition on the European path of both Serbia and Kosovo and both risks losing important opportunities in the absence of progress.

The Commission's assessment remains that Serbia has technically fulfilled the benchmarks to open cluster 3 (Competitiveness and inclusive growth).

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. In the coming year, Serbia is expected to demonstrate unequivocally its determination to advance the accession process by accelerating its work on the implementation of EU-accession related reforms across the board. In the area of rule of law, Serbia is expected to address shortcomings, in particular in the key areas of the judiciary, fight against corruption and organised crime, media freedom, and the domestic handling of war crimes. It also needs to make credible efforts to shut down disinformation and foreign interference and information manipulation, decrease the dependence of its energy sector on Russia, enhance cooperation with the EU in the area of migration and take responsibility for proactive and objective communication on the EU. Serbia has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans.

Serbia has remained engaged in the EU-facilitated Dialogue on normalisation of relations with Kosovo, but it needs to demonstrate more serious commitment, invest more efforts and make compromises to take the process of normalisation of relations with Kosovo forward. Serbia needs to uphold its Dialogue commitments and commit to the full implementation of all past Dialogue agreements and the Agreement on the Path to Normalisation and its Implementation Annex. The country is expected to engage more constructively to enable negotiations on the comprehensive legally binding normalisation Agreement. Serbia is also expected to fully cooperate in investigations into the violent attack against Kosovo Police of 24 September 2023 and the attacks on KFOR on 29 May. The perpetrators of the attack need to be apprehended and swiftly brought to justice and Serbia must fully cooperate and take all the necessary steps in this regard.

9. In **North Macedonia**, the authorities have consistently stated that EU accession remains their strategic goal. As a negotiating country, North Macedonia needs to deliver on the implementation of EU related reforms, including in the areas of the fundamentals cluster notably the judiciary, the fight against corruption and organised crime, public administration reform, including management of public finances, and public procurement. Some changes to the criminal code, affecting a large number of high-level corruption cases, have raised serious concerns. Strengthening trust in the justice system and addressing corruption unabatedly, including through a solid track record in the investigation, prosecution and final conviction of high-level corruption cases is of key importance. The

country has continued to fully align with all EU common foreign and security policy decisions following Russia's war of aggression against Ukraine. North Macedonia has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans.

North Macedonia has 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 and who are part of other people. The country provides a good example of multi-ethnic society. Following the first Intergovernmental Conference on EU accession negotiations process with North Macedonia in July 2022, the analytical examination of the EU *acquis* (the screening) has progressed smoothly. North Macedonia has engaged actively and shown a high level of commitment during the screening process. The screening report on 'Cluster 1 – the Fundamentals' was presented to the Council in July 2023.

In light of the Council Conclusions of July 2022, the Commission is looking forward to swift and decisive follow-up to the screening report on 'Cluster 1- the Fundamentals', including as regards the country's roadmaps in line with the Negotiating Framework, with a view to opening the first Cluster by the end of this year.

10. In **Albania**, the authorities have consistently stated that the strategic goal of EU accession is the country's key priority. Albania has continued to make progress in reforms under the fundamentals cluster, including with the continued implementation of the comprehensive justice reform. Further concrete results were achieved by the Specialised Structure against Corruption and Organised Crime (SPAK). Good cooperation continued with EU Members States and EU agencies on the fight against organised crime. Albania has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans.

As non-permanent member, Albania has been actively engaged in the UN Security Council including as a co-penholder of resolutions condemning Russia's war of aggression against Ukraine. Full alignment with EU common and foreign security policy by Albania has been a strong signal of its strategic choice of EU accession and its role as a reliable partner.

Following the first Intergovernmental Conference on EU accession negotiations process with Albania in July 2022, the analytical examination of the EU *acquis* (the screening) has progressed smoothly. Albania has engaged actively and shown a high level of commitment during the screening process. The screening report on 'Cluster 1 – the Fundamentals' was presented to the Council in July 2023.

In light of the Council Conclusions of July 2022, the Commission is looking forward to swift and decisive follow-up to the screening report on 'Cluster 1- the Fundamentals', including as regards the country's roadmaps in line with the Negotiating Framework, with a view to opening the first Cluster by the end of this year.

11. The Commission welcomes the reforms efforts undertaken by **Bosnia and Herzegovina** since the meeting of the European Council of December 2022 granting candidate status to the country. The Commission also welcomes the swift entry into office of a new Council of Ministers in January 2023. The public commitment of political parties to the strategic goal of European integration has brought positive results.

Steps and commitments were made towards the fulfilment of the key priorities and to address the steps specified in the Commission recommendation for candidate status. The Council of Ministers adopted strategies to counter organised crime, made an updated risk assessment and an accompanying action plan on anti-money laundering and combating the financing of terrorism, adopted strategies and action plans on migration and on terrorism, and appointed a supervisory body for the implementation of the national war crimes processing strategy. Bosnia and Herzegovina has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans. The contact point with Europol started operations in June 2023. The country adopted laws, notably on integrity in the judiciary through amendments of the High Judicial and Prosecutorial Council; torture prevention (designating the Ombudsman as national preventive mechanism); foreigners; freedom of access to information and adopted the Gender Action Plan. Alignment with the EU common foreign and security policy has significantly improved during the reporting period, but more remains to be done regarding implementation of restrictive measures.

The public commitment of the coalition parties to the strategic goal of European integration has brought positive results, since the granting of candidate status. At the same time, there have been negative developments in the *Republika Srpska* entity. The entity called for constitutional judges to resign and adopted a law decreeing that Constitutional Court decisions would not be implemented, in breach of the constitutional and legal order of the country. The entity also reintroduced criminal penalties for defamation, restricting freedom of expression and media freedom. A draft law targeting civil society groups as ‘foreign agents’ is also pending adoption in the entity; if adopted, it would mark another major step backwards on fundamental rights. Secessionist actions undermining the unity, sovereignty, territorial integrity, constitutional order and international personality of the country undermine progress in EU accession.

A number of Constitutional Court decisions have yet to be fully enforced, notably on state property. Both entities’ assemblies should swiftly appoint judges to ensure the full composition of the Constitutional Court. The country needs to urgently finalise the pending constitutional and electoral reforms. Reforms are still needed to bring the Constitution into line with the European Convention on Human Rights, complying with the *Sejdić-Finci* case law.

Overall, further efforts are required for Bosnia and Herzegovina to fulfil the 14 key priorities set out in the Commission Opinion on its EU membership application and the steps specified in the Commission recommendation for candidate status. The state of play of the implementation of the fourteen key priorities is specified in the country report. The Commission recommends the opening of EU accession negotiations with Bosnia and Herzegovina, once the necessary degree of compliance with the membership criteria is achieved.

The Commission will report to the Council on progress at the latest in March 2024.

12. Following **Kosovo**’s application for EU membership in December 2022, its government continued to push ahead with its EU reform agenda. Kosovo made progress on addressing long-standing EU recommendations for electoral reform, which led to the adoption of two important election laws. Kosovo needs to intensify its efforts to strengthen the rule of law

and public administration and to build energy resilience. Kosovo has contributed to the management of the mixed migration flows towards the EU by cooperating to implement the EU Action Plan on the Western Balkans. Visa liberalisation for Kosovo citizens is scheduled to enter into force on 1 January 2024. The situation in the north of Kosovo has been affected by several crises of varying intensity. Kosovo Serbs collectively resigned from Kosovo institutions in November 2022. Following their withdrawal, local by-elections were organised in the four municipalities in the north of Kosovo in April 2023. The very low turnout, in particular among Kosovo Serb community, showed that these elections do not offer a long-term political solution. It remains imperative to restore a situation where Kosovo Serbs participate actively in local governance, policing and judiciary in the north of Kosovo. Early local elections need to be held as soon as possible in all four municipalities, organised in a fully inclusive manner, and with the unconditional participation of Kosovo Serbs. Kosovo has to engage in de-escalation in the north of Kosovo by decreasing the permanent presence of Kosovo special police forces, ease expropriation of land and eviction orders in the North.

Kosovo has remained engaged in the EU-facilitated Dialogue on normalisation of relations with Serbia, but it needs to demonstrate more serious commitment, invest more efforts and make compromises to take the process of normalisation of relations with Serbia forward. Kosovo needs to uphold its Dialogue commitments and commit to the full implementation of all past Dialogue agreements and the Agreement on the Path to Normalisation and its Implementation Annex. Kosovo is expected to engage more constructively to enable negotiations on the comprehensive legally binding normalisation Agreement. Normalisation of relations is an essential condition on the European path of both Serbia and Kosovo and both risks losing important opportunities in the absence of progress.

13. **Türkiye** is a candidate country and a key partner for the EU. Its accession negotiations remain at a standstill since June 2018 in line with the decisions of the European Council as Türkiye continued to move away from the EU. Dialogue on rule of law and fundamental rights remain an integral part of the EU-Türkiye relationship. The refusal to implement certain rulings of the European Court of Human Rights remains a matter of concern. Türkiye is a significant regional actor in the area of foreign policy, which constitutes an important element in the context of the EU-Türkiye relationship, even if differing views on certain foreign policy issues persist. It maintained a very low alignment rate of 10% with the EU common foreign and security policy. Türkiye condemned Russia's war of aggression against Ukraine, and engaged politically and diplomatically, including by facilitating direct talks, working on de-escalation and cease-fire, facilitating the export of Ukrainian grain, the exchange of prisoners and providing crucial and strong military assistance to Ukraine. Nevertheless, Türkiye continued to refrain from aligning with the EU's restrictive measures against Russia. Its rhetoric in support to the terrorist group Hamas following its attacks against Israel on 7 October 2023 is in complete disagreement with the EU approach.

The country 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. It is important that Türkiye reaffirms its commitment to the UN-led settlement talks on Cyprus in line with the relevant UNSC resolutions, including their external aspects.



It is also urgent that Türkiye fulfils its obligation to ensure full and non-discriminatory implementation of the Additional Protocol to the EU-Turkey Association Agreement.

Cooperation with Türkiye in areas of joint interest continued in essential areas such as counter-terrorism, economy, energy, food security, migration and transport. 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. The Commission and the High Representative will submit a report to the European Council in November 2023, in which they will set out further options to develop this relationship.

14. The Commission welcomes the significant reform efforts undertaken by **Ukraine** since the European Council of June 2022, despite Russia's war of aggression. The Commission considers that Ukraine has made important progress on the seven steps set out in its Opinion of June 2022 and has taken additional measures to complement and sustain these achievements.

Ukraine has established a transparent and merit-based pre-selection system for the judges of the Constitutional Court and has completed an integrity-focused reform of the judicial governance bodies. Ukraine should continue implementing the adopted laws to select and appoint judges in ordinary courts and at the Constitutional Court. Ukraine has strengthened the fight against corruption by continuously building a credible track-record of corruption investigations and convictions and ensuring transparent appointments of the heads of the key anti-corruption agencies. It has taken additional systemic measures to ensure sustainability of its anti-corruption efforts, including by restoring the electronic asset declaration system, albeit with certain shortcomings, and implementing the state anti-corruption programme.

Ukraine has strengthened its anti-money laundering framework, including the alignment of its legislation, notably the definition of politically exposed persons, with the FATF standards, and has adopted a comprehensive strategic plan and action plan for the reform of the law enforcement sector. Ukraine has also stepped-up systemic measures against oligarchs in such areas as competition and political party funding while postponing the application of the anti-oligarch law. Ukraine has aligned its media law with EU law. It has continued to strengthen the protection of national minorities, in particular through amending the laws on minorities and on education, while further reforms as indicated by the Venice Commission are still to be implemented. These reform processes have to be inclusive by fully involving the representatives of the national minorities throughout all the necessary steps.

While the introduction of martial law has led to the derogation of certain fundamental rights, the measures taken are temporary and overall proportionate to the situation in the country.

In light of the results achieved since June 2022 under the political criteria, within the framework of the seven steps and beyond, the Commission considers that Ukraine sufficiently fulfils the criteria related to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, set by the Copenhagen European Council in 1993, provided it continues its reform efforts and addresses the remaining requirements under the seven steps. On this basis, the Commission recommends that the Council opens accession negotiations with Ukraine. Furthermore, the

Commission recommends that the Council adopts the negotiating framework once Ukraine has:

- enacted a law proposed by the government increasing the staffing cap for the National Anti-Corruption Bureau of Ukraine;
- removed from the law on corruption prevention the provisions restricting the NACP's powers to continued verification of assets that have already undergone the verification process and limiting NACP's powers to verify property acquired by declarants before joining the public service, without prejudice to the rules applying to national security during wartime;
- enacted a law regulating lobbying in line with European standards, as part of the anti-oligarch action plan;
- enacted a law addressing the remaining Venice Commission recommendations from June 2023 and October 2023 linked to the Law on national minorities, also addressing the Venice Commission recommendations linked to the laws on State language, media and education.

Ukraine has to continue to fight against corruption by building a further track record of corruption investigations and convictions.

The Commission will continuously monitor the progress and compliance in all areas related to the opening of negotiations and report to the Council by March 2024. The Commission stands ready to start preparatory work, in particular the analytical examination of the *acquis* (screening) and the preparation of the negotiating framework.

15. The Commission welcomes the significant reform efforts undertaken by **Moldova** since the European Council of June 2022, despite the severe impact in Moldova of Russia's war of aggression against Ukraine. The Commission considers that Moldova has made important progress on the nine steps set out in its Opinion of June 2022 and has taken additional measures to complement and sustain these achievements.

Moldova has put in place an ambitious vetting process for judiciary and prosecution bodies which is the foundation of its comprehensive justice reform. It has reformed its Supreme Court of Justice and ensured functioning of the Supreme Council of Magistrates with vetted members. The institutional and legislative anti-corruption framework have been reformed. The country adopted new legislation on asset recovery, fighting financial crime and money laundering. Investigation against oligarchs were progressing well, with court convictions in absentia allowed to bring to justice oligarchs involved in the fraud case - with substantial asset seizures - which drained Moldova's public resources.

The number of investigated cases related to corruption and organised crime has increased. The number of instances of seized assets of politically exposed persons has also increased. Moldova has put in place a systemic approach to de-oligarchisation with an ambitious action plan. The new electoral, criminal, media and competition legislation strengthens the country's capacity to fight undue vested interests. Moldova has actively increased international cooperation with EU Member States and EU agencies through the EU Support Hub for Internal Security and Border Management.

The country adopted strategies for the reform of its public administration, strengthened public financial management and set interinstitutional processes indispensable for handling

the reforms. In spite of challenging economic conditions, it increased salaries to retain and attract public service workers. Moldova regulated its public investment framework, further digitalised its public services and progressed in the voluntary amalgamation of local governments.

Moldova has been addressing ODIHR and Venice Commission recommendations and involving civil society in decision-making processes including through a platform for dialogue and civic participation in the Parliament. It has also strengthened the protection of human rights including by fully transposing the Istanbul convention into national legislation.

In the light of the results achieved since June 2022 under the political criteria, within the framework of the nine steps and beyond, the Commission considers that Moldova sufficiently fulfils the criteria related to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, set by the Copenhagen European Council in 1993, provided it continues its reform efforts and addresses the remaining requirements under the nine steps. On this basis, the Commission recommends that the Council opens accession negotiations with Moldova. Furthermore, the Commission recommends that the Council adopts the negotiating framework once Moldova has:

- continued making significant progress in appointing vetted Supreme Court Justices members of judicial and prosecutorial self-governance bodies, and in nominating a new Prosecutor General in a merit-based and transparent process;
- assigned adequate resources and structures to the Anticorruption Prosecutor's office of Moldova;
- undertaken further steps on deoligarchisation, including through relevant regulations such as on cash payments and on financial flows.

Moldova has to continue to fight against corruption by building a further track record of corruption investigations and convictions.

The Commission will continuously monitor the progress and compliance in all areas related to the opening of negotiations and report to the Council by March 2024. The Commission stands ready to start preparatory work, in particular the analytical examination of the *acquis* (screening) and the preparation of the negotiating framework.

16. The Commission welcomes the reform efforts undertaken by **Georgia** in line with the country's constitution which envisages its integration into the EU as a priority for the country. An overwhelming majority of Georgian citizens supports the country's EU accession process. Political depolarisation and more positive engagement by the ruling party with opposition parties and civil society are needed to build consensus on matters of national interest.

Georgia needs to step up its actions to counter disinformation and foreign information manipulation and interference against the EU's values and to improve its alignment rate with the EU common foreign and security policy.

In relation to the twelve priorities specified in the European Commission Opinion of June 2022, Georgia has adopted legislative acts and policy actions on gender equality and on fighting violence against women, on taking into account European Court of Human Rights

judgments in Court deliberations and on organised crime. It has appointed a new Public Defender.

Certain procedural steps have been taken in Parliament to increase scrutiny by the opposition. Building a strong cross-party political consensus would contribute to addressing polarisation and accelerate Georgia's European path. Amendments to legislation and to parliamentary rules of procedure were adopted, in relation to the functioning and accountability of state institutions and the electoral framework. Judicial reform has included steps on accessibility to court decisions, reasoning for judicial appointments, disciplinary measures for judges and the selection of Supreme Court nominees but a holistic reform of the High Council of Justice is still needed. Georgia has shared this legislation and several other core legal acts on the Election Code, Anti-Corruption Bureau, Special Investigation Services, Personal Data Protection Service as well as its action plan for de-oligarchisation with the Venice Commission for opinion. In addition, it is important to establish a system of extraordinary integrity checks, with the involvement of international experts, for all leading positions in the judiciary, and to establish a system of effective assets declarations.

An action plan for de-oligarchisation, following a systemic approach, was adopted and the "personalised" approach withdrawn. An Anti-corruption Bureau was set up. Georgia increased international cooperation in the fight against organised crime. On media pluralism, an opposition media director was released from prison following a Presidential pardon, and Parliament adopted amendments to the Law on Broadcasting to align with EU legislation. A strategy on the protection of human rights was adopted and an action plan elaborated. A memorandum of cooperation between Parliament and some civil society representatives was concluded to frame CSO involvement in policy-making processes.

In the light of the results achieved since June 2022, within the framework of the twelve priorities and beyond, the Commission recommends that the Council grants Georgia the status of a candidate country on the understanding that the following steps are taken:

- Fight disinformation and foreign information manipulation and interference against the EU and its values.
- Improve Georgia's alignment with the EU common foreign and security policy.
- Further address the issue of political polarisation, including through more inclusive legislative work with opposition parties in Parliament, notably on legislation related to Georgia's European integration.
- Ensure a free, fair and competitive electoral process, notably in 2024, and fully address OSCE/ODIHR recommendations. Finalise electoral reforms, including ensuring adequate representation of the electorate, well in advance of election day.
- Further improve the implementation of parliamentary oversight notably of the security services. Ensure institutional independence and impartiality of key institutions, notably the Election Administration, the National Bank, and the Communications Commission.
- Complete and implement a holistic and effective judicial reform, including a comprehensive reform of the High Council of Justice and the Prosecutor's Office, fully implementing Venice Commission recommendations and following a transparent and inclusive process.

- Further address the effectiveness and ensure the institutional independence and impartiality of the Anti-Corruption Bureau, the Special Investigative Service and the Personal Data Protection Service. Address Venice Commission recommendations related to these bodies, in an inclusive process. Establish a strong track record in investigating -corruption and organised crime cases.
- Improve the current action plan to implement a multi-sectorial, systemic approach to deoligarchisation, in line with Venice Commission recommendations and following a transparent and inclusive process involving opposition parties and civil society.
- Improve the protection of human rights including by implementing an ambitious human rights strategy and ensuring freedom of assembly and expression. Launch impartial, effective and timely investigations in cases of threats against safety of vulnerable groups, media professionals and civil society activists, and bring organisers and perpetrators of violence to justice. Consult and engage with civil society, allowing for their meaningful involvement in legislative and policymaking processes and ensure they can operate freely.

## **VIII. ANNEXES**

- 1. The fundamentals of the accession process.**
- 2. Key achievements of the Economic and Investment Plan for the Western Balkans.**
- 3. Key achievements of the Economic and Investment Plan – overview for Ukraine, Moldova, and Georgia.**
- 4. Third-party indicators related to the status of democracy, good governance and the rule of law in candidate countries and potential candidates.**
- 5. Statistical data.**