



# MASTER THESIS | MASTER'S THESIS

Titel | Title

Harmonizing Legal Landscapes: A Comparative Analysis of  
Southeastern European Countries in the EU Accession Process

verfasst von | submitted by

Bora Dika

angestrebter akademischer Grad | in partial fulfilment of the requirements for the degree of  
Master of Laws (LL.M.)

Wien | Vienna, 2024

Studienkennzahl lt. Studienblatt | Degree  
programme code as it appears on the  
student record sheet:

UA 999 082

Universitätslehrgang lt. Studienblatt |  
Postgraduate programme as it appears on  
the student record sheet:

Europäisches und Internationales Wirtschaftsrecht  
(LL.M.) [online Englisch]

Betreut von | Supervisor:

Univ.-Prof. i.R. Dr. Dr. h.c. Peter Fischer

## Abstract

Diese Dissertation mit dem Titel „Harmonisierung der Rechtslandschaften: Eine vergleichende Analyse südosteuropäischer Länder im EU-Beitrittsprozess“ untersucht den komplexen Weg südosteuropäischer Länder – insbesondere Albanien, Bosnien und Herzegowina, Montenegro, Nord Mazedonien und Serbien – zur Mitgliedschaft in der Europäischen Union (EU). Im Zuge des Kalten Krieges und des Zerfalls Jugoslawiens haben diese Länder bedeutende politische, wirtschaftliche und soziale Veränderungen erlebt. Der EU-Beitritt hat sich als entscheidendes Ziel herausgestellt und umfassende Reformen in den Bereichen Regierungsführung, Justiz und Menschenrechte vorangetrieben.

Die Dissertation bietet eine detaillierte vergleichende Analyse der Rechtslandschaften dieser Länder und untersucht ihre Bemühungen, die nationalen Gesetze an die EU-Standards anzupassen. Sie befasst sich mit kritischen Bereichen wie der Unabhängigkeit der Justiz, Maßnahmen zur Korruptionsbekämpfung, dem Schutz der Menschenrechte und Verwaltungsreformen. Die Forschung hebt sowohl die gemeinsamen Herausforderungen als auch die einzigartigen Hindernisse hervor, mit denen jedes Land im Harmonisierungsprozess konfrontiert ist.

Die Dissertation schließt mit Empfehlungen, die auf die spezifischen Bedürfnisse jedes Landes zugeschnitten sind und auf Erfahrungen anderer EU-Mitgliedsstaaten basieren, die ähnliche Herausforderungen erfolgreich gemeistert haben. Durch die Umsetzung dieser Strategien können die südosteuropäischen Länder ihre Rechtssysteme besser an die EU-Standards anpassen, Stabilität, Transparenz und demokratische Regierungsführung fördern und so letztlich ihren Weg zur Vollmitgliedschaft in der EU erleichtern.

## List of abbreviations

APC	Agency for the Prevention of Corruption
AHC	Albanian Helsinki Commission
AJU	Albanian Journalists Union
BiH	Bosnia and Herzegovina
CEN	European Committee for Standardization
ECJ	European Court of Justice
EURES	European network of employment services
ESA 2010	European System of National and Regional Accounts
EU	European Union
GDP	Gross Domestic Product
HJPC	High Judicial and Prosecutorial Council
IRMCT	International Residual Mechanism for Criminal Tribunals
ODIHR	Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Co-operation in Europe
PPO	Public Prosecutor's Office
REACH	Registration, Evaluation and Authorisation of Chemicals
RS	Republika Srpska
SNS	Serbian Progressive Party
SPAK	Special Prosecution Against Corruption and Organized Crime
SPO	Special Prosecution Office
SSPO	Special State Prosecutor's Office
SCPC	State Commission for Prevention of Corruption
SEC	State Election Commission
TEFU	Treaty on the Functioning of the European Union
UNHCR	United Nations High Commissioner for Refugees

## Table of content

Abstract.....	1
List of abbreviations.....	2
Table of content.....	3
<b>1. Introduction.....</b>	<b>5</b>
1.1 Historical context.....	5
1.2 Defining the EU accession process.....	5
1.3 Defining the harmonization process.....	7
<b>2. Analysis of the current legal landscapes.....</b>	<b>10</b>
2.1 Albania.....	10
2.1.1 <i>Constitutional Frameworks</i> .....	11
2.1.2 <i>Civil Liberties</i> .....	12
2.1.3 <i>Judicial Systems</i> .....	15
2.1.4 <i>Economic Regulations</i> .....	17
2.1.5 <i>Key takeaways</i> .....	18
2.2 Bosnia and Herzegovina.....	19
2.2.1 <i>Governance Structures</i> .....	19
2.2.2 <i>Court Systems</i> .....	20
2.2.3 <i>Fundamental Rights</i> .....	22
2.2.4 <i>Governmental Regulations</i> .....	25
2.2.5 <i>Key takeaways</i> .....	26
2.3 Montenegro.....	27
2.3.1 <i>Fundamental Legal Principles</i> .....	27
2.3.2 <i>Judicial Institutions</i> .....	28
2.3.3 <i>Human Rights Protection</i> .....	30
2.3.4 <i>Anti-Corruption Measures</i> .....	31
2.3.5 <i>Key takeaways</i> .....	33
2.4 North Macedonia.....	34
2.4.1 <i>Constitutional Governance</i> .....	34
2.4.2 <i>Legal Adjudication Bodies</i> .....	36
2.4.3 <i>Civil and Political Rights</i> .....	37
2.4.4 <i>Corruption Prevention Policies</i> .....	39
2.4.5 <i>Key takeaways</i> .....	40
2.5 Serbia.....	41
2.5.1 <i>National Constitutional Systems</i> .....	41
2.5.2 <i>Judicial Governance</i> .....	42
2.5.3 <i>Rights and Freedoms</i> .....	44
2.5.4 <i>Strategies Against Corruption</i> .....	45
2.5.5 <i>Key takeaways</i> .....	47
2.6 Similarities and differences.....	47

<b>3. Analysing the impact of harmonization on the national legal systems.....</b>	<b>48</b>
3.1 Albania.....	48
3.2 Bosnia and Herzegovina.....	51
3.3 Montenegro.....	55
3.4 North Macedonia.....	58
3.5 Serbia.....	61
3.6 Similarities and differences.....	64
<b>4. Recommendations to Southeastern European countries.....</b>	<b>66</b>
4.1 Strengthening Rule of Law and Judicial Independence.....	66
4.2 Combatting Corruption and Organized Crime.....	68
4.3 Promoting Media Freedom and Freedom of Expression.....	70
4.4 Improving Ethnic Relations and Inter-Community Dialogue.....	71
4.5 Advancing Economic Reforms and Sustainable Development.....	71
4.6 Accelerating Legal Harmonization with EU Standards.....	72
4.7 Enhancing Public Awareness and Civil Society Engagement.....	73
4.8 Maintaining Political Commitment and Accountability.....	74
4.9 Establishment of Legal Harmonization Task Forces.....	75
4.10 Utilisation of Technology and Legal Tech Solutions.....	76
4.11 Peer-to-Peer Learning and Exchange Programs.....	77
4.12 Engagement of Civil Society and Citizen Participation.....	78
4.13 Innovative Financing Mechanisms for Legal Reforms.....	79
4.14 Promotion of Legal Education and Training Programs.....	80
4.14 Establishment of Legal Harmonization Impact Assessment Mechanisms.....	81
4.15 Promotion of Regional Cooperation and Networks.....	82
<b>5. Conclusion.....</b>	<b>82</b>
Bibliography.....	85

# 1. Introduction

## 1.1 Historical context

In the wake of the collapse of the Iron Curtain and the disintegration of the former Yugoslavia in the early 1990s, the prospect of European integration emerged as a beacon of stability and prosperity for the countries of Southeastern Europe. Their turbulent history marked by political upheavals, ethnic conflicts, and economic challenges, has shaped the region's contemporary landscape. Southeastern Europe, comprising countries such as Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia, has witnessed significant political and socioeconomic transformations since the end of the Cold War. The fall of communist regimes catalysed a transition towards democratisation and market economies.<sup>1</sup>

Emerging from decades of authoritarian rule, armed conflicts, and economic turmoil, for many nations in the region, accession to the European Union has been perceived as not only a strategic foreign policy goal, but also a transformative process with profound implications for political, economic, and social development.<sup>2</sup> The prospect of EU accession has emerged as a key driver of political and economic reforms, offering the promise of stability, prosperity, cooperation, development and integration into the broader European community. These countries embarked on a path of democratisation, institution-building, and market-oriented reforms.<sup>3</sup>

## 1.2 Defining the EU accession process

From a legal perspective, the EU accession process entails the alignment of national legal systems with EU laws, commonly referred to as the *acquis communautaire*.<sup>4</sup> This involves adopting, adapting, and implementing EU directives, regulations, and decisions into domestic legislation. Legal harmonization requires comprehensive reforms across various legal

---

<sup>1</sup> Sabrina P. Ramet, *The Three Yugoslavias: State-Building and Legitimation, 1918–2005* (Indiana University Press 2006) 417.

<sup>2</sup> Joseph Weiler, *The Constitution of Europe: 'Do the New Clothes Have an Emperor?' and Other Essays on European Integration* (CUP 1999).

<sup>3</sup> Ivan Krastev, *After Europe* (UPenn Press 2017) 34.

<sup>4</sup> European Foundation for the Improvement of Living and Working Conditions, '*Acquis Communautaire*' (Eurofound),

<<https://www.eurofound.europa.eu/en/european-industrial-relations-dictionary/acquis-communautaire>>  
Accessed 26 July 2024.

domains, including constitutional law, administrative law, criminal law, civil law, and commercial law. It also necessitates the establishment of effective judicial systems, administrative structures, and regulatory frameworks to ensure the enforcement and application of EU law at the national level.<sup>5</sup>

The prospect of EU accession has not only shaped domestic policy agendas but has also influenced regional dynamics, promoting reconciliation and cooperation among former adversaries. By aligning their legal frameworks with EU standards and norms, these nations aim to enhance governance, strengthen the rule of law, and promote respect for human rights. This thesis examines the progress and challenges faced by Southeastern European countries in harmonizing their legal systems with EU requirements, offering a comparative analysis of their unique paths towards European integration, and recommendations based on good practices from current EU member states.

The process of seeking accession to the European Union for a candidate or potential candidate country typically follows a structured and multi-stage approach.<sup>6</sup> The first phase starts with the application. The process begins with a country formally expressing its intention to join the EU by submitting an application for membership to the European Council. Then the European Commission assesses the candidate country's readiness and eligibility for membership based on established criteria, including political, economic, and legal factors outlined in the Copenhagen criteria, regarding stability of institutions guaranteeing democracy.<sup>7</sup> If the Commission determines that the country meets the criteria, it recommends granting candidate status to the country. The European Council then decides whether to accept the recommendation and grant candidate status.

Upon receiving candidate status, the country enters into accession negotiations with the EU.<sup>8</sup> The negotiations aim to align the candidate country's legal framework and policies with EU standards and regulations. The negotiations are structured around chapters covering various policy areas, such as the internal market, judiciary, environment, and competition. The

---

<sup>5</sup> Paul Craig and Gráinne de Búrca, *EU Law: Text, Cases, and Materials* (6th edn, OUP 2015) 123.

<sup>6</sup> European Council, 'EU Enlargement Policy' <<https://www.consilium.europa.eu/en/policies/enlargement/>> Accessed 26 July 2024.

<sup>7</sup> European Commission, 'Copenhagen Criteria', <[https://european-union.europa.eu/principles-countries-history/eu-enlargement\\_en](https://european-union.europa.eu/principles-countries-history/eu-enlargement_en)> Accessed 26 July 2024.

<sup>8</sup> European Commission, 'Accession Negotiations', <[https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-negotiations\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-negotiations_en)> Accessed 26 July 2024.

candidate country must demonstrate progress in meeting the requirements of each chapter before negotiations can be concluded. Prior to the opening of negotiations on each chapter, bilateral screening meetings take place between the candidate country and the EU, in order to successfully assess the country's readiness and identify areas requiring further attention. Once negotiations on all chapters are effectively concluded, the candidate country and the EU member states finalize the terms of accession in a comprehensive accession treaty. The accession treaty must be ratified by the candidate country's national parliament and by the EU member states, according to their respective constitutional procedures. After the accession treaty enters into force, there is usually a transition period during which the candidate country implements the necessary reforms and prepares for full integration into the EU.<sup>9</sup> The EU monitors the candidate country's progress in implementing the accession treaty provisions and meeting its commitments. Regular assessments and progress reports are prepared by the European Commission.

Finally, in case of accession, once the candidate country has fulfilled all the conditions and obligations set out in the accession treaty, it formally becomes a member of the European Union. As an EU member state, the country enjoys the rights and benefits of EU membership, such as participation in decision-making processes and access to EU funds.<sup>10</sup> At the same time, it also assumes the obligations of membership, including adherence to EU laws and regulations, contributions to the EU budget, and participation in common policies and programs. Throughout the accession process, cooperation and dialogue between the candidate country and the EU institutions are essential to ensure progress, address challenges, and facilitate a smooth transition to EU membership.

### 1.3 Defining the harmonization process

At the core of the EU accession process lies the principle of legal harmonization, which entails the alignment of national legislation, institutions, and practices with EU norms, standards, and values. Legal harmonization is not merely a technical exercise but a transformative endeavor that requires comprehensive reforms across a wide range of policy

---

<sup>9</sup> European Commission, 'Transition Period and Monitoring', <[https://commission.europa.eu/law/application-eu-law/implementing-eu-law/infringement-procedure/2022-annual-report-monitoring-application-eu-law\\_en](https://commission.europa.eu/law/application-eu-law/implementing-eu-law/infringement-procedure/2022-annual-report-monitoring-application-eu-law_en)> Accessed 26 July 2024.

<sup>10</sup> European Commission, 'Membership Negotiations', <[https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining_en)> Accessed 26 July 2024.



areas, including constitutional law, human rights, governance, judiciary, market regulations, and environmental protection.<sup>11</sup> It involves the adoption, adaptation, and implementation of EU laws and regulations, as well as the establishment of effective mechanisms for enforcement, oversight, and compliance.

Legal harmonization is a multifaceted process that encompasses legislative, institutional, and procedural reforms aimed at bringing national legal systems into conformity with EU norms and standards. This process involves several key steps. Firstly, the legislative alignment. Countries seeking EU accession must align their national laws with EU directives, regulations, and decisions. This often requires enacting new legislation, amending existing laws, and repealing outdated or incompatible provisions.<sup>12</sup> Then comes the institutional capacity building, where legal harmonization necessitates the strengthening of institutional capacities, including the judiciary, law enforcement agencies, regulatory bodies, and administrative authorities. This involves enhancing the independence, efficiency, and effectiveness of legal institutions to ensure the proper implementation and enforcement of EU law.<sup>13</sup> Thirdly, the administrative reforms. Countries undergoing legal harmonization must undertake administrative reforms to streamline administrative procedures, improve regulatory compliance, and enhance transparency and accountability in governance. This may involve modernizing administrative structures, adopting best practices in public administration, and promoting e-governance initiatives.<sup>14</sup> Lastly, there is the judicial reform, which can be defined as a robust and independent judiciary, ultimately essential for the effective implementation of EU law and the protection of fundamental rights and freedoms. Legal harmonization requires judicial reforms to strengthen the rule of law, enhance access to justice, and ensure the impartiality and integrity of the judiciary. This may include measures to improve judicial efficiency, reduce case backlogs, and combat corruption within the judicial system.<sup>15</sup>

---

<sup>11</sup> Venice Commission, '*Harmonisation of National Legislation with the Acquis Communautaire*' (1 July 2010), CDL-UDT(2010)017.

<sup>12</sup> European Commission, 'New legislative framework', <[https://single-market-economy.ec.europa.eu/single-market/goods/new-legislative-framework\\_en](https://single-market-economy.ec.europa.eu/single-market/goods/new-legislative-framework_en)> Accessed 26 July 2024.

<sup>13</sup> European Commission, 'Membership Negotiations', <[https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining_en)> Accessed 26 July 2024.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

The experience of current EU member states provides valuable insights into the dynamics and challenges of the legal harmonization process. Countries in Central and Eastern Europe underwent profound transformations in their legal systems as part of their accession to the EU in the early 2000s. The accession process catalyzed far-reaching reforms, including the establishment of independent judiciaries, the adoption of market-oriented economic policies, and the reinforcement of democratic institutions. While the accession process has yielded significant benefits in terms of political stability, economic growth, and social cohesion, it has also posed formidable challenges, including the need to balance national sovereignty with EU integration, address disparities in socioeconomic development, and confront issues of corruption and governance.<sup>16</sup>

The experience of current EU member states provides valuable insights into the legal harmonization process and its impact on national legal systems. Countries in Central and Eastern Europe, such as Poland, Hungary, and the Czech Republic, underwent extensive legal reforms as part of their accession to the EU in the early 2000s. These reforms encompassed a wide range of legal domains, including constitutional law, human rights, administrative law, and commercial law.

From a legal perspective, the accession process involved certain characteristics. Candidate countries were required to align their national legislation with EU directives, regulations, and decisions, often resulting in comprehensive legislative reforms across multiple sectors. Judicial and administrative reforms were undertaken to enhance the capacity, independence, and effectiveness of legal institutions, including the judiciary, law enforcement agencies, and regulatory bodies. Accession to the EU necessitated a commitment to democratic values, the rule of law, and respect for human rights, requiring countries to adopt constitutional amendments and legal safeguards to protect fundamental freedoms and ensure the separation of powers. Legal harmonization also played a crucial role in promoting economic convergence and market integration, facilitating trade, investment, and economic growth within the EU's single market.<sup>17</sup>

---

<sup>16</sup> European Parliamentary Research Service, 'Enlargement policy: Reforms and challenges ahead' (2023).

<sup>17</sup> European Commission, 'Accession to the EU', [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-eu\\_en#:~:text=Accession%20of%20new%20member%20states,and%20undertake%20to%20promote%20them.>](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-eu_en#:~:text=Accession%20of%20new%20member%20states,and%20undertake%20to%20promote%20them.>) Accessed 26 July 2024.

Overall, the experience of current member states highlights the transformative impact of legal harmonization on national legal systems, institutions, and societies. While the accession process has yielded significant benefits in terms of political stability, economic development, and social cohesion, it has also posed formidable challenges, including the need to balance national sovereignty with EU integration, address disparities in socioeconomic development, and confront issues of corruption and governance.<sup>18</sup>

In conclusion, the EU accession process represents a transformative journey for the countries of Southeastern Europe, characterized by the imperative of legal harmonization. By aligning their legal systems with EU norms and standards, these countries seek to deepen their integration with the European Union, enhance their competitiveness and resilience, and consolidate their democratic institutions and rule of law. Drawing on the experiences of current member states, as well as the lessons learned from previous enlargement rounds, Southeastern European countries are navigating a complex and challenging path towards European integration, with legal harmonization serving as a cornerstone of their accession aspirations.<sup>19</sup>

## **2. Analysis of the current legal landscapes**

### **2.1 Albania**

The historical and cultural contexts of each Southeastern European country have deeply influenced their approaches to legal harmonization with EU standards. For instance, Albania's transition from a rigid communist regime to a democratic system has required extensive legal reforms to meet EU criteria. In terms of progress in the accession procedure, it obtained candidate status in June 2014, and it is currently in the process of the negotiation phase.<sup>20</sup> Albania has been engaged in accession negotiations with the EU since March 2020. The negotiation process involves discussions on various chapters of the *acquis communautaire*. There is extensive work to be done in different areas of political, public administration,

---

<sup>18</sup> Venice Commission, 'Harmonisation of National Legislation with the Acquis Communautaire' (1 July 2010), CDL-UDT(2010)017.

<sup>19</sup> European Parliamentary Research Service, 'Enlargement policy: Reforms and challenges ahead' (2023).

<sup>20</sup> European Council, 'Policies, EU Enlargement Policy, Albania', <<https://www.consilium.europa.eu/en/policies/enlargement/albania/>> Accessed 26 July 2024.

judiciary, organized crime, etc.<sup>21</sup> Through this analysis, it will become clear what are the most prominent indicators that are blocking accession progress.

### *2.1.1 Constitutional Frameworks*

Albania has undertaken significant reforms to align its constitution with EU standards. Amendments have been made to strengthen the protection of fundamental rights and freedoms, such as the introduction of comprehensive anti-discrimination laws and the establishment of the Office of the Commissioner for Protection from Discrimination, which actively addresses cases of discrimination and promotes equality. These reforms aim to enhance the rule of law by improving judicial independence and accountability, exemplified by the establishment of the High Judicial Council and the High Prosecutorial Council to oversee judicial appointments and discipline. Furthermore, democratic principles have been reinforced through measures like electoral reforms, including the introduction of electronic voting systems to ensure free and fair elections.<sup>22</sup>

These amendments reflect Albania's commitment to meeting EU accession criteria, including the Copenhagen criteria, which require candidate countries to have stable institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities. Despite tangible progress, challenges remain in ensuring the full alignment of Albania's constitutional framework with EU standards, as seen in cases of alleged political interference in high-profile corruption trials. Political interference in the judicial process continues to be an issue, with reports of government influence over judicial appointments and decision-making. Concerns persist regarding the independence of the judiciary, political interference in the judicial process, and the effectiveness of constitutional oversight mechanisms. Addressing these challenges is crucial for consolidating the rule of law and advancing Albania's EU accession aspirations.<sup>23</sup>

---

<sup>21</sup> European Commission, Communication on EU Enlargement policy, 'Albania 2023 Report', SWD(2023) 690 final (8 November 2023).

<sup>22</sup> Venice Commission, 'Harmonisation of National Legislation with the *Acquis Communautaire*' (1 July 2010), CDL-UDT(2010)017.

<sup>23</sup> The Austrian Society for European Politics, 'Lessons learned from the justice reform in Albania', <<https://www.oegfe.at/policy-briefs/lessons-learned-from-the-justice-reform-in-albania/?lang=en>> Accessed 26 July 2024.

This can be illustrated through the case of the Albanian former President, Mr. Ilir Meta, which underscores concerns about judicial independence and the rule of law.<sup>24</sup> In this instance, President Ilir Meta contested the constitutionality of a law enacted by the Albanian Parliament. The case, heard by the Constitutional Court of Albania, brought to the forefront significant issues surrounding judicial independence and the rule of law in the country. President Meta argued that the law contravened constitutional provisions designed to protect the separation of powers and maintain judicial independence. These principles are essential to the operation of a democratic society, ensuring checks and balances within the government.

The Constitutional Court's decision in this case had extensive implications beyond the immediate legal issues. It highlighted the necessity of adhering to constitutional principles to preserve the integrity and functionality of Albania's legal system. By addressing President Meta's objections and reinforcing the rule of law, the Court emphasized the crucial role of an independent judiciary in maintaining democratic governance and safeguarding citizens' rights. Additionally, the case illustrated the Constitutional Court's role as the protector of the constitution and the rule of law in Albania. Its ruling showcased the Court's dedication to upholding constitutional standards and ensuring government compliance with legal frameworks.<sup>25</sup> Overall, the case marked a pivotal moment in Albania's legal and political spheres, underlining the significance of judicial independence and the rule of law in defending democracy and protecting individual rights.

### *2.1.2 Civil Liberties*

Albania has enacted legislation aimed at protecting human rights and promoting equality and non-discrimination, in line with EU standards. These include laws prohibiting discrimination based on characteristics such as race, ethnicity, religion, gender, disability, and sexual orientation. Albania has also ratified international human rights treaties and conventions, demonstrating its commitment to upholding universal human rights principles. Despite legislative efforts, challenges persist in the effective implementation and enforcement of

---

<sup>24</sup> EuroNews, '*Ilir Meta: Constitutional court overturns impeachment of Albania's president*', <<https://www.euronews.com/2022/02/17/ilir-meta-constitutional-court-overturns-impeachment-of-albania-s-president>> Accessed 26 July 2024.

<sup>25</sup> Ibid.

human rights laws in Albania.<sup>26</sup> Concerns have been raised regarding discrimination against vulnerable groups, including Roma communities and persons with disabilities. Additionally, shortcomings in access to justice and legal remedies remain, highlighting the need for further reforms to ensure full compliance with EU human rights standards.<sup>27</sup>

The constitution and law provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Abuses or irregularities in recent elections can be tracked during the most recent elections in May 14 2023 local elections. The Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) Election Observation Mission report<sup>28</sup> issued September 29 2023, stated the elections were generally well administered, competitive, and peaceful. The report also noted misuse of administrative resources at the central and local level, claims of pressure on public-sector workers and voters, and allegations of vote buying. What remained problematic in the country, also assessed in the report, is that media coverage of the campaign strongly favoured the main parties, removing the liberty of a fair competition between the candidates. Therefore the frequent use by the media of party-produced content in news programs undermined comprehensive and objective campaign coverage. The ODIHR's Election Observation Mission final report on the May 2023 elections observed cases of misuse of state resources at central and local levels, claims of pressure on public-sector workers and voters, and allegations of vote buying. The Albanian Helsinki Committee (AHC) stated it observed intimidation of voters, political parties tracking voters' activities, and media failing to cover small parties. It is worth mentioning the exclusion of participation of women and members of marginalised or vulnerable groups in some areas. This comes due to the external pressure and the practice of "family voting" created an unfavourable environment for women, young voters, and moderate segments of society, which contribute to not guaranteeing a democratic society.<sup>29</sup>

---

<sup>26</sup> European Parliament, 'Albania: No closer to joining the EU', <[https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690655/EPRS\\_ATA\(2021\)690655\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690655/EPRS_ATA(2021)690655_EN.pdf)> Accessed 26 July 2024.

<sup>27</sup> European Union Annual Report On Human Rights And Democracy In The World, 'Republic of Albania' (2023 Country Reports) EEAS 7.

<sup>28</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Albania', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/albania/>> Accessed 26 July 2024.

<sup>29</sup> ODIHR Election Observation Mission Final Report, 'Republic of Albania, Local Elections' (14 May 2023).

Further analysing the use of media, there has been censorship and content restrictions assessed in the 2023 Country Reports on Human Rights Practices in Albania, including press, other media and online outlets. Journalists frequently engaged in self-censorship to avoid harassment, violence, or to secure their jobs. According to the AHC's National Barometer of Freedom of the Media for 2021, 45.5 percent of surveyed journalists admitted they were instructed not to publish certain news stories, and 45 percent acknowledged practising self-censorship. Several groups have alleged that changes in ownership of private broadcasters over the past two years have resulted in more government-favourable coverage. For example, local broadcaster “ABC News” underwent a change in private ownership, leading to the termination of programs run by government-critical journalists, who subsequently left the station. After new senior management took over at the national public broadcaster, “Radio Televizioni Shqiptar”, there were several media reports of unjustified dismissals. The Albanian Journalists Union (AJU) called on the new leadership to uphold the rights of journalists and employees at the broadcaster. At the private media outlet “Syri.net”, senior management reportedly monitored journalists' and editors' communications electronically to ensure compliance with the owners' political preferences. The criminal code includes provisions for libel, slander, and insult against private individuals or court officials.<sup>30</sup> These laws allow private parties to file criminal charges and seek financial compensation for insults or the deliberate publication of defamatory information. National governmental organizations have criticised these laws, stating that the fines are excessive and that the addition of a criminal record for the defendant undermines freedom of expression. The AJU has raised concerns about the rising number of lawsuits against journalists. As of October 2023, there were 12 ongoing defamation cases against journalists, with seven initiated within the year.<sup>31</sup>

This clearly violates the freedom of expression of individuals living in the country of Albania. Particularly, citizens had the liberty to openly criticise the government through traditional and social media, and they exercised this right. However, there were ongoing concerns about potential repercussions for those who voiced such criticism. According to the Albanian Institute of Political Studies, individuals who publicly criticised the government and prominent politicians were often subjected to smear campaigns by government supporters and

---

<sup>30</sup> Criminal Code of the Republic of Albania, Law No. 7895 (27 January 1995).

<sup>31</sup> European Commission, Communication on EU Enlargement policy, ‘Albania 2023 Report’, SWD(2023) 690 final (8 November 2023).

political leaders. Additionally, politicians frequently used established media outlets to disseminate false information about their opponents and critics. When the issue of freedom of expression is not addressed, journalists face pressure from political and business interests, according to the 2023 Country Reports on Human Rights Practices in Albania. The AJU documented several incidents of violence and intimidation targeting media personnel. For instance, in January, Mr. Elvis Hila, a journalist from “Report TV”, and his wife were assaulted in the city of Lezha following Mr. Hila's publication of a story exposing one of the attackers for falsifying a court ruling. In July 2023, a court sentenced the two attackers to seven and six months in prison, respectively. In a separate incident in March 2023 on the freedom of expression, unknown assailants fired shots at the headquarters of the national broadcaster “Top Channel TV”, resulting in the death of one security guard. By the end of the year 2023, an investigation into what many media outlets and NGOs regarded as a terrorist attack, was still ongoing.<sup>32</sup>

### *2.1.3 Judicial Systems*

Albania has implemented judicial reforms aimed at strengthening the independence, impartiality, and professionalism of the judiciary, which are in line with EU standards. These reforms include the establishment of a High Judicial Council and a High Prosecutorial Council to oversee judicial appointments, promotions, and disciplinary proceedings. Albania has also introduced measures to enhance judicial training, improve court infrastructure, and expedite case processing. Despite reforms that have taken place in the country, challenges persist in ensuring the full independence and effectiveness of the judiciary in Albania. Concerns have been raised regarding political interference in judicial appointments and decisions, as well as allegations of corruption and undue influence. Ensuring the integrity and independence of the judiciary is essential for upholding the rule of law and strengthening Albania's EU accession prospects.<sup>33</sup>

The law sets criminal penalties for corruption among public officials and bars individuals with criminal convictions from occupying roles such as mayors, parliamentarians, or other

---

<sup>32</sup> US Department of State, ‘2023 Country Reports on Human Rights Practices: Albania’, Section 2, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/albania/>> Accessed 26 July 2024.

<sup>33</sup> European Commission, 2024 Rule of Law Report Country Chapter, ‘Albania’, SWD(2024) 828 final, (24 July 2024).



governmental positions. Generally, the enforcement of this law has been effective, though instances of corruption within the government are still frequently reported. Corruption has infiltrated all levels and branches of government, impacting areas like public procurement and public-private partnerships. However, there were significant strides made over the year in addressing corruption and reducing impunity. The Special Prosecution Office (SPO) under SPAK carried out multiple high-profile arrests for corruption.<sup>34</sup>

A prominent corruption case in Albania is set on October 5 2023, when the former Environment Minister Mr. Lefter Koka was sentenced to 5.8 years in prison, his former General Secretary Mr. Alqi Bllako to 2.8 years, along with representatives from a contracting company, for corruption and abuse of office.<sup>35</sup> These convictions followed evidence presented by the Special Prosecution Against Corruption and Organized Crime (SPAK) that the company had paid €1.37 million to Koka's accounts for work that was never completed. Furthermore, the court confiscated assets worth €3.7 million, matching the amount involved in the corruption. In July 2023, SPAK issued an international arrest warrant for Mr. Arben Ahmetaj, a former Deputy Prime Minister and Finance Minister, who was also a member of the Socialist Party in parliament. After parliament lifted his immunity, Mr. Ahmetaj fled the country to avoid arrest on charges of corruption, money laundering, and concealing assets. He is currently, as of June 2024, believed to be abroad.<sup>36</sup>

In another corruption case in Albania, in October 2023, SPAK began a formal investigation into former Prime Minister Mr. Sali Berisha for passive corruption linked to a land deal that allegedly benefited his son-in-law by about \$5 million. Mr. Berisha's son-in-law was arrested, and Mr. Berisha was ordered to report regularly to judicial police and was prohibited from leaving the country. The High Inspectorate for the Declaration and Audit of Assets and Conflict of Interest noted that by August 2023, it had referred six new cases for prosecution, involving one member of parliament, one prosecutor, three government agency directors, and one government company administrator. The allegations included failure to declare assets, hiding assets, falsifying asset declarations, money laundering, and tax evasion. Corruption

---

<sup>34</sup> Corruption Perceptions Index, 'Albania', <<https://www.transparency.org/en/cpi/2022/index/alb>> Accessed 26 July 2024.

<sup>35</sup> Special Anti-Corruption Structure Announcement (09 December 2023), <<https://spak.gov.al/njoftim-per-shtyp-date-09-12-2023/>> Accessed 26 July 2024.

<sup>36</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Albania', Section 4, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/albania/>> Accessed 26 July 2024.

within the police force remained a significant issue, particularly among front-line officers, which continue to block advancement in the European Union accession, as well as a just judicial system.<sup>37</sup>

#### *2.1.4 Economic Regulations*

Albania has also made efforts to align its market regulations with EU standards, particularly in areas such as competition law, consumer protection, and intellectual property rights. These efforts aim to promote market integration, facilitate trade and investment, and enhance economic competitiveness. Albania has adopted laws and regulations consistent with EU directives and regulations, demonstrating its commitment to harmonizing its legal framework with EU norms. Although progress can be tracked, challenges remain in enforcing market regulations and ensuring compliance with EU standards in Albania. Informal economies, regulatory inconsistencies, introduction to e-commerce, and weak enforcement mechanisms pose significant obstacles to market integration and economic development. Strengthening regulatory enforcement, promoting fair competition, and improving business climate are essential for advancing Albania's EU accession process.<sup>38</sup>

Therefore Albania is currently at a moderate to strong level in preparing for a well-functioning market economy and has made some advancements. Despite the economic challenges caused by Russia's war of aggression against Ukraine in 2022, Albania's economy remained resilient, with substantial Gross Domestic Product (GDP) growth. Inflation did rise above target in 2022 but stayed in single digits and decreased in early 2023. The robust recovery helped improve the labour market, giving Albania the highest participation rate and one of the lowest unemployment rates in the region. Strong revenue growth and a significant rise in nominal GDP led to a more significant reduction in the public debt ratio than expected, though it still remains among the highest in the region. In this regard, the government has launched long-awaited reforms to enhance investment spending, planning, and execution, and fiscal risk monitoring has seen improvements, though some weaknesses persist. There has been some progress with revenue-related reforms, but the plans to implement a medium-term revenue strategy have been scrapped, and the low revenue ratio continues to limit essential

---

<sup>37</sup> Ibid.

<sup>38</sup> Erjola Aliaj, Edvana Tiri, '*E-commerce regulation in Albania*', (Juridical Tribune Volume 13, 3 October 2023) 10.24818/TBJ/2023/13/3.07, 446.

investments. The financial sector has remained stable and continues to expand, but financial intermediation is still relatively low. The business environment has benefited from greater digitalization of public services, yet issues such as a large informal economy and a shortage of skilled labour persist. Public consultations by the government have not shown significant improvement, which remains an area for improvement in the road to EU accession.<sup>39</sup>

Additionally, Albania has made moderate progress in areas related to competitiveness and inclusive growth, including taxation, business and industrial policy.<sup>40</sup> The country has advanced in digital transformation and media, notably by joining the Digital Europe programme in June 2023. Albania has shown some advancement in science and research. In economic and monetary policy, Albania has achieved a moderate to strong level of readiness. The Bank of Albania's governance and monetary policies have been effective in addressing the economic challenges posed by Russia's war of aggression against Ukraine, though there is a need for further improvements in the bank's independence. Progress in the customs union has been limited, and additional efforts are required to combat smuggling, corruption, and counterfeit goods.

### *2.1.5 Key takeaways*

In conclusion, Albania's journey towards EU accession in all analysed pillars is deeply intertwined with its ongoing efforts to align legal frameworks with EU standards across various domains. The country has amended its constitution to enhance judicial independence, accountability, and democratic principles, although political interference in the judiciary remains an issue. Reforms in human rights laws have been made, but effective implementation and enforcement are still lacking, particularly regarding election integrity and media freedom. The judicial system has seen improvements with new oversight bodies, but corruption and undue influence persist. Economic regulations are being aligned with EU norms, yet challenges in enforcement, informal economies, and regulatory inconsistencies hinder full integration and development. These efforts are pivotal not only for advancing EU accession but also for strengthening governance, protecting human rights, and fostering a conducive environment for economic growth and development in Albania.

---

<sup>39</sup> European Commission, Communication on EU Enlargement policy, 'Albania 2023 Report', SWD(2023) 690 final (8 November 2023).

<sup>40</sup> European Commission, Key findings 'Albania', <[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_5612](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_5612)> Accessed 26 July 2024.

## 2.2 Bosnia and Herzegovina

Bosnia and Herzegovina, grappling with the legacies of ethnic conflict and a complex political structure, faces unique challenges in aligning its legal system with EU norms. It has not yet obtained candidate status, and is in the process of the pre-accession phase. Bosnia and Herzegovina has expressed its intention to join the EU and has been encouraged to undertake necessary reforms to meet the criteria for candidate status. However, progress has been hindered by political and institutional challenges, including ethnic divisions and complex governance structures.<sup>41</sup> Although not a candidate yet, similar to Albania, the legal landscape is distributed in five pillars.

### *2.2.1 Governance Structures*

Bosnia and Herzegovina's constitutional structure, established by the Dayton Agreement in 1995, aimed to accommodate the country's ethnic diversity and end the Bosnian War. The agreement created a decentralised system of government, comprising two entities—the Federation of Bosnia and Herzegovina (BiH) and the Republika Srpska (RS)—each with its own government, legislature, and judiciary. Additionally, the agreement established state-level institutions, including a tripartite presidency, a bicameral parliament, and a constitutional court, to oversee matters of common interest. Although efforts have been made to establish a functional constitutional framework, Bosnia and Herzegovina's governance structure faces challenges related to political fragmentation, ethnic divisions, and administrative inefficiencies. The decentralised system of government has resulted in overlapping jurisdictions, bureaucratic obstacles, and slow decision-making processes, hindering effective governance and impeding progress toward EU accession.<sup>42</sup>

The regulations permitted individuals the freedom to gather peacefully, and the government generally upheld this right, though with certain limitations. Across the country, there were 12 separate laws related to public gatherings, many of which were criticised by human rights organizations and the OSCE for being overly restrictive. For instance, some laws in the RS

---

<sup>41</sup> European Commission, Communication on EU Enlargement policy, 'Bosnia and Herzegovina 2023 Report', SWD(2023) 691 final (8 November 2023).

<sup>42</sup> Dayton Peace Agreement, General Framework Agreement for Peace in Bosnia and Herzegovina (21 November 1995) Annex 4, art 3.

banned gatherings near many public buildings, and specific cantonal regulations in the Federation (like in Central Bosnia Canton) imposed criminal penalties for not following the required administrative steps for organising a peaceful event. LGBTQI+ individuals also encountered difficulties with their right to assemble. The Brcko District's Public Assembly Law was the only one fully compliant with international human rights standards. Throughout the year, there were no efforts to amend the other 11 laws to align with European norms, allowing authorities to arbitrarily reject requests for assembly. On March 18 2023, the Police Administration of Banja Luka informed the organizers of the BiH Pride March that despite previous municipal approval, the march would be prohibited. The police cited “negative public feedback and opposition from citizen groups” and warned that they would resort to force if necessary to prevent the event.<sup>43</sup>

The law allowed for the freedom to form associations, and this right was generally respected by the government. However, independent NGOs reported that government funding was predominantly directed to groups either established by, controlled by, or linked to ruling political parties, which then carried out activities in support of the government. In the RS, organizations and individuals critical of Russia’s invasion of Ukraine often faced threats and public criticism from officials for their stance and criticism of the RS government’s pro-Russia stance. An NGO leader from Bijeljina mentioned that such negative attention led to a loss of funding and the closure of several smaller NGOs, which in turn diminished opportunities for activists to organize. The RS authorities did not investigate or address these issues, nor did they take action against the perpetrators or condemn such practices.<sup>44</sup>

### *2.2.2 Court Systems*

Taking action in alignment with EU standards, Bosnia and Herzegovina has undertaken reforms to strengthen the rule of law and enhance the independence, impartiality, and professionalism of the judiciary. The establishment of the High Judicial and Prosecutorial Council aimed to depoliticize judicial appointments and promote merit-based selection processes. Additionally, efforts have been made to enhance judicial training, improve court infrastructure, and expedite case processing to ensure timely justice delivery. There have been

---

<sup>43</sup> European Commission, Communication on EU Enlargement policy, ‘Bosnia and Herzegovina 2023 Report’, SWD(2023) 691 final (8 November 2023).

<sup>44</sup> Ibid.

new reforms, however challenges persist in ensuring the rule of law and effective functioning of the judiciary. Issues such as political interference in judicial appointments, insufficient resources, and judicial backlogs undermine public trust in the legal system and hinder access to justice. Addressing these challenges requires sustained efforts to strengthen judicial independence, enhance institutional capacity, and promote transparency and accountability within the judiciary.<sup>45</sup>

The High Judicial and Prosecutorial Council (HJPC) has faced criticism for its lack of transparency and susceptibility to political influence, which has affected public confidence in the judiciary. Reports indicate that the HJPC has struggled with political interference, inefficient organization, and allegations of corruption<sup>46</sup>, particularly under the leadership of former president Milan Tegeltija. These issues have prompted calls for reforms to enhance the transparency and integrity of judicial appointments. There have been abuses and irregularities in recent elections. The recent national elections were widely criticised for being unfair, with numerous reported abuses and irregularities.<sup>47</sup>

In May, the OSCE's ODIHR delivered its final report on the October 2022 general elections.<sup>48</sup> These elections included positions for the country's presidency and House of Representatives, the FBiH House of Representatives, the RS Assembly, the RS president and two vice presidents, FBiH cantonal assemblies, and the Brcko District Assembly. Following these elections, on April 28, the FBiH formed its first government in four years, ending a long period of institutional stagnation. The new government focused on enacting overdue legislation, such as energy laws and a law granting special rights to children born from wartime sexual violence. It also emphasised enforcing the 2014 Law on Suppression of Corruption and Organized Crime. ODIHR's report highlighted that while the elections were generally well-organized and competitive, previous failed reforms, deep public mistrust, and ethnically divisive rhetoric negatively impacted the election atmosphere. Fundamental

---

<sup>45</sup> Dayton Peace Agreement, General Framework Agreement for Peace in Bosnia and Herzegovina (21 November 1995) Annex 4, art 5.

<sup>46</sup> Corruption Perceptions Index, 'Bosnia and Herzegovina', <<https://www.transparency.org/en/cpi/2022/index/bih>> Accessed 26 July 2024.

<sup>47</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Bosnia and Herzegovina', Section 4, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>> Accessed 26 July 2024.

<sup>48</sup> OSCE supports BiH HJPC conferences of chief prosecutors and court presidents (8 June 2022), <<https://www.osce.org/mission-to-bosnia-and-herzegovina/519918>> Accessed 26 July 2024.

freedoms were upheld during the campaign, but the absence of public debate, the use of divisive rhetoric, and biased media coverage limited voters' ability to make informed choices. Election day itself was mostly orderly, but observers noted issues with maintaining the secrecy of votes due to polling station layouts and inconsistent procedural safeguards, especially during vote counting. The control count was conducted transparently. Observers, including the Pod Lupom coalition of election integrity NGOs, reported misuse of public resources during the campaign.<sup>49</sup>

These parties provided one-time financial aid to potential voters, such as pensioners, people with disabilities, civilian war victims, and veterans, and sometimes used public resources to distribute food packages before the election. Political parties also manipulated the electoral process by creating fictitious political entities to staff polling stations with loyalists. Reforms to the BiH Election Law in July 2022 by High Representative Mr. Christian Schmidt addressed some of these issues by refining the definitions of electoral violations and increasing penalties. On election day, political parties, civil society, and international observers noted numerous irregularities. International observers reported significant organized fraud, especially in the RS presidential race. Additionally, polling station staff often failed to follow accountability measures, and there was evidence of improper voter influence by political parties. A recount by the Central Election Commission in the RS presidential race revealed discrepancies at several polling stations where the reported votes for the winner, Milorad Dodik, were significantly higher than the actual ballots. Leaders of smaller political parties complained that larger parties dominated government ministries, public services, and media outlets, making party membership essential for career advancement. Although no laws prevented women or minority groups from participating in politics, the country's patriarchal culture often limited their involvement. While the law required that at least 40 percent of a party's candidates be women, only 21 percent of the seats in the House of Representatives and the House of Peoples in the state-level parliament were held by women.<sup>50</sup>

### *2.2.3 Fundamental Rights*

---

<sup>49</sup> European Commission, 'Analytical Report: Commission opinion on Bosnia and Herzegovina's application for membership of the European Union', SWD(2019) 222 final (29 May 2019).

<sup>50</sup> Ibid.

Bosnia and Herzegovina has enacted legislation and established institutional mechanisms to protect human rights and uphold fundamental freedoms, in order to showcase the right steps towards aligning with EU standards and international human rights norms. Efforts have been made to address issues such as discrimination, minority rights, and access to justice through legal reforms, awareness-raising campaigns, and capacity-building initiatives. It is also showcased that challenges persist in ensuring full compliance with human rights standards, particularly regarding the protection of minority rights and vulnerable groups. Discrimination based on ethnicity, religion, gender, and sexual orientation remains prevalent, despite legal safeguards. Strengthening enforcement mechanisms, enhancing public awareness, and promoting dialogue and tolerance are essential for advancing human rights protection in Bosnia and Herzegovina.<sup>51</sup>

Harassment and discrimination against minorities continued and worsened, particularly affecting Bosniak returnees in the RS. The Interreligious Council of BiH reported 15 incidents of attacks on religious buildings in 2022.<sup>52</sup> Minority groups faced ongoing discrimination in both public and private sector jobs and education. Although laws existed to prevent discrimination, human rights activists pointed out that enforcement was weak. In 2022, 181 incidents potentially motivated by bias, mainly ethnic and religious, were reported to police or prosecutors, including property damage, desecration of religious sites, verbal abuse, and some instances involving weapons and physical altercations. Bosniak returnees in Rabrani village, Neum municipality, accused local authorities from the Croatian Democratic Union of BiH of hindering their religious practices by blocking permits to renovate the only mosque in the area for several years. When residents used the mosque despite these restrictions, authorities initiated a criminal investigation on August 31 2023 for "dismantling or destroying an official seal," which the returnees saw as political coercion. Violence and intimidation against ethnic minorities often targeted religious symbols and sites. The Interreligious Council, which promotes dialogue among Muslim, Serbian Orthodox, Roman Catholic, and Jewish communities, reported continued attacks on religious symbols, clerics, and properties. Public discourse frequently depicted ethnic groups negatively, often related to the 1992-95 conflict, to avoid responsibility for wartime atrocities or to spread inflammatory political messages. War criminals convicted by the International Criminal Tribunal for the

---

<sup>51</sup> Constitution of the Federation of Bosnia and Herzegovina (18 March 1994) Annex 4, arts I-IV.

<sup>52</sup> European Commission, Communication on EU Enlargement policy, 'Bosnia and Herzegovina 2023 Report', SWD(2023) 691 final (8 November 2023).



Former Yugoslavia faced no restrictions on holding office unless their cases were transferred to the national judiciary.<sup>53</sup>

In 2021, the outgoing High Representative for Bosnia and Herzegovina, Mr. Valentin Inzko, amended the criminal code to make it illegal to deny genocide, glorify war crimes, and incite racial, religious, and ethnic hatred and violence. In response, the RS National Assembly enacted a law to prevent these amendments' implementation and amended their Criminal Code to penalize disparagement of the RS or "its peoples" as "aggressors" or "genocidal," with sentences ranging from six months to 15 years in prison. Despite 50 reports of genocide denial since the criminal code amendments, the Prosecutor's Office reported no indictments and claimed a reduction in public hate speech and genocide denial. RS President Milorad Dodik, his SNSD political party, and other RS leaders continued to deny the 1995 genocide committed by Serb forces in Srebrenica, despite multiple court findings. The Srebrenica Memorial Center's August report listed Dodik as the country's most prominent genocide denier.<sup>54</sup>

The Roma community, especially women, frequently faced discrimination in housing, healthcare, education, and employment. Nearly 80 percent of Roma were unemployed, and many lacked basic utilities or were homeless. Overcrowded Roma housing and lack of property ownership documentation made obtaining necessary identity documents difficult, affecting access to education and healthcare. Roma children often faced barriers to school registration and were misclassified as "special needs," resulting in low enrollment in regular schools. Roma representatives identified lack of institutional commitment, insufficient funding, and poor implementation of Roma Action Plans as key issues. On July 25 2023, the Council of Ministers approved a grant of 1.38 million KM for Roma housing, employment, healthcare, and education, but Roma NGOs criticised this amount as inadequate. Roma activists estimated that at least 40,000 Roma lived in the country, with about three-fourths residing in segregated neighbourhoods with poor infrastructure, consistent with Council of Europe estimates.<sup>55</sup>

---

<sup>53</sup> US Department of State's, 2023 Report on International Religious Freedom International Religious Freedom, <<https://www.state.gov/reports/2023-report-on-international-religious-freedom/>> Accessed 26 July 2024..

<sup>54</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Bosnia and Herzegovina', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>> Accessed 26 July 2024.

<sup>55</sup> Ibid Section 6.

#### *2.2.4 Governmental Regulations*

The country of Bosnia and Herzegovina has made great efforts in pursuing administrative reforms to improve efficiency, transparency, and accountability in governance, aligning with principles of good governance. Measures such as decentralisation, public sector reforms, and anti-corruption initiatives aim to enhance administrative effectiveness and promote citizen-centered service delivery. Challenges persist in implementing administrative reforms effectively, particularly at the entity and cantonal levels. Bureaucratic obstacles, political patronage, and corruption undermine administrative efficiency and hinder progress toward EU accession. Strengthening administrative capacity, enhancing transparency, and combatting corruption are essential for advancing administrative reform efforts.<sup>56</sup>

The law imposes criminal penalties for officials involved in corruption, but the government neither enforced the law effectively nor prioritised tackling public corruption. This can be exemplified in April 2023, when the High Representative, who oversees the civilian aspects of the Dayton Peace Agreement, amended the criminal codes for the country, FBiH, and RS to broaden the definition of bribery and set penalties, including fines, up to 10 years of imprisonment, and bans from holding public office. On September 7 2023, Parliament approved amendments to the Law on the HJPC to regulate the integrity of its members and judicial officials, addressing conflict of interest, asset declarations, and their verification. Corruption was widespread in public procurement, local governance, and public administration hiring processes. Observers noted pervasive police impunity and continued reports of corruption within all levels of security forces. With international help, the government provided training to police and security forces to combat abuse and corruption and promote respect for human rights. Police training manuals also included ethics and anticorruption components. State, entity, cantonal, and municipal administrations, each capable of establishing business-affecting laws and regulations, created non-transparent systems. Corrupt officials at all levels had ample opportunities to demand “service fees,” particularly in local government institutions. Analysts found the legal framework for prosecuting corruption generally satisfactory at almost all government levels but attributed the lack of high-profile prosecutions to political pressure and a lack of political will.

---

<sup>56</sup> Constitution of the Federation of Bosnia and Herzegovina (18 March 1994) Annex 4, arts I-IV.

State-level anti-corruption institutions had limited authority, no executive powers, and were under-resourced.<sup>57</sup>

In August 2022, Sarajevo Canton enacted the Law on Prevention of Corruption, which included measures to prevent conflicts of interest and protect whistleblowers. By October, the Sarajevo Canton's anti corruption office initiated 71 conflict of interest cases, resulting in 48 officials resigning and five individuals being granted whistleblower status. The office successfully verified asset declarations of public officials, boosting efforts to detect unexplained wealth and promote the integrity of public officials. In 2022, the Brcko District Anti-Corruption Office's Conflict of Interest Commission handled 36 conflict of interest cases, finding violations in 15 of them, imposing fines in four cases, and issuing reprimands in 11. The State Prosecutor's Office obtained two convictions in a COVID-19-related corruption case in the Federation. In 2020, former Prime Minister Fadil Novalic, former Minister of Finance Jelka Milicevic, and former Director of Civil Protection Fahrudin Solak were charged with corruption after procuring unusable respirators from China worth \$6 million. Following their convictions, in April, Novalic was sentenced to four years in prison and Solak to six years, while Milicevic was acquitted of all charges.<sup>58</sup>

### *2.2.5 Key takeaways*

In conclusion to this analysis, Bosnia and Herzegovina faces significant hurdles in its journey toward EU integration, grappling with a complex political structure and unresolved ethnic divisions. Despite some reforms aimed at aligning its legal and judicial systems with EU standards, the country continues to struggle with inefficiencies, corruption, and inadequate protection of fundamental rights. The decentralised governance system has resulted in bureaucratic delays and overlapping jurisdictions, complicating efforts to achieve effective governance and progress toward EU accession. Furthermore, ongoing discrimination and human rights abuses, particularly against minority groups, highlight persistent issues that undermine the country's human rights framework. For Bosnia and Herzegovina to advance in its EU accession process, it must address these challenges through sustained reforms,

---

<sup>57</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Bosnia and Herzegovina', Section 2, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>> Accessed 26 July 2024.

<sup>58</sup> Ibid., Section 4.

improved governance, and stronger enforcement of human rights protections. Moving forward, Bosnia and Herzegovina must continue strengthening its governance structures, promoting judicial independence, and safeguarding fundamental rights to advance its EU integration aspirations effectively.

## 2.3 Montenegro

Montenegro has made significant strides in their legal and institutional reforms, driven by the desire for integration into the European community. Montenegro obtained candidate status in December 2010, and is in the process of the negotiation phase. It has been engaged in accession negotiations with the EU since June 2012. Progress has been made in various areas, and several chapters have been provisionally closed. However, challenges remain in areas such as rule of law, corruption, and media freedom. Here is a more detailed analysis on the key thematic areas of its challenges.<sup>59</sup>

### 2.3.1 *Fundamental Legal Principles*

As the previous countries, Montenegro's constitutional structure has undergone significant reforms, particularly during its process of gaining independence from Serbia in 2006. The Constitution of Montenegro establishes a democratic, multi-party system with a clear separation of powers between the executive, legislative, and judicial branches. It also guarantees fundamental rights and freedoms in accordance with international human rights standards, mirroring EU principles. However, similar to previous countries, in spite of alignment efforts, challenges persist in fully implementing and enforcing constitutional provisions, particularly regarding the independence of the judiciary and the rule of law.<sup>60</sup> Political influence, corruption<sup>61</sup>, and inefficiencies in the legal system pose obstacles to effective governance and hinder Montenegro's progress toward EU accession. The existence of informal power structures and weak enforcement mechanisms contribute to divergence from EU standards.

---

<sup>59</sup> European Commission, 2023 Report on EU Enlargement policy, 'Montenegro', SWD(2023) 694 final (8 November 2023).

<sup>60</sup> Constitution of Montenegro (19 October 2007).

<sup>61</sup> Corruption Perceptions Index, 'Montenegro', <<https://www.transparency.org/en/cpi/2022/index/mne>> Accessed 26 July 2024.

Various domestic and international human rights organizations generally operated without government interference, allowing them to monitor or investigate human rights conditions or cases and publish their findings. Government officials were typically cooperative and responsive to the views of international organizations, but some domestic NGOs felt this cooperation was inconsistent, noting that the government occasionally ignored their requests for information under the Law on Free Access to Information. The ombudsman worked within the Office of the Protector of Human Rights, focusing on preventing torture and other cruel, inhuman, or degrading treatment or punishment, as well as discrimination. The Office had the authority to investigate alleged government human rights violations and inspect institutions such as prisons and pretrial detention centers without prior notice. It could access all relevant documents, regardless of their confidentiality, concerning detainees or convicts and interview prisoners or detainees without officials present. However, the office could not intervene in ongoing judicial proceedings unless there were delays, clear procedural violations, or failures to enforce court decisions. The ombudsman could propose new legislation, request the Constitutional Court to determine whether a law violated the constitution or treaty obligations, assess specific human rights issues upon request from a competent body, address general problems significant for the protection and promotion of human rights and freedoms, and collaborate with other human rights organizations and institutions.<sup>62</sup>

### *2.3.2 Judicial Institutions*

Consistent with its efforts towards EU membership, Montenegro has undertaken reforms to strengthen the rule of law and enhance the independence, impartiality, and professionalism of the judiciary. These reforms include measures to improve judicial efficiency, transparency, and accountability, such as the establishment of judicial councils and specialised courts. Additionally, Montenegro has adopted laws and regulations aimed at aligning its legal framework, which showcase the adapted EU norms. Despite reform efforts, challenges remain in ensuring full compliance with EU standards regarding the rule of law and judicial independence. Political interference, judicial backlog, and inadequate resources undermine public trust in the judiciary and hinder access to justice. Delays in court proceedings, lack of

---

<sup>62</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Montenegro', Section 1, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/montenegro/>> Accessed 26 July 2024.

enforcement of court decisions, and inconsistencies in judicial practices contribute to divergence from EU norms.<sup>63</sup>

The law granted citizens the right to elect their government through transparent, fair, and regular elections using secret ballots and based on universal and equal voting rights. National elections were largely regarded as fair, with minimal abuses or irregularities. Presidential elections occurred in two phases on March 19 2023 and April 2 2023. The final Report<sup>64</sup> done through the OSCE's ODIHR indicated that both phases were competitive and well-managed, with fundamental freedoms upheld during the campaign. However, issues such as political bias and limited inclusivity in the candidate registration process diminished public confidence. Observers also pointed out that some candidates' aggressive rhetoric and biased media coverage hindered voters' ability to make informed decisions. Additionally, parliamentary elections were held on June 11. These elections were competitive and efficiently conducted despite a prolonged institutional and constitutional crisis. ODIHR praised the election administration for its effective management, the freedom of the campaign, and the variety of choices available to voters. Nonetheless, ODIHR noted that while the electoral framework was generally sound, it contained gaps, inconsistencies, and ambiguities. Many previous recommendations from ODIHR and the Council of Europe Venice Commission remained unmet. Observers reported that election day was orderly and transparent, though some procedural safeguards were inconsistently applied during the counting process.<sup>65</sup>

Political parties were free to establish and operate. The parties within Prime Minister Dritan Abazovic's administration continued the practice of using government positions and state-owned enterprises for political favours, known as "party employment." NGOs observed that political leaders viewed jobs in government and state-owned companies as crucial resources for influencing future elections. On February 18 2023, the State Election Commission (SEC) denied the presidential candidacy of Milojko Spajic, the leader of the Europe Now movement and a leading contender. The SEC cited "discrepancies" in the documents provided, including an email from the Serbian Interior Ministry stating that Spajic

---

<sup>63</sup> Constitution of Montenegro (19 October 2007).

<sup>64</sup> ODIHR Election Observation Mission Final Report, 'Montenegro Presidential Election 19 March And 2 April 2023' (11 December 2023).

<sup>65</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Montenegro', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/montenegro/>> Accessed 26 July 2024.

had only recently deregistered his residence in Serbia and requested to renounce his Serbian citizenship. The SEC questioned whether Spajic met the necessary residency and citizenship requirements. Many NGOs and legal experts criticised this decision as politically motivated, arguing that it aimed to eliminate a significant rival. Spajic ultimately did not participate in the presidential election. On October 4, a retrial began for 13 defendants, including two Russian GRU operatives and two leaders, one of whom was Speaker of Parliament Andrija Mandic. They were accused of attempting a 2016 coup to prevent the country from joining NATO. This retrial followed a 2020 Appellate Court decision that overturned a 2019 High Court verdict, which had sentenced the defendants to 69 years and seven months in prison, and required the trial to be conducted again.<sup>66</sup>

### *2.3.3 Human Rights Protection*

With enacted legislation and established institutional mechanisms to protect human rights and uphold fundamental freedoms, Montenegro proceeds to conform to international human rights norms. Efforts have been made to address discrimination, minority rights, and gender equality through legal reforms, awareness-raising campaigns, and capacity-building initiatives. Despite progress, challenges persist in ensuring full compliance with human rights standards, particularly concerning the protection of minority rights and vulnerable groups. Discrimination based on ethnicity, gender, sexual orientation, and disability remains prevalent, despite legal safeguards. Insufficient enforcement mechanisms, inadequate implementation of laws, and societal attitudes contribute to divergence from EU human rights standards.<sup>67</sup>

The government's enforcement of laws designed to protect racial and ethnic minorities from violence was insufficient. The Law on Minority Rights and Freedoms aimed to guarantee the right to publicly express various aspects of identity, but Roma, Ashkali, and Balkan-Egyptians still encountered notable discrimination. This was exacerbated by their difficulties in accessing essential services due to inadequate government documentation, which also complicated their ability to obtain citizenship and access healthcare. The Roma Education Fund highlighted that these groups experienced higher poverty rates compared to

---

<sup>66</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Montenegro', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/montenegro/>> Accessed 26 July 2024.

<sup>67</sup> Constitution of Montenegro (19 October 2007).

the general population, and informal settlements, particularly in southern regions, faced threats of eviction. Furthermore, discrimination affected their access to education and employment, with a 2022 Report<sup>68</sup> revealing biases in the job market and issues in schooling for Roma and Balkan-Egyptian children. Albanians and Bosniaks in certain regions similarly reported economic neglect and discrimination, while allegations of misappropriation of funds meant for national councils representing various ethnic groups further indicated governance issues.

Women's legal rights were aligned with those of men across various domains, including family, property, and employment. However, despite these legal protections, the NGO SOS found that women struggled to defend their property rights during divorces, often due to entrenched societal beliefs that favored men in property matters. Traditional practices and family pressures also led women to forgo inherited property rights, particularly in cases of domestic violence or divorce. Workplace discrimination based on marital status, pregnancy, or appearance was common, and the Union of Free Trade Unions reported that many women were deterred from reporting instances of gender-based violence. A 2022 study indicated that 44 percent of women had faced sexual harassment at work, and discrepancies in retirement ages and pension benefits also affected women. The underrepresentation of women in political and economic spheres persisted, with additional challenges faced by Romani and Balkan-Egyptian women, particularly those in rural areas. According to Romani rights NGOs, high illiteracy rates among young Romani women highlighted the compounded discrimination they faced due to both gender and ethnicity.<sup>69</sup>

### *2.3.4 Anti-Corruption Measures*

Anti-corruption, as a key component blocking the EU accession in Southeast Europe, has been in the forefront of Montenegro's efforts. The country has implemented anti-corruption measures to combat corruption and improve governance, which include but are not limited to: the establishment of specialised anti-corruption institutions, adoption of anti-corruption laws, and promotion of transparency and accountability in public administration.<sup>70</sup> Montenegro has

---

<sup>68</sup> European Commission, 2022 Report on EU Enlargement policy, 'Montenegro', SWD(2022) 335 final (12 October 2022).

<sup>69</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Montenegro', Section 6, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/montenegro/>> Accessed 26 July 2024.

<sup>70</sup> Constitution of Montenegro (19 October 2007).



also committed to international anti-corruption conventions and initiatives. Despite efforts, corruption remains a significant challenge in Montenegro, affecting various sectors of society and impeding progress toward EU accession. Political corruption, nepotism, and lack of transparency undermine public trust in government institutions and hinder effective governance. Weak enforcement mechanisms, lack of accountability, and limited transparency contribute to divergence from EU anti-corruption standards.

The law imposed criminal sanctions for corruption among officials, but the government's enforcement was lacking, and corruption remained a major issue. On July 3 2023, the Special State Prosecutor's Office (SSPO) brought charges against 12 former officials from Prime Minister Dusko Markovic's administration for violations involving state-provided housing loans. The SSPO alleged that these individuals, who were part of a loan approval committee, breached internal procedures for loan agreements, leading to a loss of €2.6 million for the state budget. According to the charges, between 2016 and 2020, the committee approved 119 loans to various officials, exceeding the legal limit of €15,000 each. In September, the trial began for former Supreme Court President Vesna Medenica, who faced allegations of misusing her office and participating in a criminal network. Medenica and her son Milos were arrested and indicted in 2022 after the media exposed transcripts of alleged encrypted communications where Milos claimed his mother used her influence to protect his illegal activities and sway judicial decisions. The indictment also charged Milos and 10 others with offenses such as smuggling, bribery, unlawful influence, and drug trafficking. The Agency for the Prevention of Corruption (APC) engaged in capacity-building and technical support throughout the year, but local NGOs criticised its lack of transparency and effectiveness. They particularly condemned the APC for not addressing corruption cases from before its establishment in 2016 and for inadequately investigating campaign finance issues. On November 8, the European Commission called for improvements in the APC's integrity and performance, in line with recommendations from a 2021 peer review. The Commission also noted the need for better government performance in investigating, prosecuting, and convicting corruption cases, especially those involving high-level officials.<sup>71</sup>

---

<sup>71</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Montenegro', Section 4, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/montenegro/>> Accessed 26 July 2024.

Furthermore, the SSPO continued its efforts against organized crime and corruption, working with the Special Police Department to target prominent officials for crimes including office abuse, criminal organization, and drug offenses. Senior police figures were also implicated in criminal activities. Challenges in fighting corruption were exacerbated by poor inter-agency cooperation and information sharing. Outdated handwritten records hindered effective data management, especially for asset declarations. Problems such as political interference, inadequate salaries, and insufficient training also contributed to the ongoing issues. For further details on corruption within the country, refer to the Department of State's Investment Climate Statement and the International Narcotics Control Strategy Report, which provide additional information on financial crimes. Montenegro's commitment to tackling corruption as a fundamental obstacle to its democratic progress, while striving to establish transparent, accountable, and inclusive institutions that serve its citizens' interests. It underscored the ongoing efforts needed to bolster the rule of law, promote transparency, and cultivate integrity within Montenegro's public sector.<sup>72</sup>

### *2.3.5 Key takeaways*

In summary of this analysis, Montenegro's journey towards European integration has been characterised by significant legal and institutional reforms. Achieving candidate status in 2010 and commencing accession negotiations in 2012 signify integration with EU requirements. While several negotiation chapters have been provisionally closed, challenges persist in areas such as the rule of law, corruption, and media freedom. The country's constitutional reforms post-independence in 2006 established a democratic system, yet implementation gaps remain, particularly concerning judicial independence and the rule of law. Recent efforts include amendments to laws and the establishment of oversight bodies, but issues like political interference and inefficient enforcement continue to undermine progress. The judiciary remains affected by political influence and resource constraints, impacting its effectiveness and public trust. Despite ongoing anti-corruption measures and commitments to international standards, corruption remains a significant barrier, with improvements needed in both enforcement and transparency to align with the proper EU norms.

---

<sup>72</sup> Ibid.

## 2.4 North Macedonia

North Macedonia obtained candidate status in December 2005, and is in the process of the negotiation phase. North Macedonia has been engaged in accession negotiations with the EU in March 2020. The negotiation process involves discussions on various chapters of the *acquis communautaire*. The country has made significant progress in recent years, including resolving its long-standing dispute with Greece over its name.<sup>73</sup> Similar to Albania, Bosnia and Herzegovina and Montenegro, multiple challenges are addressed with regards to the EU integration.

### 2.4.1 Constitutional Governance

North Macedonia's constitutional structure has evolved especially following the Ohrid Framework Agreement in 2001, which aimed to address ethnic tensions and promote multi-ethnic democracy. This step was a great indicator of the country's harmony with EU guidelines. The Constitution of North Macedonia establishes a parliamentary democracy with a clear separation of powers between the executive, legislative, and judicial branches. It also guarantees fundamental rights and freedoms, emphasising principles such as equality, non-discrimination, and the rule of law. Despite alignment efforts, challenges persist in fully implementing and enforcing constitutional provisions, particularly regarding the protection of minority rights and the functioning of democratic institutions. Political polarisation, corruption, and deficiencies in the legal system pose obstacles to effective governance and hinder North Macedonia's progress toward EU accession. The existence of informal power structures and weak enforcement mechanisms contribute to divergence from the EU standards.<sup>74</sup>

The country had legislation and affirmative action policies aimed at safeguarding racial and ethnic groups from violence and discrimination.<sup>75</sup> The constitution and laws designated ethnic minorities as "communities." While the Anti-Discrimination Commission successfully enforced civil anti-discrimination laws, the enforcement of criminal laws was reportedly

---

<sup>73</sup> European Commission, 2023 Report on EU Enlargement policy, 'North Macedonia', SWD(2023) 693 final ( 8 November 2023).

<sup>74</sup> Constitution of the Republic of North Macedonia (1 January 1999, as last amended on 11 January 2019).

<sup>75</sup> US Department of State, '2023 Country Reports on Human Rights Practices: North Macedonia', Section 6, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/north-macedonia/>> Accessed 26 July 2024.

weak, according to the civil society organization Romalitico. Roma communities experienced widespread societal bias. The ombudsman highlighted that Roma were underrepresented in civil service and other public institutions, and smaller ethnic groups were similarly underrepresented in leadership positions. NGOs and international observers noted that Romani job seekers often faced discrimination from employers, and some Roma reported difficulties accessing public services and benefits. Additionally, significant instances of police mistreatment of Roma were documented, with Romalitico reporting at least four cases of police brutality, though many incidents likely went unreported due to fear and mistrust within the Roma community. Data from the national employment agency indicated that low educational attainment, especially in higher education, limited Roma's opportunities in the formal job market. In response, the Ministry of Labor announced on April 7 a 5 percent quota for Roma inclusion in the labor force until 2024. In May, an appellate court replaced a one-year prison sentence with a suspended sentence for a police officer in Bitola who had been convicted of "mistreatment in the conduct of duty" involving a Roma individual. Housing remained a systemic issue for the Roma. Even when the government provided housing, non-Roma residents frequently refused to live in those areas due to societal biases. By August, the ombudsman had received 36 complaints concerning ethnic community representation and one complaint about hate speech. Coalition Margini reported 24 cases of discrimination against Roma regarding access to healthcare, social services, goods, and protection from gender-based violence, as well as inaccuracies in personal documents. The justice minister shut down Bulgarian cultural clubs "Tsar Boris III" and "Ivan (Vanco) Mihajlov" in accordance with a 2022 law banning organizations named after fascist supporters from using such names. Following a recommendation from the Anti-Discrimination Commission, the Bitola prosecutor's office opened a preliminary investigation into the "Ivan (Vanco) Mihajlov" club for hate speech. The club's president was charged with inciting ethnic and racial hatred and promoting racism and xenophobia. Two individuals faced charges for severely injuring Hristijan Pendikov, who identified as Bulgarian, based on ethnic and national animosity.<sup>76</sup>

Roma school-age children faced segregation. Reports indicated that local school authorities and communities, often influenced by non-Roma students' parents, resisted efforts to end segregation practices. CSOs reported that Roma students' parents were pressured to enroll

---

<sup>76</sup> Ibid.

their children in schools with predominantly Romani populations, and Roma students who attended schools with non-Roma peers were often placed in separate classrooms. Some of this segregation was due to Roma students' limited proficiency in languages other than Romani. Laws against child abuse included penalties such as fines, imprisonment, and business closures. Nonetheless, child abuse remained a concern in certain areas. The government operated a hotline for domestic violence, including child abuse. The Ministry of Interior recorded 83 street children forced by adults to beg, wash cars, or sell items. All 83 were referred to day care centers for children at risk. The ombudsman received 18 complaints regarding the abuse, violence, and exploitation of children, most involving peer violence, bullying, abuse by school staff, and domestic violence.<sup>77</sup>

#### *2.4.2 Legal Adjudication Bodies*

North Macedonia has undertaken reforms to strengthen the rule of law and enhance the independence, impartiality, and professionalism of the judiciary. More specifically, measures have been implemented to improve judicial efficiency, transparency, and accountability, including the establishment of judicial councils and specialized courts. Despite reform efforts, challenges remain in ensuring full compliance with EU standards regarding the rule of law and judicial independence. Political interference, judicial backlog, and inadequate resources undermine public trust in the judiciary and hinder access to justice. Delays in court proceedings, lack of enforcement of court decisions, and inconsistencies in judicial practices contribute to divergence from EU norms.<sup>78</sup>

Various national and international human rights organizations were generally allowed to operate freely, monitoring, investigating, and reporting on human rights conditions without significant government interference. Government officials displayed a moderate level of cooperation and responsiveness to the feedback from these groups. Government Human Rights Entities: The ombudsman and the Commission for Prevention of and Protection against Discrimination, commonly referred to as the Anti-Discrimination Commission, were responsible for safeguarding citizens' rights against abuses by public institutions, reducing discrimination against minorities and people with disabilities, fostering fair representation in public life, and addressing violations of children's rights. As of September, the

---

<sup>77</sup> Ibid.

<sup>78</sup> Constitution of the Republic of North Macedonia (1 January 1999, as last amended on 11 January 2019).

Anti-Discrimination Commission was functioning with limited effectiveness due to having only five of the seven mandated members. By August 31 2023, the Anti-Discrimination Commission had received 190 complaints, investigated 146, and found discrimination in 35 cases, most of which involved multiple forms of discrimination. The commission was seen by the public as independent and its work as complementary to that of the ombudsman, demonstrating efficiency and effectiveness.<sup>79</sup>

### *2.4.3 Civil and Political Rights*

As a key element of EU accession, North Macedonia has enacted legislation and established institutional mechanisms to protect human rights and uphold fundamental freedoms, aligning with international human rights norms. Efforts have been made to address issues such as discrimination, minority rights, and gender equality through legal reforms, awareness-raising campaigns, and capacity-building initiatives. Although tangible progress has been made in the country, challenges persist in ensuring full compliance with human rights standards, particularly concerning the protection of minority rights and vulnerable groups. Discrimination based on ethnicity, gender, sexual orientation, and disability remains prevalent, despite legal safeguards. Insufficient enforcement mechanisms, inadequate implementation of laws, and societal attitudes contribute to divergence from EU human rights standards.<sup>80</sup>

The government collaborated with UNHCR and other humanitarian groups to offer support and protection to refugees, asylum seekers, stateless individuals, and those with subsidiary protection, while also consulting on relevant policies and legislation. The Center for Social Work appointed guardians for unaccompanied minors in transit centres but did not provide alternative housing or additional protective measures for children. Migrants and refugees, especially women and unaccompanied minors, faced a risk of trafficking during their transit through the country. The government issued identity documents to refugees and those under subsidiary protection, but delays were common for new asylum seekers. Moreover, these documents often lacked personal identification numbers, which hindered access to essential services like education and social assistance. The legal framework allowed for asylum and

---

<sup>79</sup> US Department of State, '2023 Country Reports on Human Rights Practices: North Macedonia', Section 5, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/north-macedonia/>> Accessed 26 July 2024.

<sup>80</sup> Constitution of the Republic of North Macedonia (1 January 1999, as last amended on 11 January 2019).

refugee status, with a system in place to provide protection and support. Individuals with international protection were entitled to the same social services as citizens. While the government generally respected the right to seek asylum, UNHCR suggested better coordination with neighbouring countries. By March, all apprehended migrants were registered, and those needing medical care were provided with support.<sup>81</sup>

No official reports of physical abuse of migrants by the government were recorded, although there were reports of violence by smugglers and border guards. Civil society groups reported instances of sexual violence by smugglers. Measures were in place to protect vulnerable individuals, including foreigners, unaccompanied minors, and victims of trafficking, from gender-based violence. UNHCR and the European Commission recommended strengthening these systems to ensure consistent and universal application, particularly in identifying cases. UNHCR reported the detention of individuals caught traveling irregularly with smugglers to ensure their availability for testimonies, including children at the Reception Center for Foreigners Gazi Baba. By September, there were 117 Afghan evacuees and 18,345 Ukrainians in the country, with an additional 405 Ukrainians granted temporary humanitarian residence. Afghan refugees received one-year visitor permits with restricted movement to specific hotels in Skopje, while Ukrainian refugees did not face similar restrictions.<sup>82</sup>

The 2022 EU Progress Report<sup>83</sup> recognized efforts to ensure basic living standards and services for all migrants but advised the government to improve its approach to migrant profiling to meet EU and international standards. The country did not serve as a resettlement location but offered a pathway to naturalization for refugees under preferential conditions. Those with subsidiary protection could apply for naturalization after eight years of legal residence. Over the past year, nine Kosovo residents were naturalised, and one individual returned to Kosovo with support from UNHCR and the government. A total of 65 people with international protection had access to social services, housing, education, healthcare, and job opportunities. In August, temporary protected status was granted for one year to Ukrainian nationals, their families, stateless individuals, and foreign nationals with asylum in Ukraine.

---

<sup>81</sup> US Department of State, '2023 Country Reports on Human Rights Practices: North Macedonia', Section 2, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/north-macedonia/>> Accessed 26 July 2024.

<sup>82</sup> European Commission, 2023 Report on EU Enlargement policy, 'North Macedonia', SWD(2023) 693 final (8 November 2023).

<sup>83</sup> European Commission, 2022 Communication on EU Enlargement policy, 'North Macedonia', SWD(2022) 337 final (12 October 2022).

This status was also extended to those arriving after February 24, 2022, who held Ukrainian residence but could not return to their home countries. As of September, 405 people received temporary humanitarian residence, including eight individuals with subsidiary protection from Syria, Afghanistan, and the Democratic Republic of the Congo. Data from the International Organization for Migration showed that eight Ukrainians were granted temporary humanitarian residence as well.

#### *2.4.4 Corruption Prevention Policies*

Member countries of the EU take steadfast measures towards corruption. North Macedonia has followed the same approach, while implementing measures to combat corruption and improve governance, including the establishment of specialised anti-corruption institutions, adoption of anti-corruption laws, and promotion of transparency and accountability in public administration. North Macedonia has also committed to international anti-corruption conventions and initiatives. Despite efforts, corruption<sup>84</sup> remains a significant challenge in North Macedonia, affecting various sectors of society and impeding progress toward EU accession. Political corruption, nepotism, and lack of transparency undermine public trust in government institutions and hinder effective governance. Weak enforcement mechanisms, lack of accountability, and limited transparency contribute to divergence from EU anti-corruption standards.<sup>85</sup>

The law established criminal penalties for corruption among officials, but its enforcement was insufficient. Reports of corruption within the government were frequent, and in September, amendments to the penal code were enacted that notably lessened the severity of penalties for corruption-related offences. NGOs highlighted that the government's dominant role in the economy, being the largest employer, created numerous opportunities for corrupt activities. The State Commission for Prevention of Corruption (SCPC) reported a general increase in corruption. By August, the SCPC had received 370 corruption complaints and initiated reviews of an additional nine cases. The SCPC submitted 20 requests to the Public Prosecutor's Office (PPO) for criminal investigations into alleged misuse of public funds

---

<sup>84</sup> Corruption Perceptions Index, 'North Macedonia', <<https://www.transparency.org/en/cpi/2022/index/mkd>> Accessed 26 July 2024.

<sup>85</sup> Constitution of the Republic of North Macedonia (1 January 1999, as last amended on 11 January 2019).



involving both current and former high-ranking officials, including cabinet ministers, mayors, parliament members, judges, prosecutors, and leaders of public institutions.<sup>86</sup>

The SCPC also recommended accountability measures for 18 other cases involving breaches of professional ethics. It issued 143 fines for infractions such as failure to file required financial statements and failure to disclose family members employed in the public sector. Out of 47 referrals to the PPO since 2019, only 16 were investigated, nine were dismissed, and 22 received no action. From 49 referrals to other agencies for administrative penalties, 19 were acted upon, 10 were dismissed, and 20 were ignored. Trials for serious corruption cases faced significant delays, with only a few concluded by September, including cases involving former officials. An investigation was initiated by the Skopje PPO into allegations that staff at the State Oncology Clinic were stealing and illegally selling cancer medications. This led to public protests and a police raid on September 1 to collect evidence. Former government secretary general Dragi Rashkovski was sentenced by the Skopje Criminal Court to eight years in prison for money laundering and abuse of office related to public procurement violations.<sup>87</sup>

#### *2.4.5 Key takeaways*

Summarising the analysis, North Macedonia has made significant strides towards EU accession since obtaining candidate status in 2005 and initiating negotiations in 2020. The country has made notable progress, including resolving a long-standing naming dispute with Greece, but continues to face challenges similar to other Balkan states regarding EU integration. The constitutional framework, updated by the Ohrid Framework Agreement in 2001, supports a multi-ethnic democracy and includes fundamental rights, though issues such as political polarization, corruption, and deficiencies in the legal system persist. Efforts to combat discrimination, particularly against Roma, face significant hurdles, including weak enforcement and societal bias. Despite reforms and commitments to anti-corruption measures, corruption remains a major issue, with significant delays in legal proceedings and insufficient penalties for offenders.

---

<sup>86</sup> US Department of State, '2023 Country Reports on Human Rights Practices: North Macedonia', Section 4, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/north-macedonia/>> Accessed 26 July 2024.

<sup>87</sup> Ibid.

## 2.5 Serbia

Serbia's journey towards EU membership has been marked by efforts to address issues related to governance and rule of law, reflecting its historical and geopolitical complexities. It obtained candidate status in March 2012, and is in the process of the negotiation phase. Serbia has been engaged in accession negotiations with the EU since January 2014. Progress has been made in various areas, and several chapters have been provisionally closed. However, challenges remain in areas such as rule of law, freedom of expression, and normalisation of relations with Kosovo.<sup>88</sup> An overview of the legal landscape is necessary in order to address the key areas of improvement.

### *2.5.1 National Constitutional Systems*

Serbia's constitutional framework has evolved to align more closely with EU standards, especially during its accession negotiations. The Constitution of Serbia establishes a parliamentary republic with a clear separation of powers between the executive, legislative, and judicial branches. It guarantees fundamental rights and freedoms in accordance with EU norms, emphasising principles such as the rule of law, democracy, and respect for human rights. Amendments and revisions to the constitution have been made to reflect EU requirements and recommendations. Despite efforts to align the constitution with EU standards, challenges persist in fully implementing and enforcing constitutional provisions. Concerns remain regarding the independence of the judiciary, protection of minority rights, and mechanisms for ensuring democratic governance. Political influence, corruption, and deficiencies in the legal system continue to pose obstacles to effective governance and hinder Serbia's progress toward EU accession.<sup>89</sup>

The constitution and laws intended to safeguard the rights and freedoms of national minorities—covering minority councils, language use, and anti-discrimination—aimed to protect these groups from discrimination, and the government somewhat enforced these protections. The ombudsman and equality commissioner observed that Roma faced higher levels of discrimination and marginalization compared to other minority groups. Many Roma were unaware of their rights and how to address discrimination. On April 11, a group of

---

<sup>88</sup> European Commission, 2023 Report on EU Enlargement policy, 'Serbia', SWD(2023) 695 final (8 November 2023).

<sup>89</sup> Constitution of the Republic of Serbia (30 September 2006).

young men attacked Roma in Turekovac with baseball bats and knives, damaging property and verbally harassing them. The police identified six suspects, who were charged with minor offenses related to property damage and public order, while the Alliance Against Discrimination of Roma criticized the lack of charges related to racial discrimination and urged the Ministry of Interior to investigate further. Ethnic Albanian leaders claimed their community was unfairly treated and faced higher unemployment rates. They also alleged that ethnic Albanians were disproportionately subjected to “passivization” (removal from the civil registry), particularly in Medvedja. Although official data suggested that passivization was generally lawful for those who had permanently moved, it seemed that ethnic Albanians were more frequently affected, with limited notification and appeal options. The government's efforts to implement the OSCE’s Seven Point Plan<sup>90</sup>, adopted in 2013 to address issues for the ethnic Albanian community, such as underrepresentation in public sector jobs, lack of investment in ethnic Albanian-majority areas, and inadequate health and social services, made minimal progress. Leaders from southern municipalities and some Bosniak leaders in Sandzak continued to raise concerns about their communities' lack of representation and mistreatment at the local level. Independent bodies, NGOs, and experts reported that discriminatory and hate-filled language against minorities was common among media, public figures, politicians, and social media users, with laws not being properly enforced. Belgrade Mayor Aleksandar Sapic’s remarks in March about Roma resisting integration were condemned by the equality commissioner as harmful and perpetuating discrimination. There were 24 National Minority Councils representing various ethnic groups, responsible for overseeing education, media, culture, and language use. The government made some efforts to combat violence and discrimination against minorities, including supporting these councils and providing civic education that included lessons on minority cultures and tolerance, as an alternative to religion classes in secondary schools.<sup>91</sup>

### *2.5.2 Judicial Governance*

The country of Serbia has implemented various reforms aimed at strengthening the rule of law and enhancing the independence, impartiality, and professionalism of the judiciary. There have been measures taken to improve judicial efficiency, transparency, and accountability,

---

<sup>90</sup> OSCE High Commissioner on National Minorities, Seven Action Plan, <<https://www.osce.org/hcnm/530338>> Accessed 26 July 2024.

<sup>91</sup> US Department of State, ‘2023 Country Reports on Human Rights Practices: Serbia’, Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/serbia/>> Accessed 26 July 2024.

including the establishment of judicial councils and specialised courts. Additionally, efforts have been made to align judicial practices with EU norms through training programs and capacity-building initiatives. While progress has been made and despite reform efforts, challenges persist in ensuring full compliance with EU standards regarding the rule of law and judicial independence. Concerns about political interference, judicial backlog, and inadequate resources undermine public trust in the judiciary and hinder access to justice. Delays in court proceedings, lack of enforcement of court decisions, and inconsistencies in judicial practices contribute to divergence from EU norms and hinder Serbia's legal harmonisation process.<sup>92</sup>

Different independent human rights organizations, both domestic and international, generally operated with limited government restrictions, enabling them to monitor, investigate, and report on human rights conditions. Government officials showed some level of cooperation and responsiveness to these organizations.<sup>93</sup> The relationship between civil society and government improved with the formation of the Council for Cooperation with and Development of Civil Society, which comprises 11 civil society representatives and nine government officials working to enhance the legal environment for civil society. Retaliation Against Human Rights Defenders: Despite the creation of the Council, civil society groups and activists still faced criticism, harassment, and threats from certain public officials and pro-government entities, including media and possibly government-backed NGOs. In August, threatening graffiti targeting the director of the Youth Initiative for Human Rights appeared near her home in Belgrade. Additionally, parliamentarian Vladimir Djukanovic called for restrictions on foreign funding for NGOs and urged the expulsion of organizations linked to philanthropist George Soros, which was perceived by activists as part of a broader, sometimes anti-Semitic campaign to undermine civil society. Mrs. Bojana Selakovic from the National Convention on the EU noted that such attacks were designed to erode public confidence in these organizations. Activists connected with a Russian anti-war NGO faced issues with re-entry and residence permits, which they claimed was government intimidation. In October, two civil society activists received alerts from their phone providers about potential state-sponsored spyware threats. A collaborative investigation by Access Now, the SHARE Foundation, Citizen Lab, and Amnesty International found evidence of spyware attacks

---

<sup>92</sup> Constitution of the Republic of Serbia (30 September 2006).

<sup>93</sup> European Commission, 2023 Report on EU Enlargement policy, 'Serbia', SWD(2023) 695 final (8 November 2023).

consistent with NSO Group's Pegasus, although the specific type and source of the spyware could not be determined.<sup>94</sup>

The government continued to refuse to transfer two members of the Serbian Radical Party to the International Residual Mechanism for Criminal Tribunals (IRMCT), who were charged with contempt of court. The IRMCT claimed that Petar Jojic and Vjerica Radeta had improperly influenced witnesses during the defense of war criminal Vojislav Seselj, affecting his sentencing. Serbia contended that its domestic laws did not require compliance with such transfers, a position contested by the IRMCT. Government Human Rights Bodies: Key government bodies tasked with human rights protection, including the Office of the Ombudsman, the Commissioner for the Protection of Equality, the Commissioner for Information of Public Importance and Personal Data Protection, and the Ministry for Human and Minority Rights and Social Dialogue, were active throughout the year. However, there were criticisms of inconsistent application of relevant laws and regulations. Observers noted that the effectiveness of these bodies often depended on their leadership, and human rights NGOs criticized the ombudsman for delays or inaction in politically sensitive or executive-related cases.<sup>95</sup>

### *2.5.3 Rights and Freedoms*

Serbia has enacted legislation and established institutional mechanisms to protect human rights, uphold fundamental freedoms, and has made significant efforts to address issues such as discrimination, minority rights, and gender equality through legal reforms, awareness-raising campaigns, and capacity-building initiatives. Serbia has also ratified international human rights treaties and conventions. Despite progress, challenges persist in ensuring full compliance with human rights standards, particularly concerning the protection of minority rights and vulnerable groups. Discrimination based on ethnicity, gender, sexual orientation, and disability remains prevalent, despite legal safeguards. Insufficient enforcement mechanisms, inadequate implementation of laws, and societal attitudes contribute to divergence from EU human rights standards and hinder Serbia's legal harmonisation efforts.<sup>96</sup>

---

<sup>94</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Serbia', Section 5, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/serbia/>> Accessed 26 July 2024.

<sup>95</sup> Ibid Section 1.

<sup>96</sup> Constitution of the Republic of Serbia (30 September 2006).

The law enables citizens to select their government through transparent and equitable periodic elections held by secret ballot, with universal and equal voting rights. In December, the country conducted snap parliamentary elections, elections for the Vojvodina provincial assembly, and 65 local elections, including for the Belgrade City assembly. The OSCE's ODIHR found that the legal framework supported democratic elections and that the elections were well-managed, offering voters various political options. However, there were shortcomings in implementation. ODIHR observed<sup>97</sup> that while voting on the day was generally smooth, it was marred by procedural problems such as inconsistent safeguards during voting and counting, frequent overcrowding, breaches of vote secrecy, and multiple instances of group voting. Domestic civil society organizations faced no major restrictions in monitoring and commenting on the election process. The Serbian NGO Center for Research Transparency and Accountability reported preliminary findings on irregularities in the Belgrade City assembly elections. They claimed that due to the extent and types of electoral misconduct observed, the results did not reflect the genuine will of the voters. Irregularities included political parties maintaining their own records of voting activities, suspicious vehicle movements near polling stations, breaches in voting secrecy, and failures in checking voter identities. Beginning December 18, the opposition coalition Serbia Against Violence, joined by thousands of supporters, protested the elections, citing alleged irregularities. They called for the annulment of all election results and a re-run of the Belgrade City assembly election, demanding an international review. ODIHR noted several factors that created an uneven playing field in the December national elections, favoring the ruling incumbents. These included undue pressure on public sector employees to support the governing SNS party, large disparities in campaign financing, and misuse of administrative resources. While media coverage included all political parties, most national broadcasters disproportionately favored Mr. Vucic and the SNS, limiting voters' ability to make fully informed choices. The electoral code's requirement for officials to clarify whether they were acting in an official or party capacity did little to reduce informal campaigning by Mr. Vucic and SNS representatives.<sup>98</sup>

#### *2.5.4 Strategies Against Corruption*

---

<sup>97</sup> ODIHR Election Observation Mission Final Report, 'Republic of Serbia' (28 February 2024).

<sup>98</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Serbia', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/serbia/>> Accessed 26 July 2024.

Lastly and similarly to other analysed countries, Serbia has implemented anti-corruption measures to combat corruption and improve governance, including the establishment of specialised anti-corruption institutions, adoption of anti-corruption laws, and promotion of transparency and accountability in public administration. Serbia has also participated in international anti-corruption initiatives and cooperated with international organizations to address corruption. However, corruption<sup>99</sup> remains a significant challenge in Serbia, affecting various sectors of society and impeding progress toward EU accession. Political corruption, nepotism, and lack of transparency undermine public trust in government institutions and hinder effective governance. Weak enforcement mechanisms, lack of accountability, and limited transparency contribute to divergence from EU anti-corruption standards and hinder Serbia's legal harmonization process.<sup>100</sup>

The legislation established criminal penalties for officials involved in corruption, but the government rarely enforced these laws effectively. Despite numerous allegations of corruption within the government, there were almost no convictions for high-level or significant political corruption. Transparency International's Corruption Perceptions Index indicated severe corruption issues in the country, undermining the government's declared commitment to combat it. Whistleblowers who exposed corruption faced retaliation, and civil society criticized anti-corruption measures as biased in favor of prominent political figures. The government's investigations and prosecutions focused mainly on lower and mid-level officials, with no actions taken against senior figures, creating a perception of impunity. Non-governmental organizations noted that charges like "abuse of office" or "trafficking in influence" were frequently used against lower-level officials, with penalties proving insufficient as deterrents.<sup>101</sup>

Despite the government's public statements against corruption, both the Anti-Corruption Council and Transparency Serbia pointed out ongoing transparency issues. Authorities often failed to meet their obligations to provide information requested by the public, contrary to legal requirements. Numerous cases of corruption were reported throughout the year, including indictments and convictions related to influence trading, abuse of office,

---

<sup>99</sup> Corruption Perceptions Index, 'Serbia', <<https://www.transparency.org/en/cpi/2022/index/srb>> Accessed 26 July 2024.

<sup>100</sup> Constitution of the Republic of Serbia (30 September 2006).

<sup>101</sup> US Department of State, '2023 Country Reports on Human Rights Practices: Serbia', Section 4, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/serbia/>> Accessed 26 July 2024.

procurement fraud, and money laundering. In August, Slobodan Milenkovic and Dusan Mitic were transferred from their roles in the Belgrade police's drug unit amid speculation of retaliation for their role in exposing a major illegal marijuana farm linked to high-ranking officials. In February, the head of the Belgrade Anti-Corruption Office dismissed two prosecutors who had uncovered corruption in the state-owned Electric Power Industry of Serbia without explanation.<sup>102</sup>

#### 2.5.5 Key takeaways

To summarise the findings, Serbia's progress towards EU membership since gaining candidate status in 2012 has been marked by efforts to tackle governance and rule of law issues, despite persistent challenges in areas like judicial independence and minority rights. Although progress has been made, challenges persist, particularly concerning rule of law, freedom of expression, and relations with Kosovo. The constitutional framework has been revised to align with EU standards, but problems with judicial independence and minority rights remain. Efforts to improve human rights and combat corruption face obstacles, including discriminatory practices and inadequate enforcement of anti-corruption laws. Despite these challenges, Serbia continues to work on aligning its legal and political systems with EU requirements.

### 2.6 Similarities and differences

After this tailored analysis, it is clear that the legal landscapes of Southeastern European countries share several similarities in their current state, as they stand in their EU accession processes. All these nations have legal frameworks that are in various stages of alignment with EU standards, particularly in areas such as the rule of law, judicial independence, anti-corruption measures, and human rights protections. They have established numerous legal and institutional structures aimed at fulfilling the *acquis communautaire*, the comprehensive collection of EU laws and regulations. Moreover, they continue to receive guidance and support from EU bodies, which aids in implementing necessary reforms and monitoring progress. There is also a shared commitment to ongoing legislative harmonization and compliance with EU norms, reflecting a collective aspiration to achieve EU membership.

---

<sup>102</sup> Ibid.



However, notable differences persist in the current legal landscapes of these countries. For example, Bosnia and Herzegovina continues to struggle with a fragmented political and legal system, which complicates its efforts to implement cohesive legal reforms. In contrast, Montenegro has made more unified progress but still faces issues with judicial independence and corruption. Albania, while making strides in reforming its judiciary, remains hindered by pervasive corruption and political influence in legal processes. North Macedonia, on the other hand, has shown more significant advances in judicial and anti-corruption reforms but still contends with political instability. Serbia's legal system faces scrutiny over political interference and issues with media freedom, affecting its overall reform progress. These differences highlight the varied political, social, and economic contexts within which each country operates, resulting in distinct challenges and levels of progress in their EU accession journeys.

### **3. Analysing the impact of harmonization on the national legal systems**

#### **3.1 Albania**

Harmonization with the EU *acquis* has had a significant impact on the Albanian national legal system. This process of alignment and integration has influenced various sectors, driving legislative and institutional reforms. Key impacts include capital markets, insurance and pensions, financial market infrastructure, statistical standards, product registration and company law.

According to the Rule of Law Report of July 2024,<sup>103</sup> Albania has embarked on a comprehensive judicial reform, overhauling its justice system and enhancing accountability through the vetting of judges and prosecutors. However, challenges persist in appointing non-magistrate members to the High Judicial Council and High Prosecutorial Council. Despite the High Justice Inspector's operational status, a shortage of magistrate-inspectors hampers effectiveness. The process of magistrate appointments, promotions, and transfers, while safeguarded for independence, faces issues of transparency and timely evaluations.

---

<sup>103</sup> European Commission, Rule of Law Report 2024, Country Chapter 'Albania', SWD(2024) 828 final (24 July 2024).

Interference and pressure from public officials and politicians remain a concern. Additionally, the implementation of a modern electronic case management system is delayed, and financial and human resource shortages detract from the quality of justice. Long proceedings and a substantial backlog continue to challenge efficiency improvements.

A new Anti-Corruption Strategy for 2024-2030 is underway, and while the legal framework to combat corruption is largely established, SPAK and SPAK courts have shown promising initial results. However, specialised resources and tools are lacking. The past three years have seen an increase in investigations, prosecutions, and convictions for corruption, but a recent amnesty law raises concerns. Financial investigations and asset confiscations have improved, yet their limited scope reduces overall impact. Coordination between corruption prevention institutions and law enforcement remains weak. Despite verification of asset declarations by the High Inspectorate for the Declaration and Audit of Assets and Conflicts of Interest, its mandate and resources are inadequate. Corruption is widespread, especially during electoral campaigns, and preventive measures are hindered by a complex legal framework, showing limited impact in vulnerable sectors. The independence of Albania's audio-visual regulatory authority is under scrutiny, with insufficient regulation on media ownership transparency and high ownership concentration affecting media independence. State advertising and resources allocation lack fairness, and concerns persist regarding the independence of the public broadcaster. Amendments to the Law on the right to information introduce positive changes, but implementation is flawed. While protections for journalists are established, they face verbal and physical attacks, smear campaigns, and strategic lawsuits. Political polarization negatively impacts parliamentary effectiveness, transparency, and objectivity. The Constitutional Court maintains checks and balances, although Parliament has not complied with some rulings. The legal frameworks for the Ombudsperson and the Commissioner against Discrimination are in place but face operational obstacles. Civil society organizations encounter challenges, including registration requirements and limited public funding. The legislative process is marred by ineffective public consultations, and amendments to the Law on Inquiry Committees, criticized for limiting parliamentary oversight, are under Constitutional Court review.<sup>104</sup>

---

<sup>104</sup> Ibid.

Albania has made considerable efforts to align its legislation with the EU *acquis*, particularly in the area of capital markets. The adoption of the policy document on capital market development (2023-2027) and the strategy for the financial supervisory authority demonstrate the commitment to harmonization. This has involved adopting legislation aligned with Markets in Financial Instruments Directive II, transparency, market abuse, prospectuses, settlement, and central securities depositories. These changes aim to modernize the capital market infrastructure and enhance investor protection). The harmonization process has led to significant legislative changes in the insurance sector, including aligning national legislation on compulsory insurance in the transport sector with the EU *acquis*. Additionally, Albania has adopted laws on private pension funds in line with the EU's Institutions for occupational retirement provisions II directive. This alignment seeks to ensure robust supervision and development of the insurance and pension sectors. The alignment with the EU *acquis* has affected the financial market infrastructure, notably the Albanian Stock Exchange and the central securities depository. Efforts to align with EU standards in these areas aim to improve market efficiency and systemic risk management. Albania has partially aligned its national account statistics with the European System of National and Regional Accounts (ESA 2010). This ongoing process involves substantial work to ensure compliance and improve the quality and comprehensiveness of statistical data. Such alignment is critical for accurate economic analysis and policy-making.<sup>105</sup>

Albania has made progress in aligning its product legislation with the EU *acquis*, particularly REACH. The country has partially aligned its legal framework with the EU *acquis*, particularly in accreditation, conformity assessment, and market surveillance. However, full alignment with Articles 34-36 of TFEU remains incomplete. Specific areas like equipment and protective systems for explosive atmospheres, gas appliances, and eco-design still require attention. Albania is advancing towards ensuring the free movement of workers by implementing legislation related to family members of EU citizens, enhancing bilateral social security agreements, and developing IT systems to connect to EURES. Continued efforts are required to enforce these laws and negotiate further agreements.<sup>106</sup>

---

<sup>105</sup> European Commission, Communication on EU Enlargement policy, 'Albania 2023 Report', SWD(2023) 690 final (8 November 2023).

<sup>106</sup> Ibid.

Albania has partially aligned its national accounts with ESA 2010. Efforts continue to enhance the quality and comprehensiveness of statistical data, including GDP and Gross General Income estimates. Albania is working towards aligning its intellectual property laws with the EU *acquis*, covering areas such as patents, trademarks, and copyrights. This alignment is crucial for fostering innovation and protecting intellectual property rights. Additionally, the State Inspectorate for Market Surveillance has increased its capacity, though further efforts are needed to enhance enforcement and transparency. There has been moderate progress in aligning company law with the EU *acquis*. This includes improvements in transparency requirements for listed companies, which are crucial for ensuring market integrity and investor confidence. Overall, the harmonization with the EU *acquis* has driven significant legal and institutional reforms in Albania, contributing to the modernization of its legal system and enhancing its alignment with European standards. These changes are pivotal for Albania's EU integration process and its overall socio-economic development.<sup>107</sup>

Harmonizing Albania's legal system can contribute to increased legal certainty and stability, providing a more predictable and conducive environment for investment, business development, and economic growth.<sup>108</sup> Harmonization can facilitate the promotion of democratic values, human rights, and the rule of law in Albania, strengthening its democratic institutions, enhancing governance practices, and fostering respect for fundamental rights and freedoms.<sup>109</sup> Despite the potential benefits, the process of harmonization poses challenges in terms of implementation, enforcement, and compliance. Albania must overcome institutional, administrative, and socio-economic barriers to ensure effective implementation of EU-related reforms and achieve sustainable convergence with EU legal standards. This requires political commitment, adequate resources, and strong partnerships with EU institutions and member states to support Albania's integration efforts. Additionally, raising awareness among stakeholders and engaging civil society are crucial for fostering public support and ensuring the success of harmonization efforts.<sup>110</sup>

### 3.2 Bosnia and Herzegovina

---

<sup>107</sup> Ibid.

<sup>108</sup> European Commission, Screening Report, 'Albania' (20 July 2023).

<sup>109</sup> Ibid.

<sup>110</sup> Ibid.

The harmonization of Bosnia and Herzegovina's legal system with the EU *acquis* has significant impacts across various legal and institutional areas. The primary focus areas include company law, corporate governance, accounting, intellectual property, product standards, and worker mobility. Below is a detailed examination based on the EU Commission's report on Bosnia and Herzegovina.

BiH has some level of preparation in the field of company law, corporate accounting, and audit. However, no progress has been made recently. The existing legislation needs to be reviewed to identify amendments necessary to align with the EU *acquis*. There is no harmonization of company law requirements across the country, with different regional business registers operating independently without coordination. This fragmentation creates multiple hurdles for businesses, requiring them to register several times to operate throughout the country, which is not in line with the EU Company Law *acquis*. Legislation on corporate reporting in BiH remains partially aligned with the EU *acquis*. The legal framework needs to be updated to include both financial and non-financial reporting and transparency requirements for listed companies. This includes alignment with recent EU regulations on corporate sustainability reporting. The EU has established harmonized rules for the legal protection of intellectual property rights, covering patents, trademarks, designs, and biotechnological inventions. While BiH has some legislation in place, it requires further alignment to meet EU standards.<sup>111</sup>

This alignment is crucial for protecting copyright and related rights, which cover books, films, software, and broadcasting. BiH is at an early stage of preparation in aligning its legislative framework with the EU *acquis* in terms of technical product standards, accreditation, conformity assessment, and market surveillance. The fragmented legislative framework, especially between different entities like Republika Srpska and the Federation of BiH, hinders uniform application of EU standards. Efforts to align with the 'new and global approach' product *acquis* have stalled over the past decade, leading to a decline in actual alignment levels. In the area of free movement of workers, BiH has some level of preparation but has made no progress recently. The country's fragmented social security coordination system and limited administrative capacity hinder effective harmonization with EU requirements. To address these issues, BiH needs to develop a country-wide database on job

---

<sup>111</sup> European Commission, Communication on EU Enlargement policy, 'Bosnia and Herzegovina 2023 Report', SWD(2023) 691 final (8 November 2023).

vacancies and negotiate new bilateral social security agreements with EU member states. BiH's legislative and institutional framework is not fully in place to support EU harmonization. There are systemic issues in operational cooperation between law enforcement agencies due to non-harmonized criminal legislation, weak institutional coordination, and limited intelligence exchange. Additionally, financial investigations and asset seizures remain ineffective, which affects the country's ability to meet EU standards in combatting organized crime and corruption.<sup>112</sup>

The EU Commission has outlined specific recommendations for BiH, including finalising the review of existing legislation in company law and accounting to further align with the EU *acquis*, and improving the connection and coordination of business registers across entities and the Brčko District. Other areas include establishing a single country-wide authority for the oversight of statutory auditors, and ensuring consistent application of product standards and market surveillance legislation across all entities, and enhancing the legal framework for intellectual property rights protection and corporate reporting. While Bosnia and Herzegovina has made some strides towards aligning its national legal system with the EU *acquis*, significant challenges remain. These challenges stem from legislative fragmentation, lack of coordination between entities, and outdated or partially aligned legal frameworks. Addressing these issues is crucial for BiH to progress towards EU membership and fully integrate with the EU legal system.<sup>113</sup>

Bosnia and Herzegovina is in the initial phases of judicial reform. Some progress has been made recently. In September 2023, the country revised the Law on the High Judicial and Prosecutorial Council to implement a system for checking asset declarations of judges, prosecutors, and HJPC members. However, the revisions made to the law differ from those recommended by the Venice Commission, which has weakened the effectiveness of this system and necessitates further changes. Additionally, the Council of Ministers has appointed a new oversight body to supervise the execution of the national strategy for war crimes. Despite these efforts, there has been no improvement in the judiciary's independence and impartiality. The executive and legislative branches have not added new protections, and there remains a lack of consistency and excessive discretion in how rules are applied concerning the appointment, discipline, career progression, and conflict of interest for judges and

---

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

prosecutors. Persistent issues indicate an urgent need to strengthen judicial integrity and rebuild public confidence. The ongoing inefficiencies in the judicial system continue to hinder citizens' rights and the battle against corruption and organized crime. Moreover, the Republika Srpska entity assembly has demanded the resignation of state-level constitutional judges and legitimized the disregard of Constitutional Court decisions, undermining the authority and integrity of the Constitutional Court and violating the constitutional and legal order of the nation.<sup>114</sup>

Bosnia and Herzegovina is in the initial phases of judicial reform. Some progress has been made recently. In September 2023, the country revised the Law on the High Judicial and Prosecutorial Council to implement a system for checking asset declarations of judges, prosecutors, and HJPC members. However, the revisions made to the law differ from those recommended by the Venice Commission, which has weakened the effectiveness of this system and necessitates further changes. Additionally, the Council of Ministers has appointed a new oversight body to supervise the execution of the national strategy for war crimes. Despite these efforts, there has been no improvement in the judiciary's independence and impartiality. The executive and legislative branches have not added new protections, and there remains a lack of consistency and excessive discretion in how rules are applied concerning the appointment, discipline, career progression, and conflict of interest for judges and prosecutors. Persistent issues indicate an urgent need to strengthen judicial integrity and rebuild public confidence. The ongoing inefficiencies in the judicial system continue to hinder citizens' rights and the battle against corruption and organized crime. Moreover, the Republika Srpska entity assembly has demanded the resignation of state-level constitutional judges and legitimized the disregard of Constitutional Court decisions, undermining the authority and integrity of the Constitutional Court and violating the constitutional and legal order of the nation.<sup>115</sup>

Harmonizing Bosnia and Herzegovina's legal system with EU standards promotes legal certainty and stability, creating a conducive environment for investment, business development, and economic growth. This alignment reduces legal uncertainty, facilitates cross-border trade, and enhances Bosnia and Herzegovina's attractiveness as a destination for

---

<sup>114</sup> Ibid.

<sup>115</sup> European Commission, Key findings 'Bosnia and Herzegovina', <[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_5613](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_5613)> Accessed 26 July 2024.

foreign investment. By establishing a robust legal framework based on EU norms, Bosnia and Herzegovina aims to promote economic development, job creation, and a favorable business climate. Despite the potential benefits, harmonization with EU standards presents challenges in implementation, enforcement, and compliance. Bosnia and Herzegovina must overcome institutional, administrative, and socio-economic barriers to effectively implement EU-related reforms. This requires sustained political commitment, adequate resources, and strong partnerships with EU institutions and member states. Additionally, engaging civil society and raising awareness among stakeholders are essential for garnering public support and ensuring the success of harmonization efforts.<sup>116</sup>

### 3.3 Montenegro

Montenegro's efforts to harmonize its national legal system with the EU *acquis* have significantly impacted several legislative areas. This alignment process is crucial for Montenegro's EU accession aspirations and involves substantial reforms across various legal domains. The integration with the EU legal framework aims to enhance the legal consistency and compatibility of Montenegro's laws with those of the European Union. Montenegro has aligned its national legislation with the EU company law *acquis*. This includes adopting directives related to long-term shareholder engagement, digital tools, cross-border operations (such as mergers, divisions, and conversions), and employee participation in these operations. The country also aims to align with the EU directive on gender balance on corporate boards. There has been no progress in revising the Corporate Governance Code, which is a key element for ensuring that corporate governance practices meet EU standards. The national business register is being prepared to interconnect with the EU Business Registers Interconnection system, which will streamline business operations across borders. Accounting and Reporting: Implementing acts to the Law on accounting have been adopted, and there is an ongoing initiative to further amend this law to align with the 2022 EU Directive on corporate sustainability reporting. All companies must currently comply with the proper international financial reporting standards, with reduced obligations for micro and small companies.<sup>117</sup>

---

<sup>116</sup> European Commission, Communication on EU Enlargement policy, 'Montenegro 2023 Report', SWD(2023) 694 final (8 November 2023).

<sup>117</sup> Ibid.



Montenegro's ongoing reforms in the judiciary, anti-corruption efforts, and media regulation demonstrate a commitment to aligning with European standards. However, significant challenges remain, including delays in judicial appointments, ethical standards enforcement, resource allocation, and practical implementation of legal frameworks. Addressing these issues is crucial for ensuring the effectiveness of the judiciary, enhancing transparency and accountability, and fostering a more open and democratic society. Montenegro is in the midst of substantial judicial reforms, focusing on revising laws to enhance the independence, accountability, and impartiality of its judiciary and prosecution services, aligning with European and international standards. The adoption of the 2024-2027 judicial reform strategy marks a significant step forward. Despite progress, delays in high-level judicial appointments have caused disruptions, with the appointment of the Supreme Court President still pending. Upholding ethical and professional standards among judges and prosecutors remains a significant challenge. The judiciary's effectiveness is also hindered by insufficient investment in human resources, ICT, and infrastructure, contributing to inefficiencies and prolonged administrative case proceedings. Montenegro's new 2024-2028 anti-corruption strategy and its 2024-2025 Action Plan signify a robust commitment to tackling corruption, criminalizing most forms. However, a stable record of high-level corruption investigations and prosecutions is undermined by a lack of trials and final decisions, fostering a sense of impunity. The Special Prosecution Office (SPO) has improved its performance, though it struggles with inadequate human resources. While numerous institutions have specific codes of conduct, the government's overarching Code of Conduct is ineffective, awaiting the adoption of the Law on Government, which includes disciplinary measures. The newly adopted lobbying legislation and the legal framework for political party funding face issues in scope, clarity, and implementation. In June, Montenegro adopted a comprehensive legislative package to enhance media pluralism and freedom, including amendments to the Law on the National Public Broadcaster, a new Audiovisual Media Services Law, and a new Media Law. These laws aim to improve transparency in media ownership and align with EU standards. The Agency for Audiovisual Media Services received enhanced powers to enforce regulations, including imposing fines for violations. Despite these reforms, information on public sector payments to media outlets remains limited, and the appointment of the RTCG Director-General is contested in court. Although access to information and public documents is legally guaranteed, practical limitations exist. Authorities generally respond effectively to new violence cases against journalists, but there is a lack of judicial follow-up on significant past cases. The Ombudsperson's Office has improved its capacity to handle complaints and

make decisions, yet the absence of systematic follow-up to its recommendations diminishes its effectiveness. Despite a framework for inclusive legislative processes, public consultations are often inadequate. The implementation of the Strategy for Cooperation of State Administration Bodies and Non-Governmental Organizations 2022-2026 has not significantly improved civil society relations.<sup>118</sup>

Montenegro has made good progress in aligning its national legislation with the EU *acquis* in the area of intellectual property law. This includes the adoption of amendments to the laws on patents and trademarks, the new national intellectual property strategy, and accession to the European Patent Convention and the European Patent Organization. Amendments to the Law on copyright and related rights have been adopted to align with EU directives. These include provisions for the use of works by individuals who are blind, visually impaired, or otherwise print-disabled, and the coordination of rules concerning satellite broadcasting and cable retransmission. Upcoming amendments will aim to implement the Directive on online transmissions and the Directive on copyright in the Digital Single Market. Significant steps include the electronic submission of applications, alignment of the Law on patents and trademarks with EU standards, and accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. Montenegro has made moderate progress in aligning its legislation with the EU *acquis* concerning the free movement of goods. This includes technical requirements for products, conformity assessment, standardization, and metrology. The national standardization body is progressing towards full membership in the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization. Efforts to strengthen the human and financial capacity of quality infrastructure bodies continue. Chemicals Management: Implementation legislation and a new chemicals management strategy have been adopted. The sector has seen improvements in human resources and funding, although further strengthening is required. To ensure effective implementation and enforcement of the harmonized legislation, Montenegro is strengthening its institutional capacities. This includes enhancing human resources in departments such as audit oversight and intellectual property, and ensuring that national bodies are adequately staffed and funded.<sup>119</sup>

---

<sup>118</sup> European Commission, 2024 Rule of Law Report, Country Chapter ‘Montenegro’, SWD(2024) 829 final (24 July 2024).

<sup>119</sup> European Commission, Communication on EU Enlargement policy, ‘Montenegro 2023 Report’, SWD(2023) 694 final (8 November 2023).

In conclusion, Montenegro's harmonization with the EU *acquis* has led to comprehensive reforms in its national legal system, enhancing legal compatibility and institutional capacity in line with EU standards. These efforts are vital for Montenegro's EU accession process and the overall improvement of its legal and regulatory environment. Conclusion can also be drawn that despite the analysed benefits, the harmonisation process poses challenges in implementation, enforcement, and compliance. Montenegro must overcome institutional, administrative, and socio-economic barriers to effectively implement EU-related reforms. Political commitment, adequate resources, and partnerships with EU institutions and member states are crucial.<sup>120</sup>

### 3.4 North Macedonia

North Macedonia's legal system is undergoing extensive reforms to harmonize with the EU *acquis*, impacting multiple sectors. Here's an in-depth look at how these changes are shaping the country's legal landscape. North Macedonia has undertaken significant reforms to align its company law with EU directives, particularly focusing on the formation, registration, and operation of companies. The Central Registry of North Macedonia offers a fully online system for company registration and document filing, modernising and streamlining these processes. Future plans include integrating the national business register with the EU Business Registers Interconnection System, enhancing transparency and accessibility for cross-border business operations. Efforts are ongoing to encourage long-term shareholder engagement and align with EU directives on corporate governance. This includes ensuring that shareholders have a say in significant corporate decisions and that there are mechanisms for resolving conflicts of interest within companies.<sup>121</sup>

North Macedonia's judicial reforms and anti-corruption efforts illustrate a commitment to improving governance and aligning with European standards. However, significant challenges persist, including judiciary independence, resource allocation, and effective implementation of anti-corruption measures. Enhancing transparency, strengthening institutional frameworks, and fostering a more inclusive legislative process are critical for further progress. Addressing these issues is essential for ensuring the effectiveness and integrity of North Macedonia's

---

<sup>120</sup> European Commission, 2024 Rule of Law Report, Country Chapter 'Montenegro', SWD(2024) 829 final (24 July 2024).

<sup>121</sup> European Commission, Communication on EU Enlargement policy, 'North Macedonia 2023 Report', SWD(2023) 693 final (8 November 2023).

judiciary, governance, and civil society. North Macedonia has implemented several judicial reforms and a new justice strategy aimed at enhancing the judiciary's independence, efficiency, and professionalism. Despite these efforts, concerns about the judiciary's independence and its ability to resist undue influence persist. Public perception of judicial independence remains low. The Judicial Council's operation and independence are also problematic, though steps have been taken to address these issues. Civil society has criticised the appointment processes for judges and prosecutors for lacking comprehensive motivation and objective criteria. Transparency initiatives have been undertaken, particularly by the President of the Supreme Court and the Judicial Council. Ethics codes for prosecutors and judges are established. However, limited financial and human resources allocated to the judiciary threaten its autonomy and efficiency. Digital case management tools are under development, but the efficiency of the judiciary has declined in first-instance civil, commercial, and criminal cases, though it remains stable in second-instance cases. North Macedonia has a comprehensive national anti-corruption strategy, but its implementation is lagging. High corruption risks persist in many areas, and recent amendments to the Criminal Code have weakened the legal framework, complicating the prosecution of high-level corruption cases. Effective prosecution is further hindered by resource constraints and inadequate cooperation between national authorities. Despite limited resources, the State Commission for Prevention of Corruption continues its efforts. Although a legal framework and lobbying registers are in place, no lobbyists are registered yet. Gaps remain in the financing of political parties, and the law on whistleblower protection is being updated. The Agency for Audio and Audiovisual Media Services performs its duties but needs greater financial and institutional independence. The Council of Media Ethics faces pressure, and issues remain regarding media ownership transparency and the reintroduction of state-funded advertising. The Public Service Broadcaster encounters challenges, and the Agency for Protection of Free Access to Public Information ensures access despite limited resources, though refusals and delays are concerns. Legal safeguards for journalists have been strengthened, but threats and violence against journalists continue. Political polarisation in Parliament has delayed its work and led to frequent use of accelerated legislative procedures, sometimes inappropriately. Inclusive and evidence-based policymaking processes still have implementation shortcomings. The Office of the Ombudsperson is under-resourced, and systematic follow-up to its recommendations is lacking. Civil society organizations operate in

a generally supportive environment, but ensuring sustainable engagement in policymaking remains a challenge.<sup>122</sup>

North Macedonia is making strides in aligning its intellectual property laws with the EU *acquis*, although challenges remain in fully harmonizing these laws. The country needs to further align its legal framework concerning copyright, including laws on collective rights management and orphan works. Efforts are ongoing to improve the legal infrastructure to protect creators' rights and ensure fair compensation for the use of their works. North Macedonia has integrated with the European Union Intellectual Property Office's harmonized database for trademarks, which is a significant step toward aligning with EU standards. However, enforcement remains a challenge, necessitating enhanced cooperation among law enforcement agencies and the judiciary to effectively combat intellectual property infringements. The financial sector in North Macedonia is gradually aligning with EU standards, focusing on risk management, supervision, and consumer protection. Legislation regarding credit risk management and bank data disclosure has been updated to comply with EU rules. There are ongoing efforts to align deposit insurance schemes with EU directives and to strengthen the supervisory capabilities of financial regulatory bodies. The country is working on aligning its insurance sector with the Solvency II Directive, which sets out EU-wide requirements for insurance firms to ensure their solvency and financial stability. Reforms are also underway to address investment limits for pension funds to ensure their sustainability and alignment with EU practices.<sup>123</sup>

North Macedonia's economic and monetary policies are increasingly aligned with EU standards, focusing on fiscal discipline and central bank independence. The new Organic Budget Law establishes a framework for sound fiscal management, including the establishment of a Fiscal Council to oversee budgetary policies. This aligns with EU requirements for fiscal responsibility and transparency. The central bank's operations are closely aligned with EU monetary policy principles, emphasising price stability and sustainable economic growth. Continued efforts are needed to ensure the central bank's independence and the effective implementation of fiscal rules that align with the Stability and Growth Pact of the EU. North Macedonia is aligning its foreign and security policies with

---

<sup>122</sup> European Commission, 2024 Rule of Law Report, Country Chapter 'North Macedonia', SWD(2024) 830 final (24 July 2024).

<sup>123</sup> European Commission, Communication on EU Enlargement policy, 'North Macedonia 2023 Report', SWD(2023) 693 final (8 November 2023).

those of the EU, demonstrating its commitment to being a reliable partner. Trade and Economic Integration: The country is implementing Central European Free Trade Agreement protocols and enhancing its institutional capacity to participate in EU commercial policies. This involves aligning with EU trade regulations and participating in EU-led development and humanitarian initiatives. North Macedonia has shown alignment with the EU's Common Foreign and Security Policy (CFSP), contributing to regional stability and security initiatives. This includes participating in EU missions and aligning with EU sanctions regimes.<sup>124</sup>

North Macedonia's harmonization with the EU *acquis* is a complex and ongoing process that profoundly impacts its national legal system. These efforts are essential for its EU accession aspirations and involve substantial reforms across various legal domains, enhancing the legal consistency and compatibility of North Macedonia's laws with those of the European Union. North Macedonia must overcome institutional, administrative, and socio-economic barriers to ensure effective implementation of EU-related reforms. This requires political commitment, adequate resources, and strong partnerships with EU institutions and member states. Additionally, raising awareness among stakeholders and engaging civil society are crucial for fostering public support and ensuring the success of harmonization efforts.<sup>125</sup>

### 3.5 Serbia

Serbia must overcome institutional, administrative, and socio-economic barriers to ensure the effective implementation of EU-related reforms. This requires political commitment, adequate resources, and strong partnerships with EU institutions and member states. Additionally, raising awareness among stakeholders and engaging civil society are crucial for fostering public support and ensuring the success of harmonization efforts.

Serbia's judicial reforms and anti-corruption efforts highlight a commitment to aligning with European standards. However, substantial challenges persist, including judicial independence, resource allocation, political influence, and the practical implementation of anti-corruption measures. Addressing these issues is crucial for ensuring the judiciary's effectiveness, enhancing transparency and accountability, and fostering a more open and democratic society. Strengthening media independence, improving legislative processes, and creating a

---

<sup>124</sup> Ibid.

<sup>125</sup> Ibid.

supportive environment for civil society are essential for further progress. Serbia's justice system has seen significant reforms in recent years. Efforts to implement constitutional reforms aimed at enhancing judicial independence are ongoing, with further legislative amendments anticipated. A new appeal procedure to the Constitutional Court for judicial appointments has been established, but numerous judge and prosecutor positions remain unfilled. Political pressure on the judiciary and prosecution services continues to be a major concern. Despite steps taken to minimize political influence, their practical impact remains to be seen, and instances of undue influence often lack follow-up. Serbia still needs a comprehensive court management system to link cases across courts and prosecutor offices. While there is a positive trend in the efficiency of handling civil, commercial, and criminal cases, administrative cases and constitutional complaints face significant challenges. The adoption of the National Anti-Corruption Strategy for 2023-2028 and its Action Plan is still pending. Although the legal framework to combat corruption is mostly established, practical shortcomings persist. Most forms of corruption are criminalised, but efforts must be intensified to create a strong track record of high-level corruption investigations, indictments, and convictions. The Prosecutor's Office for Organized Crime is understaffed, posing a risk of politically motivated interference in high-level corruption cases. Issues remain in verifying and enforcing asset declarations and in political party financing. Lobbying regulation is limited, and whistleblower protection laws are not yet aligned with EU standards. Public procurement remains a high-risk area for corruption, especially due to several exemptions from procurement laws. In 2023, media legislation was amended to align with EU standards, but further changes are needed for full compliance. The Regulatory Authority for Electronic Media is not fully effective in safeguarding media pluralism and professional standards, with concerns about its independence. The Press Council monitors compliance with the Serbian Journalists' Code of Ethics in print media. Measures to enhance transparency in ownership structures and state resource advertising, as proposed in the media strategy, have not been fully implemented. Issues of editorial autonomy and pluralism in public service media need addressing amid complaints of biased reporting. Journalists face frequent refusals or non-responses from public bodies when requesting information and continue to experience safety concerns and pressure from abusive lawsuits. Parliament's effectiveness, autonomy, and transparency in exercising checks and balances, including executive oversight and law-making processes, are limited. Public consultation processes require further strengthening. Four positions remain vacant at the Constitutional Court. While three independent bodies—the Ombudsman, the Commissioner for Information of Public

Importance and Personal Data Protection, and the Commissioner for the Protection of Equality—protect fundamental rights, follow-up on their recommendations is not always clear. Despite having elements of the legal framework in place, civil society organizations face challenges in establishing, operating, and securing financing within an enabling environment.<sup>126</sup>

The harmonization of Serbia's legal system with the EU *acquis* has led to extensive modifications and reforms across multiple areas. This process of alignment involves adjusting national legislation to meet the standards and requirements set by the European Union. Below is a detailed overview of the impacts observed. Serbia has undertaken substantial legislative changes to comply with EU standards, resulting in reforms across various sectors. Serbia has enacted constitutional amendments to bolster the independence and accountability of its judiciary. This includes the timely adoption of most implementing laws, although a few, such as the Law on Judicial Academy and the Law on Seats and Territorial Jurisdiction of Courts, are still pending. The Venice Commission has positively reviewed these legislative changes, noting the transparency and inclusiveness of the process. Despite some progress, Serbia's efforts in combatting corruption remain insufficient. There has been a slight increase in high-level corruption investigations and convictions, but significant gaps persist. A comprehensive national anti-corruption strategy and action plan are still needed, and effective coordination mechanisms are yet to be established. Serbia has made limited progress in public administration reform, focusing on developing e-services and e-government policies. However, challenges remain in human resources management, policy development, and financial management.<sup>127</sup>

Harmonization has also impacted Serbia's economic landscape, requiring adjustments to create a competitive market economy. Serbia is working towards establishing a functioning market economy capable of withstanding competitive pressures within the EU. This involves reforms in public procurement, statistics, and financial control to align with EU practices. Reforms in financial services aim to integrate Serbia's financial system with the EU, enhancing regulatory frameworks to ensure stability and consumer protection. The alignment process has also influenced Serbia's social and political environment: Serbia's commitment to

---

<sup>126</sup> European Commission, 2024 Rule of Law Report, Country Chapter 'Serbia', SWD(2024) 831 final (24 July 2024).

<sup>127</sup> European Commission, Communication on EU Enlargement policy, 'Serbia 2023 Report', SWD(2023) 695 final(8 November 2023).



harmonization includes enhancing the protection of fundamental rights and the functioning of democratic institutions. This involves strengthening the independence of bodies like the Ombudsman and improving the legislative framework to ensure the execution of decisions from the European Court of Human Rights. Efforts are ongoing to create an enabling environment for civil society organizations, although challenges such as verbal attacks and smear campaigns persist. The legal framework for media and freedom of expression is being adjusted to meet EU standards, aiming to foster a more open and transparent media environment. Serbia is incorporating EU environmental standards into its national policies, focusing on sustainable development and connectivity. This includes reforms in transport, energy, and environmental protection to align with the EU's green agenda. Serbia's alignment with EU policies extends to its foreign relations and regional cooperation. This involves aligning its stance with EU positions in international forums and contributing to regional stability, particularly in relation to Kosovo.<sup>128</sup>

Overall, the harmonization of Serbia's national legal system with the EU *acquis* is a complex and ongoing process, driving significant legislative, economic, social, and environmental reforms aimed at meeting the stringent requirements for EU membership. The progress in these areas highlights Serbia's commitment to its strategic goal of joining the European Union, despite the challenges and setbacks encountered along the way.

### 3.6 Similarities and differences

The Southeastern European countries share several similarities in addressing the challenges of EU accession and harmonizing their national legal systems. Each country is committed to aligning its legal frameworks with EU standards, focusing on critical areas such as judicial independence, anti-corruption measures, human rights, and administrative reforms. They all engage in a continuous process of legislative adjustments and institutional improvements to meet the *acquis communautaire*. For instance, Montenegro has implemented various judicial reforms to meet EU benchmarks, while North Macedonia has adopted comprehensive anti-corruption legislation to align with EU standards. Moreover, these countries benefit from EU technical assistance and capacity-building initiatives to enhance their institutional frameworks. Despite the political and economic challenges, there is a collective regional

---

<sup>128</sup> Ibid.

effort to promote transparency, strengthen the rule of law, and ensure legal certainty. The shared goal of EU membership fosters a collaborative approach, with these countries learning from each other's experiences and striving to overcome common obstacles in their accession journeys. Regular regional conferences and workshops facilitated by the EU serve as platforms for these countries to share best practices and lessons learned, further enhancing their collective progress.

However, significant differences exist in how these countries address the specific challenges of EU accession and the impact of harmonization on their national legal systems. Bosnia and Herzegovina, with its intricate and divided political structure, faces unique hurdles in implementing cohesive legal reforms and effective governance. The country's complex constitutional arrangement, a legacy of the Dayton Peace Agreement, results in fragmented authority and competing interests among its entities, which hampers unified reform efforts. In contrast, Montenegro has made more streamlined progress but continues to struggle with issues of judicial independence and political interference. The European Commission's 2021 report on Montenegro highlighted persistent concerns regarding the judiciary's susceptibility to political influence.

Albania's pursuit of judicial reforms is heavily challenged by pervasive corruption and political influence, which slow its overall progress. The country has undertaken a comprehensive vetting process for judges and prosecutors, but corruption remains a significant impediment to effective governance. North Macedonia has made notable advancements in anti-corruption and judicial reforms but contends with political instability that affects the robustness of its legal system. Political crises and changing governments have disrupted the continuity of reforms. Serbia, meanwhile, faces distinct challenges related to media freedom and political interference, which differ from those of its neighbours. Reports by organizations such as Reporters Without Borders and Freedom House consistently highlight issues of media control and government pressure on independent journalism in Serbia. These variations highlight the unique political, social, and economic contexts within which each country operates, leading to diverse approaches and levels of success in harmonizing their national legal systems with EU standards.

Considering these characteristics, there are multiple joint tailored approaches that could be made, based on the lessons learned from other EU member countries that encountered similar

challenges in the past. For example, Poland and Hungary's experiences with judicial reforms and anti-corruption measures can provide valuable insights for Albania and Bosnia and Herzegovina. Similarly, the Baltic States' successful transition to EU standards can offer a model for streamlining administrative and legal reforms in the Western Balkans. By adopting these tailored approaches and fostering regional cooperation, Southeastern European countries can enhance their prospects for successful EU integration and ensure that their legal systems are robust, transparent, and aligned with EU standards. An analysis of best practices and tailored recommendations are highly valuable towards tangible progress.

## **4. Recommendations to Southeastern European countries**

### **4.1 Strengthening Rule of Law and Judicial Independence**

Strengthening the rule of law and judicial independence across Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia involves a multi-faceted approach that includes implementing comprehensive reforms to ensure judicial independence, establishing transparent and merit-based appointment and promotion processes, and providing adequate resources and training for the judiciary. Each country must tailor these recommendations to their unique contexts and challenges while drawing on best practices and lessons learned from successful EU member states.

- i. Implement reforms to enhance the independence, integrity, efficiency of the judiciary.
- ii. Ensure transparent and merit-based judicial appointments and promotions.
- iii. Provide adequate resources and training for judges and judicial staff.

To strengthen the rule of law and judicial independence across Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia, comprehensive reforms are necessary to enhance the independence, integrity, and efficiency of the judiciary. Each country must build on existing frameworks to ensure that judicial structures operate without political influence. For example, Albania and Montenegro can continue to empower their High Judicial Councils and High Prosecutorial Councils (HJPC) to oversee judicial appointments and discipline effectively, ensuring true independence. Similarly, Bosnia and

Herzegovina should streamline its judicial framework to reduce fragmentation and ensure consistency across entities, supported by a strengthened High Judicial and Prosecutorial Council. North Macedonia and Serbia should focus on strategic judicial reform plans to address systemic issues, promote efficiency, and reduce case backlogs, aligning closely with EU standards and recommendations from the Venice Commission.

Ensuring transparent and merit-based judicial appointments and promotions is crucial for all five countries. Transparent selection processes for judicial appointments, involving public calls for applications, standardised criteria, and clear evaluation mechanisms, are necessary to prevent nepotism and political favouritism. Albania and Montenegro, for instance, should institutionalize transparent selection processes and implement performance-based evaluation systems for judicial promotions. Bosnia and Herzegovina and Serbia should develop and enforce merit-based criteria for judicial appointments, while North Macedonia should introduce standardised procedures for judicial appointments and promotions, ensuring transparency, fairness, and adherence to EU standards.

Providing adequate resources and training for judges and judicial staff is essential to support the judiciary's effective functioning. Each country needs to increase budgetary allocations to the judiciary to ensure adequate resources for infrastructure, technology, and human resources. For example, Albania, Montenegro, and Serbia should advocate for increased budgetary support to ensure the judiciary has the necessary resources to function effectively. Continuous training programs focusing on new legislation, EU standards, and best practices in judicial administration are crucial. Bosnia and Herzegovina and North Macedonia should establish comprehensive training and professional development programs, while ensuring that modern judicial infrastructure and case management systems are in place.

In summary, strengthening the rule of law and judicial independence across these five countries requires implementing comprehensive reforms to ensure judicial independence, establishing transparent and merit-based appointment and promotion processes, and providing adequate resources and training for the judiciary. By tailoring these recommendations to their unique contexts and challenges, while drawing on best practices and lessons learned from successful EU member states, Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia can make significant progress towards achieving judicial independence and upholding the rule of law.

A particular example can be brought from Poland. Poland's judiciary has faced challenges related to political interference, which raised concerns about judicial independence and the rule of law. The government's judicial reforms sparked controversy, with critics arguing they undermined judicial impartiality and integrity. In terms of harmonization impact, the European Commission and the European Court of Justice (ECJ) have played pivotal roles in ensuring Poland adheres to EU standards. Cases such as *European Commission v Republic of Poland* (Case C-791/19)<sup>129</sup> highlighted violations of EU principles, emphasising the need for transparent and merit-based judicial appointments and defending the independence of the judiciary. This scrutiny and legal action underscored the EU's commitment to upholding judicial independence as a fundamental EU value, influencing Poland's approach to judicial reforms.

## 4.2 Combatting Corruption and Organized Crime

Combatting corruption and organized crime is a critical priority for Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia as they progress towards EU accession. The main focus should be on the following three pillars:

- i. Strengthen anti-corruption measures and institutions to effectively investigate and prosecute corruption cases.
- ii. Enhance cooperation between law enforcement agencies and judicial authorities to combat organized crime.
- iii. Implement measures to promote transparency and integrity in public administration and business practices.

Strengthening anti-corruption measures and institutions is essential across all five countries. Each country needs to develop robust legal frameworks and dedicated anti-corruption bodies to investigate and prosecute corruption effectively. This includes enhancing the operational independence and capacity of anti-corruption agencies, ensuring they have the necessary resources and political backing to perform their duties without undue interference.

---

<sup>129</sup> *European Commission v Republic of Poland*, Case C-791/19, ECLI identifier: ECLI:EU:C:2021:596 (15 July 2021).

Enhancing cooperation between law enforcement agencies and judicial authorities is another common necessity. In Albania, Montenegro, and Serbia, this involves improving the coordination between police forces, prosecutors, and courts to dismantle organized crime networks efficiently. Collaborative efforts should also include regional partnerships and information-sharing agreements with neighbouring countries and EU member states to tackle cross-border criminal activities. This is particularly relevant for Bosnia and Herzegovina and North Macedonia, where organized crime often transcends national borders.

Promoting transparency and integrity in public administration and business practices is crucial for all five countries. Implementing robust public procurement laws, enhancing the transparency of government operations, and fostering a culture of accountability in both public and private sectors are essential steps. For Bosnia and Herzegovina, where ethnic divisions sometimes exacerbate corruption, these measures must be coupled with initiatives to ensure equal opportunities and impartiality across different communities. North Macedonia can benefit from similar approaches, ensuring that anti-corruption efforts do not disproportionately impact any single ethnic group.

Montenegro and Serbia, already engaged in EU negotiations, must continue to refine their transparency measures to align with EU standards. Both countries should prioritise the adoption of digital tools and platforms to monitor and report public sector activities, ensuring real-time transparency and reducing opportunities for corruption. Albania, on the other hand, can leverage its recent judicial reforms to integrate anti-corruption mechanisms more effectively, ensuring that new legal structures are not undermined by corrupt practices.

In conclusion, while the specific challenges and contexts may vary, the overarching strategy to combat corruption and organized crime involves strengthening anti-corruption institutions, enhancing law enforcement cooperation, and promoting transparency across public and private sectors. These measures are critical for all five countries as they work towards EU integration, fostering a stable, transparent, and law-abiding environment that meets EU expectations and benefits their citizens.

Countries grappled with systemic corruption and challenges in combatting organized crime, consequently have undermined public trust and economic development.<sup>130</sup> Corruption scandals involving high-level officials highlighted the need for robust anti-corruption measures and judicial reforms. In terms of harmonization impact, a country's accession process involves extensive reforms to align its legal framework with EU standards on combatting corruption. The legal challenges and EU oversight pressures the countries to strengthen their anti-corruption institutions, enhance law enforcement capabilities, and implement measures promoting transparency in public administration and business practices. Therefore the harmonization process helps to improve their legal framework and institutional capacity to combat corruption effectively, paving the way for enhanced governance and economic stability.

#### 4.3 Promoting Media Freedom and Freedom of Expression

Promoting media freedom and freedom of expression is vital for Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia. Protecting journalists' rights and safety, ensuring their ability to work independently and without fear of reprisal, and encouraging diversity and pluralism in the media landscape are essential steps. Reviewing and amending legislation that restricts media freedom and censorship<sup>131</sup> will also help foster a more open and democratic society.

Countries face criticism for legislative measures perceived to restrict media freedom and freedom of expression. Government policies lead to concerns about media pluralism, independence of journalists, and censorship. EU institutions and legal frameworks have been pivotal in safeguarding media freedom in member states. They address legislative measures that potentially infringe on EU principles. The European Court of Justice upholds EU standards on media freedom, reinforcing protections for journalists and independent media outlets. The harmonization process not only challenges countries' restrictive measures, but also underscores the EU's role in promoting media pluralism, protecting journalists' rights,

---

<sup>130</sup> European Commission, '*The 2021 Justice Scoreboard*', Overview of the rule of law situation in the European Union (2021) <[https://commission.europa.eu/system/files/2021-07/eu\\_justice\\_scoreboard\\_2021.pdf](https://commission.europa.eu/system/files/2021-07/eu_justice_scoreboard_2021.pdf)> Accessed 26 July 2024.

<sup>131</sup> Council of Europe, '*Press Freedom in Europe: Time to Turn the Tide*', Annual assessment of press freedom in Europe by the partner organisations of the Safety of Journalists Platform (2024).

and upholding freedom of expression as fundamental to democratic principles within the EU member states.

#### 4.4 Improving Ethnic Relations and Inter-Community Dialogue

Improving ethnic relations and inter-community dialogue is vital for social cohesion and equal opportunities for all ethnic groups. To achieve this, countries should implement policies promoting inclusive education, cultural exchange, and mutual respect. This approach is especially relevant for diverse countries like Albania, which seeks to strengthen its social fabric and advance EU accession. Belgium provides a model for managing diversity. Its federal structure and policies promote linguistic and cultural rights, ensuring representation for its Dutch-speaking Flemish and French-speaking Walloon communities. Influenced by EU principles of non-discrimination and equality, Belgium's initiatives support cultural diversity and mutual understanding. Practical measures include inclusive education reflecting linguistic and cultural diversity, cultural exchange programs fostering interaction between ethnic communities, and legal frameworks protecting minority rights and promoting equality. Public awareness campaigns promoting diversity and tolerance can also help reduce prejudices.

Southeastern European countries, with their diverse ethnic communities, can draw valuable lessons from Belgium's experience. By adopting similar policies and frameworks, they can promote inter-community dialogue and social cohesion. Harmonizing its policies with EU norms and values, the countries can foster an environment of mutual respect and equality, essential for its EU integration process. The example of Belgium highlights how harmonization with EU norms can contribute to fostering social cohesion and respecting minority rights. By implementing policies that promote inclusive education, cultural exchange, and legal protections, countries can enhance their social cohesion and advance their EU accession aspirations. Belgium's experience demonstrates that a committed approach to promoting linguistic and cultural rights, influenced by EU principles, can successfully address the challenges of a diverse society.

#### 4.5 Advancing Economic Reforms and Sustainable Development

Advancing economic reforms and sustainable development involves improving the business environment, attracting investment, and stimulating growth through structural reforms. Key



actions include investing in infrastructure, education, and skills training to enhance productivity and addressing unemployment, poverty, and regional disparities with targeted policies. Estonia's post-Soviet economic reforms transformed its economy into one of Europe's most dynamic. Key reforms included simplifying tax systems, reducing bureaucracy, and implementing transparent regulations to attract foreign investors. Estonia's EU accession process shaped these reforms, with the EU supporting improvements in the business environment, infrastructure, and human capital investment. Estonia's digital innovations, such as e-governance, streamlined business operations and increased investor confidence. Infrastructure modernization in transport, energy, and telecommunications enhanced domestic industry efficiency and connectivity with other EU states. Heavy investment in education and skills training created a highly skilled workforce, attracting high-tech industries and startups. Targeted social policies reduced poverty and promoted regional development, ensuring even economic growth distribution.

The European Commission highlights the importance of aligning economic regulations with EU standards for stability and development. This alignment promotes legal certainty, investor confidence, and sustained growth, exemplifying the benefits of adopting EU standards. Member states' successful EU integration underscores the value of structural reforms, infrastructure development, and human capital investment. Southeast European countries can learn from their experience, in order to stimulate growth and enhance EU integration prospects. EU support and guidance, as seen in member states, can significantly aid this transformation.

#### 4.6 Accelerating Legal Harmonization with EU Standards

Accelerating legal harmonization with EU standards involves aligning national legislation with EU directives, regulations, and standards across various sectors. Strengthening institutional capacity to implement and enforce these reforms effectively, and ensuring transparency and stakeholder engagement in the legislative process, are essential. Croatia's accession to the EU illustrates this process well. The country undertook extensive legal reforms to align its laws with EU directives, which was crucial for its EU membership. The EU closely monitored Croatia's progress, ensuring compatibility with EU norms, which enhanced legal certainty, transparency, and governance practices. Croatia's journey required overhauling its legal framework to incorporate EU standards, including competition policy,

environmental standards, and consumer protection. The EU provided significant support, including technical assistance and funding, to develop the capacities needed for effective enforcement and sustainable reforms. Transparency and stakeholder engagement were key to Croatia's success. Public consultations and involvement of businesses and civil society helped identify challenges and solutions, fostering acceptance and commitment to the reforms. This inclusive approach ensured comprehensive reforms and widespread support.

Legal harmonization improved governance and accountability in member states, enhancing the rule of law and reducing corruption. Aligning with EU standards built trust among citizens and investors, supporting economic development. Regulatory alignment demonstrated countries' commitment to EU requirements, ensuring a fair market environment and sustainable development. Their smooth EU integration provided a solid legal framework that supported economic development, improved governance, and strengthened democratic institutions. This experience offers valuable lessons for other aspiring EU members: to prioritise legal harmonization, enhance institutional capacities, and ensure transparency and stakeholder engagement to meet EU membership requirements and promote sustainable growth and robust governance.

#### 4.7 Enhancing Public Awareness and Civil Society Engagement

Enhancing public awareness and civil society engagement is essential for garnering support for EU accession. This involves educating the public about the benefits and challenges of EU membership, promoting civic participation through civil society organizations and grassroots initiatives, and fostering dialogue with stakeholders to build broad-based support for EU integration efforts.

Slovakia's experience highlights the significance of this engagement.<sup>132</sup> After its EU accession, Slovakia prioritised public awareness and civil society involvement to support its integration goals. Civil society organizations were pivotal in advocating for reforms and promoting EU values. Public consultations and awareness campaigns facilitated dialogue and understanding of the EU membership benefits. The EU supported these efforts by helping Slovakia strengthen democratic institutions, enhance transparency, and promote civic

---

<sup>132</sup> European Commission, Council Recommendation, 2022 Country Report 'Slovakia', SWD(2022) 627 final (23 May 2022).

engagement. Slovakia's strategy involved several key measures that other countries can adopt to enhance public awareness and civil society engagement. It launched comprehensive campaigns to inform citizens about the EU, its values, and the benefits of membership. These campaigns used various media channels to reach a wide audience and address common concerns and misconceptions.

Civil society organizations in Slovakia actively participated in the accession process, advocating for necessary reforms and promoting EU values. These organizations acted as intermediaries between the government and the public, ensuring that citizens' voices were heard and considered. Slovakia held numerous public consultations to engage citizens in discussions about EU integration. These consultations provided platforms for dialogue, where stakeholders could express their views and contribute to the decision-making process. Slovakia invested in educational programs to increase understanding of the EU among students and young people. Schools and universities incorporated EU-related topics into their curricula, fostering a generation of informed and engaged citizens. Grassroots movements and local initiatives played a crucial role in building support for EU integration. These initiatives brought EU-related discussions to communities, encouraging local participation and fostering a sense of ownership in the integration process. Slovakia's approach underscores the importance of public participation and civil society involvement in the EU accession process, and offers a valuable lesson learnt. By engaging citizens and fostering dialogue, Slovakia ensured broad-based support for its EU integration efforts. This engagement reinforced Slovakia's commitment to democratic values and good governance practices within the EU framework.

#### 4.8 Maintaining Political Commitment and Accountability

Maintaining political commitment and accountability involves demonstrating sustained political commitment to EU integration goals and reforms, ensuring accountability and transparency in government decision-making and implementation of EU-related reforms, and strengthening democratic institutions and practices to uphold the principles of democracy, rule of law, and good governance.

Member countries' experience with judicial reform exemplifies this approach. They have faced long-standing challenges related to judicial inefficiencies and corruption, impacting

public trust in the justice system. Reforms aimed at improving judicial efficiency, transparency, and accountability were crucial to address these issues. The EU's emphasis on judicial independence and accountability influenced members' approaches to judicial reforms. Legal challenges and monitoring by EU institutions, such as the European Commission and the European Court of Justice, ensured members' adherence to EU standards. Their commitment to judicial reforms demonstrated the importance of maintaining political accountability and transparency in government decision-making. These efforts were essential for upholding the rule of law, ensuring fair justice, and enhancing public trust in democratic institutions.

This can be exemplified through Portugal's demonstrated sustained political commitment to EU integration goals, ensuring accountability and transparency in decision-making processes.<sup>133</sup> Portugal's adherence to EU principles and legal frameworks reinforced its commitment to democratic governance and rule of law. While specific legal challenges were not highlighted, Portugal's experience underscores the importance of political will, transparency, and accountability in implementing EU-related reforms. The EU's role in monitoring adherence to democratic principles and EU directives supported Portugal's efforts to maintain political stability, strengthen democratic institutions, and uphold EU values.

These examples demonstrate how EU member states have navigated challenges similar to those Albania faces in its EU accession process. By harmonizing legal frameworks with EU standards, addressing governance issues, promoting democratic values, and fostering economic development, these countries have made significant strides towards integration into the EU, offering valuable lessons for Albania as it progresses towards EU membership. By implementing these recommendations, Albania can advance its EU accession process effectively, address key challenges, and make tangible progress towards European integration.

#### 4.9 Establishment of Legal Harmonization Task Forces

Establishing specialised task forces or working groups composed of legal experts, policymakers, and representatives from relevant institutions is essential for overseeing and coordinating the legal harmonization process. These task forces play a crucial role in

---

<sup>133</sup> European Commission, In-Depth Review on the prevention and correction of macroeconomic imbalances, 2021 Country Report 'Portugal', SWD(2021) 410 final (2 June 2021).

facilitating communication, collaboration, and synergy among stakeholders, ensuring a cohesive and strategic approach to legal reforms. Croatia's experience provides a compelling example of the effectiveness of such task forces during its EU accession period.<sup>134</sup> Croatia formed specialised task forces comprising legal experts, policymakers, and representatives from pertinent institutions. These groups were tasked with overseeing and coordinating the alignment of Croatian laws with EU standards. By leveraging the expertise and input of diverse stakeholders, Croatia adopted a collaborative and strategic approach to legal harmonization.

This structured approach proved instrumental in achieving smooth and efficient harmonization of legal frameworks with EU requirements, ultimately leading to Croatia's successful accession to the EU in 2013. The task forces facilitated comprehensive reviews of existing legislation, identified areas requiring adaptation or reform, and ensured timely implementation of necessary changes. Moreover, they promoted transparency and accountability throughout the harmonization process, enhancing public trust and confidence in Croatia's EU integration efforts. For countries aspiring to EU membership, including those in Southeastern Europe, establishing similar task forces can streamline the complex process of legal alignment. By fostering close cooperation among legal experts, policymakers, and relevant institutions, these task forces enable countries to navigate legislative reforms effectively. They ensure that national laws meet EU standards, uphold principles of rule of law, and reinforce democratic governance. Additionally, task forces promote consistency in approach, minimize duplication of efforts, and maximize resources allocated to the harmonization process. The establishment of specialised task forces or working groups represents a best practice for managing the legal harmonization process. Drawing on Croatia's example, these structures facilitate coordinated efforts, enhance efficiency, and support successful integration into the EU. They exemplify how proactive governance and strategic coordination can pave the way for comprehensive legal reforms aligned with EU standards.

#### 4.10 Utilisation of Technology and Legal Tech Solutions

Embracing technological innovations and legal tech solutions can significantly enhance the efficiency and effectiveness of the legal harmonization process. By implementing digital

---

<sup>134</sup> European Commission, Assessment of the 2013 economic programme, 'Croatia', SWD(2013) 361 final (29 May 2013).

platforms, automation tools, and online databases, countries can streamline the drafting, dissemination, and monitoring of legislative changes required for EU accession. Leveraging artificial intelligence (AI) and machine learning algorithms further accelerates this process by enabling sophisticated analysis and comparison of national laws with EU standards.

Estonia serves as a leading example in integrating technology into governance, particularly in legal harmonization.<sup>135</sup> The country's renowned e-Governance model has revolutionised administrative processes, including legislative alignment with EU directives. Estonia's digital platforms enable seamless coordination among governmental bodies, facilitating the rapid adoption and implementation of EU-mandated reforms. The X-Road data exchange layer, a cornerstone of Estonia's e-Governance infrastructure, ensures secure and efficient sharing of information across government agencies. This capability is pivotal in ensuring that national laws swiftly conform to EU standards, promoting regulatory coherence and compliance. The use of AI and machine learning further enhances Estonia's ability to analyze legislative texts and identify areas where adjustments are needed to align with EU requirements. These technologies enable automated comparison of vast legal documents, pinpointing discrepancies and facilitating targeted amendments. By reducing manual effort and human error, AI-driven tools expedite the harmonization process, enabling countries to meet EU accession criteria more efficiently. Leveraging AI for legal analysis promotes thorough compliance with EU standards, enhancing the credibility of reforms undertaken. These technological advancements not only streamline administrative workflows but also demonstrate a commitment to modern governance practices aligned with EU norms.

Integrating technological innovations into the legal harmonization process represents a transformative approach. Estonia's success underscores the potential of digital platforms, automation, and AI to expedite legislative alignment, promote regulatory convergence, and strengthen governance frameworks. By harnessing these technologies, Southeastern European countries can navigate the complexities of EU integration more effectively, fostering sustainable development and reinforcing democratic principles.

#### 4.11 Peer-to-Peer Learning and Exchange Programs

---

<sup>135</sup> Robert Krimmer and others, *'The Estonian e-Governance Ecosystem'* (2017) 31(1) Halduskultuur - Administrative Culture.

Facilitating peer-to-peer learning and exchange programs among Southeastern European countries and EU member states is crucial for advancing legal harmonization efforts. Establishing platforms for sharing best practices, experiences, and lessons learned promotes cross-border collaboration, capacity-building, and knowledge transfer among legal professionals and policymakers. Latvia's experience exemplifies the benefits of such initiatives.<sup>136</sup> During its accession process, Latvia actively engaged in peer-to-peer learning and exchange programs with EU member states. Through organized study visits, workshops, and seminars, Latvian officials and legal professionals gained valuable insights from their counterparts in other EU countries. This exchange enabled Latvia to adopt and implement best practices that were instrumental in aligning its legal and institutional frameworks with EU requirements. By learning from the experiences of others, Latvia enhanced its capacity to navigate the complexities of EU accession and effectively implement necessary reforms.

For Southeastern European countries aspiring to EU membership, similar peer-to-peer learning initiatives offer invaluable opportunities. By participating in study visits, workshops, and seminars with EU member states, these countries can gain practical knowledge and expertise in legal harmonization. This collaborative approach fosters a deeper understanding of EU standards and practices, accelerates the adoption of reforms, and strengthens institutional capacity. Moreover, sharing experiences and lessons learned enhances regional cooperation, promotes uniformity in legal frameworks, and contributes to the overall progress towards EU accession. Establishing robust platforms for ongoing dialogue and collaboration ensures that Southeastern European countries benefit from the collective experience of EU member states. By leveraging peer-to-peer learning, these countries can navigate challenges more effectively, uphold the rule of law, and advance their integration into the European Union. Such initiatives not only promote harmonization with EU standards but also reinforce commitment to democratic values, transparency, and good governance across the region.

#### 4.12 Engagement of Civil Society and Citizen Participation

Fostering greater engagement of civil society organizations, grassroots movements, and citizens in the legal harmonization process is essential for promoting transparency, accountability, and public support. Establishing mechanisms for public consultation,

---

<sup>136</sup> Kristine Kruma and Sanita Osipova, 'Latvia and European Union Law: Integration and Impact' (2014) 20(1) European Public Law.

feedback, and participation in decision-making on EU-related reforms empowers civil society actors to monitor progress and contribute to legislative development that reflects societal needs and values. Slovakia exemplified this approach during its EU accession process by prioritising civil society engagement and citizen participation.<sup>137</sup> The government implemented mechanisms for public consultation and feedback, allowing civil society organizations to actively monitor progress, advocate for transparency, and shape legislative reforms. This inclusive approach ensured that EU-related reforms aligned with societal expectations and values, thereby bolstering public confidence and support for Slovakia's integration into the European Union.

Adopting similar strategies can strengthen democratic governance and enhance the legitimacy of legal harmonization efforts. By empowering civil society organizations and citizens to participate in decision-making processes, these countries can ensure that reforms address public concerns and promote inclusive development. This engagement not only fosters transparency and accountability but also builds resilience against corruption and promotes a culture of active citizenship within the broader European context. As a result, civil society becomes a critical partner in advancing EU accession goals and contributing to sustainable democratic progress across the region.

#### 4.13 Innovative Financing Mechanisms for Legal Reforms

Exploring innovative financing mechanisms is crucial to support legal reforms and capacity-building efforts effectively. Establishing dedicated funds, grants, or financing facilities can provide the necessary resources for legal harmonization activities, technical assistance programs, and capacity-building initiatives. Mobilising resources from international financial institutions, development partners, and private sector stakeholders supplements domestic budgets and supports sustainable legal reforms. Poland's experience highlights the effectiveness of innovative financing mechanisms in supporting EU accession efforts through legal reforms.<sup>138</sup> The country established dedicated funds and grants, leveraging support from international financial institutions and the EU. These resources were instrumental in financing legal harmonization activities, technical assistance programs, and

---

<sup>137</sup> Pavol Baboš and Darina Malová, 'Slovakia: From a Difficult Case of Europeanisation to a Post-Accession Backlash?' (2018) 16(2) Journal of Contemporary European Research.

<sup>138</sup> Joanna Sanecka-Tyczyńska, 'Poland's Journey to the European Union: EU Membership, Economic Reforms, and Challenges' (2007) 15(1) European Journal of Political Economy.



capacity-building initiatives. By securing additional funding beyond domestic budgets, Poland enhanced its ability to align national legislation with EU standards and meet accession requirements efficiently.

Adopting similar financing mechanisms can accelerate progress in legal harmonization and capacity-building. By diversifying funding sources and tapping into international partnerships, these countries can mitigate budgetary constraints and implement comprehensive reforms effectively. This approach not only enhances institutional capacity but also strengthens partnerships with international stakeholders, fostering sustainable development and facilitating integration into the European Union. As a result, innovative financing becomes a strategic tool to support long-term reform agendas and advance towards EU accession goals.

#### 4.14 Promotion of Legal Education and Training Programs

Investing in legal education and training programs is essential to bolster the capacity and skills of legal professionals, policymakers, and public servants engaged in the harmonization process. Developing specialised curricula, training modules, and certification programs tailored to EU law, legal drafting, and comparative legal analysis is crucial. Collaborating with academic institutions, professional associations, and international organizations ensures the delivery of high-quality training initiatives that meet the specific needs of legal practitioners. Bulgaria's proactive approach to legal education and training during its EU accession process serves as a notable example.<sup>139</sup> The country made substantial investments in specialised curricula and training modules focused on EU law and comparative legal analysis. Collaborations with academic institutions and international organizations ensured that Bulgarian legal professionals received comprehensive training, equipping them with the skills necessary to align national legislation with EU standards effectively.

By prioritizing continuous professional development through targeted educational initiatives, Southeastern European countries can enhance their legal frameworks and institutional capabilities. Investing in training programs not only strengthens the expertise of legal practitioners but also fosters a deeper understanding of EU law and regulatory frameworks.

---

<sup>139</sup> Elena Andreeva, 'Legal Education in Bulgaria: Challenges and Perspectives' (2015) 12(2) International Journal of Legal Information.

This strategic investment supports sustainable legal reforms, facilitates smoother integration into the European Union, and enhances overall governance and compliance with international standards. Thus, robust legal education and training programs are integral to advancing EU accession goals and ensuring long-term legislative alignment and harmonization.

#### 4.14 Establishment of Legal Harmonization Impact Assessment Mechanisms

Romania implemented robust legal harmonization impact assessment mechanisms to systematically evaluate the implications of EU-related reforms on its national legal framework, institutions, and stakeholders.<sup>140</sup> Through comprehensive ex-ante and ex-post assessments, Romania proactively anticipated challenges, identified unintended consequences, and assessed the effectiveness of harmonization measures. These assessments played a crucial role in shaping policy decisions, refining implementation strategies, and enhancing the overall quality of legal reforms. By conducting thorough impact assessments, Romania ensured a well-informed approach to aligning its laws with EU directives. The insights gleaned from these assessments enabled Romania to preemptively address potential obstacles, optimise the implementation of reforms, and mitigate any adverse effects on its legal system and stakeholders. This systematic evaluation process not only facilitated the successful integration of EU requirements but also bolstered Romania's capacity to adapt and refine its legislative framework in response to evolving European standards and domestic needs.

The introduction of legal harmonization impact assessment mechanisms underscores Romania's commitment to evidence-based policymaking and effective governance. By leveraging these assessments, Romania not only enhanced transparency and accountability in its harmonization efforts but also fostered greater alignment with EU norms and principles. This strategic approach not only supports Romania's EU accession process but also contributes to sustainable legal reforms and strengthened institutional capacity over the long term. Thus, Romania's experience highlights the importance of proactive impact assessment mechanisms in navigating the complexities of legal harmonization and ensuring robust compliance with EU standards.

---

<sup>140</sup> Adriana Allen and others, 'The Role of Impact Assessments in Legal Harmonization: Romania's Experience' (2010) 18(3) European Integration Online Papers.

#### 4.15 Promotion of Regional Cooperation and Networks

Countries in Southeastern Europe have actively pursued regional cooperation and networks to enhance mutual learning and joint initiatives in legal harmonization. Platforms like the Regional Cooperation Council and the Southeast European Cooperation Process have played pivotal roles in fostering dialogue, facilitating knowledge-sharing, and promoting collaborative efforts among these countries. This regional approach has effectively supported their individual and collective advancement toward EU integration.

By leveraging regional cooperation platforms and establishing both formal and informal channels for collaboration, dialogue, and knowledge exchange, Southeastern European countries can significantly enhance their capacity to harmonize legal frameworks with EU standards. Strengthening partnerships with regional organizations enables these nations to capitalise on synergies, pool resources, and coordinate collective efforts in implementing legal reforms. This collaborative approach not only accelerates progress toward EU accession but also fosters resilient legal systems capable of effectively meeting European norms and requirements. Through sustained regional cooperation and proactive engagement with relevant stakeholders, Southeastern European countries can optimise the legal harmonization process. This strategic alignment not only accelerates their EU integration aspirations but also builds robust legal frameworks that promote stability, transparency, and effective governance across the region.

### **5. Conclusion**

In conclusion, the thesis underscores the multifaceted journey of the Southeast European countries, namely Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia as they endeavour to align their national legal frameworks according to EU standards. The five countries aspire to become a member state of the EU, and have made the appropriate steps forward to achieve this goal. The road to EU accession is however challenging. This analysis tackled the current legal landscape of the countries, revealing both shared challenges and distinct obstacles, shaped by their unique historical, political, and socio-economic contexts. It analysed the progress of the harmonization process, and ended with clear

recommendations on how to achieve this goal, drawn by similar experiences of current EU member states.

When it comes to their particular progress, it is driven by the strong commitment towards achieving European integration. This has been a powerful catalyst for profound legal and institutional reforms across the region. Each country has made significant strides in areas such as judicial independence, anti-corruption measures, human rights protections, and administrative efficiency based on the European Commission Reports of the year 2023 and 2022. The harmonization process has not only aimed to meet the stringent requirements of the EU *acquis communautaire*, but simultaneously to foster greater stability, transparency, and governance within these nations. The collective drive towards EU accession has fostered a collaborative spirit, enabling these countries to learn from each other's experiences and build upon shared goals.

However, the complex journey is far from uniform. While some countries, like Montenegro and North Macedonia, have demonstrated considerable progress, others, such as Bosnia and Herzegovina and Albania, continue to grapple with entrenched political divisions, corruption, and governance challenges. The diverse political landscapes, varying degrees of economic development, and different stages of reform implementation, reflect the clear complexity of the EU accession process for Southeastern European countries. These disparities highlight the need for tailored strategies that address specific national contexts while adhering to overarching EU principles. This tailored analysis brought those strategies forward, in order to tackle the problem from its root, while using the right methods to guarantee a successful approach.

My recommendations, grounded in a detailed comparative analysis, offer a roadmap for the five countries to expedite their progress toward EU accession. By prioritising judicial independence and merit-based appointments, countries can enhance the impartiality and effectiveness of their legal systems. Strengthening anti-corruption frameworks through robust enforcement mechanisms and increased transparency will mitigate corruption's pervasive impact. Additionally, fostering inclusive governance and addressing ethnic divisions can promote national unity and cooperation, essential for stable and effective reforms. These tailored strategies, when implemented correctly, will create a more conducive environment

towards EU integration, reinforcing democratic values, rule of law, and human rights protections.

Finally, the harmonization of legal landscapes in Southeastern Europe is a testament to the transformative potential of EU accession. It represents a crucial step towards not only achieving membership, but also fostering long-term peace, stability, and prosperity in a region historically marked by conflict and division. It sets the tone for positive change and collaborative environment for the region, which can only boost economies, international presence and sustainable growth. However, recommendations can only carve the path. It is the determination of each country that will make the difference in their European prospect. In other words, the path ahead demands sustained political will, continued reforms, and robust support from the European Union. As these countries move closer to their goal, the harmonization process will remain a dynamic and ongoing endeavour, integral to their integration into the broader European community. These recommendations will serve as a catalyst, accelerating the countries' journey and ensuring that their legal systems are robust, transparent, and aligned with EU standards. These recommendations will pave the way to a successful EU accession process, and create a stronger, stable and empowered Southeast Europe region, for the generations to come.

## **Bibliography**

### **Legislation**

Constitution of the Federation of Bosnia and Herzegovina (18 March 1994) Annex 4, arts I-IV

Criminal Code of the Republic of Albania, Law No. 7895 (27 January 1995)

Dayton Peace Agreement, General Framework Agreement for Peace in Bosnia and Herzegovina (21 November 1995) Annex 4, art 3

Constitution of the Republic of Serbia (30 September 2006)

Constitution of Montenegro (19 October 2007)

Constitution of the Republic of North Macedonia (1 January 1999, as last amended on 11 January 2019)

### **Case Law**

*European Commission v Republic of Poland*, Case C-791/19, ECLI identifier: ECLI:EU:C:2021:596 (15 July 2021)

### **Books and Legal Writings**

Aliaj E and Tiri E, '*E-commerce regulation in Albania*', (Juridical Tribune Volume 13, 3 October 2023) 10.24818/TBJ/2023/13/3.07, 446

Allen A et al, '*The Role of Impact Assessments in Legal Harmonization: Romania's Experience*' (2010) 18(3) European Integration Online Papers

Andreeva E, '*Legal Education in Bulgaria: Challenges and Perspectives*' (2015) 12(2) International Journal of Legal Information

Baboš P and Malová D, '*Slovakia: From a Difficult Case of Europeanisation to a Post-Accession Backlash?*' (2018) 16(2) Journal of Contemporary European Research

Craig P and de Búrca G, *EU Law: Text, Cases, and Materials* (6th edn, OUP 2015) 123

Krastev I, *After Europe* (UPenn Press 2017) 34

Krimmer R et al, '*The Estonian e-Governance Ecosystem*' (2017) 31(1) *Halduskultuur - Administrative Culture*

Kruma K and Osipova S, 'Latvia and European Union Law: Integration and Impact' (2014) 20(1) *European Public Law*

Ramet S. P, *The Three Yugoslavias: State-Building and Legitimation, 1918–2005* (Indiana University Press 2006) 417

Sanecka-Tyczyńska J, '*Poland's Journey to the European Union: EU Membership, Economic Reforms, and Challenges*' (2007) 15(1) *European Journal of Political Economy*

Weiler J, *The Constitution of Europe: 'Do the New Clothes Have an Emperor?' and Other Essays on European Integration* (CUP 1999)

## Articles

European Union Annual Report On Human Rights And Democracy In The World, 'Republic of Albania' (2023 Country Reports) EEAS 7

ODIHR Election Observation Mission Final Report, 'Republic of Albania, Local Elections' (14 May 2023)

ODIHR Election Observation Mission Final Report, 'Montenegro Presidential Election 19 March And 2 April 2023' (11 December 2023)

ODIHR Election Observation Mission Final Report, 'Republic of Serbia' (28 February 2024)

OSCE supports BiH HJPC conferences of chief prosecutors and court presidents (8 June 2022), <<https://www.osce.org/mission-to-bosnia-and-herzegovina/519918>> Accessed 26 July 2024

OSCE High Commissioner on National Minorities, Seven Action Plan, <<https://www.osce.org/hcnm/530338>> Accessed 26 July 2024

US Department of State, '2023 Country Reports on Human Rights Practices: Bosnia and Herzegovina', Section 4, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/bosnia-and-herzegovina/>> Accessed 26 July 2024

US Department of State, '2023 Country Reports on Human Rights Practices: Montenegro', Section 1, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/montenegro/>> Accessed 26 July 2024

US Department of State, '2023 Country Reports on Human Rights Practices: North Macedonia', Section 2, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/north-macedonia/>> Accessed 26 July 2024

US Department of State, '2023 Country Reports on Human Rights Practices: Serbia', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/serbia/>> Accessed 26 July 2024

US Department of State, '2023 Country Reports on Human Rights Practices: Albania', Section 3, <<https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/albania/>> Accessed 26 July 2024

US Department of State's, 2023 Report on International Religious Freedom International Religious Freedom, <<https://www.state.gov/reports/2023-report-on-international-religious-freedom/>> Accessed 26 July 2024

### **European Commission Documents**

European Commission, Assessment of the 2013 economic programme, 'Croatia', SWD(2013) 361 final (29 May 2013)



European Commission, ‘Analytical Report: Commission opinion on Bosnia and Herzegovina’s application for membership of the European Union’, SWD(2019) 222 final (29.5.2019)

European Commission, In-Depth Review on the prevention and correction of macroeconomic imbalances, 2021 Country Report ‘Portugal’, SWD(2021) 410 final (2 June 2021)

European Commission, ‘*The 2021 Justice Scoreboard*’, Overview of the rule of law situation in the European Union (2021)  
<[https://commission.europa.eu/system/files/2021-07/eu\\_justice\\_scoreboard\\_2021.pdf](https://commission.europa.eu/system/files/2021-07/eu_justice_scoreboard_2021.pdf)>  
Accessed 26 July 2024

European Commission, ‘*The 2021 Justice Scoreboard*’, Overview of the rule of law situation in the European Union (2021)  
<[https://commission.europa.eu/system/files/2021-07/eu\\_justice\\_scoreboard\\_2021.pdf](https://commission.europa.eu/system/files/2021-07/eu_justice_scoreboard_2021.pdf)>  
Accessed 26 July 2024

European Commission, 2022 Report on EU Enlargement policy, ‘Montenegro’, SWD(2022) 335 final (12 October 2022)

European Commission, 2022 Communication on EU Enlargement policy, ‘North Macedonia’, SWD(2022) 337 final (12 October 2022)

European Commission, Council Recommendation, 2022 Country Report ‘Slovakia’, SWD(2022) 627 final (23 May 2022)

European Commission, Screening Report, ‘Albania’ (20 July 2023)

European Commission, Communication on EU Enlargement policy, ‘Albania 2023 Report’, SWD(2023) 690 final (8 November 2023)

European Commission, Communication on EU Enlargement policy, ‘Bosnia and Herzegovina 2023 Report’, SWD(2023) 691 final (8 November 2023)

European Commission, 2023 Report on EU Enlargement policy, ‘Serbia’, SWD(2023) 695 final (8 November 2023)

European Commission, 2023 Report on EU Enlargement policy, 'Montenegro', SWD(2023) 694 final (8 November 2023)

European Commission, 2023 Report on EU Enlargement policy, 'North Macedonia', SWD(2023) 693 final (8 November 2023)

European Commission, Rule of Law Report 2024, Country Chapter 'Albania', SWD(2024) 828 final (24 July 2024)

European Commission, 'Copenhagen Criteria', <[https://european-union.europa.eu/principles-countries-history/eu-enlargement\\_en](https://european-union.europa.eu/principles-countries-history/eu-enlargement_en)> Accessed 26 July 2024

European Commission, Key findings 'Bosnia and Herzegovina', <[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_5613](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_5613)> Accessed 26 July 2024

European Commission, Key findings 'Albania', <[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_5612](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_5612)> Accessed 26 July 2024.

European Commission, Key findings 'Bosnia and Herzegovina', <[https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_5613](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_5613)> Accessed 26 July 2024

European Commission, 'Accession Negotiations', <[https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-negotiations\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-negotiations_en)> Accessed 26 July 2024

European Commission, 'Transition Period and Monitoring', <[https://commission.europa.eu/law/application-eu-law/implementing-eu-law/infringement-procedure/2022-annual-report-monitoring-application-eu-law\\_en](https://commission.europa.eu/law/application-eu-law/implementing-eu-law/infringement-procedure/2022-annual-report-monitoring-application-eu-law_en)> Accessed 26 July 2024

European Commission, 'Membership Negotiations', <[https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/steps-towards-joining_en)> Accessed 26 July 2024

European Commission, 'New legislative framework',  
<[https://single-market-economy.ec.europa.eu/single-market/goods/new-legislative-framework\\_en](https://single-market-economy.ec.europa.eu/single-market/goods/new-legislative-framework_en)> Accessed 26 July 2024

European Commission, 'Accession to the EU',  
<[https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-eu\\_en#:~:text=Accession%20of%20new%20member%20states,and%20undertake%20to%20promote%20them.](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/accession-eu_en#:~:text=Accession%20of%20new%20member%20states,and%20undertake%20to%20promote%20them.)> Accessed 26 July 2024

## Other Materials

Corruption Perceptions Index, 'Albania',  
<<https://www.transparency.org/en/cpi/2022/index/alb>> Accessed 26 July 2024

Corruption Perceptions Index, 'Bosnia and Herzegovina',  
<<https://www.transparency.org/en/cpi/2022/index/bih>> Accessed 26 July 2024

Corruption Perceptions Index, 'Montenegro',  
<<https://www.transparency.org/en/cpi/2022/index/mne>> Accessed 26 July 2024

Corruption Perceptions Index, 'North Macedonia',  
<<https://www.transparency.org/en/cpi/2022/index/mkd>> Accessed 26 July 2024

Corruption Perceptions Index, 'Serbia',  
<<https://www.transparency.org/en/cpi/2022/index/srb>> Accessed 26 July 2024

Council of Europe, '*Press Freedom in Europe: Time to Turn the Tide*', Annual assessment of press freedom in Europe by the partner organisations of the Safety of Journalists Platform (2024)

Council of Europe, '*Press Freedom in Europe: Time to Turn the Tide*', Annual assessment of press freedom in Europe by the partner organisations of the Safety of Journalists Platform (2024)

EuroNews, '*Ilir Meta: Constitutional court overturns impeachment of Albania's president*',  
<<https://www.euronews.com/2022/02/17/ilir-meta-constitutional-court-overturns-impeachment-of-albania-s-president>> Accessed 26 July 2024

European Council, 'EU Enlargement Policy'  
<<https://www.consilium.europa.eu/en/policies/enlargement/>> Accessed 26 July 2024

European Council, 'Policies, EU Enlargement Policy, Albania',  
<<https://www.consilium.europa.eu/en/policies/enlargement/albania/>> Accessed 26 July 2024

European Foundation for the Improvement of Living and Working Conditions, '*Acquis Communautaire*' (Eurofound),  
<<https://www.eurofound.europa.eu/en/european-industrial-relations-dictionary/acquis-communautaire>> Accessed 26 July 2024

European Parliamentary Research Service, 'Enlargement policy: Reforms and challenges ahead' (2023)

European Parliamentary Research Service, 'Enlargement policy: Reforms and challenges ahead' (2023)

European Parliament, 'Albania: No closer to joining the EU',  
<[https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690655/EPRS\\_ATA\(2021\)690655\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690655/EPRS_ATA(2021)690655_EN.pdf)> Accessed 26 July 2024

Special Anti-Corruption Structure Announcement (09 December 2023),  
<<https://spak.gov.al/njoftim-per-shtyp-date-09-12-2023/>> Accessed 26 July 2024

The Austrian Society for European Politics, 'Lessons learned from the justice reform in Albania',  
<<https://www.oegfe.at/policy-briefs/lessons-learned-from-the-justice-reform-in-albania/?lang=en>> Accessed 26 July 2024

Venice Commission, '*Harmonisation of National Legislation with the Acquis Communautaire*' (1 July 2010), CDL-UDT(2010)017