

Democracy in Progress

Shadow Report on Political Copenhagen criteria in Western Balkans EU Candidate States



EU-RS THINK TANK



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Copenhagen criteria in Western
Balkans EU Candidate States**



Authors:

*Nikola Burazer, Krisela Hackaj,
Ardita Shehaj, Ivan Stefanovski*

Assistants:

*Emina Muminović, Marko Mečanin,
Katarina Anđelković*

Consultant:

Jovana Marović

Editor:

Nemanja Todorović Štiplija

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Nemanja Nikolić

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Introduction

EU accession is generally believed to be closely related to democratization, especially in the Western Balkans, where EU has been one of the main driving forces of democratization in the region. Also, democracy has been one of the fundamental values of the Union and one of the political criteria, laid down in 1993 at the European Council meeting in Copenhagen, defining eligibility of states to become members of the EU.

However, many believe that democratization and EU accession have stopped being complementary in the Western Balkans. Referring to the phenomenon of “stabilitocracy” – preference of stability over democracy by the EU – many consider the EU to have gone blind towards deterioration of democracy in the region and to have provided support to illiberal or semi-autocratic regimes.

All Western Balkans countries aspire to join the EU, and the Stabilization and Association Agreement (SAA) with the European Union came into force for each country. Four of them – Macedonia, Montenegro, Serbia and Albania, have been granted candidate status, while two – Montenegro and Serbia, have begun the negotiation process.

Macedonia became an EU candidate country already in 2005, but the name dispute with Greece has prevented the country from making another step on the European path. This was followed by a serious democratic backslide and state capture which further diminished Macedonia's European future.

Montenegro became an EU candidate state in 2010, and opened the accession negotiations in 2012. By the end of 2017, Montenegro has opened 30 and provisionally closed 3 negotiating chapters, making it a frontrunner among Western Balkan states.

Serbia was granted candidate status in 2012 and opened the accession negotiations in 2014. Since then Serbia has opened 12 and provisionally closed 2 negotiating chapters. The progress of Serbia is not only endangered by the slow pace of reforms, but also the specific status of negotiating chapter 35, which contains the issue of normalization of relations with Kosovo.

Albania has been granted candidate status 2014, and is expected to open the accession negotiations in 2018. The main condition for opening the

accession negotiations is the successful implementation of the justice reform.

The approach of the EU towards the accession process has changed. Learning from the examples of Romania, Bulgaria and Croatia, the EU now puts special emphasis on chapters 23 and 24, in which the lack of progress might block the opening and closing of all other negotiating chapters. Covering issues such as the rule of law and fundamental rights, these chapters are closely related to the political Copenhagen criteria and the state of democracy.

However, there are many issues related to the state of democracy which are not completely covered by the chapters 23 and 24. Moreover, the analysis of details can frequently prevent the observation of the bigger picture, which is the overall state of democracy and democratic institutions in each country.

The goal of this publication is to provide an overview of the state of democracy in all four EU membership candidate countries in the Western Balkans – Macedonia, Montenegro, Serbia and Albania. To achieve this, the publication presents a “shadow report” on some of the key Copenhagen criteria – democracy, freedom of expression and regional issues and international obligations, as presented within the original country reports. This approach might have led to the omission of many issues important for the assessment of democracy in a given country, but is imagined as a “shadow report” of the original country report for the four states – focusing on issues which are not adequately covered by the negotiating chapters. It should therefore be understood as complimentary to all the research done on the chapters themselves, which the civil society in the Western Balkans accomplishes with great determination and persistence.

The report covers the period from November 2016 to October 2017, with the exception of Montenegro, where October 2016 was also included due to the importance of the parliamentary elections and the consequences they had for democracy in the country.

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Serbia

1. Democracy

1.1. Elections

Presidential elections were held on 2 April 2017, in which the incumbent Prime Minister Aleksandar Vučić won in the first round with 55,08% of the vote. The runner-up was Saša Janković, independent candidate and former Ombudsman, supported by several opposition parties and movements, who won 16,36% of the vote.¹

The election day was widely considered as regular and in accordance with democratic standards, with only minor irregularities, and despite claims by certain representatives of the opposition that there was electoral theft. However, the election campaign was heavily criticized by both international observers and civil society organizations as being unfair and seriously diminishing the legitimacy of the electoral process.²

First, the electoral campaign was very short, only fulfilling minimal length requirement of 30 days, despite the fact that these were regular elections and that the law allowed up to 60 days between the scheduling of elections and the voting day.³ Until almost the last day, it was unclear whether there would also be parliamentary and/or City of Belgrade elections, which brought uncertainty and hampered electoral strategies of the opposition candidates.

Second, the governing majority made the decision to dissolve the parliament during the campaign, which was considered not to be adequately justified, and which significantly hurt the visibility of the opposition. This was especially important given the advantage the governmental candidate had in the media.

Third, Aleksandar Vučić, who was the incumbent Prime Minister and the candidate of the entire ruling coalition, campaigned while being in office, giving him a very strong advantage against his opponents, especially when

1 Serbia's Republic Electoral Commission Official Report, <http://www.rik.parlament.gov.rs/izbori-za-predsednika-republike-2017-konacni-2004.php>

2 OSCE/ODIHR Election Assessment Mission Final Report, <http://www.osce.org/odihr/elections/serbia/322166?download=true>

3 Law on the Election of the President of the Republic, http://www.paragraf.rs/propisi/zakon_o_izboru_predsednika_republike.html

it comes to media presence. Combined with the previously mentioned dissolution of the parliament, this gave the government's candidate unparalleled media coverage. Also, it was hard to distinguish between Vučić the Prime Minister and Vučić the election candidate, since many activities of the government in the campaign such as opening of factories and visits to foreign dignitaries such as Russian President Putin or German Chancellor Merkel directly contributed to Vučić's promotion.

Fourth, media bias in favour of Prime Minister Vučić was significant and well-recorded. According to research by BIRODI on presence of presidential candidates on main TV news programmes, Vučić the presidential candidate had four times larger presence than the next-placed candidate. If media presence by Vučić the Prime Minister would be also taken into account, it would lead to a whopping 61,2% per cent of media presence of all elections candidates, more than nine times the next-placed candidate with 6,4%.⁴ Similar results were delivered though the research of the Novi Sad School of Journalism, who also analysed main news programmes of major TV stations.⁵ When it comes to print media, the research by CRTA established that out of 251 front page of major newspapers dedicated to the election candidates, Aleksandar Vučić featured on 147, out of which 118 were positive. The next-placed candidate featured on 79 pages, out of which 39 were negative. The next most present candidate featured on 64 front pages, out of which 39 were negative.⁶

Fifth, the two independent regulatory bodies in charge of monitoring the elections – Regulatory Body for Electronic Media (REM) and Anti-Corruption Agency of Serbia – were not adequately fulfilling their tasks. While the Anti-corruption Agency had only 6 of the 9 appointed members of the Board during the campaign and only 2 out of 9 Board members in the post-election period and no Director elected, thus preventing it from properly doing its work, REM was criticized by several civil society organizations for its inactivity, such as its decision to not monitor the work of the media during the election campaign.

4 BIRODI – Media, public and elections 2017, <http://www.birodi.rs/wp-content/uploads/2017/08/Mediji-javnost-izbori-2017.pdf>

5 Novi Sad School of Journalism – Final Results of Monitoring of the Election Campaign, <http://www.novinarska-skola.org.rs/sr/?p=5194>

6 Report of CRTA Observation Mission "Citizens on Watch", <http://www.gradjaninastrazi.rs/wp-content/uploads/2017/05/CRTA-GNS-Izvestaj-2017-Final.pdf>

Sixth, problems with imperfect electoral registers were recorded, similar as with previous elections. Also, the interpretation of the Ministry of State Administration and Local Self-government that the change in the voting location between two rounds of voting is not allowed raised concerns, especially since the potential second round of vote would have taken place on Easter Sunday, when a large number of voters would have been expected to relocate – including travels abroad and travels of members of the diaspora to Serbia. This would have been a major issue had the second round took place. The choice of the election date that would schedule the second round of vote on Eastern Sunday was hardly justifiable given the array of potential dates available.

Seventh, controversy arose regarding financing of electoral campaigns. Independent investigative media outlets report that up to 6879 individual donors have provided Aleksandar Vučić's campaign with exactly 40.000 dinars each, which is near the maximum amount an individual can contribute to a campaign. The Anti-corruption Agency has previously asked the courts for an investigation against Vučić's SNS party for similar phenomena in previous elections.⁷

Therefore, while the presidential elections on 2 April 2017 did not contain any clear breaches of electoral legal framework, they were still faced with numerous breaches of democratic standards which hurt their overall legitimacy.

1.2. Parliament

The National Assembly of Serbia, the highest legislative body in the state, is a unicameral parliament which consists of 250 members directly elected using the system proportional representation with a single electoral unit. The current composition of the parliament was elected in the extraordinary parliamentary elections on 24 April 2016.

There are several issues worth mentioning regarding the work of the Serbian parliament.

First, there is widespread use of urgent procedures for adoption of laws. Out of 93 laws adopted between 1 November 2016 and 31 October 2017, 50 were adopted through urgent procedure, and only 43 through regular

⁷ Javno: Party games: SNS and the complaint for money laundry, <http://javno.rs/analiza/partijske-igre-sns-i-prijava-za-pranje-novca>

procedure. The use of urgent procedure for such a large percentage of laws (more than 50%), greatly diminishes the role of the parliament within the political system.⁸

Second, it is the government who proposes the vast majority of adopted laws. While the government proposed 90 laws which were adopted between 1 November 2016 and 31 October 2017, the members of the parliament proposed only three. Furthermore, none of the members of the parliament who proposed the adopted laws were representatives of the opposition.^{9,10}

Third, the dissolution of the parliament during the campaign for presidential elections in March 2017 not only hurt the visibility of the opposition and gave the government an advantage, but also hampered the work of the parliament, which already lost a lot of time due to last year's extraordinary parliamentary elections.

Fourth, several incidents were noted in the work of the parliament, in which fines were given to opposition members of the parliament and insults and serious accusations were used by both sides in the conflict. Such an atmosphere has been reported as seriously undermining the parliamentary debate and preventing dialogue between the government and the opposition.

Fifth, according to research by CRTA, the Serbian parliament has a score of 59% when it comes to openness, which is below the 63% average for the region of Western Balkans. The score demonstrates the level of transparency, openness and accountability of parliaments in the region, and refers to both the National Assembly of Serbia and the Parliament of the Autonomous Province of Vojvodina.¹¹

1.3. Governance

Even though there were no parliamentary elections since April 2016, Serbia had a new government after Aleksandar Vučić, the incumbent Prime Minister, won the presidential elections on 2 April 2017 and was thus required to resign from his position. Even though there were no changes whatsoever

8 Open Parliament: Laws through emergency procedure, <http://otvoreniiparlament.rs/statistika/zakoni-po-hitnom-postupku>

9 Ibid.

10 National Assembly of Serbia: adopted laws, <http://www.parlament.gov.rs/akti/doneti-zakoni/doneti-zakoni.1033.html>

11 ActionSEE: Openness of Parliaments in the Region and Serbia, <http://cрта.rs/wp-content/uploads/2017/05/ActionSee-Index-otvorenosti-Parlament.pdf>

in the composition of the ruling coalition, the election of the new Prime Minister, and thus the new government, occurred only on 29 June, leaving Vučić in both the position of president-elect and Prime Minister until 30 May, almost for two months after the elections.

While Vučić officially assumed the position of President on 31 May, the mandate to form the government was given to Ana Brnabić only on 15 June and the government was elected on 29 June, just before the deadline of 30 days between the resignation of the Prime Minister and the election of the new government. The composition of the government remained roughly the same, with the coalition around Aleksandar Vučić's Serbian Progressive Party (SNS) leading the government and being in coalition with Ivica Dačić's Socialist Party of Serbia (SPS) and a number of smaller parties. There were only several changes and shuffles between ministers, with the key ministries of Foreign Affairs, Interior, Economy remaining unchanged, and the Ministry of Defence given to a member of a smaller party in the ruling coalition.

The creation of two new ministries – Ministry of European Integration, which merged with the governmental Serbian European Integration Office, and the Ministry of the Environment, was met with approval by the civil society, mostly due to the importance of the two new ministries for the European integration process. The election of Ana Brnabić, a non-partisan figure who was previously the Minister of State Administration and Local Self-government, was internationally lauded as a very positive event in Serbia, due to her being an independent expert, the first woman and the first openly-LGBT person at the head of the Serbian government in history. However, the election of Ana Brnabić as the Prime Ministers of Serbia opened up several important questions.

First, even though she was elected on the formally most important political position in the state, Brnabić was practically appointed there by President Vučić, who insisted that her election was "his decision" and was very clear about his responsibility to personally "choose" his successor.

Second, at the time of the announcement of the giving of mandate to Brnabić, president Vučić openly stated that she will take care of the "economic" matters of the government, while deputy Prime Minister Ivica Dačić, will take care of "political matters". As such a division of power and responsibilities does not exist in the Serbian political and institutional system, it represented a clear erosion of the authority of the Prime Minister.

Third, despite assuming the position of President, Aleksandar Vučić did not resign from the position of the President of the Serbian Progressive Party, which left him with in de facto control of the government in a very strongly party-based Serbian political system. Even though such a move was not unprecedented and illegal, it was a step backwards from the precedent made by the previous president Tomislav Nikolić, who resigned from the position of president of the same party – SNS – shortly after assuming the office of the President of Serbia.

Independent regulatory bodies

There have been several problems with certain independent regulatory bodies during the period under observation.

After former Ombudsman (Protector of Citizens) Saša Janković resigned from office in order to run for the 2017 presidential elections, in which he ended up as a runner-up to Aleksandar Vučić, the Serbian parliament had to elect a new Ombudsman. The election of the new Ombudsman, Zoran Pašalić, was not without controversy.

First, the Law on the Protector of Citizens stipulates that the person eligible for the position of the Ombudsman needs to have “at least ten years of experience in jobs related to the purview of the Protector of Citizens” and “significant experience in the protection of civil rights”.¹² Pašalić previously served as a judge and President of several penal courts, thus having no experience in the protection of civil liberties or human rights.

Second, despite the Ombudsman being a non-political figure, which is expected to have the support of both the government and the opposition, and above all civil society organizations working on the issues of human rights and civil liberties, Pašalić was elected with strong opposition from both the parliamentary opposition and the civil society, by a relatively thin majority of 142 members of parliament. The Anti-Corruption Agency of Serbia faced several problems in its work during the previous year.

First, 6 out of 9 members of the Board of the Anti-corruption Agency have not been appointed by the Parliament until July 2017, which made it unable to fulfil its duties in full capacity.

¹² Law on the Protector of Citizens, http://www.paragraf.rs/propisi/zakon_o_zastitniku_gradjana.html

Second, controversy arose around the refusal of the Parliament to appoint Živojin Rakočević, a journalist from Gračanica, to the position of the member of the Board of the Agency, despite the fact that he was nominated by two largest Serbian journalist associations, Journalists' Association of Serbia (UNS) and the Independent Journalists' Association of Serbia (NUNS). As the Law on the Anti-corruption Agency¹³ stipulates that the journalists' associations have the right to nominate one member of the Board, who is then expected to be appointed by the Parliament, Rakočević's non-appointment represented a controversial decision.

Third, the lack of enough Board members prevented the election of the new Director of the Anti-corruption Agency, with the position being vacant since December 2016. It was only on 6 September 2017 that the new Director of the Agency was elected, ending a 9-month long period in which its work was hampered. Having in mind that there were also presidential elections during this period, the combined absence of both the members of the Board and Director of the Agency prevented it from adequately monitoring the electoral campaign.

1.4. Civil society

Certain civil society organization continue being targets of smear campaigns by tabloid press, in which they are presented as foreign spies and agents, frequently plotting to overthrow the government in the interest of Western countries. According to the USAID report for 2016, the CSO sustainability score in Serbia is 4.1, the same as in previous three reports.¹⁴

The body that represents the link between the civil society and the European integration process of Serbia and that enables the participation of civil society organizations within the negotiation process is the National Convention on the European Union (NKEU). It works in different working groups pertaining to specific negotiating chapter or a cluster of chapters, and also in plenary sessions, bringing together all civil society organizations which are participating in the working groups. The National Convention currently consists of more than 700 member organizations and operates in 21 different working groups.¹⁵

13 Law on the Anti-Corruption Agency, http://www.paragraf.rs/propisi/zakon_o_agenciji_za_borbu_protiv_korupcije.html

14 2016 CSO Sustainability Index, https://www.usaid.gov/sites/default/files/documents/1866/CSOSI_Report_7-28-17.pdf

15 National Convention on the European Union, <http://eukonvent.org/>

Besides the NKEU, there are also other coalitions and platforms of civil society organizations that are independently monitoring Serbia's EU accession process.

The cooperation between civil society organizations and governmental institutions, particularly those involved in the EU accession negotiations, has at times been strained.

First, in April the Ministry of Defence proposed to the Serbian Government an Act on scientific and other research important for the defence of the state and manners and regulations for issuing approvals for conducting this research with foreigners or on behalf of foreigners¹⁶, which would have significantly hampered the work of civil society organizations and scientific research. The act stipulated that organizations implementing foreign-funded projects needed to ask the Ministry of Defence for permission to publish research on topics that are important for national security. Moreover, definition of topics important for national security was quite broad and included numerous areas such as demography, agriculture, urbanism, traffic and energy. Since a vast number of civil society organizations in Serbia implement foreign-funded projects, this would significantly hinder their work, as well as jeopardize Serbia's commitments in negotiating chapter 25. However, the contentious act was withdrawn after significant coordinated pressure by civil society organizations, mainly through the National Convention on the European Union.¹⁷

Second, despite the existing cooperation and communication between state institutions in charge of EU accession negotiations and civil society organizations, in October 2017 there was a harsh exchange of statements between the coalition of civil society organizations "prEUgovor", which monitors progress in crucial negotiating chapters 23 and 24, and the Ministry for European Integration and the Negotiating Team for the

16 NKEU: Proposition of the Act on scientific and other research important for the defence of the state and manners and regulations for issuing approvals for conducting this research with foreigners or on behalf of foreigners, <http://eukonvent.org/wp-content/uploads/2017/04/Predlog-Uredbe-o-oblastima-naucnih-i-drugih-istrazivanja-od-znacaja-za-o-.pdf>

17 NKEU: Announcement on the NKEU initiative for withdrawing the proposition of the Act on limiting research in the field of defence, <http://eukonvent.org/saopstenje-povodom-inicijative-nkeu-za-povlacenje-predloga-uredbe-za-ogranicenje-istrazivanja-u-oblasti-odbrane/>

Accession of the Republic of Serbia to the European Union. The exchange began after prEUgovor published an analysis of the chapters 23 and 24, in which it claimed that it has not received appropriate answers from the Ministry and the Negotiating Team. The two institutions then issued a statement that prEUgovor simply needed to ask, to which the civil society coalition responded that they indeed have. This exchange has put in doubt an apparently stable cooperation between government institutions and the civil society in the field of European integration, and attracted a lot of media attention. The case also shed light on the issue of the lack of transparency within the EU accession negotiations.

2. Freedom of expression

Intimidation of journalists

The issue of intimidation of journalists has been regularly appearing in EC and European Parliament reports and resolutions, as well as in statements and interviews by most EU officials. However, the situation in Serbia appears to be worsening each year.

According to the Independent Journalists' Association of Serbia (NUNS), there have been 71 attacks against journalists from 1 January to 31 October 2017, which is a higher number than the total number of attacks in 2016, which amounted to 69. Out of 71 attacks in 2017, 6 were physical attacks.¹⁸ Several of these attacks attracted a lot of media attention.

During the inauguration ceremony of President Vučić on 31 May, four journalists were physically attacked or threatened by the members of security in broad daylight and in front of cameras and the gathered crowd. The investigation of the incident is moving at a very slow pace.¹⁹

On a rally of one right-wing opposition party in front of a private TV station close to the government on 16 September, two journalists were injured by the gathered crowd. Unlike in the previous case, the suspects were quickly apprehended by the police and the journalists were later visited in hospital by President Vučić. A journalist from an investigative media had her

¹⁸ IJAS: Database on attacks on journalists, <http://www.bazenuns.rs/srpski/napadi-na-novinare>

¹⁹ Cenzolovka: Police has not identified all attackers on journalists on the SNS rally in four months, <https://www.cenzolovka.rs/pritisci-i-napadi/policija-cetiri-meseca-nije-identifikovala-sve-napadace-na-novinare-na-mitingu-sns-a/>

apartment broken in on 7 June, and the case has not yet been resolved. The prosecutor's office still has no information about the case.

After an independent investigative media published an article about the Minister of Defence, Aleksandar Vulin, in which it was explained that he was accused by the Anti-corruption Agency for not properly justifying the manner in which he got the funds for his new apartment in Belgrade in 2012²⁰, Minister Vulin's party published official statements against the journalist, accusing him of being a drug addict and working for foreign interests. The journalist later received death threats.

Previous major cases of murders and attacks against journalists, with the most famous case being the assassination of Slavko Ćuruvija in 1999, are yet to be resolved, with the notable exception being the case of Milan Pantić, who was assassinated in 2001. The police has ended its investigation and delivered the names of the accused to the prosecutor.

Legislative environment and implementation of legislation/institutions

Serbia is expected to adopt a new media strategy by the end of the year, but the process of adoption of this document has been controversial. Members the working group, such as the representatives of the Journalists' Association of Serbia, Association of Media and coalition of journalists' and media associations – IJAS, NDNV, ANEM, Local Press and Association of Online Media - have all left the working group in charge of drafting the media strategy, citing different reasons, from composition of the working group to the inappropriate environment for its work.²¹

Public service broadcasters and economic factors

According to the media reform implemented with support of the European Union, there are only two public broadcasters in Serbia – the Radio Television of Serbia (RTS) and the Radio Television of Vojvodina (RTV). This has led to privatization of local media and their reliance on project support by both the local self-government and the state, as well by foreign donors and the European Union. The financing of media through local self-governments

20 KRIK: "Aunt from Canada" paid for Vulin's apartment, <https://www.krik.rs/tetka-iz-kanade-platila-vulinu-stan/>

21 IJAS: Coalition withdraws from the working group of the Ministry of culture and information for developing the media strategy, <http://www.nuns.rs/info/statements/32558/koalicija-se-povlaci-iz-radne-grupe-ministarstva-kulture-i-informisanja-za-izradu-medijske-strategije.html>

turned out to be highly controversial. There are numerous recorded cases of media close to the government, including nation-wide media and media founded right before the calls were open – getting a large share of the total funds. Some of the rewarded media are the ones with who most often breach the journalist's code.²²

On the other hand, independent local media have been highly jeopardized by this situation. The most notable example is the termination of Novine Vranjske, one of the oldest independent print media in the state, which garnered a lot of media attention after their owner, Vukašin Obradović, started a hunger strike, having no specific demands.

The unofficial group "For Media Freedom", which brings together a large number of media and journalists, was created after the events around Novine Vranjske and quickly started with a social media campaign against "media darkness".²³ The group would later start expressing demands from the state in order to reverse the negative trend when it comes to media freedom in the country.

The status of the Tanjug news agency, officially terminated in 2015, but still operational, needs to be resolved. The agency continued to work despite being officially shut down by the government in 2015.

3. Regional issues and international obligations

Serbia continues being a part of several regional cooperation initiatives such as the Regional Cooperation Council (RCC), Adriatic-Ionian Initiative, Central European Initiative, the South East Europe Cooperation Process, and The Migration, Asylum, Refugees Regional Initiative.

The current most important regional initiative Serbia is a part of is the Berlin Process, within which Serbia is participating in several programs and activities, including the creation of the Regional Youth Cooperation Office (RYCO), Western Balkans Fund, Chamber Investment Forum of the Western Balkans and Western Balkans Transport Community, and is set to participate in the Western Balkans Regional Economic Area.

22 IJAS: Announcement of IJAS and NDNV: Financing pro-regime media through local calls continues, <http://www.nuns.rs/info/statements/30600/nuns-i-ndnv-nastavlja-se-finansiranje-rezimskih-medija-putem-lokalnih-konkursa.html>

23 For Freedom of Media, <https://zaslobodumedija.rs/>

Bilateral relations between Serbia and neighbouring states have mostly been constructive, but with certain high-profile incidents that attracted a lot of media attention and frequently provoked harsh response from the tabloids at home, including those close to the government.

Relations with Macedonia significantly deteriorated after the change of government in Skopje and the election of the socialist government of Zoran Zaev. The tensions arose even before Zaev was elected, when he accused the Serbian government of pursuing a "nationalist" policy and supporting the former Prime Minister Nikola Gruevski. The crisis in relations seemed to be over soon after Zaev assumed office and a number of meetings took place. However, two major incidents shook the Serbo-Macedonian relations in coming months: first when it was discovered that a Serbian intelligence officer was present in the Macedonian parliament during the April riots, and second when the entire staff of Serbian Embassy in Skopje was recalled, citing "unfriendly actions" of Macedonia. Both incidents were never properly explained.

Serbia continued the process of normalization of relations with Kosovo and several important agreements were reached, including the one on Kosovo's dial number in November 2016. However, the infamous train incident from January 2017, when a train travelling from Belgrade to North Mitrovica, covered in slogans "Kosovo is Serbia" written in several different languages, had to be pulled back due to threats from the Kosovo government that it will be duly stopped at the border/boundary. Widely regarded as an unnecessary provocation from the Serbian side, the train incident could have jeopardized the fragile process of normalization of relations and peace in North Kosovo.

Relations between Serbia and Bosnia and Herzegovina were mostly constructive, with the exception of a failed attempt by the Bosniak member of the BiH Presidency, Bakir Izetbegović, to re-open the case against Serbia for genocide in Bosnia and Herzegovina. President of the Council of Ministers of BiH visited Belgrade in January 2017, and the Minister of Foreign Affairs in July 2017, when him and the Serbian Foreign Minister opened the new BiH embassy. The recent announcements by both governments that the existing border dispute should be resolved by the end of the year in undoubtedly a positive signal for Serbo-Bosnian relations.

Serbia maintained good relations with its three north and east EU neighbours, Hungary, Romania and Bulgaria. Both the Hungarian Prime Minister and Minister of Foreign Affairs have visited Belgrade (November

2016 and October 2017), and the country claims to strongly support Serbia EU accession. The Serbian Prime Minister met with the Romanian Prime Minister in November 2016 and the Bulgarian Minister of Foreign Affairs visited Belgrade in July 2017. Serbia maintains constructive and cordial relations with both countries.

After a very turbulent few years in Serbo-Croatian relations, there were no major bilateral incidents or disputes between the two countries during last year, with the only exception being an almost traditional flare-up of tensions before, on, and after the 4/5 August commemorations of Operation Storm in both countries. Croatian President visited Belgrade for inauguration ceremony of the Serbian President in June 2017.

Serbia and Montenegro keep maintaining cordial relations, which were tested after the infamous coup attempt on election day in Montenegro in October 2016, but remained stable and no visible flare-up of tensions. Montenegrin Prime Minister visited Belgrade in February 2017.

Albania

1. Democracy

1.1. Elections

The parliamentary elections took place on 25 June 2017 in a scene largely set-up by a political agreement between the Socialist Party and the Democratic Party signed in May 2017. This agreement put to an end the parliamentary boycott from the Democratic Party (DP). The Agreement made possible the participation of the opposition in the political elections of June and made possible for DP to appoint several key government ministers until the creation of the new government post-elections.

Parliamentary elections in Albania are conducted mainly based on the Electoral Code and the Law "On Political Parties". According to OSCE/ODIHR²⁴ and Council of Europe's²⁵ Venice Commission, the Electoral Code provides an adequate basis for the conduct of democratic elections, but amendments are needed especially for topics related to gender quota for candidate list, for increasing financial transparency of the electoral campaign and for strengthening independence of the election administration. OSCE has been recommending for a long time the need to depoliticize election administration.

According to OSCE²⁶, the Central Election Commission (CEC) operated transparently during the recent elections, but did not take measures to clarify inconsistencies related to newly amended legislation and some of its decisions lacked legal basis. Minorities had equal opportunities to participate in election as voters and candidates. CEC provided education materials also in the minority languages.

The election process was monitored by the CEC and also by international and national independent observers like OSCE/ODIHR²⁷, Coalition of Dome-

24 "Interim report, 9-31 May, 2017", OSCE Office for Democratic Institutions and Human Rights Election Observation Mission Republic of Albania Parliamentary Elections, 25 June 2017, <http://www.osce.org/odihr/elections/albania/321211?download=true>

25 "Observation of the parliamentary elections in Albania", Parliamentary Assembly, Council of Europe, 4 September 2017, https://www.ecoi.net/file_upload/1226_1506427343_coepace-observation-of-the-parliamentary-elections-in-albania.pdf

26 "OSCE/ODIHR Election Observation Mission Final Report", Republic of Albania, Parliamentary Elections, 25 June 2017, Warsaw, 28 September 2017, <http://www.osce.org/odihr/elections/albania/346661?download=true>

27 "Statement of preliminary findings and conclusions", International Election Observation Mission, Republic of Albania, Parliamentary Elections, 25 June 2017, <http://www.osce.org/odihr/elections/albania/325491?download=true>

stic Observers and National Democratic Institute. CEC accredited a total of 541 international and 3,731 citizen observers. The final report on the Albanian Parliamentary elections issued by OSCE/ODHIR on 28 September 2017 underlined the main problems faced during elections: lack of election materials; the presence of unauthorized people in voting centers; sometimes the secrecy of voting was compromised; voting centers did not provide the proper infrastructure for people with disabilities; counting process did not started as it is foreseen in the law etc.

Regarding complaints, the Law does not foresee clear responsibilities for pre-election day complaints. Complaint procedures are assessed to be too complex and the timelines needs to be shortened. The novelty of this year elections is the "Report of the Election Task Force"²⁸, which was elaborated by the technical ministers appointed under the Political Agreement of May between the ruling party and the main opposition party. The coalition of domestic observers declared in their report that only 7 complaints were presented this year against CEC decisions or its non-initiation of action, compared to the previous election process, where 40 complaints were accounted for.

Elections were generally held in low public trust and only 46.8%²⁹ of the registered voters showed up to vote. The electoral process was covered by media, but a particularity of these elections in terms of media coverage was indeed dictated by the political agreement. The Law on Political Parties was amended on May 22, 2017 and introduced obligation for the private broadcasters to provide free of charge air time to all contestants and prohibited paid political advertising for these elections, contrary to the Electoral Code.

1.2. Parliament

In the period covered by the report, seven priority laws under the justice reform package have been approved, namely: the laws that regulate the organization and functioning of the judiciary system, prosecution office, anti-corruption and organized crime structures, the Law the status of judges and prosecutors and the Law for the vetting process. The Parliament³⁰ also adopted 13 other laws from the package of 27 draft laws part of the justice

28 http://www.syri.net/uploads/syri.net/files/2017/August/18/Raporti_i_plote_i_ministrave_teknike_per_zgjedhjet1503043192.pdf

29 "Albania's June 2017 Parliamentary Elections", NDI, <https://www.ndi.org/sites/default/files/NDI%20Albania%202017%20Election%20Analysis%20Final.pdf>

30 Raport vjetor mbi veprimtarinë e kuvendit e kuvendit të shqipërisë të shqipërisë për vitin 2016, Tiranë, 2017 <https://www.parlament.al/wp-content/uploads/2017/03/raport-2016-1.pdf>

reform package. According to the official information in the web page³¹, the parliament reviewed and approved 309 parliamentary acts (154 laws, 139 decisions and 16 resolutions).

The opposition voted in favor of 16 out of adopted 154 laws. 58 legal initiatives were initiated by the Members of the Parliament. 17 laws were enacted, requiring a qualified majority of 3/5 of all MPs. Of the 17 approved by-laws, 12 of them are a part of the justice reform package. Permanent Committees have reviewed and approved³² 138 draft laws, 20 resolutions, 14 resolutions, and 2 decrees of the President of the Republic.

Urgent procedures³³ were applied in five cases with the request of the Council of Ministers, namely: for amendments to the: (i) law "On public procurement", (ii) law "On the release of digital frequencies-dividends", (iii) law "On re-evaluation of immovable property", (iv) law "On protected areas", and (v) law "On salaries, bonuses and structures of independent constitutional institutions and other independent institutions established by law", and on one draft decision at the request of a group of deputies "On the approval of the Rules of Procedure of the Assembly of the Republic of Albania".

From February until May 2017 the opposition parties³⁴ boycotted the parliament. The boycott brought huge discussions regarding the not-accomplished electoral reform. The Code of Conduct of Deputies was not approved because of the boycott of the parliament, but it is included in the agenda of the new legislature.

To strengthen the role of Parliament in the EU integration process, the National Council of European Integration³⁵ (NCEI) has been established by the Parliament. NCEI is the highest national advisory structure³⁶ for the European integration, which promotes and guarantees inclusive co-operation among political forces, public institutions and civil society, as well ensures increased transparency in decision-making on integration issues. This Council has been focused on promoting the involvement of all

31 Website of the Albanian Parliament: <https://www.parlament.al/dokumentacioni/libraria-e-akteve/page/3/>

32 Website of the Albanian Parliament: <https://www.parlament.al/dokumentacioni/libraria-e-akteve/page/3/>

33 According to the Rules of Procedures of the Parliament, urgent procedure is applied in those cases where it is asked by the Council of Ministers or by 1/5 of the members of parliament.

34 Democratic Party, Republican Party.

35 Rregullorja e këshillit kombëtar të integritimit Europian, Kuvendi, 4. 5. 2016, https://www.parlament.al/wp-content/uploads/2015/10/Clibri-kryetariRregullore_KKIE-finale.pdf

36 NCEI establishment has been a recommendation of the High-Level Dialogue EU-Albania

actors in the European integration process. The intensive political rhetoric and discussions, and factors related to the host institution capacity have not enabled a full exploit of the NCEI potential. Following the parliamentary boycott from the Democratic Party, NCEI last meeting has been held in February 2017.

In April 2017, the Parliament approved the Decision³⁷ "On the establishment of a mechanism for systematic monitoring of the follow-up and implementation of the recommendations of the constitutional institutions and those create by law". Under this law, independent institutions should collaborate with the Parliament for the fulfillment of the recommendations and they should report periodically.

To further strengthen transparency, the Parliament approved³⁸ its first Communication Strategy. This document is accompanied by the action plan, with concrete initiatives in fulfilling the vision, mission and objectives of this Strategy. According to the report "Parliament openness in the region and in Albania³⁹", published by MJAFT Albania – a civil society organization-, in cooperation with a regional network NGO "ActionSEE", the Parliament of Albania meets 60% of indicators of openness. According to the same report, the Albanian Parliament needs to improve rules of procedure and code of conduct of members of parliament, and the communication with citizens through opening a channel for a "fast "communication in two social media.

1.3. Governance

2017 Election results saw Socialist Party win an absolute majority, taking 74 seats in 140-seat parliament, while Democratic Party has 43 seats, including four held by smaller political parties that ran on DP lists. Socialist Movement for Integration has 19 seats; the Party for Justice, Integration and Unity (PDIU), a small party also in government representing the Cham community, will have three; and the Social Democratic Party has one seat. The Socialist Party formed the new government without the need of a coalition. The previous cabinet ("Rama 1") was reduced in size and now, the "Rama 2" Cabinet⁴⁰ - a one party government - consists of 12 Ministries and 2 State Ministries without portfolio.

37 "Për krijimin e mekanizmit për monitorimin sistematik të ndjekjes dhe zbatimit të rekomandimeve të institucioneve të pavarura kushtetuese dhe atyre të krijuara me ligj", Kuvendi, 4. 5. 2017, <https://www.parlament.al/wp-content/uploads/2017/04/vendim-nr.-49-dt.-20.4.2017.pdf>

38 Decision no. 112, dated 4.5.2017

39 <http://www.mjaft.org/sites/default/files/Openness%20of%20Parliament%20in%20the%20region%20and%20Albania.pdf>

40 "We are one party! We are one force!", Exit, See: <http://www.exit.al/en/2017/09/27/rama-proclaims-one-party-state/>

Some of the most important elements of good governance which are transparency, accountability and public consultation are still at their first steps of implementation and consolidation. The Law 119/ 2014 "On the right to information" is ranked 6th⁴¹ in the world according to the RTI⁴² ranking. According to the Albanian Commissioner of Freedom of Information the implementation of this law remains still vague.

Based on this law, public institutions have the obligation to proactively disclose information in their web pages. However in reality a lot of information is missing, especially the information related to the accountability of the institutions like public procurement procedures, concessions agreements etc. According to the Commissioner of Freedom of Information and Data Protection, institutions⁴³ that have the highest level of transparency are the independent institutions. In the last report of the Commissioner of Freedom of Information and Data Protection it is mentioned that courts and central government institutions are not transparent and do not provide information to citizens easily. Information that these institutions publish in their web page is not updated and not easily understood by requesters of public information. The institution in charge for the monitoring of this law, the Commissioner for Freedom of Information and Data Protection faces difficulties in terms of sufficient resources for the proper monitoring of the institutions and analyzing the increasing number of complaints⁴⁴. A general lack of public awareness and data culture is also a hindering factor.

The implementation of the Law "On Public Consultation", is facing delays⁴⁵. Only a small number of legislation is going through a real consultation process. In the previous government the Minister of Innovation and Public Administration was in charge of monitoring the public consultation processes performed by the institutions and of creating an online register for the consultation process.

41 <http://www.rti-rating.org/>

42 The Right to Information Rating is a program founded by Access Info Europe and the Centre for Law and Democracy. RTI Rating is to provide RTI advocates, reformers, legislators and others with a reliable tool for comparatively assessing the overall strength of a legal framework

43 "Monitorim mbi hartimin e programit të transparencës", 2017, http://www.idp.al/wp-content/uploads/2017/09/Mon_i_Progr_Transp.pdf

44 Webpage of the Pyet Shtetin, See: <http://pyetshtetin.al/rregjistri-i-ankesave/>

45 "Zbatimi i ligjit "Për njoftimin dhe konsultimin publik" vazhdon të jetë problematik dhe në nivele të ulëta", Albanian Helsinki Committee, <http://www.ahc.org.al/zbatimi-i-ligjit-per-njoftimin-dhe-konsultimin-publik-vazhdon-te-jete-problematik-dhe-ne-nivele-te-uleta/>,

But in the new government, (September 2017) there is no structure foreseen⁴⁶ that will monitor the implementation of this law. Moreover institutions do not have the proper knowledge on the process⁴⁷. Public consultation is still being conducted in the old-fashioned way without using the online register created for this purpose and there are no concrete indicators that show if right procedures are applied. From the side of the civil society only five complaints have been presented to the Office of the Commissioner of Freedom of Information during this year with regard to public consultation issues.

Transparency and public consultation are also main pillars of the local governance legal framework. The law 139/2015 "On Local Self-Governance" foresees that the municipalities have the obligation to appoint a coordinator of freedom of information and to approve transparency programs, to provide access to all citizens. In 2017, 71% of the municipalities implement the law on freedom of information⁴⁸. The situation is drastically improved compared with 2016, where only 31% of municipalities fulfilled the obligations of the law.

The process of public consultation should start as soon as possible⁴⁹. Municipalities have not set up the respective structure for this process even though that the register of public consultation is also in place for local government institutions.

With regard to the collaboration between independent institutions and the government, independent institutions have the responsibility to report periodically in the Reporting Unit of the Independent Institutions in the Parliament. The Decision⁵⁰ "For the creation of the mechanism of systematic monitoring and implementation of recommendations of constitutional independent institutions and those created by law" foresees concrete steps that should be taken to have a better collaboration. Up to the period of the drafting of this report no future steps have been registered.

46 "Vendime të miratuara në mbledhjen e Këshillit të Ministrave, datë 13 shtator 2017" <http://www.kryeministria.al/al/newsroom/vkm/vendime-te-miratuara-ne-mbledhjen-e-keshillit-te-ministrave-date-13-shtator-2017&page=1>

47 ibid

48 "Monitorimi 2017 - Implementimi i të drejtës së informimit nga Bashkitë e Shqipërisë", Shtator, 2017, Center for Public Information Issues (INFOCIP), <http://www.infocip.org/al/wp-content/uploads/2017/10/Raporti-implementimi-i-ligjit-119-nga-61-bashkite-e-RSH.pdf>,

49 <http://birn.eu.com/wp-content/uploads/2017/05/Documents/E-drejta-e-informimit-ne-kontekstin-e-pushtetit-lokal.pdf>, BIRN Albania

50 "Për krijimin e mekanizmit për monitorimin sistematik të ndjekjes dhe zbatimit të rekomandimeve të institucioneve të pavarura kushtetuese dhe atyre të krijuara me ligj "Viti 2017 – Numri 90, <http://qbz.gov.al/Botime/Akteindividuale/Janar%202017/Fletore%2090/VENDIM%20KUVENDI%20nr.%2049,%20date%2020.4.2017.pdf>

The Parliament does not have sufficient staff to improve and support the monitoring functions of the parliamentary committees. SIGMA in its report⁵¹ "Developing effective working relationships between supreme audit institutions and parliaments" states that not only adequate staff and resources is needed, but also clear follow-up mechanisms should be established.

In the field of human rights, the Ombudsman is in the institution in charge for the promotion of the human rights and for the provision of recommendations for the institutions. Because of the agreement between the opposition and the government, a new Ombudsman, with a five-year mandate, was appointed by the Parliament. During 2016, the Ombudsman gave 319⁵² recommendations, out of which 197 recommendations were accepted and 93 were fully implemented by the institutions. The Ombudsman addressed mainly recommendations for violations of human rights cases, job firing cases, mistreatment of prisoners, housing issues for Roma community, etc.

1.4. Civil society

The legal framework for the development of the civil society in Albania includes the Law No. 10 093, date 9.3.2009 "On the organization and functioning of the Agency for the support of Civil Society", the long-term Strategy of the Agency for the support of Civil Society 2015-2020, and also the "Roadmap for the creation of a proper environment for the civil society" (hereinafter "the roadmap"). The Agency for the Support of Civil Society together with the Unit for Research and Development at the Prime Minister Office have started the implementation of the measures foreseen in the roadmap. According to the monitoring report of June 2017, 15 out of 54 measures have been implemented, 11 are in process, 17 have not started and for 11 measures there is no reporting at all. Several factors have hampered the implementation of the roadmap, but two of the main important ones are the missing of financial support necessary for the implementation, and lack of institutional cooperation. Following several meetings to address the delay in the implementation, the revision process of the roadmap is stalling, also because of the many institutional changes incurred within the Government.

51 "Developing effective working relationships between supreme audit institutions and parliaments", SIGMA paper no. 54, OECD 2017, http://sigmaweb.org/publications/Supreme_audit_institutions_and_parliaments-SIGMA-Paper-No.%2054.pdf

52 "Raport vjetor për veprimtarinë e avokatit të popullit 1 janar – 31 dhjetor", Avokati i popullit , Viti 2016, http://www.avokatipopullit.gov.al/sites/default/files/RAPORTET/RAPORTET_VJETORE/Raporti_2016.pdf

Following EU recommendations, the Albanian Government approved in November 2015 the Law on the Establishment and Functioning of the National Council of Civil Society⁵³ (NCSC) with the aim to ensure institutional collaboration between government and CSOs in favor of expanding democracy, consolidation of good governance and increased transparency in public decision-making through better involvement of civil society in this process. Beside the pending adoption of the internal procedures by the established NCSC, its functioning has been hampered by the structural institutional changes incurred in the Government reshuffle. Lack of human and financial means are also negatively affecting the functioning of this structure. The first and only meeting of NCSC was held in 23 June 2016.

The cooperation between state institutions and civil society leaves spaces for improvement. CSOs try to participate regularly in the consultation processes, however they need support to create the necessary technical capacities to be able to provide meaningful contribution in as many technical sectors as possible. In this context sectoral regional cooperation with sister NGO from other WB6 can be a strategic move that may alleviate the constraints of the critical mass.

Some CSO that regularly monitor not only the implementation of Public Consultation Law, but also Freedom of Information Law. During this year, approximately 10 CSO monitored the implementation of both laws and provided recommendations for public institutions. For example, the Law on national minorities that was approved in early October went through thorough consultation process and the majority of the suggestions given by the CSOs were taken into consideration.

In the last report of the project⁵⁴ "Support for territorial and administrative reform"⁵⁵ presented in October 2017, regarding the evaluation of the situation of local government, it was pointed out that CSO are not present at all in many small municipalities.

53 The National Council for Civil Society is composed by representatives from: Prime Minister office, Ministry of Justice, Ministry of Interior, Ministry of European Integration, Ministry of Finance, Ministry of Environment, Ministry of Health, Ministry of Education and Sports, Ministry of Culture, Minister of Innovation and Public administration, Minister for the relations with parliament, Agency for the Support of Civil Society

54 The project is supported by UNDP, SIDA, UNDP, Italian Government and Swiss Development Cooperation.

55 "Perceptimi i Qeverisjes në një Shqipëri në Reformim - Vlerësimi Mbarëkombëtar i Situatës së Qeverisjes Vendore në Shqipëri", Star project, <https://www.dropbox.com/s/s3rwor0q7pdnssx/Aggregate%20Report%20FinalDesignedAlbanian.pdf?dl=0&m>

The report also argues that there are no open meetings where CSO can have the possibility to exchange opinions with the local authorities and CSOs are not providing their contribution in the education and general awareness building of the citizens.

Albanian CSOs have obtained the right to have their representative in the new justice institutions established by the justice reform. However, due to the impossibility to have the right representative, currently Albanian civil society has been unable to have its representative in the High Prosecutorial Council that will propose the General Prosecutor. The ad-hoc selection committee (in charge of choosing the Albanian CSO representatives) has explained this situation by pointing out the very difficult eligibility criteria for the candidates.

The CSO sustainability score for Albania is 3.8⁵⁶, the same to the previous year score, which means that no changes have incurred in the legal environment, organizational capacities, financial viability, public image, infrastructure and service provision.

2. Freedom of expression

Mainstream media faces challenges in Albania in terms of self-sustainability in a small market, independence and impartiality. Media ownership is formally transparent. However, the functioning of the media market remains obscure regarding its financing, undue influence or even audience share. Very often, media is used as a tool to promote political and private interests.

Investigative journalism in Albania is a profession with low wages and little job security. Apart some few media stars or hosts of evening shows, poor implementation of the labor code remains a major concern and most journalists work without contracts or have contracts which can be terminated arbitrarily⁵⁷.

There have been several similar cases of dismissal of editors/journalist from the job during the last years. Delays in paying salaries and missing years of social contribution payments are a widespread phenomenon, often leading to self-censorship. Taken into consideration these conditions, there are limited examples of investigative journalism in the country.

56 "The 2016 CSO Sustainability Index for Central and Eastern Europe and Eurasia", 20th edition, July 2017, https://www.usaid.gov/sites/default/files/documents/1866/CSOSI_Report_7-28-17.pdf

57 Aleksander Cipa – Forumi i Zhvillimit te Medias, Tirane, 22 nëntor 2016

The Commissioner of Freedom of Information declares that journalists are not using Freedom of Information Law for investigative reports, this means that their focus is only the everyday news. One good example for 2017 is the case where BIRN Albania together with the Office of the Commissioner of Freedom conducted trainings for 12 journalists on the right to information and on the balance with data protection. Their follow up task was to monitor 12 municipalities and prepare a report about transparency level in municipalities. The Commissioner of Freedom of Information⁵⁸ and Data Protection analyzed several complaints on the publication of personal data in the media and in the websites of the controllers⁵⁹, and also provided assistance to private controllers regarding the publication in media of the personal data, on the deletion of the data being published in various online portals.

During 2017, one case of physical assault against a journalist was reported and followed up by the prosecution in March 2017 (Elvi Fundo⁶⁰ - 8 March 2017). One of the perpetrators has been arrested few months later. The national authorities, international bodies and media organizations reacted promptly and condemned these acts.

During the reporting period four defamation lawsuits against 8 journalists and 4 media outlets have been filed. The processes have already started and court sessions have been postponed constantly. As the trials are still ongoing there are no judicial consequences at the moment. Journalists' associations have reacted immediately with regard to these cases. Defamation remains a criminal offence, although prison sentences are not allowed. The processes have been constantly postponed and there is no outcome at the moment.

The Boards of Audiovisual Media Authority (AMA) and Public Broadcaster are already in place and functional, after years of delays in this regard. However the election of its members is not totally free of political influence and does not ensure the body's full independence. Media law is in line with international standards. However, implementation of media laws and regulations remains a challenge.

58 "Annual report 2016", Information and data protection commissioner, 2017, http://www.idp.al/wp-content/uploads/2017/03/Annual_Raport_2016.pdf

59 "Controller" shall mean the natural or legal person, public authority, agency or any other body, which alone or jointly with others determines the purposes and means of processing of personal data, in compliance with the laws and secondary legal acts applicable, and who is responsible for the fulfilment of obligations defined by this law

60 "Dhuna ndaj gazetarit Elvi Fundo dënohet ndërsa policia kërkon përgjegjësit", Reporter, 8. 3. 2017, <https://www.reporter.al/dhuna-ndaj-gazetarit-elvi-fundo-denohet-ndersa-policia-kerkon-pergjegjesit/>

Previously, AMA's decision-making was affected by the lack of quorum for several months due to the absence of its opposition-nominated members, who questioned the legitimacy of the board. This long-term staff shortage limited AMA's ability to fulfill its mandate and made it difficult for the regulator to take key decisions, particularly on the licensing of commercial digital operators, which resulted in it being taken to court. The parliament, in its resolution⁶¹ of 2017, recommends AMA to apply the institutional strategy in order to increase transparency, accountability and to promote better broadcasting.

The role of AMA needs to be strengthened, in order to create a regulated environment in the audiovisual market, where real competition is guaranteed and the supervisor institution can monitor if the broadcasting codes are respected properly. Audiovisual media needs also to apply codes of ethics while maintaining the standards of correct, independent and professional information. Regarding public broadcaster a structural reform is needed through real competition. The board of public broadcaster must ensure independence regarding the content of daily news, television shows etc. More transparency is needed and new online applications should be developed by the public broadcaster. Problems are faced by the online media as well, because the number of portals is increased and the audiovisual media authority does not have a full control on them. The law for regulating this field is still at a draft level.

The organization Reporters Without Borders⁶² published the World Press Freedom Index 2017 and ranked Albania in the 76th position among 180 countries. The ranking is improved by 6 positions compared with a year ago.

3. Regional affairs and international obligations

When it comes to European Integration process and regional cooperation, it is estimated that the latest institutional changes by incorporating European Integration portfolio in the Ministry of Foreign Affairs, might produce better results in terms of coordination and management of the EU integration process and of the diplomacy.

Regarding the Berlin Process (as one of the most innovative recent regional cooperation initiatives), the Albanian Government can show a positive and active participation and cooperation with the EU, with key member states,

61 <http://ama.gov.al/preview/wp-content/uploads/2015/04/rezoluta-e-rapor-tit-vjetor-2016.pdf>

62 "2017 World Press Freedom Index", Reporter without borders, <https://rsf.org/en/ranking/2017>

with WB6 respective partners, and with Albanian civil society actors as one of the stakeholders also recognized by the Trieste Declaration.

The programming of IPA Cross Border Cooperation (IPA CBC) instrument, as the most concrete instrument affecting cooperation of Albania with neighboring countries, needs to take into account the positive developments and dynamics produced in the framework of the Berlin Process. IPA CBC programming cycle should ensure a better coordination of different CBC, transnational and other macro regional cooperation initiatives, by thus also responding to the need to avoid overlap and fully exploit synergies created by infrastructure connectivity.

Regarding Albanian bilateral relations with neighbouring countries, its policy is oriented towards the strengthening of good neighborly relations, and regional integration. Albania is recognized generally as a stable and reliable partner and as an important regional factor that contributes in preserving and strengthening political and economic stability in the region. Albania has played an active role in the process of regional cooperation, supporting and promoting the principle of all-inclusiveness, as one of the basic principles of the regional cooperation process.

Relations between Albania and Kosovo are excellent. Bilateral cooperation is guided by the national interest to deepen the political, economic, social and cultural intercommunion as well as to boost the integration process towards the European Union, as a fundamental unifying project of the Albanian space in the service of its peace, stability and prosperity. Both countries have used the format of joint governments meetings to establish and pursue joint cooperation through several agreements signed in different sectors. 12 agreements and memorandums have been signed during the last joint governments meeting held on November 28 in Albania. The main problem however remains their implementation on the ground. The last bilateral meeting was focused on the implementation issue. Notwithstanding the full support to stronger economic cooperation, up to now there are no mature connectivity projects⁶³ in the pipeline amongst two countries. The 400Kv linking Albania and Kosovo, financed through a KfW loan has been completed, but is not in use due to conflicts with Serbian Transmission Operator.

Albania and Greece have good neighborly relations. As NATO members and two countries sharing vital and mutual interests, they agree that relations between them are of strategic importance in the region. Greece has supported and officially expresses support for Albania's integration process in the EU.

63 Known otherwise as Berlin projects

During the last meeting between the two Ministers of Foreign Affairs, both sides acknowledged the importance of dialogue in resolving outstanding issues and agreed on further steps to find viable solutions to past and present disputes (technical state of war Greek law, maritime border deal, minorities, etc.).

Albania and Macedonia are recently intensifying the political cooperation. Both governments have reached an agreement to hold a joint session of the governments. According to the press office of Macedonian government, both PMs voiced commitment for intensification of economic cooperation between the two countries and creation of conditions for the Euro-Atlantic integration of the entire region. Albanian government followed very closely the Macedonian government crisis that led to the Zaev government. Connection amongst two countries are expected to be reinforced due to the intensification of business relations and infrastructure connectivity in the framework of the Berlin Process⁶⁴.

Albania and Montenegro have very close neighborly relations. Both countries have agreed on the importance on further deepening bilateral relations in terms of bilateral and regional level as well as the common Euro-Atlantic perspective. Both government have agreed to hold a joint meeting aiming to strengthen and intensify bilateral relations, in order to improve the economic and social life of citizens of both countries. With particular attention to the cross-border connectivity, both countries are pursuing an intensive cooperation especially in relation to the Ionian Adriatic Pipeline and Blue Highway⁶⁵.

64 Seman - Bitola 400Kv transmission line

65 Website of the Western Balkans Investment Framework, See: www.wbif.eu

Macedonia

1. Democracy

1.1. Elections

The early parliamentary elections were held on 11 December 2016. Observed by an international election observation mission (IEOM) headed by the OSCE/ODIHR, the international observers deemed the process as an essential step in resolving two years of deep political crisis, preceded by a series of legal and institutional changes undertaken by the main political forces, in order to provide a level playing field for elections.⁶⁶ The campaign, although competitive, took place in an environment characterized by public mistrust in institutions and the political establishment, with serious allegations of voter coercion.⁶⁷

The results of the election saw the ruling coalition led by the VMRO-DPMNE (Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity) won 51 mandates, the coalition led by the SDSM (Social Democratic Union of Macedonia) obtained 49, the DUI (Democratic Union for Integration) 10, the BESA (Movement BESA) 5, the AA (Alliance for Albanians) 3, while the DPA (Democratic Party of Albanians) 2 seats. Although president Ivanov gave the tenure to the largest party of the previous ruling coalition, in order to form a majority with the traditional partner DUI, outgoing PM Gruevski did not manage to form a government.

The end of the period under analysis was marked by another election, this time the municipal elections which were initially scheduled for early 2017, but were postponed due to the post-electoral instability following the 2016 early parliamentary elections. Although a close race between the two major political blocks was expected, the coalition led by the SDSM announced a landslide win following the first round, when they won 38 mayoral seats, in comparison to the VMRO-DPMNE who won 3.

The DUI won 2 seats, the DPTM 1, and two independent candidates also managed to secure a victory in the first round. The majority of the municipal councils were also won by the SDSM.

66 OSCE/ODIHR International Election Observation Mission to FYROM, Early Parliamentary Elections on 11 December 2016, Statement of Preliminary Findings and Conclusions, Preliminary Conclusions, <http://www.osce.org/odihr/elections/fyrom/288186?download=true>
67 OSCE/ODIHR Election Observation Mission to FYROM, Early Parliamentary Elections on 11 December 2016, Final Report, <http://www.osce.org/odihr/elections/fyrom/302136?download=true>

The same trend continued two weeks later, when the SDSM won 19 mayorships, the DUI 8, the VMRO-DPMNE and the AA – 2.⁶⁸ The BESA also managed to win one small rural municipality and several other were won by independent candidates. Although the elections were free, fair and democratic, according to both international and domestic observers,⁶⁹ the opposition VMRO-DPMNE announced that they do not recognize the election results, highlighting that these were the worst elections conducted since Macedonia's independence. The leader of the AA, Zijadin Sela, also did not recognize the elections in Struga, where he lost to DUI candidate Ramiz Merko by a small margin, blaming for electoral corruption and voter coercion. Although minor post-electoral turbulence disrupted the governmental stability, the three coalition partners continued to govern, implementing reforms following the 3-6-9 plan, as well as announcing major financial reforms for 2018 and 2019.

Numerous international and domestic election observation organizations stressed the campaign financing, as well as the general political party financing, as issues which must be thoroughly regulated in order to strengthen the institutional capacity and increase the trust in the institutions. The politicization and the pressure over the public administration must be immediately halted, and every voter should have the right to freely choose his/her representatives. Furthermore, improvement of voter registration and the Voters List is needed in order to improve the credibility and the trust in the electoral process. Lastly, in the wake of the recent scandal with the remuneration of the SEC members, continuous reform and professionalization of the SEC is needed in order to ensure improvement and enhancement of the electoral process

1.2. Parliament

The work of the Macedonian legislature can be assessed only for the period between 1 January 2016 and 17 October 2016, since the availability of more recent data is fairly limited. Within the period under analysis, the Parliament held 40 sessions, out of which 3 were dedicated to MP's questions. In total, 366 laws were enacted, out of which only 25 were proposed by MPs and all the rest by the government⁷⁰. One of the issues which strongly undermines the EU integration process is the lack of transparency of parliament when dealing with harmonization of the EU acquis. A research conducted by the

68 OSCE/ODIHR International Election Observation Mission to FYROM, Municipal Elections, Second Round on 29 October 2017, Statement of Preliminary Findings and Conclusions, Preliminary Conclusions, <http://www.osce.org/odihr/elections/fyrom/353276?download=true>
69 Ibid

70 Macedonian Parliament's Report on 2016, <http://www.sobranie.mk/content/izvestai/IZVESTAJ%20ZA%20RABOTATA%20NA%20SOBRANIETO%20NA%20RM%202016.pdf>

Institute for Democracy Societas Civilis – Skopje shows that between 2014 and 2016, the Parliament enacted 59 laws with ‘EU flag’, out of which, only 16 were scrutinized by the Committee for European Issues⁷¹. This represents a serious breach of the parliamentary procedure, and undermines one of the pillars of parliamentary democracy.

Following the unsuccessful effort of the VMRO-DPMNE to secure a parliamentary majority for the fifth time in a row, the SDSM and the DUI initiated political negotiations. After several days of tense negotiations, the DUI publicly stated support to the SDSM. In the meantime, the DUI, the BESA and the AA, following the visit to PM Edi Rama in Tirana, drafted a document putting forward the top priorities of the ethnic Albanians, further flaring the fragile political atmosphere. The VMRO-DPMNE began accusing the two partners for creating the “Tirana Platform” in order to introduce bilingualism and federalization in Macedonia, two topics which were frequently raised by the VMRO-DPMNE during the election campaign. Following the actions of the largest ruling party, president Ivanov decided not to give the mandate to the oppositional leader, claiming that the newly formed coalition aims at disintegrating the country and threatening the identity of the Macedonians. In the meantime, two months of citizens’ protests throughout the country commenced, under the slogan “For a Common Macedonia”. Both national and international pressure started to mount over the President in order to give the mandate to Zoran Zaev, while the country entered into a new political crisis, extending the period of instability and uncertainty.

The incoming government composed of the SDSM, the DUI and the AA, looked for possible solutions to unblock the institutional deadlock. Following a period of filibustering by the VMRO-DPMNE MPs in parliament, and the arbitrary conduct of the former president of parliament, on the 27 April, the MPs from the prospective majority decided to elect Talat Xhaferi as speaker, not following the strict provisions of the parliament rulebook. This triggered a fierce reaction from the protesters in front of the parliament, who facilitated by VMRO-DPMNE MPs, managed to enter the parliament and occupied the plenary hall, as well as several offices in the building. The omission of a fast and sufficient police reaction enabled protesters, in whose ranks known felons were infiltrated, to start attacking MPs, hitting them with parts from the inventory, media equipment, as well as sticks and stones. The outcome was a dozen injured MPs, among which future PM

71 Institute for Democracy Societas Civilis: Document on Public Policy: The Parliament adopted European Laws by circumventing procedures, <http://idsocs.org.mk/mk/2017/05/17/%D0%B4%D0%BE%D0%BA%D1%83%D0%BC%D0%B5%D0%BD%D1%82-%D0%B7%D0%B0-%D1%98%D0%B0%D0%B2%D0%BD%D0%B0-%D0%BF%D0%BE%D0%BB%D0%B8%D1%82%D0%B8%D0%BA%D0%B0-%D1%81%D0%BE%D0%B1%D1%80%D0%B0%D0%BD%D0%B8%D0%B5%D1%82/>

Zaev, other members of the SDSM, while AA president and MP, Zijadin Sela, who barely managed to escape murder and was fighting for his life for several days. These events triggered immediate reactions from the international community which recognized the election of Talat Xhaferi as speaker, and asked for an immediate institutional reaction towards the perpetrators.

What Macedonian Parliament urgently needs is increasing of the level of political culture, especially by elected officials, and substituting physical and verbal attacks with substantiated debate channelled towards alleviating the daily problems of the citizens. Furthermore, urgent implementation of the Priebe Report recommendations which refer to strengthening the capacity of the parliament and the judicial system must be immediately adopted. Lastly, strengthening the work of the judicial institutions, especially the Public Prosecution Office is urgently needed, in order to eradicate impunity and indict the responsible for the violent events in parliament;

1.3. Governance

Following the unfortunate events in parliament, and the imposed, mainly international pressure, the newly formed majority elected the reformist government headed by the SDSM, whose leader Zoran Zaev was elected as the PM. Although being formed by three larger parties and coalitions (the SDSM, the DUI and the AA), with the support of only 62 MPs out of 120 in total, the government has a paper-thin support and a fragile stability. Still, in the first several months the newly formed establishment vowed to implement thorough reforms, primarily in order to secure stability and pave the way towards a more swift EU and NATO integration.

The reform package that should return the country on the European path was announced one month after the Government was formed. Plan 3-6-9⁷² is the so-called "sacred script" that should ensure the removal of the conditional recommendation for commencement of the accession negotiations by the European Council. The plan's title mark the time when reforms should be implemented i.e. in three, six and nine months. These envisaged dynamics foresee that the activities in the plan would be implemented and coincide with the publishing of the annual report on Macedonia by the European Commission in April 2018. The Government is basing the reform package on a number of documents relevant for Macedonia's EU accession process. The origins of these documents are diverse and they vary from strategic Government documents, EU commission reports and recommendations,

72 Government of Macedonia: The 3-6-9 Plan, <http://vlada.mk/sites/default/files/programa/2017-2020/Plan%203-6-9%20ENG.pdf>

those arising from the political crisis the country has been facing for the last 2 years in addition to document compiled by number of civil society organizations, as well as the Priebe report.

Although publicized as a 9-months plan, the Government decided to publish only the part for the initial three months of implementation. The reform activities envisaged for the two remaining parts, namely 6 and 9, were not published.⁷³ This is one of the main deficiencies of the plan, as the reforms contained in the plan 3-6-9 are part of greater package of reforms encompassed in various Government documents related to the EU accession process. Situations like these shows a lack of strategic capacities to foresee which reforms are needed for the country to bounce back from a situation that the European Commission has characterized as one of "state capture" with captured institutions.

In the 2016 annual report for Macedonia, the European Commission noted that 'democracy and rule of law have been constantly challenged, in particular due to state capture affecting the functioning of democratic institutions and key areas of society'.⁷⁴ The Government reform package goes in line with the promise made by the PM Minister Zaev to dismantle the captured state. Therefore, the reform package is comprised of activities covering 11 policy areas such as: elections, work of the Parliament, cooperation (cohabitation) between the Government and the President of the Republic, implementation of the Ohrid Framework Agreement, civil society, media, public administration reform, judicial reforms, reform of the intelligence and security services, fight against organized crime and corruption, and migration. Some of them are directly linked to the promise made, whereas others are deriving from the obligations Macedonia undertook in front of the EU institutions.

The reform activities in the area of elections are and related to increasing the capacities of the State Election Commission. The political ones relate to ensuring conditions for a credible electoral process, especially in the area of separation of state and party activities. In this context, the activities are encompassing adoption of Government declaration to prevent intimidation and pressure on the administration in addition to taking measures to prevent participants and candidates from using state resources during the election period.

73 This remains to be the state of play. This part has been written during the beginning/mid of November 2017.

74 European Commission 2016 annual report on Macedonia, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_the_former_yugoslav_republic_of_macedonia.pdf

As in the other policy areas covered with the reform package 3-6-9, the Government is praising joint efforts with the civil society representatives. The working groups are created and the process is on-going. Worthwhile noting in this segment of the plan is the Government's strive towards increased transparency. The publishing of the Government meetings' agenda on the website is one of the activities undertaken in this regard. Furthermore, the Government has pledged and already adopted a Decision for declassification of all documents of public interest, although the public interest was very vaguely defined, and somehow used in political purposes.

One of the main shortcomings of the plan is that the Government should have published the remaining parts (6 and 9) of the Government reform package in order to assess the final objective, the end goals of each specific reform in all policy areas. It would also be appreciated if the Government reform package should also encompass long-term reforms important for 'dismantling' the captured state that are not time constrained to the 9-month lifeline of the plan.

Oversight institutions

During the last period, independent bodies which should be in charge of oversight and control of the government in area of rule of law and respect of fundamental rights did not manage to put in practice their mandate. This was evident especially in regard to the revelations from the intercepted communications revealed by the opposition leader Zaev. Because of political interference and 'political self-restraint', institutions such as State Election Commission, the Directorate for Personal Data Protection, the Ombudsman and the Parliamentary oversight committees did not manage to carry on their mandates. This was revealed in the recommendations of the Senior Experts' Group on systemic Rule of Law issues relating to the communications interception revealed in Spring 2015.⁷⁵

In direction of assessing the final objective of specific reforms in all policy areas covered by the plan 3-6-9, the Government should publish the remaining parts (6 and 9) of the Government reform package. Besides the reform activities implementable in the 9-month lifeline of the plan, the Government reform package should also encompass long-term reforms, which are not time constrained to the period foreseen with concrete and comprehensible implementation steps.

75 European Commission: The former Yugoslav Republic of Macedonia: Recommendations of the Senior Experts' Group on systemic Rule of Law issues relating to the communications interception revealed in Spring 2015, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news_corner/news/news-files/20150619_recommendations_of_the_senior_experts_group.pdf

1.4. Civil Society

In the wake of the 2016 Early Parliamentary Elections, a significant majority of CSOs which were strongly criticizing the VMRO-DPMNE led government were under investigation by the Anti-Money Laundering Agency, the Financial Police and the Public Revenue Office. The operation was deemed "de-Sorosization", a phrase coined by former PM Gruevski, who claimed that a stronger grip is needed for the Soros-funded organizations which are working contrary to the Macedonian national interest. Couple of months after the transition of power, the MOI held a press conference announcing that all investigations had been completed, and all scrutinized CSOs had been cleared from the allegations.

Regarding consultation with the civil society, the Government managed to increase the minimum number of days for consultation on ENER (Single National Electronic Registry of Regulations) from 10 to 20 days.⁷⁶ This gives the civil society more time to comment on each Government legislative draft. In addition, tendency can be observed that the new Government is placing much of the newly drafted legislative acts on ENER. The civil society has been advocating for such a change for a long period of time and is part of the reforms requested by the civil society sector in the Blueprint document for urgent democratic reforms.⁷⁷ Furthermore, as part of the activities from the plan 3-6-9, the Government has establishment an electronic database of allocated funds for CSOs from the Budget of the Government of the Republic of Macedonia for the period 2012-2016. This was incremental in increasing the transparency of Government dealings in the civil sector in the past period. Activities are undergoing in regard to the establishment of a functional Council for Cooperation between the Government and the Civil Sector. Finally, civil society organisations were regularly consulted and informed by the Government concerning the EU accession process. Prime Minister Zaev and Deputy Prime Minister Osmani, personally participated in the consultations with the civil society regarding the drafting of the plan 3-6-9.

2. Freedom of Expression

In the area of media, the general direction the Government took was oriented towards building a media space, free of any institutional and personal interference. It committed itself to do this in partnership with media associations and civil society.

⁷⁶ Makfax: Deadline for consultation and suggestions on ENER extended from 10 to 20 days, <http://makfax.com.mk/daily-news/рокот-за-консултации-и-сугестии-на-ене/>

⁷⁷ Institute for Democracy Societas Civilis: Blueprint for Urgent Democratic Reforms, http://idscs.org.mk/wp-content/uploads/2016/08/Blueprint_ANG_WEB.pdf

One of the first activities the Government undertook in this area was to annul the commercial advertising of the public broadcaster, something that the European Commission heavily criticized the previous Government. In line with the direction taken, the Government in the period of the initial 3-months engaged the relevant stakeholders in order to draft amendments to the Law on Media and the Law on Audio and Audiovisual Media Services, to strengthen the independence and the capacity of the media regulator and the public broadcaster. In addition to this, the procedure for drafting amendments to the legislation that will ensure the merit based election of the members of the Council of the Agency for Audio and Audio Visual and Media Services have been initiated.

The period under investigation has been characterized with a high level of inertia in the fields of Freedom of Expression, legislative implementation, as well as any needed reform in the media sector, the Public Broadcasting Service and the position of the journalists. Due to the protracted political crisis and the blockage of Parliament, many reports had not been analysed in detail, i.e. the annual report of the PBS, the annual report of the Ombudsman, as well as similar independent bodies and organizations had been neglected. The new reform government announced new media legislation which should free the captured media and secure the autonomy of the Macedonian PBS. The situation will be closely monitored in the forthcoming period.

3. Regional Issues and International Obligations

The Government led by Prime Minister Zaev attended the 2017 Trieste summit within the framework of the Berlin process, for the first time. During the Summit, a number of bilateral meetings with high-ranking EU, member states and western Balkan officials were held where the Government had the opportunity to discuss the issues of concern and policies which are part of the Process.⁷⁸ Along with other Western Balkans leaders, Prime Minister Zaev signed the Transport Community Treaty, aimed at fostering regional cooperation in the area of transport and at harmonizing national legislations of the Western Balkan countries with the acquis, as regards transport and relevant social policies.

⁷⁸ MIA: Government delegation led by PM Zaev attends Western Balkans Summit in Trieste, <http://www.mia.mk/en/Inside/RenderSingleNews/61/133773436>

After the change of directorship, the Agency for Youth and Sports of Macedonia revoked the previously elected youth representatives in the Regional Office for Youth Cooperation.⁷⁹ The National Youth Council of Macedonia and many other organisations did not recognise and contested the previously elected candidate on number of issues, one of them being that she did not meet the criteria for the selection and was also employed in a state institution.

Macedonia and Bulgaria have signed the Treaty of Friendship, good neighbourliness and cooperation on 1 August 2017. The agreement was signed following years of fuelling anti-Bulgarian sentiment by the previous center-right government in Skopje. Macedonian PM Zoran Zaev and his Bulgarian counterpart Boyko Borissov have expressed their public satisfaction for the signed forward-looking agreement. It is expected that the agreement will help the countries build closer relations and expand the areas of cooperation.

The Macedonian government led by the PM Zoran Zaev has publicly pledged that they would like to speed up the EU accession process, and work with its southern neighbour Greece in establishing good neighbourly relations, similar to the ones with Bulgaria, and resolving the outstanding bilateral issues. Since its creation, the Macedonian Foreign Minister Nikola Dimitrov and his Greek counterpart Nikos Kotzias have met numerous times contributing to the creation of enabling environment in which the two sides can come to an agreement over the name issue. Dimitrov visited Athens in June, whereas Kotzias had a return visit to Skopje in August. Both sides express readiness for intensification of the existing dialogue.

There was one major dispute arising from the bilateral relations between the Macedonia and Serbia. In August 2017, Serbia recalled its embassy staff from Macedonia in protest at "offensive actions" which coincided with reports that Skopje was joining diplomatic efforts to secure Kosovo membership of the U.N. cultural agency UNESCO.⁸⁰ The magnitude of this action by the Serbian side can be best explained with the example that Serbia did not recall its staff during the war in Kosovo when allied troops were located in Macedonia. Many independent observers and Western Balkans analysts agree that this was an action taken by the Serbian government in

79 National Youth Council of Macedonia: Illegitimate youth representative of Macedonia in RYCO management board dismissed, <http://www.nms.org.mk/mk/razreshen-nelegitimniot-mladinski-pretstavnik-na-makedonija-vo-upravniot-odbor-na-regionalnata-kancelarija-zamladinska-sorabotka-riko/>

80 Reuters: Serbia recalls embassy staff from Macedonia, <https://www.reuters.com/article/us-serbia-macedonia-diplomacy/serbia-recalls-embassy-staff-from-macedonia-idUSKCN1B11JO>

response to the Macedonian request to recall its intelligence officer from the Serbian embassy in Skopje because of allegations that he had been in the Macedonian parliament when protesters stormed the building and beat up several deputies including Prime Minister Zaev.⁸¹

The relations between Macedonia and Albania are at a high level. The two countries do not have any open issues. During the past period, both Prime Ministers have met on several occasions and agreed upon intensifying cooperation in EU integration process and economic relations.

Relations between Macedonia and Kosovo further develop following the forming of the new government led by Prime minister Zaev.

Macedonia supports Kosovo efforts in joining regional and international organisations. The latest action evidencing this claim is the publicly expressed willingness and support of Macedonia for Kosovo's entrance in Interpol.⁸²

81 Al-Jazeera: Serbia withdraws embassy staff from Macedonia, <http://www.aljazeera.com/news/2017/08/serbia-withdraws-embassy-staff-macedonia-170821201331827.html>

82 MINA Report: Macedonia's vote for Kosovo entrance in Interpol will end relations with Serbia, <http://www.minareport.com/2017/08/29/macedonias-vote-for-kosovo-entrance-in-interpol-will-end-relations-with-serbia/>

Montenegro

1. Democracy

1.1. Elections

Parliamentary elections were held on 16 October 2016, alongside with local elections in four municipalities – Andrijevica, Budva, Gusinje and Kotor. The parliamentary elections represented a tight victory by the ruling Democratic Party of Socialists (DPS), who later formed a coalition government, while the municipal elections brought different results – DPS winning in two, and losing in two municipalities (Budva and Kotor).

While the elections have been reported as being without major technical irregularities and held in a competitive environment by the OSCE/ODIHR,⁸³ there were several major controversies surrounding the Election Day. Some events during the day have even had far-reaching consequences far beyond the elections themselves.

First, an event that marked the Election Day was the arrest of 20 individuals accused of plotting to overthrow the government and assassinate Prime Minister Milo Đukanović. The individuals, one of whom is the former commander of a Serbian special police unit, were arrested on the election day though the vote was still being cast. While the incident later led to a court case against several members of the opposition and allegations of a Russia-sponsored coup d'etat attempt, the opposition itself insisted that the arrests were the government's plot to sway the tightly contested elections in their direction. Events around the coup d'etat plot have not only led to the opposition boycott, but also brought further polarization in the already polarized Montenegrin society.

Second, controversy arose regarding the suspension of WhatsApp and Viber service by the Agency for Electronic Communication on the Election day. Justified by the Agency as an attempt to prevent dissemination of "undesirable messages"⁸⁴, this decision has been heavily criticized by both the opposition and civil society organizations.

83 Montenegro Parliamentary Elections 2016, OSCE/ODIHR Election Observation Mission Final Report, 25 January 2017, Warsaw, p.1, <http://www.osce.org/odihr/elections/montenegro/295511?download=true>

84 "Sekulić: Users asked to suspend Viber and WhatsApp", (Sekulić: Suspendovali smo viber i whatsapp jer su to korisnici tražili), Vijesti, 19 October 2016, <http://www.vijesti.me/vijesti/sekulić-suspendovali-smo-viber-i-whatsapp-jer-su-to-korisnici-trazili-908117>

Under pressure, applications were restored after a few hours, but the European Commission raised concerns “in relation to alignment with European standards and case-law”.⁸⁵

Third, according to reports, media environment in Montenegro was highly polarized within the election campaign, with clear pro-government and pro-opposition position taken by the media,⁸⁶ while a low degree of in-depth analysis of their positions.

Fourth, certain aspects of advertising during the election campaign are not properly addressed by electoral regulation, such as determining what exactly constitutes “political advertisement”.⁸⁷ There is also not a specialized regulatory body for monitoring the media during the election campaign.

Fifth, there were significant problems with electoral registries. According to reports by civil society organizations, up to 15% of voters in the electoral registry had a questionable right to vote because of not fulfilling the requirement of 2 years of residence in Montenegro prior to the elections.⁸⁸

Sixth, since the Agency for Prevention of Corruption does not provide interim reports on expenditure until 30 days after the elections, transparency of campaign funding remains a problem. In the 2016 parliamentary elections, the opposition Democratic Front (DF), has been fined by revoking state funding for the campaign due to breaches of funding regulations, which represents the harshest measure by the Agency to date.

A tense atmosphere also marked local elections held in 2017. The controversial suspension of immunity on 15 February 2017 of the Democratic Front's MPs suspected of involvement in the alleged coup d'etat plot⁸⁹ has led to the opposition boycott of the local elections in Nikšić on 12 March. Therefore, only the DPS and a small coalition partner from the national level Social Democrats (SD) “competed”.

85 Montenegro 2016 Country Report, European Commission, Brussels, 9 November 2016, p. 20, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_montenegro.pdf

86 “The pre-election lens of the public broadcaster - monitoring of the news programme of TVCG during the campaign for parliamentary elections (2016) and local elections in Andrijevica, Budva, Gusinje and Kotor (2016)”, Centre for civic education, 2016, <http://media.cgo-cce.org/2017/01/cgo-cce-the-preelection-lens-of-public-broadcaster.pdf>

87 Montenegro Parliamentary Elections 2016, OSCE/ODIHR Election Observation Mission Final Report, p. 2.

88 “Report on 2016 parliamentary elections”, MANS, December 2016, <http://www.mans.co.me/wp-content/uploads/2017/05/Parlamentarnilzbori2016mn.pdf>

89 The decision was legally sound and legitimate in itself, even though the opposition considers to whole coup affair as a government plot.

However, the opposition decided to take part in the elections in the coastal municipality of Herceg Novi held on 7 May.

Although the DPS won most mandates, the opposition formed a coalition that is currently in power in this municipality. Therefore, even though in 2016 and 2017 elections there were no large-scale violations of law during the electoral campaign and voting day, several controversies have tarnished the legitimacy of the electoral process. Also, there are several areas in which the electoral system in Montenegro requires improvements.

1.2. Parliament

The Parliament of Montenegro is the highest legislative body in the state, a unicameral assembly which currently consists of 81 MPs, elected using the system of proportional representation with a single constituency. The current session of the parliament was elected on 16 October 2016.

According to research by Centre for Democratic Transition (CDT), the Montenegrin parliament has a score of 85% when it comes to openness, which is significantly above the 63% average for the Western Balkans, making it the most open parliament in the region.⁹⁰

The score demonstrates the level of transparency, openness and accountability of parliaments in the region. Yet, the parliament has not improved its control function in 2017, although it is one of the benchmarks for progress towards membership in the EU. Such a conclusion stems from the following:

First, one of largest problems plaguing the work of the Montenegrin parliament is the boycott by the opposition, which is on-going since November 2016. Some crucial decisions, including approval of the Law on the Ratification of the North Atlantic Agreement, were therefore adopted without the presence of the opposition.⁹¹

Second, MPs of the ruling majority rarely used the control mechanisms stipulated by the Parliament's Rules of Procedure. By the end of October, only one control hearing was organized compared to ten during 2016.⁹²

90 "Parliament openness in the region and Serbia Proposals for the improvement of a current state", CRTA, 2017, <http://cрта.rs/wp-content/uploads/2017/05/ActionSee-Index-ot-vorenosti-Parlament.pdf>

91 With the exception of Social Democratic Party's MPs who returned to the parliament to vote for this law.

92 "No opposition or hearings" ("Nema opozicije, pa ni saslušanja"), Vijesti, 16 October 2017, <http://www.vijesti.me/vijesti/nema-opozicije-pa-ni-saslusanja-958898>

Third, since the constitution of the parliament in November 2016 by the end of May 2017, 59 laws were adopted while 25 reports on the institutions' performance were approved. 131 amendments were submitted, out of which 127 were accepted. Discussion was limited, and judging by minutes from the committee sessions, the MPs were not interested in defining conclusions that would enhance the institutions' results. Moreover, the parliament adopted controversial changes to the laws on free access to information, public procurement and the law on old royal capital, making a step backwards in regulating these areas.

Fourth, the positioning of the loyal DPS staff at managerial positions within all branches has continued and the Parliament has contributed through the election of two members of the State Audit Institution's Senate. One of them is the main protagonist of the "recording affair"⁹³ which in 2013 confirmed the mechanisms DPS used to get the support of voters. The other drew attention when he was elected, contrary to the provisions of the law that the state auditor cannot be a member of the management body of a legal entity, as a member of the Agency for the Prevention of Corruption's Council in 2015.

Therefore, without the control function and by endorsing the most controversial decisions, the Parliament has become just another tool in the Government's hands and not an oversight and legislative institution.

1.3. Governance

After the parliamentary elections on 16 October 2016, the new government of Montenegro was formed on 28 November 2016. The ruling coalition comprised of the DPS, Liberal Party, Social Democrats, Bosniak Party, a coalition of Albanian political parties and the Croatian Civic Initiative. Duško Marković of the DPS assumed the position of Prime Minister, replacing party president Milo Đukanović. The government was supported by all 41 members of the parliament which were present during the voting, with the opposition parties boycotting the parliament's session. Marković's government thus replaced the "government of the electoral trust" with opposition representatives headed the ministries of interior, finance, agriculture, labor and social welfare formed to improve the conditions for free and fair elections in May 2016.⁹⁴

93 The affair refers to transcripts of leaked audiotapes from the meeting of the DPS's Council

94 Task that was not fulfilled due to limited time and permanent obstruction within the institutions.

The government has faced numerous personnel changes, including the already mentioned one at the leadership position, and the state administration itself has changed: among other, three new ministries have been established: for public administration, sports and European affairs. Establishment of the Ministry of Public Administration was welcomed by civil society and other interested parties, but this institution has not contributed to depoliticization and rationalization of the administration during the first year of work.⁹⁵ Moreover, number of activities (60%) foreseen in the Public Administration Reform Strategy has not been implemented within the envisaged deadlines.⁹⁶

Over-staffing in public administration remains a burning issue, since previous rationalization attempts such as the 2013 public sector reorganization plan have not been successful. Even after a year, the Ministry of Public Administration did not come up with official figures on the number of employees, while the figure published in the media (38000) does not include employees at the local level.⁹⁷

Montenegro has been suspended from the Open Government Partnership in June 2017 and gained status of a "inactive" state within this intergovernmental initiative. This decision by the OGP steering committee was made because of Montenegro "having acted contrary to OGP processes for three consecutive action plan cycles, and failing to deliver a National Action Plan since November 2014".⁹⁸ Institutions in Montenegro are highly politicized and this is one of the main causes of the slow pace of reforms. Although established at the beginning of 2016 to enhance preventative activities in the fight against corruption, the Agency for Prevention of Corruption failed in that mission for many reasons.

First, the choice of director, due to the kinship ties with the then vice-president of the Government now the Prime Minister, as well as the violation of many laws during the establishment of the Agency, have raised doubts about the impartiality and independence of this institution.

Second, the Agency has been able to improve its capacities including those in the department dealing with the control of political subjects and election

95 Since these are the central problems of the public administration in Montenegro recognized by the EC

96 "Public Administration Reform – How Far Is 2020?" p. 3, Institute Alternative, 2017, http://media.institut-alternativa.org/2017/10/Reforma-javne-uprave_engl_web.pdf

97 "Is there a surplus of public administration employees?" (Ima li viška zaposlenih u javnoj upravi?), RTCG, 17 September 2017,

98 "Montenegro Designated as Inactive in the Open Government Partnership", <https://www.opengovpartnership.org/about/news-and-events/montenegro-designated-inactive-open-government-partnership>

campaigns, but its activities have not contributed to the improvement of this area.

Third, the Agency lacks proactivity in checking the submitted data by institutions and political parties and its role is reduced to gathering and publishing data.

Fourth, the Agency has shown significant weaknesses with in regard to the establishment of facts and adequate reasoning.⁹⁹

1.4. Civil Society

Montenegro has a solid legal framework for the public participation in the decision-making process.¹⁰⁰ Nevertheless, the implementation of the regulations covering public consultations is facing difficulties and the influence of civil society organizations remains limited. The legislative framework for the citizens' participation in policy-making implies state authorities' obligation to conduct a public debate for all laws except for those in the area of security and defence and the annual budget. The most significant problems concern the non-compliance of all four steps that the state authorities are obliged to conduct, as well as rejecting the interested parties' suggestions without a valid explanation. As a result, the most commonly accepted comments and amendments are technical.

During 2017, the Government avoided debate on key documents including the Public Procurement Law. Moreover, the requirement to organize a public debate has also been limited by adopting documents based on a shortened procedure (amendments to the Law on Social and Child Protection) or was only partially fulfilled (amendments to the Law on Free Access to Information).¹⁰¹

The Government decided to include civil society in the negotiating working groups from the very beginning of the EU accession talks in 2012. The call for members from NGO sector was re-launched in 2017 for many negotiating chapters including those related to the rule of law (23 and 24). The Ministry of European Affairs for the first time has published the EU expert missions' reports and the table of balance/success (statistical data on areas within the chapters 23 and 24) based on the requests for free

99 In the opinions on the existence of conflicts of interest; See: "Non-paper on the state of play regarding chapters 23 and 24 for Montenegro", Brussels, 8 November 2017, p. 5, Available at: https://www.eu.me/images/6_XII_17_Non_Paper_ENG_v1.pdf

100 Decree on the Manner and Procedure of Cooperation between State Administration Authorities and Non-Governmental Organizations and the Decree on the procedure and manner of conducting public debate in preparing laws

101 Public Administration Reform – How Far Is 2020?" p. 27.

access to information in April and May.¹⁰² However, while the transparency of the negotiation process has been constantly improved, due to the already mentioned limitations, it lags on the other side.

Problems in financing non-governmental projects from state funds have been resumed. Although the Law on Non-Governmental Organizations foresees a new way of decentralized financing, six ministries did not establish, by the end of October, priority areas for supporting projects during the next year, thus denying the provisions of the law.¹⁰³

The CSOs sustainability score in Montenegro is at the same level in 2017 as in the previous few years. And, according to the USAID report for 2016, the CSO sustainability score in Montenegro is 4.0, the same as in previous four reports.¹⁰⁴ Moreover, co-operation between the civil sector and state administration still cannot be labelled as meaningful, as documented in the last European Parliament¹⁰⁵ and European Commission's reports.¹⁰⁶

2. Freedom of expression

There have been 7 attacks against journalists from September 2016 to September 2017 recorded by the Police Directorate, which included one death threat and one case of material damage, which is a slight increase from the previous year.¹⁰⁷ The death threat case was the case against the brother of Prime Minister Duško Marković, Velizar Marković, who was accused of threatening a journalist over the telephone on 11 September 2017.

Moreover, there has been a lack of progress in prosecuting numerous cases of threats or violence against journalists, including the murder of Duško Jovanović, Editor-in-Chief of Dan daily newspapers, in 2004. The lack of

102 Free access to information section, Ministry of European Affairs, Available at: <http://www.mep.gov.me/informacije/spi?pagerIndex=3>

103 "Six ministers refused to finance NGOs in 2018", Institute Alternative, 31 October 2017, <http://institut-alternativa.org/saopstenje-sest-ministara-odbilo-finansiranje-nvo-u-2018-godini/?lang=en>

104 "The 2016 CSO Sustainability Index for Central and Eastern Europe and Eurasia", United States Agency for International Development, Bureau for Europe and Eurasia, July 2017, Available at: https://www.usaid.gov/sites/default/files/documents/1866/CSOSI_Report_7-28-17.pdf

105 "Report on the 2016 Commission report on Montenegro", European Parliament, 2 March 2017, Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2017-0050+0+DOC+XML+V0//EN>

106 "Non-paper on the state of play regarding chapters 23 and 24 for Montenegro", p. 1.
107 Montenegro: Indicators on the level of media freedom and journalists' safety", Trade Union of Media of Montenegro, November 2017, http://www.sindikatomedija.me/images/Sindikatomedija_engleski.pdf

willingness of the state to deal with cases of violence against journalists has already been recognized by the EC report on Montenegro for 2016.¹⁰⁸

The Government's commission for monitoring the actions of the competent authorities in investigations of threats and violence against journalists, murder of journalists and attacks on media assets was established in September 2016 and has insofar published two reports. The Commission has been dealing with issues of attacks against journalists from an earlier period, as well as from the period under observation¹⁰⁹, and is composed of the representatives of the media, Trade Union of Media, Media Council for Self-Regulation, media experts, Prosecutorial Council, Inspector for controlling the legality of police powers in the Police Department of Internal Control, National Security Agency and non-governmental sector.¹¹⁰

When the Criminal Code was changed in January, the NGO Human Rights Action and the Trade Union of Media proposed amendments which should prevent attacks on journalists, but they were not included in the final text by the Government.

The public service broadcaster, Radio Television of Montenegro¹¹¹ (RTCG), was considered to have a pro-government bias. To counter this, the Law on the RTCG were amended, with a view to strengthen the independence of the broadcaster. The new Director General was also elected in May 2017. According to the new law, RTCG should be provided with 0,3 of the GDP instead of the 1,2 of the government budget, which is a significant increase.

The state is providing assistance to the media in different ways. One mechanism is the reduction of the value-added tax (VAT) for media outlets from 19 to 7 per cent, while the state directly allocates funds to different media. Even though the Fund for Assistance to Commercial Radio Broadcasters was shut down due to its unconstitutionality, in March 2017 the state allocated almost 2 million euros to all active broadcasters through a government decision.

Many media in Montenegro are faced with financial difficulties and such ad-hoc decisions are unlikely to provide them with necessary sustainability. According to a survey by the Trade Union of Media of Montenegro, 53% of interviewed journalists consider that their situation has "weakened considerably" in the previous year.¹¹²

108 Montenegro 2016 Country Report, European Commission

109 "Prosecution of attacks on journalists in Montenegro", Human Rights Action, 2016, http://www.hraction.org/wp-content/uploads/The_Report_1.pdf

110 Montenegro: Indicators on the level of media freedom and journalists' safety

111 Radio Televizija Crne Gore

112 Ibid.

Media sphere in Montenegro is considered to be highly polarized, with most media having either a pro-government or an anti-government bias. There is also concern regarding editorial independence and self-censorship. These issues have particularly been visible ahead of the October 2016 parliamentary elections.

In May 2017, the Law on Free Access to information was amended, and it now allows the government to restrict access to information and label certain documents as secret. According to reports, journalists rarely use the provisions of this law to gain information.

However, journalists have the opportunity to use the Internet page for Free Access to Information of the MANS non-governmental organization.¹¹³ According to reports, up to 42 stories were published which included data gained through the MANS's programme between September 2016 and July 2017.¹¹⁴ Regional Issues and International Obligations

Montenegro is a part of several regional cooperation initiatives such as the Regional Cooperation Council (RCC), Adriatic-Ionian Initiative, Central European Initiative, the South East Europe Cooperation Process, and The Migration, Asylum, Refugees Regional Initiative, Brdo-Brijuni Process and the Adriatic Charter.

The most important regional initiative in which Montenegro takes part in is the Berlin Process, which includes several programs and activities such as the Regional Youth Cooperation Office (RYCO), Western Balkans Fund, Chamber Investment Forum of the Western Balkans and Western Balkans Transport Community, and the anticipated Western Balkans Regional Economic Area.

Montenegro joined NATO on 5 June 2017, thus becoming its 29th member state. The accession of Montenegro represented the first enlargement of NATO since 2009, when Croatia and Albania joined the Alliance, and is thus regarded as an important positive step for the stability of region. However, entry into NATO was not without controversy, since it was done amidst significant opposition among the population and was the most important contention point between the government and the opposition.

Montenegro and Serbia keep maintaining good relations, which were tested after the coup attempt on election day in Montenegro in October 2016,

113 MANS, <http://www.mans.co.me/pitajte-institucije/>

114 Montenegro: Indicators on the level of media freedom and journalists' safety", Trade Union of Media of Montenegro, November 2017

but remained stable and there was no significant flare-up of tensions. Montenegrin Prime Minister visited Belgrade in February 2017.

Relations with Bosnia and Herzegovina remained positive and good neighbourly. President of Council of Ministers of BiH visited Montenegro in February 2017, while Montenegrin President visited Sarajevo in March 2017. The successful resolution of the border dispute between the two states remains a positive example for the region.

Montenegro and Albania remain in good relations, especially since the governments of the two countries share ideological affiliation and both states are now members of NATO. The Albanian Prime Minister visited Montenegro in April 2017.

Montenegro and Croatia remain in good relations, especially after the entry of Montenegro into NATO, but are facing challenges when it comes to resolving their border issue on the Prevlaka peninsula, which is still far from being completed.

Relations between Montenegro and Kosovo have been overshadowed by the issue of the of border demarcation agreement, which the Kosovan parliament is unable to ratify since 2015, when the agreement was reached. Even though the ratification represents a requirement by the EU for visa liberalization for Kosovo, it has been fiercely opposed within Kosovo and was one of the reasons for the collapse of the previous Kosovo government. While the new government is interested in reviewing the agreement and going to arbitration, Montenegro, whose parliament has already ratified the agreement, is not interested in giving concessions.

Conclusion

All Western Balkan candidate countries for EU membership have a lot of work to do when it comes to establishing full, consolidated democracies. As seen in the previous chapters, they are facing numerous challenges within the analysed areas, and more worryingly – there are certain negative tendencies regarding different issues, despite the progress made within the EU integration process.

Some problems are common for all the four states, while others are quite specific for some of them. If we would look at the two countries which are engaged in accession negotiations – Serbia and Montenegro – we would see large differences between a highly polarized Montenegro and a stable Serbian regime with a weak opposition. Both, however, share similar problems regarding the legitimacy of elections and financing of the media, and both of these areas seem to be witnessing a backslide. The other two countries awaiting the opening of accession negotiations – Macedonia and Albania, might be at the same stage within the EU accession process and have similar reforms ahead of them, but very different backgrounds. While Macedonia received candidate status 12 years ago and then suffered from a serious democratic backslide during the tenure of the previous government, Albania is a state which is slowly, but steadily, building up its institutions and catching up with former Yugoslav states.

All four countries, however, share a wide range of problems within their democratic systems – imperfect legislation, dysfunctionality of the key institutions and often disrespect of the political elites against basic democratic institutions and values. There is, therefore, a need for both legal and institutional reforms and for building up a democratic society with a universally accepted democratic political culture.

What makes a difference between problems in democracy and the problems in some other areas such as the economy or environmental protection, is that the political elites often have a very clear interest in not solving them. Establishing an efficient and independent judiciary and enabling a fair playing field for the government and opposition might be in the interest of the citizens, but is often directly against the interests of the political elites and governing political parties. Therefore, the EU's stronger focus on these areas might mean putting serious pressure on the governments and jeopardize their willingness to pursue EU integration in the first place.

There are many who believe that Western Balkans states will not become full members of the European Union unless they grow into full, stable democracies. Some of them, however, consider this as evidence that they

will in fact never become members, since democracy in the region seems to be deteriorating.

Democracy does in fact need to return to the fore when it comes to EU accession. This is line with this year's State of the Union Address by President of the European Commission, Jean-Claude Juncker, in which he said that "accession candidates must give the rule of law, justice and fundamental rights utmost priority in the negotiations."¹¹⁵ It remains to be seen how will the EU strategy for enlargement in the Western Balkans, expected in early 2018, implement this approach and how will it put its words into deeds.

115 President Jean-Claude Juncker's State of the Union Address 2017, Brussels, 13 September 2017, http://europa.eu/rapid/press-release_SPEECH-17-3165_en.htm

About Centre for Contemporary Politics



EU-RS THINK TANK

The Centre for Contemporary Politics is a civil society organisation from Belgrade, founded in 2012, whose activities are focused on democratization, European integration process and regional cooperation. The main goals of the organisation are development and promotion of democracy, the support for the EU integration process and the promotion of European values, as well as regional stability and cooperation. The vision of the organisation is democratic Serbia within united Europe.

The Centre for Contemporary Politics its program goals achieves through the publishing of research and other publications, organisation of events and through other media projects, as well as through youth education. The focus of the organisation is on the research part of its work and active involvement in Serbia's European integration process.

The Centre for Contemporary Politics is a founder of the portal European Western Balkans, a regional web portal in English language, on European integration of the countries of the Western Balkans, through which it realises its media projects.

About Cooperation and Development Institute



Cooperation and Development Institute is an Albanian Think Tank focused in analyzing and contributing to public policy at national and regional scale. Established in 2000, it is a politically independent, not for profit, non-governmental organization. CDI's mission is to contribute to the quality of policy-makings with open and fact-based research, analysis, advocacy and debate.

Through research, publications, events and social media, CDI promotes a unique discussion space for everyone interested in improving the quality of evidence-based decision making. Our goal is to create the condition for systemic impact. Through a dual focus on analysis and impact, and dynamic relationships with policymakers at each governance level, CDI has also established itself as a vibrant laboratory for innovation in public action.

Our main areas of expertise are: Public Policy, Regional Development, Youth, Migration, European Integration and Regional Cooperation. CDI uses the public platform www.shtetiweb.org to store, cross-link, retrieve and publish relevant research data and public policy information about the functioning of the State and main state reforms in Albania.

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The European Fund for the Balkans is a joint initiative of European foundations that envisions, runs and supports initiatives aimed at strengthening democracy, fostering European integration and affirming the role of the Western Balkans in addressing Europe's emerging challenges.

The up-to-date programme strategy based on three overarching areas – Capacity Development, Policy Development and Regional Cooperation – is channelled via flagship programmes and selected projects, complemented with a set of actions arising from EFB's regional identity as a relevant player in its fields of focus.

Their synergetic effects are focussed on continuous “Europeanisation” of the policies and practices of the Western Balkans countries on their way to EU accession, through merging of the region's social capacity building with policy platform development, and a culture of regional cooperation.

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