

# Council conclusions on enlargement and stabilisation and association process

1. The Council takes note of the Communication from the Commission of 29 May 2019 on the EU Enlargement Policy and the reports on Montenegro, Serbia, Turkey, the Republic of North Macedonia, Albania, Bosnia and Herzegovina and Kosovo\*.

2. The Council reaffirms its **commitment to enlargement**, which remains a key policy of the European Union, in line with the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006 and subsequent Council conclusions. It continues to represent a strategic investment in peace, democracy, prosperity, security and stability in Europe. The Council reiterates that embracing and committing to core European values is a choice, and remains essential for all partners aspiring to EU membership. In line with this, the Council continues to expect partners to take ownership and fully commit to European values and the vigorous pursuit of necessary reforms in the interest of their people. Recalling the Thessaloniki Agenda and the Sofia Declaration, the Council reiterates the EU's unequivocal support to the European perspective of the Western Balkans. The EU is determined to strengthen and intensify its engagement at all levels to support the region's political, economic and social transformation, including through continued assistance, based on tangible progress on the rule of law, as well as on socio-economic reforms, by the Western Balkans. Turkey remains a candidate country and a key partner in many areas.

3. In line with previous Council conclusions, and in the framework of the Copenhagen political criteria and of the Stabilisation and Association Process, which remains the common framework for relations with the Western Balkans, the Council reaffirms the need, in accordance with the renewed consensus on enlargement, for **fair and rigorous conditionality** and the **principle of own merits**. In this context, the Council stresses the importance of ensuring that the EU can maintain and deepen its own development, including its capacity to integrate new members.

4. Taking note of the overall state of current reform efforts among partners, as reported by the Commission, the Council underlines the continued need to focus on **fundamental reforms** to address persisting structural shortcomings in the areas of rule of law, fundamental rights, the functioning of democratic institutions and public administration reform, as well as economic development and competitiveness. A solid track record of reform implementation and concrete and tangible results in these crucial areas remain essential, in particular for the overall pace of the accession negotiations.

5. The Council recalls that the **rule of law** is a fundamental value on which the EU is founded and which is at the heart of both the Enlargement Process and the Stabilisation and Association Process. Since only some partners have advanced in this crucial area, credible and sustainable progress remains one

of the main challenges which needs to be addressed as a matter of priority, notably in ensuring an independent, impartial, accountable and efficient judiciary, and in the fight against corruption and organised crime, as well as money laundering. Stepping up efforts in relation to the protection of **fundamental rights**, including the rights of persons belonging to minorities, the implementation of commitments taken with respect to objective and free self-identification, the non-discriminatory treatment of national minorities, and tackling the discrimination of vulnerable groups such as the Roma and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons is also required. The right to property should also be ensured. The situation regarding the freedom of expression and the independence of media raises increasingly serious concerns, which need to be addressed in a determined and effective way as a matter of priority. The Council reiterates that urgent and concrete steps need to be taken to avoid intimidation of, threats to and attacks on journalists and other media actors, and to resolve such cases where they occur. Increased efforts are also required to ensure gender equality and respect for women's rights as well as the rights of children. Further progress on **public administration reform**, including depoliticisation and increased professionalism, is also essential for improving governance at all levels. The proper **functioning and independence of democratic institutions**, including enhanced parliamentary oversight, remains essential. The Council notes with concern the persistent tendencies to boycott parliaments, and reiterates that ensuring inclusive political dialogue, notably within parliaments, and a stronger role for civil society organisations remain essential elements of a well-functioning democracy. The Council reiterates the importance of free, fair and transparent elections in line with OSCE standards, as well as the need to fully implement OSCE recommendations.

6. With regard to the **economic criteria**, the Council welcomes and shares the Commission's analysis of the need to improve macroeconomic, budgetary and structural policies. Noting that progress in these areas and progress in the rule of law and the judiciary system are linked, the Council encourages all partners to implement the measures included in the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey of 17 May 2019, based on their respective Economic Reforms Programmes. It is of critical importance to ensure that foreign direct investments do not undermine socio-economic, environmental and financial sustainability, and that full transparency of all investments is guaranteed, in particular those involving public procurement procedures. Particular attention should be paid to the risk of excessive indebtedness and, in particular in the Western Balkans, to the transfer of control over strategic assets and resources. Accordingly, the Council expects the full implementation, in letter and spirit, of the Stabilisation and Association Agreements. The Council recalls that the EU remains by far the biggest trading partner of the Western Balkans and Turkey for both imports and exports. The Council reiterates the importance of tackling brain drain and of creating further opportunities and ensuring a positive perspective for **youth**. In this context, the Council welcomes the conference "How to better respond to European aspirations of the young generation in Western Balkans?" held in Bucharest in May 2019.

7. The Council strongly welcomes the historic **Prespa Agreement**, which represents a significant achievement, setting a positive example for the region and beyond. It commends the courage and determination of the parties involved.

**Good neighbourly relations** and **regional cooperation** remain essential elements of the Enlargement Process, as well as of the Stabilisation and Association Process. The Council welcomes progress made and reiterates the importance of regional cooperation, in particular of **connectivity** within the region and with the EU. It also welcomes the Regional Roaming Agreement signed in Belgrade in April 2019, which will bring significant benefits to citizens and businesses in the region. The Council fully supports constructive initiatives and structures which reinforce inclusive regional cooperation, including EU macro-regional strategies. The Council calls for further efforts to overcome legacies of the past and to foster **reconciliation**, based on a climate of tolerance, inclusiveness and trust, and with strong involvement of civil society. Efforts in the area of missing persons should be stepped up. Statements and actions which negatively impact on good neighbourly relations and the peaceful settlement of disputes, must be avoided. Decisive efforts and the strongest political determination remain needed to ensure that outstanding bilateral disputes are solved. The Council recalls the importance of implementing bilateral agreements, including the Prespa Agreement and the Treaty on Good Neighbourly Relations with Bulgaria.

The Council continues to reiterate the importance of effectively handling domestic war crimes cases without discrimination, addressing impunity and ensuring accountability, including through meaningful regional cooperation and full cooperation with and support to the work of the International Residual Mechanism for Criminal Tribunals and the Specialist Chambers. Outstanding disputes and issues need to be solved in line with international law and established principles, including the Agreement on Succession Issues.

8. The Council reiterates the importance of further deepening of cooperation on foreign policy issues and the Union's expectations on enhanced alignment with the **EU Common Foreign and Security Policy**, notably on issues where major common interests are at stake, such as restrictive measures and tackling hybrid threats. Joining the EU is a choice, and one that requires sharing the principles, values and goals the Union seeks to promote in its neighbourhood and beyond, including reaching full alignment with the Common Foreign and Security Policy, and refraining from any actions contrary to it.

9. While recognising in particular the importance of **visa liberalisation** for citizens, the Council encourages the Commission to keep on closely monitoring and reporting on the continuous implementation of the visa liberalisation benchmarks. Recalling the suspension mechanism, the Council encourages the authorities concerned to intensify their efforts to tackle the persistent problem of manifestly unfounded asylum applications, and further strengthen efforts to prevent and fight organised crime.

10. Terrorism, radicalisation and organised crime continue to pose a security threat to the EU and to the whole region. In line with earlier European Council and Council conclusions, the Council reiterates the importance of

further strengthening cooperation on **counter-terrorism** with Turkey and the Western Balkans, in particular regarding the fight against foreign terrorist fighters and the financing of terrorism, the prevention and the countering of radicalisation, reinforced border checks and illegal trafficking of firearms and light weapons. While operational cooperation has intensified, further efforts and a solid track record continue to be needed in the **fight against organised crime**. Recalling the EU's support, notably through regional cooperation mechanisms and initiatives, as well as coordination through the Integrative Internal Security Governance, the Council reiterates its call on partners to continue stepping up and enforcing legal and operational measures in all these areas.

11. The Council commends Turkey and the Western Balkans for their efforts and continuous constructive cooperation on **migration**, which have delivered clear results. The Council reiterates that continued implementation of the EU-Turkey Statement and continued support for partners along the Western Balkans route is required. Further actions are needed to ensure sufficient administrative and enforcement capacity to tackle migration challenges, including combating the smuggling of migrants. The Council recalls the Union's commitment to build on the results already achieved, and to continue its financial support and technical assistance to strengthen cooperation in this field, including through the EU Facility for Refugees in Turkey. The Council welcomes the completion of negotiations on status agreements with five partners of the region, allowing for the deployment of the European Border and Coast Guard.

12. The Council continues to stress the importance of **strategic communication**, including the strengthening of partners' resilience to disinformation. The Council underlines the responsibility of all partners to clearly communicate the benefits and obligations of enlargement, as well as their own commitment to EU values and related necessary reforms. Continued engagement of the EU and of its Member States, also in pursuing a more effective strategic communication policy both towards the partners and EU citizens, in particular through the StratCom Western Balkans Task Force, remains crucial.

13. The Council recalls the continued substantial **EU financial and technical assistance** for the Enlargement Process and the Stabilisation and Association Process, in particular in the form of the Instrument for Pre-Accession Assistance (IPA). The focus should remain on key priority areas and enhanced coherence between the financial assistance and the overall progress made and the results achieved by the partners in the implementation of the pre-accession strategy. In this respect, the Council recalls its position set out in its partial general approach on IPA III, which includes the principles of differentiating assistance according to performance and fair share.

14. The Council recalls the importance of carrying out the **Sofia Priority Agenda**. It takes note of the Commission's report on the implementation of the **Western Balkans Strategy** and the Sofia Priority Agenda, welcomes the progress made and encourages further implementation.

# Enlargement

## Montenegro

15. The Council welcomes the **overall progress** made in the accession negotiations with Montenegro, with 32 out of 35 chapters opened and 3 provisionally closed so far. Important work on alignment with the *acquis* in most areas has taken place. However, with the institutional framework complete and the legal framework largely in place, it is now crucial that the entire rule of law system delivers more tangible results and a strengthened and sustainable track record. In particular, the Council underscores that progress on the rule of law and fundamental rights chapters, as set out in the Negotiating Framework, continues to be essential and will determine the pace of accession negotiations overall. Therefore, Montenegro now needs to more proactively step up and reinvigorate its reform efforts – in particular in the critical areas of media freedom, fight against corruption and trafficking in human beings – to meet the interim benchmarks for chapters 23 and 24. Only when the outlined criteria are fulfilled, the EU will be able to set out the rule of law requirements as closing benchmarks, which Montenegro will have to meet prior to the closing of these chapters.

16. The Council strongly encourages Montenegro to demonstrate clear political will and make significant additional efforts in the **fight against corruption** and **organised crime**, money laundering and trafficking in human beings, including effective investigations, prosecutions and final convictions, and to improve on the seizure and confiscation of criminal assets. A robust criminal justice response to high-level corruption is also needed. The Council calls on Montenegro to guarantee a safe climate, conducive to **freedom of expression** and independence of the media, including by stepping up efforts to investigate and resolve cases of attacks against journalists as a matter of high priority. Ensuring independence of the national public broadcaster and establishing an effective self-regulatory mechanism covering all media bodies is crucial. The Council underlines its expectations of strong political commitment and genuine engagement by all relevant institutions and actors in all these endeavours. Further actions are also needed to pursue the **public administration reform**, and to strengthen administrative capacity and the independence of institutions, in particular of the judiciary.

17. The Council underlines that **electoral reform** remains vital for re-establishing electoral trust, and expects all parties to assume responsibility and re-engage in a constructive and inclusive **political dialogue in the parliament**, including in the work of the temporary parliamentary committee for reform of electoral and other legislation, also with a view to further the country's accession process.

18. On **economic reforms**, the Council positively notes that the economy continued to expand at a robust pace. In line with the Joint Conclusions of the Economic and Financial Dialogue, the Council encourages Montenegro to reduce the general government debt ratio, reinforce fiscal governance, resolve the remaining stock of non-performing loans, improve the regulatory environment, develop a comprehensive strategy for the continuous assessment

and reduction of the informal economy, adopt and implement the new legislative framework on public procurement, public-private partnerships and concessions, and increase labour market participation.

19. The Council warmly welcomes Montenegro's continued constructive and positive role in further developing **regional cooperation** and advancing **good neighbourly relations**.

20. The Council continues to strongly commend Montenegro for its consistent cooperation on foreign policy issues, and in particular its continuous full alignment with the **EU Common Foreign and Security Policy**. It also welcomes Montenegro's continued active participation in missions and operations under the **Common Security and Defence Policy**.

## **Serbia**

21. The Council welcomes the **overall progress** made in the accession negotiations with [16] out of 35 negotiating chapters opened and 2 chapters provisionally closed so far. Serbia has continued to work towards aligning its legislation with the *acquis* in a number of areas. The Council underscores, however, that progress on the rule of law and fundamental rights chapters, as well as on the normalisation of Serbia's relations with Kosovo as set out in the Negotiating Framework, continues to be essential and will determine the pace of accession negotiations overall. The implementation of interim benchmarks for chapters 23 and 24 is of fundamental importance and should continue to guide future reforms leading to a solid track record.

22. Noting that EU integration remains Serbia's strategic goal, the Council encourages Serbian authorities to firmly commit to and promote **European values**, and recalls the need for the Serbian government to more actively and unambiguously communicate this in the public debate.

23. The Council urges Serbia to particularly focus and significantly accelerate its reform efforts and to deliver concrete and tangible results in fundamental areas, with a particular focus on the **rule of law**.

- A special focus still needs to be put on independence and overall efficiency of the **judiciary**, including through the ongoing constitutional reform, and on effective reform implementation in this area. Serbia needs to achieve tangible results and a sustainable track record with effective investigations, prosecutions and final convictions, notably as regards the **fight against corruption, organised crime and money laundering**.
- The lack of progress in the area of **freedom of expression** continues to raise serious concern. The Council calls on Serbia to guarantee a safe climate conducive to the unhindered exercise of freedom of expression and the independence of the media as a matter of urgency, including by stepping up efforts to investigate cases of attacks against journalists. While the Council takes note of the progress achieved in preparing the media strategy, it calls on Serbia to adopt and effectively implement it in a transparent and inclusive manner as a matter of priority.
- Serbia needs to continue to pay particular attention to the full respect

of **fundamental rights**, including protection of the most vulnerable groups, as well as the non-discriminatory treatment of national minorities throughout Serbia, especially in the areas of education, use of minority languages, access to media and religious services in minority languages. The proper functioning of National Minority Councils remains important. *Cases of hate speech, intimidation and attacks should be addressed promptly and firmly. The Council reiterates its call for effective implementation of the relevant strategic documents.*

- Moreover, transparency, quality of law-making, inclusiveness and genuine **cross-party debate** need to be enhanced, including by promoting an enabling environment for civil society. Further progress on the proper functioning of independent bodies and of democratic institutions, including parliamentary oversight, remains urgently needed.
- The Council underlines that the previous recommendations of international **election** observers need to be addressed as a matter of priority, and sufficiently ahead of the next elections.
- The Council continues to underscore the importance of domestic handling of **war crimes** and full cooperation with the International Residual Mechanism for Criminal Tribunals, including by fully accepting and implementing its rulings and decisions. Any glorification of war criminals should be prevented.

24. On **economic reforms**, the Council positively notes the continuous progress made. In line with the Joint Conclusions of the Economic and Financial dialogue, the Council encourages Serbia to continue efforts to boost competitiveness and long-term and inclusive growth through structural reforms, in particular in the energy sector, the labour market as well as by improving transparency and predictability in the regulatory environment. Furthermore, the Council stresses the need for Serbia to align its trade and energy policy with the EU *acquis*, in particular with regard to the gas market and the Gastrans project.

25. The Council reiterates the need for Serbia to fulfil its commitment and progressively align with the **EU Common Foreign and Security Policy**, in line with the Negotiating Framework, and to reverse the negative trend as a matter of priority.

26. The Council welcomes Serbia's continued active participation in missions and operations under the **Common Security and Defence Policy**.

27. The Council also repeats its call on Serbia to progressively align with the **EU common visa policy** and to refrain from further diverging from it.

28. On the **EU-facilitated Dialogue** with Pristina, Belgrade needs to make further substantial efforts and contribute to the establishment of a conducive environment, as well as refrain from any act that can be perceived as provocation. The Council stresses that the current status quo is not sustainable. It is essential that the Dialogue restarts as soon as possible. A comprehensive legally binding agreement needs to address all outstanding issues in accordance with international law and EU *acquis* and contribute to regional stability. The conclusion without further delay of such an agreement, under the facilitation of the High Representative, is crucial so

that Serbia and Kosovo can advance on their respective European paths.

The Council reiterates that all past agreements concluded under the EU-facilitated Dialogue need to be implemented. The Council welcomes, in this respect, the further consolidation of the Justice agreement and the full implementation of the telecoms agreement.

The Council however regrets that no progress has been made in the long-standing commitment to implement past Dialogue agreements, including preparing the draft statute of the Association/Community of Serb majority municipalities in Kosovo, full implementation of the IBM agreement as well as decisively implementing the Energy agreement. The Council also regrets that the Mitrovica Bridge has not yet been opened to all traffic, in spite of the completion of the renovation works.

29. The Council welcomes Serbia's continued engagement in a number of **regional cooperation** initiatives and encourages Serbia to continue sustained efforts to strengthen **good neighbourly relations**.

## Turkey

30. The Council reaffirms the importance it attaches to EU relations with Turkey, a key partner. It remains committed to maintaining an open and frank dialogue, to addressing common challenges and to cooperating in essential areas of joint interest such as migration, counterterrorism, economy and trade. The meeting of the EU-Turkey Association Council in March 2019, after 4 years, provided an opportunity to take stock of the state of EU-Turkey relations.

31. The Council commends Turkey's ongoing significant efforts in hosting and addressing the needs of almost 4 million refugees. The continued implementation of the **EU-Turkey Statement**, which reduces irregular and dangerous crossings and saves lives in the Aegean Sea, is in the interest of both sides and remains crucial with a view to bringing irregular migration to a halt. Reinforced management of the common borders with the EU continues to be a priority. Pending the full and effective implementation of the EU-Turkey Readmission Agreement vis-à-vis all Member States, existing bilateral readmission agreements and provisions in similar agreements and arrangements with EU Member States, should be adequately implemented. Cooperation in the area of justice and home affairs with all EU Member States remains essential.

32. While recalling its conclusions of July 2016 which strongly condemned the 15 July coup attempt and expressed solidarity with the Turkish people and full support for the democratic institutions of Turkey, the Council has repeatedly expressed serious concerns about the disproportionate scale and scope of measures taken by the authorities in its aftermath. The Council notes with grave concern that a number of these measures in practice remain in place even after the lifting of the state of emergency. The Council recalls the international standards and the obligations to which Turkey has subscribed and committed itself. The Council reiterates its call on Turkey to urgently reverse all these negative trends.



33. The Council is especially concerned about the continuing and deeply worrying backsliding on the **rule of law** and on **fundamental rights**, including the freedom of expression. The ongoing deterioration of the independence and functioning of the judiciary cannot be condoned, nor can the continuing restrictions, detentions, imprisonments, and other measures targeting journalists, academics, members of political parties, including parliamentarians, human rights defenders, social media users, and others exercising their fundamental rights and freedoms. Recent judicial proceedings targeting the legitimate and legal activities of members of civil society organisations raise grave concerns. Turkey needs to urgently and effectively address these negative developments and the many other serious shortcomings and outstanding issues identified in the Commission's report. The Council takes positive note of the reconvening of the Reform Action Group, and notes the adoption of the Justice Reform Strategy, which need to be followed up by determined and concrete steps by Turkey to implement its commitments and present clear and tangible results. Turkey should also step up its cooperation with the Council of Europe and its relevant bodies and institutions, address their key recommendations and implement all judgments of the European Court of Human Rights in line with Article 46 of the ECHR. The Council recalls that the latest amendments to the Turkish Constitution, which established the new presidential system, were critically assessed by the Venice Commission, and removed many previous checks and balances, endangering the separation of powers. The Council recalls the crucial importance of free, fair and transparent **elections**. While welcoming the high turnout at the March 2019 municipal elections, it also expresses serious concerns about the respect for the legality and integrity of the electoral process, in particular against the backdrop of recent decisions by the Supreme Election Council.

34. On **economic reforms**, the Council notes the ongoing contraction in economic activity and the deeper concerns over the functioning of the country's market economy. In line with the Joint Conclusions of the Economic and Financial Dialogue, the Council calls on Turkey to increase fiscal transparency and credibility, unwind the measures that inhibit the free flow of foreign capital, reduce state influence in price setting and improve the business environment, including by strengthening the rule of law. Trade barriers or equivalent that are not in conformity with the EU-Turkey Customs Union, including in public procurement, should be removed.

35. The Council continues to expect Turkey to unequivocally commit to **good neighbourly relations**, international agreements and to the peaceful settlement of disputes, having recourse, if necessary, to the International Court of Justice. The Council recalls and reaffirms previous Council and European Council conclusions, including the European Council conclusions of 22 March 2018 strongly condemning Turkey's continued illegal actions in the Eastern Mediterranean and the Aegean Sea. The Council expresses serious concerns over Turkey's current illegal drilling activities in the Eastern Mediterranean and deplores that Turkey has not yet responded to the European Union's repeated calls to cease such activities. The Council underlines the serious immediate negative impact that such illegal actions have across the range of EU-Turkey relations. The Council calls on Turkey to show restraint,

respect the sovereign rights of Cyprus, and refrain from any such actions. The EU will closely monitor developments and stands ready to respond appropriately and in full solidarity with Cyprus. The Council invites the Commission and the European External Action Service to submit options for appropriate measures without delay.

In addition, the Council, as stated in its conclusions of 11 December 2006 and of 26 June 2018, subsequently endorsed by the European Council, as well as in the Declaration of 21 September 2005, calls on Turkey to fulfil its obligations under the Negotiating Framework, including the full, non-discriminatory implementation of the Additional Protocol to the Association Agreement towards all Member States. The Council reiterates that recognition of all Member States is essential. Turkey must avoid threats and actions that damage good neighbourly relations, normalise its relations with the Republic of Cyprus and respect the sovereignty of all EU Member States over their territorial sea and airspace as well as all their sovereign rights, including inter alia the right to explore and exploit natural resources, in accordance with EU and international law, including UNCLOS. The EU remains fully committed to a comprehensive settlement of the Cyprus problem. In this regard, the Council recalls that it remains crucial that Turkey commits and contributes to such a settlement, including its external aspects, within the UN framework in accordance with relevant UNSC resolutions and in line with the principles on which the EU is founded and the *acquis*.

36. The Council reiterates its call on Turkey to progressively align with the **EU Common Foreign and Security Policy** and to reverse the persistent negative trend as a matter of priority, and recalls its position on accession of Member States to international organisations.

37. The Council notes that Turkey continues to move further away from the European Union. Recalling its conclusions of 26 June 2018, the Council notes that Turkey's accession negotiations have therefore effectively come to a standstill and no further chapters can be considered for opening or closing and no further work towards the modernisation of the EU-Turkey Customs Union is foreseen.

## **Stabilisation and Association Process**

### **Republic of North Macedonia**

38. Reaffirming its conclusions of 26 June 2018, the Council strongly welcomes the historic and unprecedented Prespa Agreement, and the Treaty on Good Neighbourly Relations with Bulgaria, and takes good note of the Commission's recommendation to open accession negotiations with the Republic of North Macedonia based on its positive evaluation of the progress made and of the fulfillment of the conditions identified by the Council. In light of the limited time available and the importance of the matter, the Council will revert to the issue with a view to reaching a clear and substantive decision as soon as possible and no later than October

## Albania

39. Reaffirming its conclusions of 26 June 2018, the Council takes good note of the Commission's recommendation to open accession negotiations with Albania based on its positive evaluation of the progress made and of the fulfillment of the conditions identified by the Council. In light of the limited time available and the importance of the matter, the Council will revert to the issue with a view to reaching a clear and substantive decision as soon as possible and no later than October 2019.

## Bosnia and Herzegovina

40. The Council takes note of the **Commission's opinion** on Bosnia and Herzegovina's application for membership of the EU. The Council will continue to examine this document thoroughly and revert to the matter later this year. The Council encourages Bosnia and Herzegovina to proceed with government formation without any further delay, in order to pursue necessary reforms. Party politics and a lack of willingness to compromise should not block the legitimate aspirations of the citizens of Bosnia and Herzegovina to advance towards the European Union.

## Kosovo

41. The Council reiterates the importance of the continued **implementation of the Stabilisation and Association Agreement (SAA)** with Kosovo. This EU-only agreement, which is without prejudice to Member States' positions on status, provides the contractual framework between the EU and Kosovo. It offers Kosovo an opportunity for sustainable progress and rapprochement with the Union, in line with the European perspective of the region, and creates trade and investment opportunities. The Council acknowledges the progress made in implementing the European Reform Agenda and calls for the swift implementation of outstanding measures. It calls on all political actors to urgently put the focus back on reforms and advance Kosovo's European agenda for the benefit of the people.

42. The Council deeply regrets the decisions by the government to impose unilateral tariff increases of up to 100% on imports from Serbia and Bosnia and Herzegovina in November 2018, in violation of Central European Free Trade Agreement (CEFTA) obligations and of the spirit of the SAA, as well as the imposition of non-tariff barriers. The Council reiterates that these decisions undermine regional cooperation, including the Regional Economic Area, and must be immediately revoked.

43. The Council welcomes the adoption of important laws in the area of **rule of law** and **public administration reform** and urges Kosovo to effectively implement this legislation.

44. **Corruption** and **organised crime** need to be resolutely addressed. The Council remains concerned about political interference and non-merit based recruitments and regrets appointments of people convicted for war crimes to official positions which are contrary to European values.

45. The Council reiterates the importance of addressing long-standing weaknesses of the **electoral process** in Kosovo, guided by the recommendations of previous EU election observation missions. The extraordinary mayoral elections of 19 May 2019 showed that shortcomings remain, including pre-election activities which limited the opportunity for full democratic participation in the elections.

46. The Council notes with concern that overall the situation in the north of Kosovo continues to pose particular challenges in the areas of organised crime, corruption and freedom of expression.

47. Effective promotion and protection of **human rights** throughout Kosovo needs to be reinforced, including the full protection of cultural and religious heritage. The inclusion and protection of persons belonging to minorities and of Roma, including additional efforts to implement the existing legal framework and to ensure a safe environment and safeguarding of their property rights should be addressed, as well as the strengthening of social cohesion.

48. The Council notes further progress in **fighting radicalisation, extremism and terrorism**. Additional efforts are needed in addressing the financing of terrorism, as well as rehabilitation and reintegration. In this context, the Council particularly underlines the need for effective and intense regional and international cooperation, including with Europol and Eurojust, with full respect to their regulation and without prejudice to Member States' positions on status.

49. In line with the Joint Conclusions of the Economic and Financial Dialogue, the Council calls on Kosovo to take the necessary measures to adhere to the fiscal rules, to increase efforts to combat the informal economy, to actively address the high unemployment, in particular youth and women unemployment, to invest more in education, as well as to tap renewable and energy saving potentials.

50. The Council urges continued commitment by Kosovo to the Specialist Chambers, in full compliance with its international obligations and its own legal order, and as a way to demonstrate genuine efforts to guarantee the rule of law, fundamental freedoms, justice and reconciliation. The existing legal framework enables the proper investigation and prosecution of all alleged war crimes.

51. The Council urges Kosovo to continue to cooperate closely and effectively with EULEX. In particular, the Council expects that the criminal/civil cases handed over by EULEX to the competent judicial authorities in Kosovo are properly followed up.

52. On the **EU-facilitated Dialogue** with Belgrade, Pristina needs to make further substantial efforts and contribute to the establishment of a conducive environment, as well as refrain from any act that can be perceived as provocation. The Council stresses that the current status quo is not sustainable. It is essential that the Dialogue restarts as soon as possible. A comprehensive legally binding agreement needs to address all outstanding

issues in accordance with international law and EU *acquis* and contribute to regional stability. The conclusion without further delay of such an agreement, under the facilitation of the High Representative, is crucial so that Kosovo and Serbia can advance on their respective European paths.

The Council reiterates that all past agreements concluded under the EU-facilitated Dialogue need to be implemented. The Council welcomes, in this respect, the further consolidation of the Justice agreement and the full implementation of the telecoms agreement.

The Council however regrets that no progress has been made in the long-standing commitment to implement past Dialogue agreements, including preparing the draft statute of the Association/Community of Serb majority municipalities in Kosovo, full implementation of the IBM agreement as well as decisively implementing the Energy agreement. The Council also regrets that the Mitrovica Bridge has not yet been opened to all traffic, in spite of the completion of the renovation works.

53. The Council recalls that progress in the normalisation of relations with Serbia is an essential principle of the SAA and underpins the development of relations and cooperation between the EU and Kosovo.

54. The Council recognises the importance of **visa liberalisation** for Kosovo citizens. The Commission made a formal proposal in May 2016 to transfer Kosovo to the Schengen visa-free list and presented a report in July 2018 on the fulfilment of the remaining benchmarks. In March 2019 the European Parliament supported the Commission's proposal in its first reading. The decision on the proposal is currently under consideration in the Council.

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

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