The European Commission has in recent years adopted a more rigorous approach to preparing the six Western Balkans countries for membership in the EU. The approach is based on a benchmarking mechanism for assessing all chapters of the acquis (EU law), in particular those on the rule of law and good governance.

Building on lessons learned from previous enlargement rounds, the new approach introduced the need for solid track records in these areas. Tackling them early in the process gives maximum time to ensure that reforms are deeply rooted and irreversible after accession.

Assessing the state of play and progress in the Western Balkans countries against both principles for public administration reform and benchmarks for transposing EU’s legal system has become a recurrent annual exercise. Progress has however been slow with all countries backsliding in the reform process or not demonstrating a convincing track record.

At a recent policy dialogue arranged by the European Policy Centre (EPC) in Brussels, the results of a project on the effectiveness of the benchmarking mechanism were presented. The project was carried out by 10 NGOs in the Western Balkans and aimed at explaining the mixed results in EU’s attempts to promote compliance with EU law and standards by using benchmarks.

A sample of benchmarks from the chapters concerned were selected, analysed in detail and compared with actual results reported by regional and international organisations that have monitored developments in the countries. In principle the benchmarks were the same for all countries but were introduced in different years depending on the phase in their accession process.

**Benchmarking mechanism**

Albana Rexha, a senior research fellow from the Group for Legal and Political Studies in Pristina, Kosovo, described the Commission’s benchmarking mechanism as work in progress. “Much more needs to be done,” she said and referred to another benchmarking exercise, the roadmap for visa liberalization, which according to the study was more successful.

The study concluded that the benchmarks are not fully developed – not even for Montenegro and Serbia, the two “frontrunners” in Western Balkans that have entered the formal negotiation phase - and should be more specific and outcome-oriented. Overall, the findings show a gap between the expectations from the benchmarking and actual results.

“The benchmarks are not clear enough to reflect the country context and not specific enough to guide,” explains Albana. “More clarity and specificity leads also to more transparency and systematic evaluation.”

Adopting a law in the parliament in a fast-track procedure, as often happens, or a strategy and action plan without adequate monitoring will not move the accession process forward. But according to the European Commission, particular emphasis is nowadays put on implementation rather than on formal legal alignment.

A country which has been backsliding, although it has the longest history of the benchmarking mechanism, is Macedonia. Pending a solution of the name issue with Greece, it is still waiting to open negotiations. Slovenian MEP Tanja Fajon (S&D), actively involved in the region, was hopeful about a near solution of the name issue.

“The month of April will be crucial,” she said. "The fact that Commissioner Hahn is travelling to Skopje (early next week) is an encouraging signal.”

“We need benchmarks for tackling all the serious problems in Western Balkans – most of all the fight against corruption – and to bring back citizens’ trust in their
One of the most important benchmarks is to ensure a track record of merit-based recruitments of judges and civil servants. The situation is worrying, especially because of the politicization of appointments. Surveys show that a majority of the public in all countries believes that they are affected by corruption and exposed to political influence.

The panelists agreed that political will is crucial for the success of the planned reforms across all countries. In practice, the opposite is happening, according to the study. To reverse the negative trend, the study recommends empowering civil society to exert pressure on the governments. The European Commission should also make its own expert reports available to promote transparency.

“We have been tough on benchmarking,” summarized Sabine Zwaenepoel, senior expert in the European Commission, “and need to see political will and commitment.” She did not agree with the study that most benchmarks are not supported by any EU model.

“The rule of law is a universal concept,” she countered and referred also to European standards expressed by the Council of Europe.

Srdjan Majstorovic, chairman of the European Policy Centre (CEP) in Belgrade, Serbia, and with experience of negotiating with the Commission added that the Western Balkan countries should be invited to EU working groups and networks to prepare themselves for accession. But what is most needed is a “new generation of politicians” in Western Balkans.

**No ranking of countries**

The Western Balkans countries need to understand the benchmarks in order to achieve desirable results in terms of best practice and European standards. Asked by The Brussels Times if there are areas where more clarity is needed, the Commission replied that it provides concrete guidance and recommendations in its reports and in the meetings with the countries.

Through its benchmarking mechanism, the Commission has harmonised the reporting on the state of play in the Western Balkans countries. This should also allow for greater comparability between them but surprisingly the Commission does not use the data to exert peer pressure by comparing and ranking them.

The announcement in 2014 at the start of the current Commission that no candidate country would join EU during its mandate period had a rather sobering effect on the Western Balkans countries. But last February a new strategy for Western Balkans was published and the hope of eventually becoming an EU member state was awakened.

EU does not promise any country that this will happen at any certain date but has set 2025 as an “indicative” date not only for the two “frontrunners”, Montenegro and Serbia, but for any country meeting all requirements and conditions. Next round of country reports scheduled for 17 April will give an indication on how close they are.

*M. Apelblat  
The Brussels Times*
Close to 30 tons of drugs intercepted in port of Antwerp in six months

During the last six months, Antwerp Harbor customs authorities intercepted 21.7 tons of cocaine.

World Cup 2018 - "The players executed the plan perfectly", says Roberto Martinez

Roberto Martinez yet again chose excellent tactics for Belgium’s World Cup Quarter-final victory over Brazil on Friday evening.

The Gender Equality Institute is asking for an adjustment in legislation which would allow it to take action more quickly.

Shot down lioness in Plankendael: internal investigation pointing to human error at origin of incident

The internal investigation led after a lioness escaped from its Planckendael animal park enclosure in 2018 has confirmed that the incident
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