

ECA Report on EU Support for the Rule of Law in the Western Balkans



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European Law Forum: Prevention • Investigation • Prosecution

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News

On 10 January 2022, the European Court of Auditors (ECA) published a special report “EU support for the rule of law in the Western Balkans: despite efforts, fundamental problems persist”. According to the report, the EU has adopted a definition of the rule of law that is enshrined in Art. 2 TEU as one of the common values of its Member States. It is also an essential and necessary condition for EU membership. The ECA audited whether EU support for the rule of law in the Western Balkans (Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia) during the 2014-2020 period has been effective and assessed whether the support was well designed and achieved the planned results.

The Western Balkans receive financial assistance through the Instrument for Pre-accession (currently IPA II). The Western Balkans received about €0.7 billion from 2014 to 2020 in order to support the rule of law and fundamental rights.

The ECA found that, while EU action has contributed to reforms in technical and operational areas (e.g. improving the efficiency of the judiciary), it has had little overall impact on fundamental rule-of-law reforms in the Western Balkans. The ECA points to insufficient domestic political will as the reason for the lack of change and reform.

Following these findings, the ECA made the following recommendations to the Commission and the European External Action Service (EEAS):

- Strengthen the mechanism for promoting rule-of-law reforms in the enlargement process;
- Intensify support for civil society engaged in rule-of-law reforms and media independence;
- Reinforce the use of conditionality in IPA III;
- Strengthen project reporting and monitoring.

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