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Subject: Draft Council conclusions on Enlargement

In preparation for the General Affairs Council to be held on 12 December 2023, delegations will find attached draft Council conclusions on Enlargement, as prepared by the Presidency following discussions in the Permanent Representatives' Committee. This text is submitted to the Council for examination with a view to approval.

GENERAL AFFAIRS COUNCIL

DRAFT COUNCIL CONCLUSIONS ON ENLARGEMENT

1. The Council takes good note of the Communication from the Commission of 8 November 2023 on the EU Enlargement Policy including the reports on Montenegro, Serbia, North Macedonia, Albania, Bosnia and Herzegovina, Kosovo*, Türkiye, Ukraine, the Republic of Moldova (hereinafter: Moldova) and Georgia.
2. The Council reaffirms its commitment to enlargement in line with the renewed consensus on enlargement approved by the European Council in December 2006 and subsequent Council and European Council conclusions. In line with previous Council conclusions, and in the framework of the Copenhagen political criteria, the Council reaffirms the need for fair and rigorous conditionality, the principle of own merits and reversibility. The Council stresses the importance of ensuring that the EU can maintain and deepen its own development, including its capacity to integrate new members. The Council continues to expect partners to take ownership and demonstrate the credibility of their commitments and political will through the implementation of necessary reforms and tangible progress on the fundamentals.

* 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.

3. Enlargement is a geo-strategic investment in peace, security, stability and prosperity. It is a driver for improving the economic and social conditions of European citizens, reducing disparities between countries, and must foster the values on which the Union is founded. Looking ahead to the prospect of a further enlarged Union, both the EU and future Member States need to be ready. Aspiring members need to step up their reform efforts, notably in the area of rule of law, in line with the merit-based nature of the accession process and with the assistance of the EU. In parallel, the Union needs to lay the necessary internal groundwork and reforms. We will set our long-term ambitions and the ways to achieve them. We will address key questions related to our priorities and policies as well as our capacity to act. This will make the EU stronger and will enhance European sovereignty.
4. Russia's war of aggression against Ukraine shows that enlargement also is a strategic priority. Recalling in this context the Thessaloniki Agenda of 2003 and the European Council conclusions of June 2022, the Council confirms its full and unequivocal commitment to the EU membership perspective of the Western Balkans, Ukraine, Moldova and Georgia, reiterating that their future lies within the European Union. Türkiye remains a candidate country and a key partner in many areas of joint interest.
5. Respecting and committing to promoting the values on which the EU is founded, and meeting the obligations required for EU membership, are essential for all partners who aspire to join. The Council reiterates that the rule of law is a fundamental value on which the EU is founded, and remains an indispensable requisite for progress towards EU membership. Sustained and irreversible reform achievements on the rule of law and fundamental rights, the functioning of democratic institutions, including de-polarisation, public administration and economic criteria remain the key benchmarks against which progress towards EU membership is assessed.

6. The protection of fundamental rights lies at the heart of the EU's values. The Council pays particular attention to partners' progress in this area, recalling that credible measures to address reported shortcomings is an overall priority. In this context, the Council reiterates the importance of upholding the rights of the child and the rights and non-discriminatory treatment of persons belonging to minorities and persons in vulnerable situations, such as the Roma, persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, and persons belonging to national minorities. On gender equality, the Council reiterates that empowerment and the full enjoyment of fundamental rights of women and girls must be ensured. The Council recalls that freedom of expression, media freedom and pluralism are key pillars of a democratic society and concrete and tangible results in these crucial areas remain essential.
7. The Council also underlines the need for partners to progress on comprehensive justice reform, the fight against corruption, including de-oligarchisation, and the fight against organised crime. The Council recalls that a solid track record on final convictions and seizure and confiscation of criminal assets continue to be required in the fight against organised crime.
8. In the Western Balkans, decisive efforts continue to be required to foster reconciliation and regional stability, including by solving partners' bilateral disputes and issues rooted in the legacy of the past, in line with international law and established principles, including the Agreement on Succession Issues.
9. The Council strongly underlines the crucial importance of further deepening the cooperation on foreign policy issues and the Union's expectations on partners to fully align with the EU Common Foreign and Security Policy (CFSP), including restrictive measures, a key aspect of the EU integration process and a strong expression of a partner's strategic choice and place in a community of values. The EU continues to stand by partners and provide assistance, in particular to those fully aligned, including to enhance their resilience to hybrid threats. Preventing the circumvention of EU restrictive measures, including those adopted in response to Russia's war of aggression against Ukraine, remains of paramount importance.

10. The Council welcomes the successful cooperation with partners in the areas of countering hybrid threats, as well as on combatting terrorism, radicalisation and organised crime and remains committed to further deepening cooperation in these areas. Countering information manipulation activities, including disinformation, remains an important priority. The Council recalls that the European Union will intensify its work with partners to counter false Russian narratives and disinformation about Russia's war of aggression against Ukraine.
11. Irregular migration continues to be a key challenge, and requires continued cooperation and coordination with all partners. The Council commends the Western Balkans partners for their constructive cooperation and Türkiye for its continued efforts in hosting one of the world's largest refugee population. The Council also underlines the crucial importance of partners harmonising their visa policies with the EU.
12. The Council calls upon all partners to clearly communicate to their citizens the benefits and obligations stemming from their respective EU paths, as well as their own commitment to EU values and the necessary reforms.
13. The EU will continue to strengthen and intensify its support at all levels to the future EU members' political, economic and social transformation, based on tangible progress on rule of law and socio-economic reforms, as well as on partners' adherence to EU values, rules and standards. The EU will continue its substantial financial and technical assistance to partners, in particular through the Instrument for Pre-Accession Assistance (IPA) and the Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI-Global Europe), as well as through Twinning and TAIEX. Under the principles of conditionality and policy first, this financial assistance is aimed at helping partners adopt reforms and achieving full alignment with the EU acquis.

14. The Council remains committed to bringing partners closer to the EU, preparing the ground for accession, and bringing concrete benefits to their citizens already during the enlargement process. To this end, the Council encourages exploring additional measures aimed at further implementing gradual integration in a merit-based and reversible manner, in line with the European Council of June 2022. The Council underlines the importance of fully using the potential of existing legal instruments, and looks forward to examining proposals for further gradual integration on the way to full membership, including the further deepening of the EU's sectoral cooperation with partners in areas of common interest, building on the revised enlargement methodology. In this context, the Council takes note of the Commission's Communication on a New Growth Plan for the Western Balkans which aims to accelerate the socio-economic convergence between the Western Balkans and the EU, based on strict conditionalities, and to encourage the region to step up the pace of EU related reforms on fundamentals in support of their EU path. Its proposed implementation is expected to be linked with, inter alia, progress on *acquis*, regional cooperation and constructive engagement from Serbia and Kosovo in the EU-facilitated dialogue. The Eastern Partnership regional policy will also continue to support Ukraine, Moldova and Georgia on their EU paths.

MONTENEGRO

15. The Council welcomes the formation of the new government and encourages it to swiftly advance Montenegro's EU path and strategic direction. Political consensus and will are required to urgently restore the functionality of the democratic institutions and deliver on longstanding reform commitments.
16. The Council welcomes the overall progress made in the accession negotiations so far, with the 33 screened chapters opened and 3 provisionally closed. Montenegro should without delay re-focus its efforts on the fulfilment of the interim benchmarks of the rule of law chapters 23 and 24. No further chapters will be provisionally closed before this milestone is reached. The Council recalls that progress on these chapters is essential and will continue to determine the pace of accession negotiations overall.

17. The Council recalls the urgent need to restore the functioning of the main judicial bodies, in particular by finalising the still pending appointments, and to accelerate and deepen the implementation of key judicial reforms, in order to guarantee an independent, efficient and high-quality judicial system. The Council welcomes the appointment of the 7th judge of the Constitutional Court, which is now fully operational.
18. The Council encourages Montenegro to increase its efforts, in particular in critical areas such as the fight against corruption and organised crime. While acknowledging progress made, Montenegro must improve its track record of investigations, prosecutions, final convictions and seizure and confiscation of criminal assets.
19. While noting some progress, the Council also encourages Montenegro to increase its efforts in the areas of freedom of expression and media freedom, including the institutional protection of journalists against all forms of violence.
20. On the economic criteria, the Council welcomes the strong rebound and steady growth of the economy, the stability of the banking and financial sectors and the improvement in the labour market. The Council encourages Montenegro to implement structural reforms, reduce public debt and continue its efforts to strengthen fiscal governance and transparency.
21. The Council welcomes the government's commitment to further developing regional cooperation and advancing good neighbourly relations.
22. The Council strongly commends Montenegro for its consistent cooperation on foreign policy issues, and its steadfast and long-standing full alignment with the EU CFSP, including on EU restrictive measures – a strong signal of Montenegro's strategic commitment to its EU path. It also welcomes Montenegro's continued active participation in EU missions and operations under the Common Security and Defence Policy (CSDP).

SERBIA

23. Recalling its conclusions of 13 December 2022, the Council underlines the importance of strong political will and consistency in the implementation of EU-related reforms in order to achieve Serbia's strategic choice of joining the EU. The Council recalls that Serbia's progress on the rule of law and the normalisation of relations with Kosovo will continue to determine the overall pace of accession negotiations.
24. The Council welcomes the overall progress made in the accession negotiations so far, with 22 out of 35 negotiating chapters opened and 2 chapters provisionally closed. Serbia should continue to focus on the fulfilment of the interim benchmarks of the rule of law chapters 23 and 24. The Council welcomes the timely adoption of five laws implementing the 2022 constitutional amendments. However, further work and political commitment are needed to implement reforms in fundamental areas, including on judiciary. Serbia also needs to continue to pay particular attention to the full respect of fundamental rights, including protection of the most vulnerable groups, as well as to the non-discriminatory treatment of persons belonging to minorities throughout Serbia.
25. The Council underlines the need for Serbia to step up its efforts in the fight against corruption and organised crime. Serbia also needs to achieve tangible results and a convincing track record with effective investigations, prosecutions, final convictions, freezing and confiscation of criminal assets.
26. The Council reiterates its concern about the limited progress on improving the overall environment for freedom of expression and the independence of the media. The Council encourages Serbia to step up efforts on the effective implementation of its media strategy action plan.
27. The Council reiterates the call on Serbian authorities to communicate objectively and unambiguously on the EU, and to actively engage in preventing and tackling all forms of disinformation and foreign information manipulation in all media channels.

28. The Council continues to underscore the importance of meaningful regional cooperation in the domestic handling of war crimes, resolving the remaining cases of missing persons and full cooperation with the International Residual Mechanism for Criminal Tribunals. There should be no support for convicted war criminals nor for glorification or denial of their crimes.
29. In order to improve the conditions for the proper functioning of democratic institutions, the Council strongly encourages Serbia to address the long-standing OSCE/ODIHR and Council of Europe bodies' recommendations, including those pertaining to key aspects of the electoral process.
30. The Council acknowledges the Commission's assessment that Serbia maintains its level of preparedness on the opening benchmarks in cluster 3 (Competitiveness and inclusive growth). While the Council welcomes Serbia's good level of preparation on the economic criteria, it encourages Serbia to give further impetus to the private sector by speeding up structural reforms of public administration and of the governance of state-owned enterprises.
31. The Council welcomes that Serbia has maintained its commitment in a number of regional cooperation initiatives and encourages Serbia to further strengthen good neighbourly relations and contribute to stability and reconciliation with all partners in the region.
32. The Council reiterates its strong expectation of Serbia to step up its efforts towards full alignment with EU Common Foreign and Security Policy positions and restrictive measures, including on Russia and Belarus, as a matter of utmost priority. The Council also calls on Serbian authorities to refrain from actions and statements against the EU positions on foreign policy and other strategic matters. The Council takes good note of Serbia's humanitarian and other assistance to Ukraine. The Council also welcomes Serbia's improved cooperation with the EU on preventing the circumvention of EU restrictive measures and encourages Serbia to continue with these efforts. The Council welcomes Serbia's continued active participation in and important contribution to EU missions and operations under the EU CSDP.

33. While recognising progress in this regard, the Council continues to stress the need for Serbia to fully meet its commitment to align with EU visa policy.
34. The Council reiterates that there is no justification for violence and strongly condemns the violent acts by Kosovo Serbs protesters against citizens, KFOR troops, law enforcement, and media on 29 May 2023 and the violent attack against Kosovo Police on 24 September 2023 in the north of Kosovo. The Council expects Serbia to fully cooperate and take all the necessary measures to apprehend and swiftly bring to justice the perpetrators of the attacks. The Council regrets that Serbia has taken insufficient actions in this respect. The Council expresses concern about the repeated military build-ups by Serbia in the vicinity of Kosovo and takes note of the subsequent reduction of troops and equipment. Serbia and Kosovo must pursue sustained de-escalation efforts, refrain from unilateral and provocative actions that could lead to tensions and violence and stop divisive rhetoric. The Council welcomes that Serbia has taken some steps in the right direction, including by publicly encouraging Kosovo Serbs to participate in the local elections in the north of Kosovo. Serbia should also encourage the Kosovo Serbs to return to institutions that they left. The Council recalls that in line with the European Council conclusions of 26-27 October 2023, failure by the parties to de-escalate tensions will have consequences.
35. The Council expects both Serbia and Kosovo to find a sustainable solution to the situation in the north of Kosovo that guarantees safety, security and participatory democracy for all citizens.
36. The Council expects Serbia to engage in the EU-facilitated Dialogue in good faith and in the spirit of compromise to achieve a comprehensive legally binding agreement with Kosovo on normalisation of relations in accordance with international law and EU acquis with no further delay. This agreement should address all key outstanding issues and thus contribute to regional stability. Normalisation of relations and implementing their Dialogue commitments are essential conditions on the European path of both parties and both risk losing important opportunities in absence of progress.

37. The Council welcomes the Agreement on the Path to Normalisation between Kosovo and Serbia and its Implementation Annex adopted in February and March 2023, and regrets the lack of implementation by both parties of this Agreement, as well as other pending commitments reached in the EU-facilitated Dialogue, led by the High Representative and supported by the EU Special Representative. It calls on Serbia and Kosovo to fully respect and implement them, without further delay and preconditions. This includes the establishment of the Association/Community of Serb Majority Municipalities. The Council welcomes Serbia's and Kosovo's readiness to accept the draft statute presented to the parties by the EU Facilitator, on the understanding that further work needs to be done on this basis.
38. The Council requests the Commission and the High Representative to urgently propose to the Council, before the end of January 2024, the amendments to the benchmarks of Chapter 35 of Serbia's accession negotiations to reflect Serbia's obligations stemming from the Agreement and its Implementation Annex.

NORTH MACEDONIA

39. Recalling the Council conclusions of July 2022, the Council welcomes the first intergovernmental conference held with North Macedonia in July 2022 and the successful completion of the screening meetings. The Council stands ready to convene another intergovernmental conference, without further delays nor additional political decision, as soon as North Macedonia has implemented its commitment to complete the constitutional changes as referred to in the Council Conclusions of July 2022, in line with its internal procedures. The Council calls on North Macedonia to accelerate the completion of these changes. Thereafter, the Council stands ready to open the first negotiating cluster as soon as possible, in line with the Negotiating Framework.
40. The Council encourages all parties in parliament to focus on advancing EU related reforms and the EU accession process.

41. The Council welcomes the level of preparation of North Macedonia in key areas and underlines the importance of accelerating EU-oriented reforms and further consolidating implementation, notably in the areas of the fundamentals and the rule of law. North Macedonia needs to deliver on the independence, professionalism and impartiality of the judiciary, the fight against corruption and organised crime, and the reform of the public administration. The Council expresses serious concerns about some changes to the Criminal Code, affecting a large number of high-level corruption cases, as well as about undue external influence on the work of the Judicial Council and the judiciary. The Council also calls on North Macedonia to continue its efforts to further strengthen fundamental rights, including the rights of persons belonging to minorities or communities, media freedom and freedom of expression.
42. The Council recalls the need for the completion of the review and the implementation of the reformed electoral legislation aligned with the recommendations from OSCE/ODIHR and the Venice Commission in an inclusive and timely manner.
43. On the economic criteria, the Council welcomes the progress made, notably in the area of fiscal sustainability, and encourages North Macedonia to continue efforts to further meet the requirements of the EU's internal market and to cope with competitive pressure and market forces within the Union.
44. The Council notes that good neighbourly relations and regional cooperation remain essential elements of the enlargement process, as well as of the Stabilisation and Association Process. The Council recalls the importance of achieving tangible results and implementing in good faith bilateral agreements, including the Prespa agreement with Greece and the Treaty on Friendship, Good-neighbourliness and Cooperation with Bulgaria.

45. The Council strongly commends North Macedonia for its consistent cooperation on foreign policy issues and in particular its full alignment with the EU CFSP, including on EU restrictive measures – a strong expression of North Macedonia's strategic commitment to its EU path. The Council welcomes North Macedonia's continued active participation in EU missions and operations under the EU CSDP. The Council also commends North Macedonia for its active role in a complex geopolitical context during its term as chair of the Organisation for Security and Cooperation in Europe (OSCE).

ALBANIA

46. The Council welcomes the first intergovernmental conference held with Albania in July 2022. The Council welcomes the reform progress made in the past year, including the successful completion of the screening meetings. The Council looks forward to taking the next steps in Albania's accession process, and to opening the first negotiating cluster as soon as possible.
47. The Council recalls that inclusive and constructive political dialogue in the country remains crucial in order to advance the adoption of EU-related reforms.
48. The Council welcomes the progress made, notably in the areas of the fundamentals and in particular in the rule of law, the continued implementation of the comprehensive justice reform, and the reform of the public administration. The Council welcomes that the vetting process has continued to advance steadily and produced tangible results. The Council underlines the importance of accelerating EU-oriented reforms and further consolidating implementation. The Council takes positive note of the concrete results achieved by the Special Structures against Corruption and Organised Crime and of the continued good cooperation with EU and Member State law enforcement agencies. Efforts to establish a solid track record in the fight against corruption and organised crime need to continue. Stepped up cooperation on investigations, including with the European Anti-Fraud Office (OLAF) is also needed.

49. The Council calls on Albania to continue its efforts to further strengthen the protection of fundamental rights, media freedom and freedom of expression, and rights of persons belonging to minorities. The Council encourages the implementation of a comprehensive land sector reform and the consolidation of property rights in a transparent manner, including by holding consultations with all relevant stakeholders, including by addressing cases of falsification of documents and swiftly advancing the process for registration and compensation. The Council welcomes the adoption of the secondary legislation on minorities and continues to urge Albania to swiftly adopt and implement the related remaining by-laws relating to the 2017 framework law on the protection of persons belonging to national minorities in line with European standards and with the involvement of all relevant stakeholders. The Council also encourages Albania to complete all processes related to the national census in line with international standards.
50. On migration, Albania should continue to update its legal framework with the EU acquis. While recognising progress made, the Council encourages Albania to fulfil its commitment to align with the EU visa policy.
51. On the economic criteria, the Council welcomes the resilience and strong recovery of the Albanian economy and encourages Albania to continue efforts to further meet the requirements of the EU's internal market and to cope with competitive pressure and market forces within the Union.
52. The Council welcomes Albania's continued constructive engagement in regional cooperation. The Council notes that good neighbourly relations and regional cooperation remain essential elements of the enlargement process, as well as of the Stabilisation and Association Process.
53. The Council strongly commends Albania for its consistent cooperation on foreign policy issues and in particular its full alignment with the EU CFSP, including on EU restrictive measures – a strong expression of Albania's strategic commitment to its EU path. The Council welcomes Albania's continued active participation in EU missions and operations under the EU CSDP. The EU also commends Albania for its active engagement as a non-permanent member in the UN Security Council in promoting and defending the rules-based international order.

TÜRKİYE

54. The Council recalls all previous Council and European Council conclusions on the European Union's relations with Türkiye, including in particular the European Union's strategic interest in a stable and secure environment in the Eastern Mediterranean and in the development of a cooperative and mutually beneficial relationship with Türkiye.
55. The EU remains ready to engage with Türkiye in a phased, proportionate and reversible manner in a number of areas of common interest, subject to established conditionalities set out by the Members of the European Council on 25 March 2021 and in previous European Council conclusions. The Council also 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, public health, climate, counterterrorism and regional issues. The Council takes note of the continuation of High Level Dialogues between the EU and Türkiye on several of these issues.
56. The Council takes good notes of the recent improvements in relations between Türkiye and Greece in the expectation that they will be sustainable. The Council welcomes the de-escalation in the Eastern Mediterranean, which needs to be sustained.
57. The EU swiftly responded in solidarity to the February 2023 earthquakes that struck south-eastern Türkiye, providing rescue teams and in-kind support via the Union's Civil Protection Mechanism, and contributed to the mobilisation of an overall pledge of EUR 6 billion by the international community.

58. The Council continues to expect Türkiye to unequivocally commit to good neighbourly relations and the peaceful settlement of disputes. having recourse, if necessary, to the International Court of Justice. The Council, as stated in all relevant Council conclusions, as well as in the Declaration of 21 September 2005, calls on Türkiye 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. Recognition of all Member States is essential. Türkiye must normalise its relations with the Republic of Cyprus and respect the sovereignty, and territorial integrity of all EU Member States, as, well as all their sovereign rights, in accordance with EU and international law, including the United Nations Convention on the Law of the Sea.
59. Recalling previous Council and European Council conclusions, the EU remains fully committed to a comprehensive settlement of the Cyprus problem within the UN-agreed framework, in accordance with all relevant UNSC resolutions and in line with the principles on which the EU is founded and the *acquis*. It remains crucial that Türkiye commits and contributes to such a peaceful settlement, including its external aspects. The EU calls for the speedy resumption of negotiations and is ready to play an active role in supporting all stages of the UN-led process. The Council recalls the importance of the status of Varosha, condemns all Türkiye's unilateral actions that run contrary to UN Security Council resolutions, and reiterates its calls for their immediate reversal. The Council calls on Türkiye to respect the relevant UN Security Council Resolutions, in particular Resolutions 541, 550, 789 and 1251.

60. In line with previous years' Council conclusions, also recalling Türkiye's international commitments in these regards, the Council reiterates its serious concerns about the continued and deeply worrying backsliding in the areas of democracy, rule of law, and fundamental rights. The systemic lack of independence and undue pressure on the judiciary continue to be a source of serious concern, as well as the restrictions on media freedom and freedom of expression. Türkiye should step up its cooperation with the Council of Europe and its relevant bodies and institutions, address their key recommendations, fully implement the European Convention of Human Rights (ECHR) and other international human rights instruments to which Türkiye is a party, as well as execute all judgments of the European Court of Human Rights in line with Article 46 of the ECHR. Türkiye's continued failure to implement rulings of the ECHR raises questions about its commitment to the rule of law and respect for fundamental rights and to its international obligations. The Council calls on Türkiye to urgently reverse the negative trends in all these areas and credibly address the many serious shortcomings identified in the Commission's report.
61. On the economic criteria, the Council encourages Türkiye to continue implementing steps to revert to more stability-oriented macroeconomic policies and address persisting concerns over the proper functioning of Türkiye's market economy, including the institutional and regulatory environment. The Council further recalls the need for Türkiye to fulfil its obligations as regards the implementation of the EU-Turkey Customs Union, ensuring its effective application to all Member States. The Council also reiterates that free circulation of goods, including dual use goods, should not be allowed to lead to circumvention of EU restrictive measures.

62. The EU-Turkey Statement of 2016 remains the key framework for cooperation on migration and continues to deliver results. In line with the European Council conclusions of October 2021, the Council expects Türkiye to ensure the full and non-discriminatory implementation of the EU - Turkey Statement, including vis-à-vis the Republic of Cyprus, to resume returns and to prevent irregular arrivals. The full and effective implementation of the EU-Turkey Readmission Agreement and cooperation in the area of justice and home affairs with all EU Member States remain essential. The Council stresses the need for Türkiye to align with the EU visa policy.
63. The Council notes with deep concern that Türkiye's foreign policy, as detailed in the Commission's report, is increasingly colliding with the EU priorities under the Common Foreign and Security Policy, and reiterates its strong expectation of Türkiye to step up its alignment with EU CFSP positions and restrictive measures as a matter of utmost priority. While the Council acknowledges the constructive role Türkiye played in facilitating the export of Ukrainian grain, the Council deeply regrets Türkiye's non-alignment with EU restrictive measures adopted in response to Russia's war of aggression against Ukraine and underlines the paramount importance of preventing their circumvention.
64. The Council notes with regret that Türkiye continues to move further away from the European Union and recalls its previous conclusions which noted that Türkiye's accession negotiations therefore effectively have come to a standstill and no further chapters can be considered for opening or closing.

BOSNIA AND HERZEGOVINA

65. The Council takes note of the Commission's report of 8 November 2023 on Bosnia and Herzegovina and its recommendation, and looks forward to the forthcoming discussion of European Council on this matter.

66. The Council welcomes the reform efforts undertaken by Bosnia and Herzegovina following the granting of the candidate status in December 2022. The Council encourages Bosnia and Herzegovina to fulfil the 14 key priorities set out in the Commission Opinion on its EU membership application as endorsed by the Council in 2019, including implementing all remaining steps specified in the Commission's recommendation for candidate status, taking into account the European Council conclusions of June 2022. Some important steps and commitments were made towards the fulfilment of the key priorities, despite negative developments in the *Republika Srpska* entity. The Council encourages further progress needed on reforms. The Council recalls the importance of ensuring full compliance of all adopted laws with the EU acquis and European standards, including Venice Commission recommendations. The EU stands ready to assist Bosnia and Herzegovina further in its reforms and their sustained implementation, including those focused on its EU path.
67. With reference to the institutional mechanisms which were set by the Dayton Peace Agreement, Bosnia and Herzegovina needs to undertake further constitutional and electoral reforms to ensure equality and non-discrimination of all citizens, notably by implementing the Sejdić-Finci case law of the European Court of Human Rights (ECtHR). The Council reiterates its call for an inclusive process of limited constitutional and electoral reforms, through genuine dialogue and in line with European standards to eliminate all forms of inequality and discrimination in the electoral process. The Council underlines that no legislative or political step should be taken which would make the implementation of the Sejdić-Finci ruling and related ECtHR rulings more challenging or would further deepen divisions.
68. The Council urges all political actors in Bosnia and Herzegovina to refrain from and renounce provocative divisive rhetoric and actions, including questioning the sovereignty, unity and territorial integrity of the country, and to end the glorification of convicted war criminals as well as to actively promote reconciliation.

69. The Council further reiterates its unequivocal commitment to Bosnia and Herzegovina's EU perspective as a single, united and sovereign country.
70. The Council is seriously concerned about legislation and initiatives in the *Republika Srpska* entity that run counter to the EU path of Bosnia and Herzegovina, including secessionist rhetoric and questioning the constitutional order of the country. The Council deplores the adoption of legislation in the *Republika Srpska* entity on the inapplicability of the decisions of the Constitutional Court of Bosnia and Herzegovina within the entity. The Council emphasizes that the sovereignty, territorial integrity, constitutional order, including Constitutional Court decisions, and international personality of Bosnia and Herzegovina need to be respected. Any action against these principles will lead to serious consequences.
71. The Council notes the limited progress and underlines the need to reinforce the rule of law, including by adopting a new law on the High Judicial and Prosecutorial Council and adopting the law on Courts. It calls on Bosnia and Herzegovina to take decisive steps to tackle corruption and organised crime towards establishing a track record of investigations and convictions, including at high-level. It welcomes the start of operation of the Europol contact point. Constitutional Court decisions must be fully respected.
72. The Council notes that limited efforts were made in the area of fundamental rights, but welcomes the designation of the Ombudsman as torture preventive mechanism and calls on Bosnia and Herzegovina to significantly intensify reform efforts on human rights, gender equality and non-discrimination, notably by combating domestic violence, violence against women and gender-based violence and ensuring the rights of LGBTI persons.

73. The Council regrets the backsliding on freedom of expression and media and urges Bosnia and Herzegovina to ensure the safety of journalists and the appropriate judicial follow-up to cases of threats and violence. The Council deplors the reintroduction of criminal penalties for defamation in the *Republika Srpska* entity, and regrets the recent adoption in first reading in the entity assembly of a draft law labelling civil society groups as ‘foreign agents’, which gives cause for great concern.
74. The Council welcomes that some progress was made in public administration reform, in particular the adoption of the law on freedom of access to information. It expects further steps to be taken to ensure a professional and depoliticised civil service. Furthermore, to ensure coordination in legislative alignment, the Council strongly encourages Bosnia and Herzegovina to develop a national programme for the adoption of the *acquis*.
75. The Council welcomes the positive steps taken to improve migration management and coordination, in particular the adoption of a law on foreigners. It calls on the country to fully align with EU visa policy, to conclude the Frontex status agreement with the EU and to ensure access to asylum.
76. On the economic criteria, the Council notes that Bosnia and Herzegovina is at an early stage of establishing a functioning market economy.
77. The Council welcomes the renewal of the mandate of EUFOR Althea, which continues to play a key role in supporting the authorities in Bosnia and Herzegovina in maintaining a safe and secure environment for all citizens.
78. The Council reiterates the importance of continued cooperation among international actors and expresses its support to the mission of the High Representative and his Office towards fulfilling the 5+2 Agenda.

79. The Council encourages Bosnia and Herzegovina to further actively engage in regional cooperation and good neighbourly relations, and to swiftly ratify all regional mobility agreements under the Berlin Process.
80. The Council commends Bosnia and Herzegovina's significant improvement of its alignment with EU Common Foreign and Security Policy signalling its clear commitment to the EU path. The Council encourages Bosnia and Herzegovina to continue this positive trend and calls on Bosnia and Herzegovina to ensure full implementation of the restrictive measures, including on Russia and Belarus.

KOSOVO

81. The Council welcomes Kosovo's continued commitment to its European path and related reforms. The EU stands ready to assist Kosovo further in its reforms and their sustained implementation, including those focused on its European path. The Council looks forward to the entry into force of visa liberalisation for Kosovo on 1 January 2024.
82. The Council welcomes the important progress on electoral reform, which addresses long-standing recommendations of successive EU Election Observation Missions and encourages Kosovo to implement the new legislation before the next general elections.
83. The Council notes limited progress with regard to the rule of law, the fight against organised crime, and the fight against corruption, and calls on Kosovo to improve the implementation of existing tools to safeguard the integrity, independence and efficiency of the judicial system and to further pursue public administration reform. Additional progress should be made to effectively promote fundamental rights, including gender equality, as well as the rights of non-majority communities and LGBTI persons, and ensure full protection of cultural and religious heritage. The Council urges Kosovo to implement the law on the prevention and protection for domestic violence, violence against women and gender-based violence. Kosovo should implement the Constitutional Court's decision on the Dečani Monastery without further delay. The Council reiterates its concern over the lack of freedom of expression and limited pluralism in the north of Kosovo.

84. The Council is deeply concerned about the situation in the north of Kosovo, including security. Several unilateral moves by Kosovo and Serbia, as well as the collective resignation of Kosovo Serbs from Kosovo institutions and their boycott of the April local elections in the north of Kosovo have further increased tensions. The Council strongly condemns the violent acts by Kosovo Serb protesters against citizens, KFOR troops, law enforcement, and media on 29 May 2023. New local elections in the north of Kosovo should be held as soon as possible and Kosovo Serbs should actively participate, without any precondition. Kosovo Serbs should also return to the institutions that they left. This return should be facilitated by Kosovo and encouraged by Serbia.

The Council recalls that in line with the 3 June Statement by the High Representative on behalf of the EU, the EU is implementing reversible measures vis-à-vis Kosovo due to the lack of decisive action to de-escalate the tensions in the north of Kosovo. The Council welcomes that Kosovo has taken steps towards meeting some of the EU's requests. The Council recalls that the EU stands ready to lift the measures in case of further progress in fulfilling the EU's existing requests. The Council will remain seized of the matter and will revert to it on the basis of a report by the High Representative on the fulfilment of these requests.

The Council reiterates that there is no justification for violence and strongly condemns the violent attack against Kosovo Police on 24 September 2023. The Council notes the improved cooperation of Kosovo Police with EULEX in relation to this attack. The Council welcomes the reinforced presence of KFOR, in particular at the border/boundary demarcation between Kosovo and Serbia. Kosovo and Serbia must pursue sustained de-escalation efforts, refrain from unilateral and provocative actions that could lead to tensions and violence and stop divisive rhetoric. The Council recalls that in line with the European Council conclusions of 26-27 October 2023, failure by the parties to de-escalate tensions will have consequences.

85. The Council expects both Kosovo and Serbia to find a sustainable solution to the situation in the north of Kosovo that guarantees safety, security and participatory democracy for all citizens.
86. The Council expects Kosovo to engage in the EU-facilitated Dialogue in good faith and in the spirit of compromise to achieve a comprehensive legally binding agreement with Serbia on normalisation of relations in accordance with international law and EU acquis with no further delay. This agreement should address all key outstanding issues and thus contribute to regional stability. Normalisation of relations and implementing their Dialogue commitments are essential conditions on the European path of both parties and both risk losing important opportunities in absence of progress.
87. The Council welcomes the Agreement on the Path to Normalisation between Kosovo and Serbia and its Implementation Annex adopted in February and March 2023, and regrets the lack of implementation by both parties of this Agreement, as well as other pending commitments reached in the EU-facilitated Dialogue, led by the High Representative and supported by the EU Special Representative. It calls on Kosovo and Serbia to fully respect and implement them, without further delay and preconditions. This includes the establishment of the Association/Community of Serb Majority Municipalities. The Council welcomes Kosovo's and Serbia's readiness to accept the draft statute presented to the parties by the EU Facilitator, on the understanding that further work needs to be done on this basis.
88. The Council requests the EU Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues to update the agenda of the next Kosovo's Special Group on Normalisation, to reflect Kosovo's obligations stemming from the Agreement and its Implementation Annex.
89. The Council reiterates the importance of and its support to the work of the Kosovo Specialist Chambers and the Specialist Prosecutor's Office and underlines its readiness to assist them in the implementation of their mandate.

90. The Council recalls the importance of Kosovo's close cooperation with the EULEX mission, as well as other relevant international actors.
91. On the economic criteria, the Council notes that Kosovo is between an early stage and some level of preparation of developing a functioning market economy.
92. The Council calls on Kosovo to urgently engage actively and constructively in regional cooperation activities and meet its commitments in CEFTA and the Stabilisation and Association Agreement, including by lifting its decision to ban the import of goods from Serbia. The Council welcomes the ratification by Kosovo of three 'Berlin Process agreements' on free movement and mutual recognition of qualifications, reached in 2022.
93. The Council commends Kosovo's strong condemnation of Russia's war of aggression against Ukraine, its clear geo-strategic orientation as well as its voluntary alignment with the EU Common Foreign and Security Policy and continued implementation of the EU restrictive measures, which is a strong expression of Kosovo's strategic choice and place in a community of values.

UKRAINE

94. The Council reiterates its resolute condemnation of Russia's war of aggression against Ukraine. The Council recalls the European Union's unwavering support for Ukraine's independence, sovereignty and territorial integrity within its internationally recognised borders and its inherent right of self-defence against Russian aggression. The EU will continue to support Ukraine and the Ukrainian people against Russia's ongoing war for as long as it takes.
95. The Council commends the substantial progress that Ukraine has made towards meeting the objectives underpinning its candidate status, despite the fact that Ukraine is under attack.
96. The Council takes note of the Commission's report of 8 November 2023 on Ukraine and its recommendations, and looks forward to the forthcoming discussion of the European Council on this matter.

97. The EU stands ready to assist Ukraine further in its reforms and their sustained implementation, including those focused on its EU path, and remains committed to supporting Ukraine's repair, recovery and reconstruction.
98. The Council acknowledges Ukraine's commitment to and welcomes progress achieved in comprehensive and consistent implementation of rule of law and judicial and public administration reforms, and encourages Ukraine to continue decisively on this path, which remain vital for strengthening Ukraine's resilience and for further progress in the enlargement process.
99. The Council welcomes that the legislative and institutional framework on fundamental rights is in place and welcomes alignment of Ukraine's media legislation with the EU audio-visual media services acquis.
100. With regard to the fight against corruption, the Council welcomes progress in ensuring the independent and effective functioning of the anti-corruption institutions. Ukraine should continue to further strengthen its anti-corruption institutions and measures, and further improve its track record on investigations and convictions, including high-level corruption cases. With regard to measures aimed at limiting the excessive influence of oligarchs, the Council acknowledges important systemic solutions undertaken and expects continued progress in this regard. The Council commends the advancement of alignment of Ukraine's anti-money laundering legislation with FATF standards. The Council takes note of the steps taken concerning the rights of persons belonging to national minorities and looks forward to further steps as recommended by the Venice Commission.
101. Due to the ongoing Russian aggression, the conduct of monetary policy and overall economic governance in Ukraine have faced exceptional difficulties. The functioning of the country's market economy and the independence of its regulatory authorities, notably the Central Bank, which has already taken decisive actions, are of particular importance, also in view of reconstruction efforts.

102. The Council commends Ukraine's efforts to enhance energy security and independence of supply. In the context of constant attacks against Ukraine energy infrastructure, the EU stands ready to continue providing support to strengthen the resilience of its energy system.
103. The Council puts emphasis on further deepening of the EU's sectoral cooperation with Ukraine and its integration in the EU internal market, on the basis of enhanced implementation of the EU-Ukraine Association Agreement including the Deep and Comprehensive Free Trade Area.
104. The Council welcomes Ukraine's strategic commitment to its EU path and its high alignment with the EU Common Foreign and Security Policy positions and restrictive measures. It encourages Ukraine to continue this positive trend towards full alignment, including in line with the principles of sovereignty and territorial integrity.

MOLDOVA

105. The Council commends the substantial progress that Moldova has made towards meeting the objectives underpinning its candidate status, in the face of significant challenges arising from Russia's war of aggression against Ukraine and hybrid actions against Moldova itself.
106. The Council takes note of the Commission's report of 8 November 2023 on Moldova and its recommendations, and looks forward to the forthcoming discussion of the European Council on this matter.
107. The EU stands ready to assist Moldova further in its reforms and their sustained implementation, including those focused on its EU path.
108. On the fundamentals, the Council acknowledges Moldova's clear commitment to its reform process and decisive steps taken, and underlines the importance of maintaining sustainable and tangible reform progress, notably in the areas of the rule of law, justice and fundamental rights, including the rights of persons belonging to minorities.

109. The Council encourages Moldova to continue advancing on comprehensive justice reform, including the vetting process, as well as the fight against corruption, with a focus on strengthening relevant institutions and building further a solid track record of investigations and convictions, including high-level corruption cases. The Council welcomes Moldova's systemic approach to de-oligarchisation and encourages to continue the implementation of the action plan.
110. The Council takes note of the preliminary findings by OSCE/ODIHR, which indicate that the local elections on 5 November were peaceful and managed efficiently under challenging circumstances. However, negative impacts on the electoral process were observed, both from foreign interference, and the restrictive measures, imposed due to national security concerns. In view of the upcoming presidential and parliamentary elections, the Council calls on Moldova to ensure that measures to counter malign interference are in line with international standards.
111. The Council commends Moldova's resilience in the face of Russia's unprecedented hybrid actions, and reconfirms the EU's support in this regard, including through the EU Partnership Mission in the Republic of Moldova.
112. The Council commends Moldova's efforts to enhance its energy security and independence of supply. Moldova needs to further increase its generating capacity and enhance measures related to renewable energy and energy efficiency, notably with assistance from the Moldova support package.
113. Acknowledging the progress on economic and financial sector reforms, the Council highlights the importance of pursuing transformative economic reforms, sectoral cooperation and Moldova's integration in the EU internal market, on the basis of enhanced implementation of the EU-Moldova Association Agreement including the Deep and Comprehensive Free Trade Area.

114. The Council welcomes Moldova's sustained efforts to strengthen its public administration and public finance management framework, and calls on Moldova to continue strengthening its administrative and institutional capacity at all levels. The systemic engagement with civil society on reforms should continue, with more timely and transparent consultations in law-making process.
115. The Council reiterates its commitment to support the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognised borders.
116. The Council welcomes Moldova's firm and principled stance in condemning Russia's aggression against Ukraine. The Council welcomes Moldova's strategic commitment to its EU path and the significant increase in its alignment with the EU Common Foreign and Security Policy positions and restrictive measures. It encourages Moldova to continue this positive trend towards full alignment, including in line with the principles of sovereignty and territorial integrity.

GEORGIA

117. The Council takes note of the Commission's report of 8 November 2023 on Georgia and its recommendation, and looks forward to the forthcoming discussion of the European Council on this matter.
118. The Council calls on Georgia to demonstrate a clear commitment to EU values, continue to progress on the reform agenda and fulfil the conditions specified by the Commission inclusively, meaningfully and irreversibly, in order to further advance towards future EU membership.
119. The Council takes good note of the genuine aspirations of the overwhelming majority of Georgian people towards EU membership. The Council welcomes the overall good legislative framework, institutional setup and vibrant civil society, including watchdog organisations, and recalls that these elements provide Georgia with a sound basis to advance democratic and rule of law reforms.

120. With regard to some of the fundamentals for enlargement, the Council acknowledges in particular the overall progress on public administration reform, public procurement and economic reforms. The Council welcomes the overall preparation of Georgia to assume the obligations of membership, encourages a sustained level of alignment with EU acquis and standards, further deepening the sectoral cooperation with EU, on the basis of enhanced implementation of the EU-Georgia Association Agreement including the Deep and Comprehensive Free Trade Area. It also encourages Georgia to continue fulfilling the visa liberalisation benchmarks.
121. The Council calls on all political actors in Georgia to demonstrate constructive cooperation and dialogue, overcome polarisation and refrain from actions that could further deepen the political tensions and hamper the country's democratic institutions and reform agenda. In addition, the Council recalls that Georgia has committed to guarantee that civil society is able to operate freely and participate actively, inclusively and meaningfully in the policymaking process. This would ensure a more effective and sustainable reform progress in fundamental areas, in particular the rule of law and fundamental rights.
122. The Council also underlines the importance of fighting disinformation and foreign information manipulation and interference against the EU and its values and calls on Georgia to take meaningful steps towards this end.
123. The Council reiterates that the proper functioning of democratic institutions, and reforms related to justice and the rule of law, should remain a priority for the country. The Council emphasises that the full independence, accountability and impartiality of all State institutions and in particular judicial, prosecutorial and monetary institutions, need to be further strengthened and ensured, in line with European standards and the recommendations of the Venice Commission. The Council emphasises the importance of developing a strong track record of investigating corruption and organised crime cases and implementing de-oligarchisation actions through a systemic approach.

124. With reference to electoral reform, the Council recalls that a solid framework in line with European and international standards remains vital for strengthening democracy. The Council calls on Georgia to ensure a free, fair and competitive electoral process, notably in 2024 and to fully implement the recommendations made by OSCE/ODIHR and the Council of Europe/Venice Commission from past elections.
125. The Council reiterates that Georgia needs to enable the full respect for fundamental rights, including freedom and pluralism of the media, the right to freedom of opinion, assembly and expression and protection of LGBTI persons from intimidation as well as violence and discrimination.
126. The Council reaffirms the EU's support to Georgia's sovereignty, independence and territorial integrity within its internationally recognised borders and underlines that the EU remains firmly committed to peaceful conflict resolution and its policy of non-recognition and engagement, including through the presence of the EU Monitoring Mission in Georgia.
127. The Council underlines its strong expectation for Georgia to substantially increase its alignment with the EU Common Foreign and Security Policy positions and restrictive measures, including in line with the principles of sovereignty and territorial integrity. It also calls on Georgia to reverse the negative trend as a matter of priority and progress towards full alignment. This would be a clear sign of the strategic choice of the country for EU membership. The Council encourages Georgia to continue the good cooperation with the EU on preventing the circumvention of EU restrictive measures, including those against Russia and Belarus.