BCSDN'S ANALYSIS OF THE 2026 ENLARGEMENT PACKAGE:

Reading Between the Reforms: Civic Space in the Shadow of Enlargement Progress

Enabling Environment for Civil Society & Enlargement Package 2026

BACKGROUND ANALYSIS

by the **Balkan Civil Society Development Network**

November 2026

For the 17th consecutive year, BCSDN examines the European Commission's assessment of the enabling environment for civil society in the Western Balkans and Türkiye (WBT), comparing its findings with evidence from BCSDN's Monitoring Matrix. Developed by BCSDN members, the Monitoring Matrix assesses the legal, institutional and practical conditions for civil society, highlighting gaps between formal reforms and their implementation in practice.

Since 2013, the Monitoring Matrix has provided the basis for BCSDN's annual regional monitoring, offering an independent assessment of the enabling environment for civil society and identifying issues that receive limited attention in the Commission's reports. Recognised by the European Commission, the Monitoring Matrix also informed the Guidelines for EU Support to Civil Society in Enlargement Countries 2014–2020.

Balkan Civil Society Development Network

monitoring matrix

Different Paths Towards EU Membership

The 2026 Enlargement Package reaffirms enlargement as an EU **strategic priority**, placing greater emphasis on concrete reform delivery, advancing accession negotiations and preparing candidate countries for future membership. At the same time, Western Balkans and Türkiye are moving at different speeds, with some advancing towards EU membership while others remain stalled. The Commission's introduction of indicative **one-year accession roadmaps** for Albania and Montenegro, alongside plans to launch gradual-integration dialogues with enlargement partners, further reflects a shift towards a **more operational approach to enlargement**. However, advances in the enlargement process do not necessarily translate into stronger democratic institutions, accountability or respect for fundamental rights.

According to the Commission's 2026 assessments, Albania and Montenegro made **significant progress** in accession negotiations, with Albania provisionally closing four chapters and Montenegro 21 of 33, bringing it closer to completing negotiations. Despite these advances, challenges remain in the areas of rule of law and fundamental rights. North Macedonia, meanwhile, has advanced in preparing the benchmarks for opening the first negotiating cluster, although the lack of progress on the required constitutional amendments continues to prevent negotiations from moving forward. Accession progress in Serbia has been constrained by the deterioration of democratic institutions and the rule of law, while institutional dysfunction in Bosnia and Herzegovina and political instability in Kosovo continue to impede their respective EU paths. Türkiye's accession negotiations remain at a standstill.

Advances in the enlargement process do not necessarily translate into stronger democratic institutions, accountability or respect for fundamental rights.

REFORM DELIVERY & DEMOCRATIC GOVERNANCE

The change of government in Serbia marks a turning point in the country's democratic development and EU accession process. The EU has an important role as a partner to the incoming government, supporting the transition and the restoration of democratic institutions and the rule of law after years of severe deterioration. Equally important is rebuilding trust and constructive government–civil society relations, ensuring the active involvement of independent CSOs following years of exclusion from national policymaking and accession-related processes.

Implementation of the Reform and Growth Facility offers a different perspective on progress, revealing that performance against reform milestones does not necessarily correspond to advancement in accession negotiations. Albania and Montenegro have made progress in implementing their Reform Agendas, while North Macedonia stands out for its comparatively strong implementation despite the continued standstill in accession negotiations. Serbia's implementation of its Reform Agenda remains limited amid broader rule-of-law concerns, Kosovo's implementation of the Growth Plan faced delays amid domestic institutional deadlock and EU restrictions on financial assistance, and Bosnia and Herzegovina risks losing part of its allocation due to delays in establishing the necessary implementation arrangements.

Yet, the growing emphasis on reform delivery has not been matched by equal attention to the **quality and inclusiveness of the reform processes**, including meaningful civil society participation, and independent monitoring of progress and impact. The Commission's reports provide little insight into CSO involvement in the Growth Plan and national Reform Agendas, while civil society findings highlight persistent weaknesses in consultation, transparency and government–CSO cooperation. This raises a broader question of whether reform milestones and financial disbursements alone can adequately reflect progress in democratic governance.

Civil Society Overview

Between Formal Assessment and Practice

Civil society continues to be assessed under the **political criteria** of the European Commission's Enlargement Package, with the 2026 reports presenting a mixed regional picture. Albania is described as partly enabling, despite negative narratives and hostility towards organisations working on gender equality and LGBTIQ+ rights. Bosnia and Herzegovina faces a constrained environment, while Kosovo's generally enabling legal framework is increasingly affected by political tensions. Montenegro and North Macedonia are assessed as having an overall enabling environment, although Montenegro continues to face inconsistent consultations and attacks on human rights defenders, while North Macedonia struggles with inadequate public funding, limited civil society participation and hostility towards organisations working on gender equality and LGBTIQ+ rights. In contrast, Serbia and Türkiye face restrictive conditions, with independent organisations subject to varying forms of political, legal, judicial and institutional pressure. While the reports provide greater recognition of civic space challenges, they fall short of systematically assessing how **legal safeguards translate into actual conditions for civil society**, a concern BCSDN also raised in its analysis of the 2026 EC Rule of Law Report for accession countries.

The experience of Albania and Montenegro raises questions about how civil society participation is reflected in the Commission's assessment of accession progress. Both countries have advanced in negotiations, yet shortcomings in consultation and civil society involvement persist. Although the Commission acknowledges these weaknesses, their implications for the quality and accountability of reforms receive comparatively little attention. Civil society participation remains largely a separate area of assessment, rather than a factor in evaluating how reforms are developed, implemented and monitored.

Across the region, the Commission identifies **recurring problems** with institutional cooperation, public funding, regulatory frameworks and respect for fundamental freedoms. Yet these issues are often addressed individually, with limited consideration of how they interact and affect civil society's ability to operate independently and influence decision-making. Administrative restrictions, financial uncertainty and political pressure can reinforce one another, even where formal legal protections remain in place. A more comprehensive assessment of these conditions would provide a clearer picture of the pressures facing civil society in Enlargement countries and their implications for democratic governance.

The EU Civil Society Strategy provides an additional opportunity to strengthen coherence between the Union's commitments to protecting and supporting civil society and their application throughout the enlargement process. Its implementation should reinforce consistent civic space standards, structured participation and sustainable support for independent civil society in enlargement countries.

BCSDN's Monitoring Matrix complements the Commission's assessments by providing an independent, civil society-led assessment of how legal and institutional frameworks function in practice. Its value lies not only in identifying gaps in official reporting, but also in documenting cumulative pressures, challenging overly formal assessments of progress and providing evidence that can inform EU reform priorities and institutional responses.

The following analysis compares the Commission's findings with the 2025 Monitoring Matrix evidence, highlighting areas of convergence, gaps in reporting and issues requiring closer attention in the enlargement process.

Rights on Paper, Pressure in Practice

Across the Western Balkans and Türkiye, the Commission's 2026 assessments reveal persistent challenges to freedom of association, assembly and expression, ranging from administrative and regulatory obstacles to intimidation, judicial pressure and restrictions on civic mobilisation. While many of these concerns are recognised in the country reports, BCSDN's Monitoring Matrix (MM) provides further evidence of their practical impact, identifies gaps in protection and highlights developments that receive limited attention in the Commission's assessments.

FREEDOM OF ASSOCIATION highlights differences in the scope and depth of the Commission's assessment. In Albania, the 2026 Enlargement Report omits the issue of NPO registration, although the **Commission's Rule of Law Report 2026** identifies unresolved concerns regarding the registration framework, administrative sanctions and the non-operational electronic register. BCSDN's Monitoring Matrix further shows that December 2025 amendments retained the risk of overlapping sanctions and double penalties, while civil society concerns raised during consultations were not reflected in the final text. Additionally, while the Commission acknowledges the approval of the law on lobbying as progress towards anti-corruption efforts, the broad definition of "lobbying" in the law could subject public-interest advocacy to requirements intended for professional lobbying, imposing disproportionate registration and reporting obligations, particularly on smaller CSOs.

In Bosnia and Herzegovina, both the Commission and BCSDN's Monitoring Matrix acknowledge the Constitutional Court's annulment of Republika Srpska's **foreign agents' law**, while noting that pressure on civil society persists. The Commission reports continued **self-censorship, inspections and fears of retaliation**, while the Monitoring Matrix documents further cases of **politically motivated inspections** targeting independent media and CSOs. Administrative obstacles also remain a concern. The Commission highlights additional re-registration requirements for CSOs in West Herzegovina Canton, despite a one-year extension of the deadline, while the Monitoring Matrix documents longstanding problems with the Joint State Registry, including a registration process lasting over ten months that led to lost project opportunities. **Together, these findings show how administrative requirements and inspections can continue to restrict civil society even when restrictive legislation is overturned by the courts.**

In North Macedonia, both assessments recognise progress in preparing amendments to the Law on Associations and Foundations through consultation. However, the law remains unadopted, despite the commitment to complete the process in the first half of 2026. In Montenegro, the draft NGO Law published in July 2025 raised concerns over expanded ministerial oversight and potential interference in the work of CSOs.

AREA 1

Basic Guarantees to Freedoms of Association, Assembly & Expression

SUB-AREA 1.1 FREEDOM OF ASSOCIATION

PRINCIPLE

Freedom of association is guaranteed and exercised freely by everybody

STANDARDS

- All individuals and legal entities can freely establish, join and participate in informal and/or registered organizations.
- CSOs operate freely without unwarranted state interference in their internal governance and activities.
- CSOs can freely seek and secure financial resources from various domestic and foreign sources to support their activities.

SUB-AREA 1.2 RELATED RIGHTS

PRINCIPLE

Freedoms of assembly and expression are guaranteed to everybody

STANDARDS

- CSO representatives, individually or through their organization, enjoy freedom of peaceful assembly.
- CSO representatives, individually or through their organization, enjoy freedom of expression.
- Civil society representatives, individually and through their organizations, have the rights to safely receive and impart information through any media.

The Monitoring Matrix also identifies shortcomings in the consultation process, including missing explanatory documentation and consultations held during the summer holiday period, limiting opportunities for meaningful participation.

In Türkiye, the Commission highlights discriminatory practices in granting **public-benefit status, intrusive audits and increased scrutiny of foreign-funded organisations**. BCSDN's regional monitoring documents further administrative burdens, including extensive reporting requirements and the absence of online registration for associations. **The Monitoring Matrix also highlights a May 2025 Council of State decision** annulling risk-based audit rules for associations on grounds of legal certainty and foreseeability, although the possibility of conducting such audits remains.

A related gap concerns the treatment of **ANTI-MONEY LAUNDERING AND COUNTER-TERRORIST FINANCING (AML/CFT)** requirements. The Commission generally assesses alignment with FATF standards and the EU acquis without consistently examining their implications for civil society. Türkiye is an exception, as the Commission explicitly identifies shortcomings in proportionate, risk-based monitoring of nonprofits. BCSDN's Monitoring Matrix examines whether compliance requirements reflect demonstrated risks and how they affect CSOs' access to financial services and everyday operations. In Albania, draft provisions refer to non-profit organisations "considered as high-risk", without clear criteria or responsibilities. North Macedonia's MM report warns against disproportionate risk classifications and due-diligence requirements, resulting from the same risk assessment logic. In Bosnia and Herzegovina, CSOs remain formally outside the category of obliged entities, a distinction absent from the Commission's assessment. In Kosovo, the December 2024 amendments removed NGOs from the list of reporting entities while retaining other NGO-specific obligations, but the Constitutional Court annulled those amendments in January 2026 on procedural grounds, while difficulties with bank accounts and e-commerce services persist, despite a sectoral assessment indicating low risk, which has yet to be formally adopted by the government. Montenegro's 2025 framework introduced evidence-based annual assessments finding low NPO risk, yet the separate draft NGO Law raised concerns that FATF Recommendation 8 could be used to justify excessive restrictions.

Beyond regulatory barriers, the reports document continued **INTIMIDATION AND PUBLIC HOSTILITY** towards independent organisations. In Albania, the Commission explicitly identifies cases of hate speech targeting gender equality and LGBTIQ+ defenders, as well as hate-crime cases reported to the police. Our analysis adds evidence of **coordinated online campaigns and hostility** towards NGOs following the withdrawal of USAID funding, alongside **harassment and threats against women human rights defenders**. In Kosovo, the Commission acknowledges political targeting and restrictive environment for civic actors in Serb-populated areas, while the MM documents the delegitimization of civic actors engaging with politically and socially contested issues, including the smear campaign against NGO Aktiv and hostility towards women's rights and LGBTIQ+ activists.

Montenegro and North Macedonia also record **intimidation and discrediting campaigns**, including attacks by high-level officials in Montenegro. **These examples point to the broader consequences of public delegitimisation, particularly when threats and attacks are not followed by effective institutional protection.**

Serbia and Türkiye present particularly serious combinations of **political hostility and institutional pressure.** In Serbia, the EC acknowledges police searches of four CSO offices in February 2025, while BCSDN's monitoring identifies five. The Commission also notes that the searches had resulted in no indictments, and requests for confidential banking information concerning CSO employees. The MM situates these developments within sustained campaigns against independent organisations, alongside intimidation, surveillance, and violence affecting activists during student-led protests. In Türkiye, the report documents investigations, prosecutions and administrative measures targeting critical organisations, particularly those working on human rights and LGBTIQ+ issues. Its account of the September 2026 operations against LGBTIQ+ organisations, including proceedings involving nine associations and scrutiny of foreign funding, illustrates the severity of these pressures. BCSDN's regional report documents the earlier pattern of repeated audits, public targeting and judicial harassment, indicating that the 2026 developments followed longstanding restrictions rather than representing isolated incidents.

FREEDOM OF ASSEMBLY provides another important test of institutional respect for fundamental rights. Notably, the Commission's 2026 reports recognise civic mobilisation not only as an expression of fundamental rights but also as an important development in the political trajectories of Albania and Serbia.

In Albania, the Commission recognises the **unprecedented scale of civic mobilisation** in 2026, which began with environmental protests and evolved into broader demands for transparency, accountability and good governance. It also documents violent incidents during subsequent student-led protests, including allegations of excessive police force against protesters and journalists, alongside the absence of dialogue between authorities and protesters. However, its assessment gives less attention to the broader legal and administrative conditions affecting peaceful assembly. On 28 October 2026, the Council of Ministers adopted amendments to the Law on Assemblies, a compensation act and a decision establishing a register of persons referred to or under investigation for violent offences at gatherings, invoking the exceptional procedure under the Constitution. CSOs raised concerns that the measures could disproportionately restrict peaceful assembly, and warned of a potential chilling effect on the exercise of the right to peaceful assembly and called for parliamentary scrutiny and sanctions based on proven individual conduct.

In Serbia, the Commission links the continued mass student and citizen protests following the November 2024 Novi Sad railway station tragedy to demands for accountability, transparency and action against corruption. It also recognises the political impact of the movement, including the Student List's parliamentary victory in October 2026. The Monitoring Matrix documents the **scale of repression accompanying the largest demonstrations in the region in two decades**, including excessive police force, arbitrary arrests, attacks by government supporters and reprisals against participants. It also identifies proposed Criminal Code amendments that would have criminalised peaceful road blockades, one of the principal forms of student-led mobilisation. Serbia's election results highlight the political impact of civic mobilisation, but concerns over violations during the protests and accountability for those responsible remain.

In the other countries, the Commission generally focuses on legal guarantees and the conduct of demonstrations, while the Monitoring Matrix identifies additional risks. In Montenegro, despite the Commission's positive assessment, the MM documents a subsequently withdrawn proposal to prohibit road blockades in response to civic protests. In Kosovo and North Macedonia, both assessments describe a largely enabling environment and confirm that assemblies generally proceeded peacefully, notwithstanding isolated restrictions, including following the Kočani tragedy and environmental demonstrations, although, in North Macedonia, the MM report also identifies attempts to discredit independent civic initiatives. In Bosnia and Herzegovina, the Commission acknowledges uneven legal protection, noting that four cantons and Republika Srpska have yet to align their legislation with European standards. The MM documents restrictions on politically sensitive protests and reports of excessive police force, alongside legislative improvements in three cantons and a court decision in Prijedor recognising the protection of spontaneous peaceful protest.

Türkiye remains particularly restrictive. The Commission identifies a persistent pattern of **selective enforcement**, with restrictions imposed on Pride marches and demonstrations critical of the government while pro-government gatherings generally proceed without interference. BCSDN Monitoring Matrix illustrates the scale of restrictions during 2025, including **126 days of assembly bans across 13 provinces**, police interventions in at least 268 demonstrations and more than 8,400 detentions. The continued detention of Osman Kavala despite European Court of Human Rights judgments further illustrates the persistence of judicial pressure linked to civic mobilization.

> **“**
>
> **Serbia's election results highlight the political impact of civic mobilisation, but concerns over violations during the protests and accountability for those responsible remain.**

FREEDOM OF EXPRESSION receives substantial attention in the Enlargement Reports, particularly through media freedom and journalists' safety. Across the region, the Commission documents attacks against journalists, intimidation, smear campaigns, online harassment and shortcomings in investigations and accountability. BCSDN's MM documents similar pressures on CSOs and activists, extending the analysis beyond the media sector.

Strategic lawsuits against public participation (SLAPPs) remain a concern across the Western Balkans and Türkiye, with the Commission noting cases in several countries, while dedicated legislation and effective procedural safeguards against abusive litigation remain absent. BCSDN's Monitoring Matrix goes further by examining how SLAPPs affect civic activism and public-interest advocacy, including the chilling effect of legal threats even when no penalties are imposed.

In Albania, the Commission identifies inadequate safeguards, while the Monitoring Matrix documents defamation proceedings against three environmental activists from Mirdita, withdrawn in January 2026, and the exclusion of CSOs and activists from protections introduced through amendments to defamation provisions in Criminal Code.

Similar concerns emerge in Bosnia and Herzegovina, where the Commission recognises SLAPPs as a threat to human rights defenders and activists, while the Monitoring Matrix records **more than 50 claims reportedly filed against investigative media outlet Žurnal** in 2025 and the failure to adopt proposed anti-SLAPP safeguards in the Federation.

The absence of effective protection is also evident in Kosovo, where the Commission reports no SLAPP cases during its reporting period, but the Monitoring Matrix identifies a lack of specific procedural safeguards. In Serbia, both assessments recognise the growing use of SLAPPs against critical voices, while the Monitoring Matrix documents additional cases of legal pressure affecting journalists and activists in Montenegro and North Macedonia. Türkiye presents a related concern, with the Commission highlighting continued judicial pressure on critical voices and limited progress towards alignment with the EU Anti-SLAPP framework.

DIGITAL CIVIC SPACE reveals further differences in the scope of reporting. The Commission recognises online harassment and privacy concerns in Albania, intimidation and dissemination of journalist personal data in Kosovo, and growing online hate speech and gender-based attacks in North Macedonia. BCSDN Monitoring Matrix complements these findings by documenting threats to CSOs' digital security and ability to participate freely in public debate, including concerns about oversight of Albania's Smart City surveillance initiative and online harassment, smear campaigns and compromised communications affecting civil society in North Macedonia. In Bosnia and Herzegovina, the MM identifies a positive development receiving limited attention in the Commission's reporting: amendments to the Federation's Criminal Code, effective from August 2025, introducing protections against digital violence and stalking.

In Serbia, both assessments recognise **digital surveillance as a serious concern.** The Commission explicitly acknowledges spyware attacks targeting human rights defenders, student activists and opposition figures, with limited judicial follow-up, while our analysis provides further evidence of surveillance practices, including the alleged use of NoviSpy and attempted Pegasus attacks. In Türkiye, the MM documents restrictions on social media and messaging platforms during the March 2025 protests, reinforcing the Commission's concerns about restrictions on online expression and the application of cybersecurity and disinformation legislation. Montenegro's report, meanwhile, places increasing emphasis on foreign information manipulation and interference, including cooperation with the EU to strengthen institutional resilience, while the MM highlights online harassment and interference with CSOs' digital communications.

> **Together, these findings show how administrative requirements and inspections can continue to restrict civil society even when restrictive legislation is overturned by the courts.**

AREA 2

Framework for CSO Financial Viability and Sustainability

SUB-AREA 2.1
TAX/FISCAL TREATMENT FOR CSOS AND THEIR DONORS

PRINCIPLE

CSOs and donors enjoy favorable tax treatment

STANDARDS

- Tax benefits are available on various income sources of CSOs.
- Incentives are provided for individual and corporate giving.

SUB-AREA 2.2
STATE SUPPORT

PRINCIPLE

State support to CSOs is provided in a transparent way and spent in an accountable manner

STANDARDS

- Public funding is available for institutional development of CSOs, project support and co-financing.
- Public funding is distributed in a prescribed and transparent manner.
- There is a clear system of accountability, monitoring and evaluation of public funding.
- Non-financial support is available from the state.

SUB-AREA 2.3
HUMAN RESOURCES

PRINCIPLE

State policies and the legal environment stimulate and facilitate employment, volunteering, and civic engagement

STANDARDS

- CSOs are treated in an equal manner to other employers.
- There are enabling volunteering policies and laws.
- The educational system promotes civic engagement.

What the Reform Scorecards Miss

Financial sustainability remains a persistent concern across the Western Balkans and Türkiye. While the Commission repeatedly identifies inadequate public funding, limited transparency and weak organisational sustainability, its assessments give less attention to how different financial and operational conditions affect CSOs in practice. The Monitoring Matrix provides a more comprehensive picture, examining the accessibility and predictability of funding, tax treatment, employment conditions and volunteering, all revealing pressures on organisational sustainability that are not always apparent from assessments of individual reforms or funding mechanisms.

PUBLIC FUNDING illustrates this distinction. In Albania and Kosovo, both the Commission and the Monitoring Matrix identify challenges with financial sustainability and the predictability of public support – a situation present across the region. While the Commission calls for improvements in funding mechanisms, the MM shows that funding remains predominantly project-based, with limited opportunities for institutional support. In Albania, much like in most of the countries, the absence of dedicated core funding and limited co-financing opportunities further constrain CSOs, while Kosovo has increased public allocations despite persistent shortcomings in implementation.

Transparency and fairness in funding allocation remain particular concerns in Bosnia and Herzegovina and Serbia. The Commission highlights the need for greater transparency, while the MM documents uneven allocation practices, insufficient safeguards against politically connected funding and fragmented institutional responsibilities in Bosnia and Herzegovina. In Serbia, opaque procedures and obstacles faced by independent CSOs raise concerns about public resources favouring government-aligned organisations (GONGOs).

Similar weaknesses in funding procedures and implementation are evident in Montenegro and North Macedonia. While the EC highlights shortcomings in strategic planning, monitoring and evaluation in Montenegro, the MM identifies inconsistencies in selection and implementation practices. In North Macedonia, limited state support and declining public allocations are compounded by uneven distribution and persistent weaknesses in transparency, selection procedures and monitoring.

Beyond organisational sustainability, these weaknesses also raise **concerns about civil society independence**. Shifting international donor priorities, declining institutional funding and limited access to domestic public resources leave CSOs, particularly independent watchdog organisations, increasingly vulnerable. Financial uncertainty can also become a source of self-censorship, particularly where access to funding depends on political discretion, limiting civil society's ability to scrutinise authorities and sustain independent advocacy.

TAX POLICY receives considerably less attention in the Commission's assessments, particularly regarding the accessibility of tax benefits and incentives for private giving. The Monitoring Matrix identifies persistent barriers in Albania, Serbia and North Macedonia. In Albania, although the VAT exemption for donor-funded projects is now operational, NGOs continue to face implementation difficulties, particularly due to limited awareness and reluctance among private service providers to apply the exemption.

Individual donations are not tax-deductible in Albania or Serbia, while tax incentives for corporate donations remain limited in Albania and subject to unclear eligibility criteria in Serbia. In North Macedonia, administrative burdens limit the use of existing incentives. In Kosovo, the EC calls for tax-deductible donations, while the MM identifies an existing sponsorship framework for sport, culture and youth whose wider benefits are difficult to assess. In Türkiye, tax advantages largely depend on public-benefit status, held by **fewer than 1% of associations and foundations**. Administrative obstacles also limit tax benefits in Bosnia and Herzegovina (complex donation-deduction procedures and taxation of project participants' expenses in the Federation) and Montenegro (uncertainty over the treatment of institutional grants continues to burden CSOs).

> "
>
> **Financial uncertainty can also become a source of self-censorship, particularly where access to funding depends on political discretion.**

The Commission's treatment of human resources, particularly **EMPLOYMENT IN CSOS**, remains limited. The MM shows uneven access to employment incentives and recognition in public employment policies, despite CSOs generally being subject to the same labour rules as other employers. International funding disruptions in 2025, including the withdrawal of USAID and the resulting **loss of over USD 120 million in funding**, significantly affected CSOs across the Western Balkans, leading to staff reductions, loss of institutional knowledge and expertise, and weakened organisational capacities, with similar pressures observed in Türkiye. Access to employment support for CSOs remained limited in North Macedonia and Bosnia and Herzegovina, while some support mechanisms were available in Albania and Montenegro, pointing to differences in the availability of such measures across the region. Limited comparable employment data further obscures the sector's contribution and vulnerabilities.

VOLUNTEERING receives somewhat greater recognition in the Commission's reporting, particularly regarding legislative developments in Albania and the absence of a state-level framework in Bosnia and Herzegovina. The MM provides a more comprehensive regional picture, highlighting Albania's adoption of a new Law on Volunteering in December 2025, while also documenting concerns over registration requirements, sanctions and the distinction between volunteering and employment. Positive developments were also recorded in Montenegro, with its first volunteering strategy and dedicated funding support, and in Republika Srpska, with the adoption of a new volunteering strategy, although administrative burdens and fragmented implementation persist. In North Macedonia and Serbia, long-awaited legislative reforms remained stalled, while Kosovo's updated framework strengthened protections for youth volunteers but continued to exclude those aged 30 and above.

The Gap Between Institutional Recognition and Influence

The Commission recognises persistent **shortcomings in civil society strategies and cooperation mechanisms**, although developments differ considerably across the region. Albania remains without a successor to its 2019–2023 strategic framework. In Kosovo, the draft Strategy for Cooperation with Civil Society 2026–2031 is still awaiting adoption. Bosnia and Herzegovina adopted its first state-level strategy in 2025, but implementation and institutional coordination remain challenging. Montenegro and North Macedonia restored cooperation councils that had been inactive for several years, while Serbia's National Convention on the EU suspended engagement with political decision-makers in February 2025, despite the continuation of some technical-level dialogue. BCSDN Monitoring Matrix provides a more detailed assessment of whether these institutional arrangements translate into effective cooperation, analysing their functioning, representativeness, resources and ability to influence government decisions.

COOPERATION MECHANISMS remain uneven in their effectiveness. In Albania, the Monitoring Matrix identifies limited influence of the National Council for Civil Society and shortcomings in transparency and follow-up within the European Integration Partnership Platform. In Bosnia and Herzegovina, fragmented responsibilities and incomplete advisory arrangements hinder implementation of the new state-level strategy, while in Kosovo, the Council for Cooperation remained non-functional following the expiry of its members' mandates. These findings show that formal structures alone do not guarantee functioning cooperation. In Montenegro and North Macedonia, reactivated cooperation councils represent progress, but the MM questions their representativeness, institutional follow-up and influence on decisions. Serbia's suspension of political-level dialogue through the National Convention on the EU reflects deteriorating government–CSO relations, while Türkiye still lacks formal consultation mechanisms for independent CSOs.

The gap between formal procedures and meaningful participation is particularly evident in **PUBLIC CONSULTATIONS**. While the Commission generally acknowledges shortcomings in consultation practices, the Monitoring Matrix provides a more detailed account of how these affect civil society participation. In Albania and Kosovo, established consultation procedures have not ensured timely involvement or meaningful consideration of CSO contributions. Although the Commission reports relatively widespread use of public consultations in Albania, the MM identifies persistent problems with late involvement, insufficient supporting documentation and inadequate feedback, the failure to reflect stakeholders' input in final decisions, and technical problems with the public consultation platform.

AREA 3

STATE–CSO RELATIONS

SUB-AREA 3.1
FRAMEWORK AND PRACTICES FOR COOPERATION

PRINCIPLE

There is a strategic approach to furthering state–CSO cooperation and CSO development

STANDARDS

- The State recognizes, through policies and strategies, the importance of the development of and cooperation with the sector.
- The State recognizes, through the operation of its institutions, the importance of the development of and cooperation with the sector.

SUB-AREA 3.2
INVOLVEMENT IN POLICY- AND DECISION-MAKING

PRINCIPLE

CSOs are effectively included in the policy and decision-making process

STANDARDS

- There are standards enabling CSO involvement in decision-making, which allow for CSO input in a timely manner.
- All draft policies and laws are easily accessible to the public in a timely manner.
- CSO representatives are equal partners in discussions in cross-sector bodies and are selected through clearly defined criteria and processes.

SUB-AREA 3.3
COLLABORATION IN SERVICE PROVISION

PRINCIPLE

The environment is supportive for CSO involvement in service provision

STANDARDS

- CSOs provide different services and compete for state contracts on an equal basis to other providers, through clear and transparent procedures.
- The state is providing predictable and long-term funding for services provided by CSOs, and effectively monitors both the spending and the quality of service provision.

In Kosovo, similar weaknesses include inconsistent early participation, limited transparency in access to working groups and inadequate feedback on consultation contributions and prolonged outages of the consultation platform.

Implementation problems are also evident in North Macedonia, Bosnia and Herzegovina and Montenegro, although they take different forms. In North Macedonia, the MM documents widespread non-compliance with mandatory consultation procedures and limited institutional responses to submitted comments. In Bosnia and Herzegovina, fragmented arrangements across administrative levels undermine consistent consultation practices, while in Montenegro, limited early involvement and insufficient consideration of CSO contributions continue to affect participation. In Serbia and Türkiye, the concerns extend to the accessibility of consultation processes themselves. In Serbia, regulatory changes have increased discretion to bypass public hearings, while independent CSOs have been excluded from important legislative processes. In Türkiye, consultations remain largely dependent on institutional discretion, offering limited opportunities for independent civil society to influence policymaking.

The same concerns extend to **EU ACCESSION-RELATED POLICYMAKING**. In Albania, formal partnership structures do not necessarily ensure transparent representation or meaningful influence over reforms. In Bosnia and Herzegovina, the limited public availability of the Reform Agenda restricted opportunities for early civil society scrutiny, while in Serbia, continued technical engagement in accession mechanisms contrasts with the deterioration of broader government–CSO relations. The MM thus reinforces the need to assess not only whether participation mechanisms exist, but whether they allow independent civil society to influence the reforms they are intended to support.

ACCESS TO PUBLIC INFORMATION remains problematic across the region. While the Commission identifies implementation shortcomings, the MM shows their practical consequences for CSOs. Delays, refusals and incomplete responses persist in Albania, Kosovo and North Macedonia; in the latter, institutions may meet formal deadlines without providing the requested information. Institutional non-response and delayed access are also documented in Bosnia and Herzegovina and Montenegro. Serbia faces a substantial backlog of appeals, while in Türkiye, national-security restrictions and discrepancies between official statistics and CSO experiences raise further concerns.

COOPERATION IN SERVICE PROVISION remains largely outside the Commission's civil society assessments, despite its importance for the sustainability of organisations delivering essential public services. BCSDN Monitoring Matrix shows that while CSOs are generally legally permitted to provide social, educational, healthcare and other services, their practical access to public contracts and predictable financing remains limited. Albania made progress by explicitly recognising licensed NPOs as partners in alternative family care, although implementation depends on further regulations. In North Macedonia, licensed CSOs continue to provide social services, but fragmented funding and the absence of multi-year commitments limit continuity. Similar difficulties arise in Kosovo and Bosnia and Herzegovina, where service provision remains dependent on short-term funding arrangements despite the ongoing nature of the services delivered. In Montenegro, licensing requirements and the distinction between public procurement and CSO project funding create additional barriers, while Serbia's formally available multi-year contracts are generally implemented through annual arrangements. Türkiye lacks a general framework supporting CSO participation.

> "
>
> **Formal structures alone do not guarantee functioning cooperation.**

Conclusions and Recommendations

> In 2025, BCSDN highlighted the disconnect between procedural accession progress and civic space protection. In 2026, the Commission's reporting shows greater recognition of these pressures, but the challenge of translating this recognition into reform expectations, accountability and institutional response remains.

The 2026 Enlargement Package reflects growing recognition of the pressures facing civil society across the Western Balkans and Türkiye. Compared with previous assessments, the Commission is more explicit about the chilling effects of restrictive legislation, intimidation, SLAPPs and digital surveillance. Its reporting also pays greater attention to civic mobilisation and, in several countries, to the limited effectiveness of institutional safeguards. **Yet stronger recognition of these concerns has not been matched by an equally systematic approach to assessing their implications for enlargement progress.**

The comparison with BCSDN's Monitoring Matrix shows that the challenge is no longer simply the omission of individual incidents, but the limited attention given to **how different restrictions interact and progressively undermine the conditions for independent civil society**. The annulment of Republika Srpska's foreign agents law did not eliminate its chilling effects, while regulatory developments in Albania and Montenegro demonstrate how measures introduced to strengthen transparency, oversight or compliance with international standards may also impose disproportionate burdens on CSOs. In Serbia and Türkiye, administrative scrutiny, public stigmatisation and judicial pressure reinforce more direct restrictions on fundamental freedoms. Assessing these developments separately risks overlooking their cumulative effects on civic space.

These findings also expose a broader **disconnect between progress in accession reforms and the democratic conditions under which they are implemented**. Albania and Montenegro have advanced in negotiations, yet weaknesses in civil society participation and institutional accountability persist. Elsewhere, formal cooperation mechanisms and consultation procedures frequently fail to ensure meaningful influence over policymaking. While the Commission increasingly recognises such shortcomings, they remain insufficiently reflected in assessments of reform quality and implementation, particularly under the Growth Plan, Reform Agendas and other accession-related processes. The credibility of enlargement depends not only on whether reforms advance, but also on whether they are developed and implemented with independent scrutiny and meaningful public participation.

The Commission's reporting therefore shows greater convergence with concerns documented through BCSDN's monitoring, particularly regarding administrative pressures, SLAPPs, surveillance and the chilling effects of restrictive measures. However, several structural issues remain insufficiently addressed: consistent civic space benchmarks, stronger links between monitoring findings and accession priorities, evidence of civil society influence over reforms, and preventive responses to emerging restrictions. **The next challenge is to ensure that recognised civic space concerns lead to clearer reform expectations, sustained political attention and timely institutional follow-up.**

The challenge is also one of timing. Annual monitoring and reporting provide essential evidence of civic space developments, but emerging restrictions often require attention before the next reporting cycle. **Stronger links between independent monitoring, early warning and existing EU response mechanisms** could help ensure that identified risks lead to preventive engagement rather than retrospective recognition.

RECOMMENDATIONS

01

Integrate civic space conditions into enlargement monitoring, reform priorities and EU funding

The Commission should systematically assess the practical exercise of fundamental freedoms, the proportionality of regulatory requirements and the conditions for civil society sustainability, drawing on the EU Guidelines for Support to Civil Society and independent evidence, including BCSDN's Monitoring Matrix. These findings should inform country recommendations, Reform Agendas, the Growth Plan and relevant EU funding instruments, rather than remain separate from assessments of reform progress. Persistent restrictions should trigger political and reform follow-up, while EU support should safeguard the independence and institutional resilience of civil society. This should include clearer civic space benchmarks under the fundamentals cluster, with identified restrictions reflected in accession assessments, political dialogue and, where relevant, existing conditionality mechanisms.

02

Connect independent civic space monitoring to timely institutional response and accountability

The Commission should establish clearer channels for verified civic space evidence and early warnings to inform EU Delegations, relevant Commission services and protection mechanisms. Emerging and recurring restrictions, including intimidation, administrative pressure, restrictive legislation and attacks on civic actors, should prompt timely political engagement, preventive action and institutional follow-up. Monitoring should assess not only whether risks are recognised, but whether effective responses follow.

03

Make meaningful civil society participation a measure of reform quality

The Commission should assess not only whether consultation mechanisms exist, but whether civil society can influence decisions. This requires examining early involvement, access to information, transparent and representative participation, substantive feedback and demonstrable consideration of CSO contributions. These standards should apply consistently to national policymaking, accession negotiations, Reform Agendas and Growth Plan implementation, ensuring that reform delivery is assessed alongside the inclusiveness and accountability of the processes behind it.

04

Treat civil society sustainability as part of democratic resilience

The Commission and enlargement governments should give greater attention to the structural conditions that enable CSOs to operate independently and sustain their work. These include predictable and transparent public funding, access to domestic and foreign resources, proportionate AML/CFT implementation, fair tax treatment and the ability to retain professional staff and mobilise volunteers. EU support should strengthen institutional resilience and independent advocacy alongside project delivery, particularly as shifting international donor priorities and limited domestic funding threaten the sustainability of independent watchdog organisations and increase the risk of self-censorship.

Enlargement governments, for their part, should remove disproportionate restrictions on association and funding, protect peaceful assembly and public-interest expression, establish effective safeguards against SLAPPs and unlawful surveillance, and ensure transparent and inclusive policymaking. Cooperation strategies and councils must function effectively, while regulatory and funding systems should support rather than compromise organisational independence. **The central challenge for the next enlargement cycle is not a lack of evidence, but how that evidence informs decisions.** The Commission's 2026 assessments provide a stronger basis for recognising civic space pressures, while BCSDN's Monitoring Matrix offers complementary evidence of where safeguards fail, where positive developments deserve recognition and where preventive action is needed. A credible enlargement process must demonstrate not only progress in reforms, but also that civil society remains free, sufficiently resourced and able to influence and scrutinise the decisions shaping democratic transformation.

Balkan Civil Society Development Network

Balkan Civil Society Development Network
Str. Mitropolit Teodosij Gologanov no. 59A-1/15, 1000 Skopje, North Macedonia
+389 (0)2 614 42 | ExecutiveOffice@balkancsd.net | www.balkancsd.net

monitoring matrix