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The effects of EU enlargement policies on democratic outcomes in the Western Balkan region,  
2015-2024

Bachelor's Thesis

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Tartu 2026

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## Annotatsioon

Käesolev bakalaureusetöö uurib Euroopa Liidu laienemispoliitika mõju demokraatlikele väljunditele Albaanias, Montenegros ja Serbias, ajavahemikus 2015-2024. Töös on kaks uurimisküsimust, millisel määral tõlgenduvad Euroopa Komisjoni reformisoovitused sisuliselt mõõdetavate demokraatlike tulemusteni ning kuidas soodustab sellest tulenev võimalik rakendamise lõhe (implementation gap) segmenteeritud nõudmistele vastavust (segmented compliance) Lääne-Balkani kandidaatriikides?

Töös kasutatakse segatud uurimismeetodit, mis hõlmab endast dokumendianalüüsi (Euroopa Komisjoni laienemisraportite põhjal) ja kvantitatiivset analüüsi V-Dem-i näitajate (õigusriigi seis, poliitilise korrupsiooni ja väljendusvabaduse indeksi) ühendamist. Mõlemat andmestikku käsitletakse demokraatia näitajate hindamise sõltumatute instrumentidena ning nende lahknevusi analüüsitakse analüütiliselt tähenduslike mustritena.

Analüüsis leiti, et Euroopa Komisjoni soovitused vastasid mõõdetavatele demokraatlikele parandustele üksnes kitsastes ja tugevalt jälgitavates institutsioonilistes sektorites. Meediavabaduse ning kõrgetasemelise korrupsiooniga võitlemise valdkondades ei tõlgendunud formaalne seadusandlik vastavus V-Dem-i indeksites positiivse arenguna. Töö tuvastab segmenteeritud vastavuse mustri kõigis kolmes riigis, mille puhul täitsid kodumaiseid eliidid nähtavaid institutsioonilisi võrdlusnäitajaid, et rahuldada tingimuslikkuse survet, samas kui demokraatlikud tingimused madalama kontrolliga sektorites seiskusid või halvenesid. See muster on kõige selgemini jälgitav Serbias, kus põhiseaduse muudatused langesid kokku õigusriigi indeksite jätkuva langusega, ning Albaanias, kus SPAK-i (riiklik korrupsioonivastase võitluse organ) loomine langes kokku püsivalt kõrgete korrupsiooninäitajatega. Montenegro esindab osalist erandit, pärast 2020. aasta valitsusvahetust paranesid meediavabaduse näitajad, kuid kohtuid ja sellega seotud avalikke institutsioone tabas samaaegselt tagasilöökk. Tulemused viitavad sellele, et lahknevus Euroopa Komisjoni hinnangute ja V-Dem-i tulemuste vahel peegeldab ELi tingimuslikkuse (conditionality) raamistiku struktuurset omadust, mitte üksikute riikide ebaõnnestumisi.

## Abstract

This thesis examines the effects of EU enlargement policies on democratic outcomes in Albania, Montenegro and Serbia between 2015 and 2024. It addresses two research questions: to what extent do European Commission institutional reform recommendations translate into substantive democratic outcomes and how does the resulting implementation gap facilitate segmented compliance among Western Balkan candidate states.

The thesis employs a mixed-methods comparative case study design, combining qualitative document analysis of European Commission annual accession reports with quantitative analysis of three V-Dem indices (rule of law, political corruption, and freedom of expression) across the observation period. The two datasets are treated as instruments for assessing democratic quality and their divergences are analysed as patterns.

The analysis finds that European Commission recommendations corresponded to measurable democratic improvement only in narrow, heavily monitored institutional sectors. In areas such as media freedom and high-level corruption prosecution, formal legislative compliance consistently failed to correspond to improvement in V-Dem indices. The thesis identifies a pattern of segmented compliance across all three cases, whereby domestic elites fulfilled observable institutional benchmarks to satisfy conditionality pressure. Simultaneously, democratic conditions in lower-scrutiny sectors stagnated or declined. This pattern is most clearly observable in Serbia, where constitutional amendments coincided with a continued decline in rule of law indices and in Albania, where the establishment of SPAK (The national anti-corruption agency) coincided with persistently high corruption scores. Montenegro presents a partial exception, with post-2020 improvements in media freedom following a change in government, though judicial institutions deteriorated simultaneously. The findings suggest that the divergence between EC assessments and V-Dem outcomes reflects a structural feature of the EU's conditionality framework rather than individual state failures.

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## **Introduction**

The Western Balkan region has been in the scope for EU enlargement for the last 10-15 years. In the geopolitical situation of today, where the war in Ukraine has been going on for 3 years, expansion is once again on the agenda of the European Union. The EU is looking to further increase its influence and strength in light of the various threats to liberal democracies in Europe.

In order for a state to successfully join the European Union, it has to meet certain standards for democracy and market economy. Manners (2002, pp. 238-239) claims that the European Union is first and foremost a normative power. Instead of focusing on the military, it focuses on setting norms for states that desire to join the European Union. In 1993, the European Council established three main conditions for EU membership – political, economic and administrative. This means that every candidate state must meet the requirements outlined in the document. (European Council, 2003) Sjurksen (2006, p. 20) argues that the power of the European Union is a normative power due to its emphasis on law and order. This is reflected in the pre-accession conditions for the judiciary systems.

Democratic governance principles and stability are essential to the European Union. It has already linked democratisation to stability and integration in its 2020 enlargement strategy. (European Commission, 2020) Enlargement is one of the tools that the European Union can leverage in order to gain more power. It is an effective foreign policy tool that is capable of promoting human rights, democracy, transparency and rule of law.

The European Union's enlargement to the Western Balkans has been a point of debate for a while. Progress has been made since 2003, when the European Commission stated that it sees the future of the Western Balkan states as EU member states (European Council, 2003). However, progress has been relatively slow. This is caused by multiple factors, among others issues, foreign influence from Russia and China as well as general enlargement fatigue (Steinbach, 2024, p. 1; Soyaltin-Colella, 2023). With the Russian full-scale invasion of Ukraine, momentum has been renewed as the EU aims to stabilise the continent.

Countries such as Serbia, Albania and Montenegro are all candidate states. Most of these states are either hybrid or transitional regimes and the transition is not consistent among the different nations. This is confirmed by various indicators from the V-Dem dataset and, for instance, Freedom House reports. The European Union has given a number of different recommendations in order to help prepare the prospect states for EU enlargement. Although these policies were intended to help with the democratisation in these states, the outcome has been uneven. One researcher, Florian Bieber (2018, p. 338), uses the term “stabilitocracies” to characterise the type of regime that is prevalent in the Western Balkan region. This means that many of the states are seemingly committed to bringing the country up to EU norms but still maintain their authoritarian and clientelist patterns. This thesis aims to find answers to the following research questions, firstly to what extent do the institutional reform recommendations of the European Commission translate into substantive democratic outcomes? Secondly, how does this implementation gap facilitate “segmented compliance” in Albania, Montenegro and Serbia?

Based on the external incentives model developed by the research done by Schimmelfennig and Sedelmeier (2005) as well as the concept of stabilitocracy coined by Bieber (2018), this thesis hypothesises that EU conditionality can produce uneven democratic outcomes across the three candidate states. Formal legislative compliance will be more consistently observable than substantive democratic improvement and divergence will be more noticeable in sectors where conditionality pressure is weaker, such as media freedom and high-level corruption prosecution. This pattern is conceptualised as segmented compliance, meaning the strategic government distribution of reform effort across policy sectors in order to satisfy external conditionality pressure while maintaining political control domestically.

Among the relevant documents for this topic are the different accession reports for the countries. These reports outline the goals that the states must fulfill in order to become a member state. In addition to that, the European Union uses external governance as a means to influence the internal politics of the Western Balkan states. This entails policies such as pre-accession aid that aims to bring the existing laws, regulations and institutions up to internal EU norms.

While the EU's enlargement policies aim to promote democratisation, it remains unclear why similar policy tools have produced divergent outcomes among Western Balkan states.

The thesis is structured as follows. The theoretical framework outlines the normative power of the European Union and the mechanisms of conditionality that underpin EU enlargement policy. The literature review situates the thesis within existing scholarship on Europeanisation, conditionality and segmented compliance. The methodology chapter details the comparative case study design, data sources and analytical strategy. The empirical analysis is divided into three parts: a comparative V-Dem index analysis establishing the quantitative baseline, an assessment of European Commission accession reports across three policy sectors and a results section comparing the two datasets. The findings section draws together the evidence on democratic outcomes and segmented compliance before the conclusion synthesises the main arguments and reflects on limitations and directions for future research. Artificial intelligence (Gemini 3.1 Pro) was utilised in order to help with finding synonyms. It was also used as a source for inspiration to rephrase sentences with the goal of improved readability.

## **Theoretical framework**

### Normative power of the European Union

The Copenhagen criteria (European Union, n.d.) state the following as conditions for EU membership: "Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union. The Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries."

In order to analyse the effectiveness of EU enlargement policies, it is imperative to define the role that the European Union has as a power. Many scholars such as Manners (2002), argue that

the European Union is a normative power, that is able to project its power with its extensive legal framework and unified norms. “The concept of normative power is an attempt to refocus analysis away from the empirical emphasis on the EU’s institutions or policies and towards including cognitive processes, with both substantive and symbolic components.” (Manners 2000) By creating a unified community of states with the same norms for trade regulations, rule of law and democracy, it has made itself an attractive option for states to join that community, as this would grant them access to the single market, providing a boost for trade as well as other economic benefits. The EU does not need to have hard power, it can use its soft power through its regulations to coerce other states to adopt their norms. It offers certain benefits such as access to the common market and expects countries to, in return, meet certain conditions. According to the Copenhagen Criteria of 1993, the main focus of EU foreign policy has been on promoting human rights, democracy and rule of law, enabling the EU to avoid relying on hard, military power. Sjursen (2006) analyses the heavy emphasis on rule of law, that the European Union has operated by. Since the biggest enlargement of the EU in 2004, only 3 new states have been granted membership in the European Union. Multiple crises such as the economic crisis of 2008, the annexation of Crimea and the refugee crisis have made conditions difficult for the European Union to focus on expansion, as it had to focus on resolving internal matters beforehand. The European Union utilises enlargement negotiating chapters, of which there are 33. The chapters are grouped into clusters. Arguably, the most relevant cluster in the context of this thesis is the fundamentals cluster, which entails the following chapters: Judiciary & Fundamental Rights (23), Justice, Freedom & Security (24), Public Procurement (5), Statistics (18), Financial Control (32). This cluster is opened first and closed last in the negotiations. There are corresponding V-Dem indicators to these chapters, which will be used to track progress (European Commission, 2020).

### Mechanisms of conditionality

Schimmelfennig and Sedelmeier (2005) developed the external incentives model (EIM), which turns fulfilling EU membership requirements into a cost-benefit calculation. Member states are rewarded for the progress that they make in closing the various chapters of membership negotiations. This means that it is a “reinforcement by reward” approach, where the rewards are only given when the conditions are met. However, in order for the rewards to be credible and for the EU to have realistic leverage, the promises and rewards have to be believable. As can be seen

in some states, if EU membership turns into a seemingly unattainable feat, the leverage and credibility that the EU has in said state will become weaker. This is also the conclusion that Freyburg, et. al (2015, p. 18) came to – the correlation between the leverage of the EU and the credibility of the conditionality is only believable if the promise of the EU is believable.

Many scholars have found that states can become “stabilitocracies”, a term coined by Florian Bieber (2018). A stabilitocracy is a state that has initiated the process of joining the European Union but progress in closing the various chapters has slowed down or in some cases, regressed, because the promise of EU membership no longer seems believable. Stabilitocracies desire to have a reputation of being generally in favour of the European Union but retain the clientelist and opaque habits when it comes to governance. The European Union continues supporting stabilitocracies with funds when they make limited progress, these funds are often used by local politicians and people holding official positions (Bieber 2018, p. 180). This created a power vacuum where the EU seemed too far. Russia and China have used this to their geopolitical advantage and increased their influence over areas bordering the European Union and are offering funding of their own which does not come with such conditions.

## **Literature review**

### **3.1 Research on EU Enlargement and Democratisation**

#### **3.1.1 Segmented Compliance**

Noutcheva (2009) identified a spectrum of compliance responses in the Western Balkans ranging from fake to partial to imposed compliance. This thesis extends this framework by proposing that partial compliance is not random but strategically distributed across policy sectors, a pattern here termed segmented compliance. States fulfill heavily monitored structural benchmarks to secure positive EU assessments while deliberately neglecting sectors where conditionality pressure is weaker, particularly media freedom. Kmezić (2020) notes that the EU has remained silent on serious backsliding on democracy and media freedom in the Western Balkans. While the main message of this article is that further efforts are needed in order to recalibrate the EU accession

process, it also discusses how the European Commission itself acknowledged clear elements of state capture, including links with organised crime and corruption at all levels of government and administration. Another example of segmented compliance is the situation regarding media freedom and freedom of expression in Serbia. Huszka (2018) analysed this and found that the EU prioritised certain security issues over fundamental concerns in Serbia. According to Huszka, experience in the Western Balkans suggests that non-compliance with human rights and other fundamentals was typically not followed by very serious consequences (Huszka, 2018, p. 358). The research done by Grimm and Leininger (2012) argues that the approach of the EU, which enforces both security and democracy through one instrument, political conditionality. It has yielded only limited success and contributed to a conditionality dilemma that forces the EU to sanction compliance or reward non-compliance, with compliance patterns differing significantly across policy areas.

### 3.1.2 Europeanisation

Grabbe (2006, pp. 203-204) found that credibility is vital for Europeanisation to function the way it is intended to by the EU. The Maastricht Treaty of 1992 and the Copenhagen criteria of 1993 are vital documents to explain the goals of the EU at the time. The intention was to build a more unified foreign policy and the planned policies were also assigning that course for the EU. The Copenhagen criteria included many statements regarding the conditions for new member states, emphasising the importance of maintaining the momentum of European integration. It also states that the European Union would closely monitor the progress that each country is making towards becoming a member state (European Union, n.d.). Although, it is important to note that while the Copenhagen criteria has statements regarding governance efficiency and democracy, it does not include any guiding principles for future potential member states. The PHARE (Poland and Hungary: Assistance for Restructuring their Economies) programme was established in order to help new states in Central and Eastern Europe to restructure their economies from a centrally planned economy to a market economy (Phare Programme, n.d.).

### 3.1.3 Conditionality

Authors such as Grabbe (2006), Schimmelfennig and Sedelmeier (2005) found that conditionality is a highly effective tool for promoting democracy in former eastern bloc states.

Grabbe (2006, pp. 7-9) discusses how conditionality became a tool that the European Union would use to exert its normative power on other states. After May of 1992, all Europe agreements for trade and cooperation came with conditions for democracy, human rights, a multi-party system and fair elections. If these conditions were not met, the agreements had to be suspended. However, no suspensions took place, even after public criticism by the EU towards undemocratic electoral practices in Slovakia in 1994 and 1995. This illustrates how suspensions have always been seen as a last resort within the EU. Schimmelfennig and Sedelmeier (2005) came up with the European Incentives Model concept.

Academic literature from slightly later periods has become more critical of these ideas. Freyburg, et. al (2015, p. 18) found that there is a positive correlation between promoting democracy and leverage by the European Union. However, the leverage is only credible if the local population views EU membership as something attainable. Scholars found that credibility is difficult to maintain if EU expansion is slow due to a variety of reasons. The more the deadlines keep on being delayed and processes stall, the less leverage the European Union has. Ker-Lindsay, et. al (2018) discussed this and found that the union is often distracted by internal crises as well as other problems. There is not a very strong consensus among the European Union for expansion, not every state agrees on whether they want expansion and/or how that should take place. Larger states such as Germany and France want to ensure that expansion would not fragment the EU internally. It is also known that organised crime in the Western Balkans plays a large role in the EU, which is also a cause for concern for many (Ker-Lindsay, et. al, 2018).

The most recent trends in academic literature have focused on so-called “stabilitocracies”, a term coined by Bieber (2018) as regimes that were born as a result of failed conditionality in the Western Balkan region. This term helps distinguish the situation in many Western Balkans states from the illiberal democracies that have been forming within the European Union as well as the authoritarian regimes bordering it, such as Russia and Turkey. “Western Balkan stabilitocracies combine semi-authoritarian features while claiming to be reforming democracies and receiving external support, in particular from EU member states, for the sake of the (false) promise of stability” (Bieber, 2018, p. 178). The European Union continues sending financial aid for the limited positive development that has taken place in said states but the funds are often misused by local level officials (Bieber, 2018, p. 338). Some scholars were skeptical of the ability of the

EU to retain its leverage through conditionality, as previous experience showed its relative inaction towards violations of said conditions. While the concept of stabilitocracy is already well researched, there is a lack of comparative process-tracing analysis on how specific EU policy interventions correlate with democratic decline in the current geopolitical decade (2015-2025).

#### 3.1.4 Normativity

The topic of EU expansion has been covered a lot in academic literature. In the first half of the 2000s, the tone among academics was more optimistic, hoping that the European Union wields transformative power which it can use to influence other states, bringing more transparency and democracy. Manners (2002, pp. 238-239) argued that the EU functions primarily as a normative power, leveraging membership as a way to induce domestic reforms rather than relying on other means of coercion. The historical context of the creation and evolution of the European Union and the values it has promoted, has paved the way for the EU to become a normative power.

Manners brings out six ways how the EU diffuses its norms:

- The first is contagion, where diffusion occurs unintentionally through the EU serving as a “virtuous example” to other political actors.
- The second is informational diffusion, which relies on strategic communications and policy declarations to spread normative ideas.
- The third, procedural diffusion, involves the institutionalisation of relationships, such as through accession negotiations or membership in international organisations.
- The fourth is transference, where norms are exchanged through trade, aid and technical assistance, often utilising “carrot and stick” conditionality.
- The fifth is overt diffusion, resulting from the physical presence of EU actors, such as Commission delegations or monitoring missions.
- The cultural filter acts as a screening mechanism, where the impact of international norms is shaped by the domestic political identity and learning processes of the target state, leading to either their adaptation or rejection (Manners, 2002, pp. 244-245).

## 4. Methodology

### 4.1 Research design and approach

This thesis uses a comparative case study design which will analyse the effectiveness of EU enlargement policies in the Western Balkans. The time period that the thesis will focus on will be 2015-2024, as this is recent enough for there to be reliable information. In addition to that, during this period, a multitude of changes have occurred in the region, for instance the refugee crisis of 2015 and the full-scale invasion of Russia. The “fundamentals first” approach of the European Commission that was drafted between 2012 and announced in 2014. This is why the 10 year period between 2015 and 2024 is ideal to analyse the effects of this policy (European Commission, 2014). In 2014, Jean-Claude Juncker officially announced that there would be no enlargement during his time in office. This can be used to analyse the way the stabilitocracies concept played out, as the governments in Albania, Montenegro and Serbia knew that EU membership would certainly be delayed by a 5 year period. The time period also includes a pandemic, the Covid-19 pandemic of 2020-2022. The EU also revised its enlargement strategy in 2020.

#### 4.1.2 Justification of country selection

Serbia, Montenegro and Albania have been selected as case studies in this thesis regarding the Western Balkans. A Most Similar Systems Design is utilised, in this context, the selected countries are all former socialist states and have implemented similar economic restructuring policies in the 1990s. These countries also all seek membership in the European Union. Although the Western Balkan region consists of many more states, some have been left out, such as Bosnia and Herzegovina, due to the relative lack of progress in terms of closing accession negotiating chapters. North Macedonia has also been left out, as the analysis is sufficient with three states, Montenegro being the forerunner for reaching EU membership, Serbia lacking in many chapters and Albania being in the middle. The contrast of the progress made in the transition to democracy between all of these states is also significant, most notably between Serbia and Montenegro. Despite the aforementioned similarities, diverging outcomes of similar policies and goals are still prevalent. For this reason, Albania, Montenegro and Serbia provide many good points of comparison.

## 4.2 Data sources

### 4.2.1 European Commission country accession reports (2015-2024)

The primary source for qualitative data are the European Commission's annual country reports. These reports detail a large variety of aspects that are relevant for attaining EU membership. The reports were introduced with the Copenhagen Criteria of 1993. The accession reports are published as part of the yearly enlargement package. Reports entail the various facets of public management laws, necessary judiciary reforms, freedom in the market economy et cetera. In addition to this, the reports contain suggestions and recommendations from the European Commission that are aimed at guiding the country towards meeting EU membership requirements. The reports are the most authoritative documents regarding progress made by candidate states towards full membership. This data is aggregated through close collaboration with national authorities and it relies on a variety of sources. Member States and enlargement countries were invited to contribute to the process, provide written input and participate in dedicated country visits. For these visits, the Commission organised more than 640 meetings with national authorities, independent bodies and stakeholders as well as various civil society organisations. It is important to note that the year 2017 is missing in the reports, so changes in that reporting period are reflected in the 2018 reports.

### 4.2.2 V-Dem dataset indicators

This thesis uses quantitative data from the Varieties of Democracy (V-Dem) dataset. Based at the Department of Political Science at the University of Gothenburg in Sweden, V-Dem has a long history of coding various indicators of democracy and institutional features. Their data goes all the way back to 1789. V-Dem has developed many methods to aggregate expert judgments. This is an efficient way of estimating difficult-to-observe concepts. V-Dem data is usually gathered from five experts per country-year observation. Utilising over 4000 country experts who provide judgment on different concepts and cases. V-Dem has experts in their own fields from almost every country in the world, leveraging diverse opinions. The V-Dem measurement model uses logic that assumes the existence of an unobserved concept (such as academic freedom or freedom of expression) but only incomplete manifestations of this concept are observed in the form of the ordinal categories which experts use to code their judgments. The V-Dem model

converts these manifest items (expert ratings) to a single continuous scale, estimating the values of the concept. (Varieties of Democracy Institute 2026) This aspect of the project is critical because many key features of democracy are not directly observable. These datasets provide a very good insight to locating the country in terms of progress. To ensure the highest level of methodological precision and to avoid the double-counting of aggregated data, this study explicitly excludes macro-level indices such as the Liberal Democracy Index (v2x\_libdem) and Electoral Democracy Index (v2x\_polyarchy). Below, all the indices used in this thesis can be found, along with additional clarifications and information.

- **v2x\_rule** – This index answers the question “To what extent are laws transparently, independently, predictably, impartially, and equally enforced, and to what extent do the actions of government officials comply with the law?” (Coppedge et al. 2025, p. 311) This index aggregates data from other various indices such as high and low court independence, public sector theft, public sector corrupt exchanges. The range of this index spans from 0 (laws are not transparently, independently, predictably, impartially or equally enforced and government officials do not comply with the law) to 1 (full compliance with the aforementioned conditions) (Coppedge et al. 2025, pp. 311-312).
- **v2x\_corr** – This index answers the question “How pervasive is political corruption?” (Coppedge et al. 2025, p. 308) The V-Dem corruption index is on an inverted scale. The range of this index spans from 0 (least amount of corruption) to 1 (highly prevalent corruption) This is important to note as most other V-Dem democracy indices run from more democratic to less democratic. “The corruption index includes measures of six distinct types of corruption that cover both different areas and levels of the polity realm, distinguishing between executive, legislative and judicial corruption. Within the executive realm, the measures also distinguish between corruption mostly pertaining to bribery and corruption due to embezzlement.” (Coppedge et al. 2025, p. 309)
- **v2x\_freexp** – This index answers the question “To what extent does government respect press and media freedom, the freedom of ordinary people to discuss political matters at home and in the public sphere, as well as the freedom of academic and cultural expression?” (Coppedge et al. 2025, p. 319) The data is aggregated from other indices such as harassment of journalists, media self-censorship and freedom of academic and

cultural expression. The scale spans from 0 (no government respect for press freedom, public political discussion, or academic and cultural expression) to 1 (full respect for the aforementioned aspects) (Coppedge et al. 2025, p. 319).

### 4.3 Data collection and operationalisation

The primary method for qualitative data collection in this thesis is the document analysis of the European Commission's annual country reports spanning the period from 2015 to 2024. These reports evaluate progress of each candidate state in meeting the political, economic and administrative conditions established by the Copenhagen criteria.

Two main elements from the reports will be observed:

1. **EU Recommendations:** What the European Commission recommends for each country to do in order to improve in relevant sectors.
2. **EU critiques and assessments:** Systematically tracking the formal language used by the Commission (e.g., “no progress,” “limited progress,” “some progress,” “good progress”) regarding the state of democratic institutions.

The thesis will focus on the chapter that covers the fundamentals (Cluster 1), more specifically chapter 23 (Judiciary and Fundamental Rights) and chapter 24 (Justice, Freedom and Security). By chronologically mapping these formal assessments alongside the specific structural demands made by the EU, such as required public management laws or judiciary reforms, this thesis will analyse the progress made by each state in regards to those recommendations and compare it to V-Dem metrics.

### 4.4 Analytical strategy

#### 4.4.1 Combining qualitative (document analysis) and quantitative (indicator comparison) methods

The thesis utilises a combination of qualitative and quantitative methods. The recommendations in the accession reports provide the input from the European Commission. The data from the

selected V-Dem indices measure the progress and democratisation outcomes. The combination of the two will provide a comparison of different measures for democratic outcomes.

#### 4.4.2 Temporal comparison (2015-2024)

The period of 2015-2024 has been selected as a timeframe for this thesis due to it encompassing many major changes in the geopolitics of Europe and policymaking in states both within the European Union and outside it. This period starts after the Russian annexation of Crimea and right before the start of the migration crisis of 2015. The period also entails multiple vital geopolitical events in Europe such as the COVID-19 pandemic and the Russian full-scale invasion of Ukraine. All of the aforementioned events marked shifts in the European geopolitical climate. In addition to that, the effects of the European Union's 2020 revised enlargement methodology can also be analysed in the context of the Western Balkans.

#### 4.5 Limitations and validity

There are also limits to these datasets. For instance, the way that the progress is scored, may lack depth to make accurate comparisons with other nations. For this reason, additional papers, reports and articles will be used to compliment the accession reports. Furthermore, the audit by the European Court of Auditors found that while the EU's support in the Western Balkans contributed to technical reforms, it had "little overall impact" on fundamental rule-of-law reforms (European Court of Auditors, 2022, p. 8). Accession reports can reflect progress in implementing legislation or institutional set-ups without ensuring that these reforms translate into deeper democratic transformation. V-Dem also has its limitations. According to the V-Dem Methodology document, one caveat is that "the concepts V-Dem asks experts to code are not directly observable ... we expect experts to provide different values in many – if not most – cases" (Coppedge et al. 2025, p. 9).

## 5. Empirical Analysis

### 5.1 Comparative V-Dem Analysis (2015 - 2024)

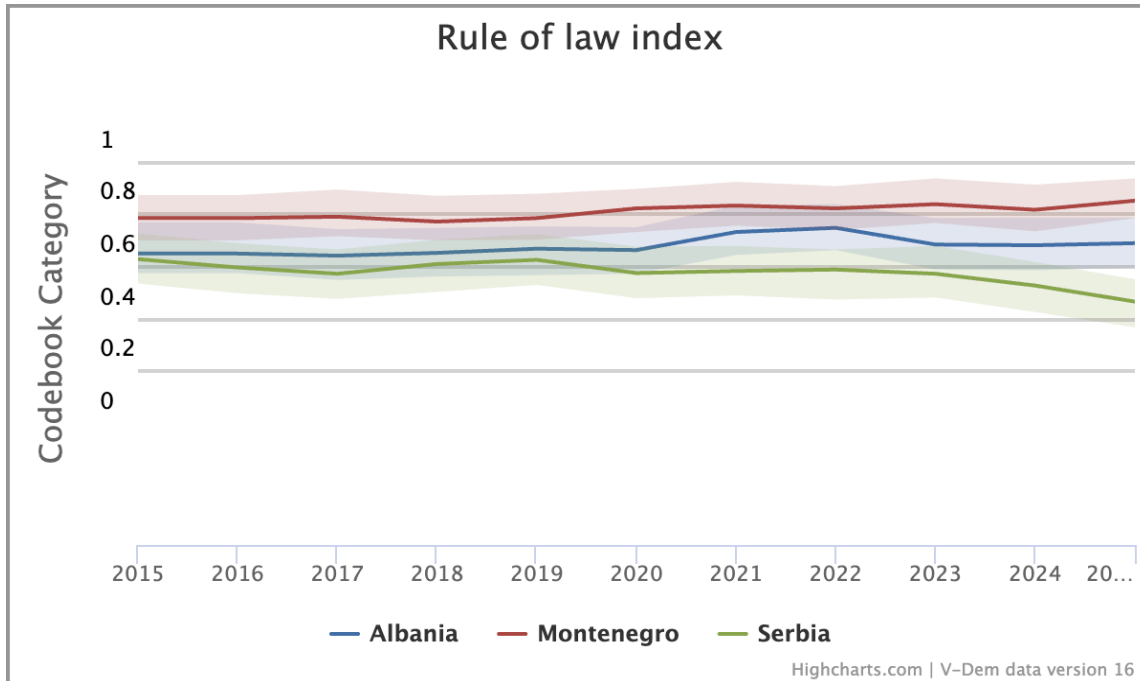


Chart 1

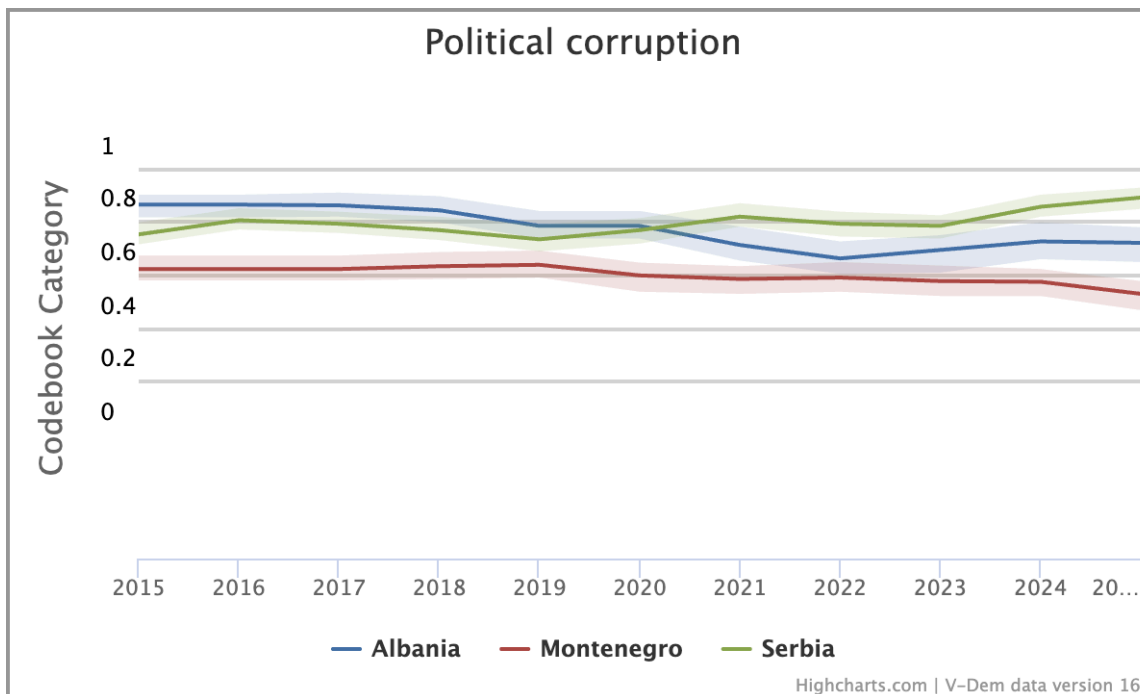


Chart 2

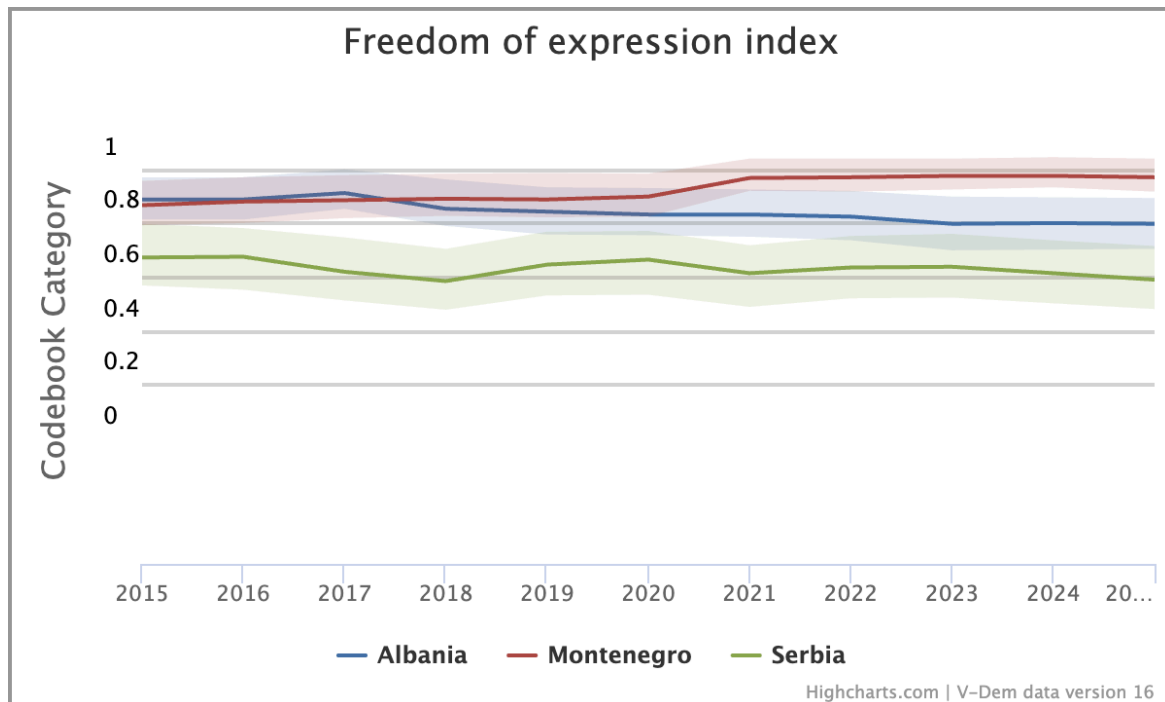


Chart 3

By analysing these three V-Dem indices side-by-side, we get an overview of affairs in the Western Balkans before comparing it to the EU's bureaucratic assessments in the next section.

To accurately measure the effectiveness of EU conditionality, it is necessary to first establish the objective democratic trajectory of the selected candidate states independent of the qualitative assessments of the European Commission. Using the V-Dem dataset, this section comparatively tracks Montenegro, Albania and Serbia across three fundamental indices: Rule of Law (v2x\_rule), Political Corruption (v2x\_corr), and Freedom of Expression (v2x\_freexp).

The visual data spanning the 2015-2024 period suggests that the region has issues with democratic stagnation and, in specific cases, active democratic backsliding. Based on this, an argument can be made that these certain regimes use segmented compliance to maintain good progress with EU accession.

### 5.1.1 Rule of Law

The Rule of Law index tracks the extent to which laws are transparently and impartially enforced. The data reveals divergent paths among the three states, indicating respective accession statuses and internal reform strategies.

Montenegro maintains the highest baseline, hovering consistently between 0.70 and 0.75 throughout the decade. While it represents the regional ceiling, the line is notably flat, indicating that despite being the closest to EU membership, its institutional quality has plateaued rather than consolidated.

Albania's trajectory visually captures the disruption of its 2016 structural justice reforms. Starting at approximately 0.55, the index stagnates during the initial implementation of the judicial vetting process. However, beginning in 2020, Albania displayed the only significant upward trend in the region, peaking near 0.65 in 2022 before slightly receding.

Serbia illustrates a consistent slight decline. Starting tied with Albania at roughly 0.55 in 2015, Serbia's rule of law score steadily eroded over the decade, dropping below 0.50 and trending downward toward 0.40 by the end of the observation period, suggesting the systemic capture of judicial independence by the executive.

### 5.1.2 Political Corruption

The Political Corruption index measures the pervasiveness of executive and legislative corruption (Note: higher scores in this index denote higher levels of corruption). This metric exposes the core resilience of the stabilitocracy model across the region.

**Serbia:** The data adequately illustrates the entrenchment of clientelist networks. Despite a decade of EU integration efforts, Serbia's corruption index actively worsens, climbing from approximately 0.65 in 2015 to nearly 0.80 by 2024.

**Albania:** Albania begins the decade with the highest corruption score in the sample (nearing 0.80). While the index shows a considerable improvement – dropping to roughly 0.60 by 2022, this coincided with the implementation of the judicial vetting process. In the final years, it began to creep upward again, suggesting that structural reforms failed to effectively tackle high-level political corruption.

**Montenegro:** As the frontrunner, Montenegro maintains a relatively stable, moderate level of corruption (hovering around 0.50). However, the lack of significant downward movement over ten years of intense EU conditionality demonstrates the limits of external leverage in forcing systemic behavioural changes among political elites.

### 5.1.3 Freedom of Expression

The Freedom of Expression index is the most critical metric for identifying a stabilitocracy. It measures the government's respect for press freedom and public discourse. Because media freedom does not require complex, multi-year institutional restructuring (unlike the judiciary), declines in this index tend to coincide with periods of executive pressure on media and public discourse.

**Montenegro:** Montenegro is the regional outlier, showing a noticeable improvement. Starting near 0.78, the state experienced a notable upward shift following the historic 2020 elections (which saw the first democratic transition of power in three decades), elevating its score to roughly 0.85.

**Albania & Serbia (Parallel Backsliding):** Data for both Albania and Serbia could indicate a systematic suffocation of independent media. Albania's score is characterised by an uninterrupted decline from a high of 0.80 in 2015 down to 0.70 by 2024. Serbia's starting baseline is significantly lower (~0.60) and shows a drop, sinking to approximately 0.50.

#### 5.1.4 Summary of the V-Dem index analysis

The V-Dem graphs establish a clear empirical baseline for the 2015-2024 period. Rather than a transition toward liberal democracy in unison, the region is highly fragmented. Serbia is experiencing active regression across all fronts. Albania is executing a “segmented” transition, improving its judiciary while allowing developments that restrict media freedoms. Montenegro, despite being the leader in the region, has shown significant weakness in fighting political corruption.

### 5.2 The assessment of the European Commission

Having established the quantitative state of democracy in these states according to the V-Dem indices, this chapter will focus on the qualitative assessments given by the European Commission. This section analyses recommendations and assessments within Chapter 23 (Judiciary and Fundamental Rights) and Chapter 24 (Justice, Freedom, and Security) as well as Chapter 2.1.1 (Democracy) across Montenegro, Albania, and Serbia.

In order to track the EU’s narrative, the Commission’s standardised phrasing has been chronologically mapped into a comparative table. Assessments of “good progress” are categorised as positive advancement, “some” or “limited progress” as stationary technical compliance and “no progress” as regression.

#### 5.2.1 Chapter 23 (Functioning of the Judiciary)

Year	Montenegro	Albania	Serbia
2024	Stationary (Limited progress)	Progress (Good progress)	Stationary (Some progress)
2023	Regress (No progress)	Progress (Good progress)	Stationary (Limited progress)
2022	Stationary (Limited progress)	Progress (Good progress)	Stationary (Some progress)
2021	Stationary (Limited progress)	Progress (Good progress)	Stationary (Limited progress)

2020	Stationary (Limited progress)	Progress (Good progress)	Regress (No progress)
2019	Stationary (Limited progress)	Progress (Good progress)	Regress (No progress)
2018	Stationary (Some progress)	Stationary (Some progress)	Stationary (Limited progress)
2016	Progress (Good progress)	Progress (Good progress)	Stationary (Some progress)
2015	Stationary (Some progress)	Stationary (Some progress)	Stationary (Some progress)

The judiciary represents one of the most heavily monitored institutions in the accession framework. A comparative review of the Commission’s assessments reveals a fragmented application of positive reinforcement.

A recurring recommendation for Albania regarding the functioning of the judiciary was the comprehensive re-evaluation of judges and prosecutors. By establishing a baseline in 2016 with the passage of constitutional justice reforms, Albania initiated an “unprecedented vetting process” of magistrates. The European Commission gave official recommendations to re-evaluate judges and prosecutors, which had a relative amount of progress throughout the years but was never taken off the recommendations list. Over the subsequent seven years, up until the 2023 reporting cycle, the European Commission continued to assess this structural overhaul positively, coming to a conclusion that Albania had made “good progress” overall regarding the functioning of the judiciary (European Commission, 2023a, p. 18). However, despite these positive progress grades, the specific recommendation to thoroughly execute the vetting process remained only partially implemented, it persisted across all annual reports between 2015 and 2023 (European Commission, 2015a, p. 12; European Commission, 2023a, p. 18). This trajectory suggests that a defining characteristic of the European Commission’s methodology is that the assessment framework systematically prioritises and rewards the establishment of visible, structural milestones, even when the completion of the core recommendations remains stagnant.

A notable repeated recommendation for Serbia regarding the functioning of the judiciary was the adoption of comprehensive constitutional reforms designed to guarantee judicial independence. During the initial observation period between 2016 and 2019, the European Commission repeatedly noted a lack of substantive improvement, highlighting what remains to be done and resulting in an assessment of “no progress” in 2019 (European Commission, 2016c, pp. 54-55; European Commission, 2019c, p. 13). Serbia struggled with passing constitutional reforms, as noted in the reports between 2016 and 2022. Specifically, the Commission repeatedly highlighted that subsequent vital reforms, such as amending the laws on the High Judicial Council (HJC) and State Prosecutorial Council (SPC), could not proceed until the Constitution was changed (European Commission, 2022c, pp. 19-20). When the Serbian executive finally passed constitutional amendments aimed at formalising judicial independence, the Commission upgraded its assessment to “some progress” (European Commission, 2022c, p. 19). The constitution was changed in 2022 but the law on the Judicial Academy, which would regulate the careers of judges, was held back and remained on the recommendations of the Commission until the 2025 reporting period (European Commission, 2023c, pp. 21-22; 2025c, p. 5). This demonstrates segmented compliance. By delivering a sufficient block of laws to secure a “some progress” assessment in 2023, the state satisfied immediate conditionality pressures while retaining control over other critical parts of judicial administration. The European Commission (2015c, p. 11; 2025c, p. 5) also raised concern over the backlog of cases due to the inefficiency of the judicial system and human resources mismanagement. The recommendation to optimise this process in order to make the system more efficient persisted throughout the entire observation period between 2015 and 2024.

The accession reports for Montenegro included repeated recommendations for increased accountability among prosecutors and judges as well as better human resources management and the need for an increased capacity for courts (European Commission, 2015b, p. 12; 2025, pp. 5-6). However, the recommendations from 2023 were largely met. These recommendations were given in regards to the ability of merit-based key judicial appointments of individuals able to act independently, impartially and with integrity (European Commission, 2023b, pp. 19-20). Reports also noted the need for optimisation and modernisation in the courts to ensure more efficient legal processes (European Commission, 2015b, p. 12; 2025, pp. 5-6). This was a recurring

problem, as in the 2021 report, the Commission notes that “Last year’s recommendations have not been met and remain largely valid.” The repetition of recommendations suggests that while Montenegro maintained formal alignment with the EU, the structural mechanisms of conditionality struggled to induce implementation of these specific judicial reforms, even after a reasonable period of time had passed (European Commission, 2021b, pp. 17-18). While early reports reflected optimism regarding the state’s technical alignment under the long-ruling Democratic Party of Socialists (DPS), this measurement gap was more apparent following the 2020 change in government. The European Commission logged explicit regression, issuing an assessment of “no progress” and raising serious concerns regarding the Constitutional Court, which was left without a quorum from September 2022 until early 2023 (European Commission, 2023b, p. 21). Furthermore, the inclusion of an urgent recommendation in the 2022 report to “avoid reversing earlier achievements” indicates that the Commission recognised a period of vulnerability within the judicial framework (European Commission, 2022b, pp. 19-20). The 2023 crisis reflects the difficulties of democratic transition, without a single dominant party to tightly manage judicial appointments, the resulting political gridlock suggested underlying relative weakness within the judicial institutions of Montenegro. It was only after a new government was formed in late 2023 that parliament was able to appoint a new Supreme State Prosecutor in early 2024, gradually resuming formal compliance.

### 5.2.2 Chapter 24 (Fight against Corruption)

Year	Montenegro	Albania	Serbia
2024	Stationary (Limited progress)	Stationary (Some progress)	Stationary (Limited progress)
2023	Stationary (Limited progress)	Stationary (Some progress)	Stationary (Limited progress)
2022	Stationary (Limited progress)	Stationary (Some progress)	Stationary (Some progress)
2021	Stationary (Limited progress)	Stationary (Some progress)	Stationary (Limited progress)

2020	Stationary (Limited progress)	Progress (Good progress)	Regress (No progress)
2019	Stationary (Limited progress)	Progress (Good progress)	Stationary (Limited progress)
2018	Stationary (Some progress)	Stationary (Some progress)	Stationary (Limited progress)
2016	Progress (Good progress)	Stationary (Some progress)	Stationary (Some progress)
2015	Stationary (Some progress)	Stationary (Some progress)	Stationary (Some progress)

Across a decade of EU conditionality, the fight against corruption remains almost entirely in a state of plateau across all three candidate states. The reports from 2015 recommend in unison that Montenegro, Albania, and Serbia need to implement a track record of investigations, prosecutions, and convictions.

Among others, a recurring recommendation for Albania in the fight against corruption was the establishment of a robust track record of investigations, prosecutions, and final convictions, particularly concerning high-ranking officials. In 2019, Albania managed to successfully launch the Special Anti-Corruption and Organised Crime Structure (SPAK) (European Commission, 2019a, p. 18-19). The formal establishment of SPAK led to an assessment of “good progress” until 2020, despite corruption still being relatively prevalent in practice. However, in the sections where the Commission provided recommendations on what reforms and changes are yet to be made, the grades plateaued. In the 2022 accession report, the Commission noted an ongoing culture of impunity, demanding more convictions on a higher level through structured and consistent efforts (European Commission, 2022a, p. 22). The Commission explicitly notes that while junior or middle-ranking official convictions increased, final convictions for high-ranking officials remained “very low overall”, which was also stated in similar phrasing up until 2018 (European Commission, 2015a, pp.15-16; 2018a, p. 22). The 2024 report marked “some progress,” praising the vetting process but raising concerns regarding a broad criminal amnesty law which led to 40 individuals being fully pardoned and 65 others having their sentence reduced (European Commission, 2024a, p. 6). Despite the reports from 2019, 2020, and 2021 praising the vetting process for bringing tangible results in removing corrupt judges and prosecutors from the system, a major gap in

accountability is noted regarding the recommendations. In 2021 and 2022, the European Commission (2021a, p. 23; 2022a, p. 22) explicitly demands that Albania “ensure that criminal proceedings are consistently and systematically initiated against judges and prosecutors accused of criminal conduct during the re-evaluation process.” In 2023, the EU notes that further efforts are still needed for due judicial follow-up (European Commission, 2023a, p. 24).

A core recommendation for Serbia in regards to the fight against corruption was the adoption and implementation of anti-corruption legislation fully aligned with GRECO (Group of States against Corruption) standards, alongside the establishment of a credible track record in high-level convictions. While Serbia managed to revise the law on the prevention of corruption, it was not compliant with the *acquis* and did not meet the recommendations provided by GRECO (European Commission, 2019c, p. 19). In the 2024 report, the Commission praised Serbia for introducing a draft version of a new anti-corruption strategy for the 2024-2028 period but simultaneously called for the implementation of the accompanying action plan (European Commission, 2024c, p. 6). The strategy only partially complied with GRECO recommendations (European Commission, 2024c, p. 33). In 2016, the Commission explicitly noted that the government “still does not take the recommendations of its own advisory body – the Anti-Corruption Council - into account,” a critique that resurfaces a decade later in the 2025 demand to “establish a constructive relationship with the Anti-Corruption Council” (European Commission, 2015c, p. 13; 2025c, p. 6). The recommendation to bring the strategy into full compliance with GRECO recommendations was mentioned in many of the reports that followed. In the middle of the decade (2020 and 2021), the Commission (2020c, p. 26; 2021c, p. 26) noted that the number of finalised high-level corruption cases and first-instance convictions actually decreased. Even as the numbers slightly rebounded in 2022 and 2023, the 2023 report highlights a critical substantive deficit: despite a slight increase in convictions, there were “no cases of final confiscation of assets” (European Commission, 2023c, p. 32).

For Montenegro, in 2015, the Commission established an important benchmark recommendation: establish a “fully operational anti-corruption agency by 1 January 2016.” Montenegro met this deadline, securing an assessment of “good progress” in 2016 (European Commission, 2016b, p. 15). However, once the institution was formalised, the reports from the following years document functional stagnation. The 2018 report marked “some progress” due to an increase in institutional capacity, yet the Commission also raised concerns over the independence of the Anti-Corruption Agency (ACA). The accession reports consistently called for a more proactive attitude regarding the prevention and repression of corruption (European Commission, 2016b, p. 15; European Commission, 2023b, pp. 33-34). The 2019 report noted

the ACA was merely issuing “misdemeanour orders,” indicating a focus on low-level administrative infractions rather than systemic graft (European Commission, 2019b, p. 20). In the report from 2020, the Commission gives an explicit recommendation to “take concrete measures to limit the use of plea bargains to exceptional cases.” This recommendation is repeated verbatim in 2021, 2022, and 2023 (European Commission, 2020b, p. 26; 2023b, p. 32).

### 5.2.3 Political Criteria and Chapter 23 (Freedom of Expression)

The European Commission’s assessment of media freedom illustrates a contrast to its evaluations of institutional justice, representing the most notable failure of conditionality that focuses on democratic fundamentals.

Year	Montenegro	Albania	Serbia
2024	Stationary (Limited progress)	Regress (No progress)	Stationary (Limited progress)
2023	Stationary (Limited progress)	Regress (No progress)	Stationary (Limited progress)
2022	Stationary (Some progress)	Regress (No progress)	Regress (No progress)
2021	Stationary (Some progress)	Regress (No progress)	Stationary (Limited progress)
2020	Regress (No progress)	Regress (No progress)	Regress (No progress)
2019	Regress (No progress)	Regress (No progress)	Regress (No progress)
2018	Regress (No progress)	Stationary (Limited progress)	Regress (No progress)
2016	Stationary (Some progress)	Stationary (Limited progress)	Regress (No progress)
2015	Stationary (Some progress)	Stationary (Some progress)	Regress (No progress)

Freedom of expression can be observed as a downward trend across all three countries. While Montenegro managed to secure limited stationary praise following its 2020 democratic

transition, reports from both Albania and Serbia indicated periods of explicit regression that lasted for multiple years.

A substantive recommendation for Albania concerning political criteria and freedom of expression was the elimination of intimidation against journalists and the disentanglement of deeply intertwined political and business interests in media ownership. Because media freedom depends heavily on de facto democratic practice rather than the mere passage of technical laws, the European Commission's assessment lens consistently captured a profound failure of implementation. While the Albanian government was rewarded by the EU for formal judicial vetting (as seen in Section 5.2.1), the regime simultaneously tightened its grip on the media. The European Commission repeatedly noted an atmosphere of intimidation against journalists and the problematically intertwined relationship of political and business interests in media ownership (European Commission, 2019a, pp. 25-26). Concerns regarding physical attacks and intimidation against journalists were continuously raised from 2019 through the 2025 report (European Commission, 2025a, p. 36). The Commission explicitly assessed the overall legislative environment as "conducive to the exercise of freedom of expression, but implementation of this legislation remains a challenge" (European Commission, 2019a, p. 25). The Commission aggregates overall progress, which could allow domestic elites to effectively offset their de facto suppression of journalists with formal, technical compliance in heavily monitored institutional sectors.

The accession reports for Serbia raise a multitude of similar concerns. Viewed through the assessment lens of the European Commission, the trajectory of Serbia suggests a failure to translate formal legal frameworks into de facto democratic practice. Reports from 2015 through 2019 note that while there are laws regulating freedom of expression, their implementation is questionable (European Commission, 2015c, p. 17; 2019c, p. 25). Threats and violence against journalists persisted throughout the observation period (European Commission, 2015c, p. 18; 2022c, p. 38). Delays in implementing the revised media strategy were noted in 2022, alongside the continued need to strengthen media pluralism in 2023 (European Commission, 2022c, pp. 37-38; 2023c, p. 42). The 2024 report marked further concern regarding a backslide in the environment for journalists and the inconsistent manner of implementing media laws (European

Commission, 2024c, p. 38; 2025c, p. 7). In the context of segmented compliance, this qualitative regression in the media sector contrasts with Serbian simultaneous efforts to secure positive technical assessments by passing judicial constitutional amendments (as analysed in Section 5.2.1). The metrics of the Commission illustrate that while the Serbian executive selectively fulfilled heavily monitored structural benchmarks to appease the European Union, it could have deliberately neglected vulnerable sectors like the media to maintain its domestic grip on power, exploiting the measurement gap inherent in the conditionality framework.

Major recommendations from the European Commission for Montenegro regarding political criteria and freedom of expression were to ensure the independence of the national public broadcaster and to ensure the legal resolution of ongoing assaults on journalists. Prior to the 2020 change in government, the assessment framework consistently documented concerns regarding the *de facto* suppression of the media environment under the long-ruling Democratic Party of Socialists (DPS) (European Commission, 2019b, p. 27; 2020b, p. 34). After DPS left the government coalition in 2020, the media environment slightly improved. The 2024 report noted the drafting of a new media law and improvements in the protection of journalists (European Commission, 2024b, p. 7), leading the 2025 report to note that the country “provides an adequate enabling environment for the media to operate freely” (European Commission, 2025b, p. 43). This qualitative improvement presents a contrast to Montenegro’s simultaneous judicial collapse (as analysed in Section 5.2.1). While the lack of a single dominant ruling party caused formal judicial institutions to stall due to political gridlock, this exact same political fragmentation prevented any single faction from successfully capturing the press. The efforts of the European Commission’s diverging sectoral assessments confirm that dismantling a political monopoly could have improved the *de facto* environment for journalists. Prior to this, segmented compliance could have been used by the previous government.

### 5.3 Results of Analysis

The V-Dem indices provide an insight into what is happening on the ground according to political scientists and experts that also observe these countries, albeit from a more data-focused perspective compared to the European Commission. While V-Dem indices rely on expert

aggregation and carry inherent methodological limitations, they provide a widely accepted quantitative proxy for de facto democratic realities.

### 5.3.1 The Judiciary Reforms

A comparison of the V-Dem Judicial Independence index against the Commission's Chapter 23 assessments reveals a divergent trend between the passage of legislation and actual judicial autonomy.

The V-Dem data for Albania displays a distinct trajectory, as can be seen in chart 1 on page 18, a sharp dip around 2017–2018 followed by a slow recovery, ultimately flatlining near its original 2014 baseline by 2023. This shows the substantive shock of the “unprecedented vetting process.” However, it contrasts with the European Commission's assessments, which awarded an unbroken block of "good progress" from 2016 to 2023. The V-Dem graph illustrates that while the EU rewarded the structural process of firing corrupt judges, the de facto independence of the Albanian judiciary has not yet substantively improved beyond its pre-reform baseline.

In Serbia, certain elements of segmented compliance can be observed. While the European Commission upgraded Serbia to “some progress” in 2022 to reward the passage of constitutional amendments, the V-Dem data shows an uninterrupted negative trend towards the lower end of the index from 2016 to 2023. The quantitative data suggests that the formal constitutional changes recommended by the European Commission had no noticeable immediate impact on deterring political pressure from Serbian judges, documented in the reports.

The V-Dem graph echoes the concerns of the Commission in 2023. Montenegro's judicial independence score remains relatively high and stable during the DPS era, but drops precipitously after the 2020 change in government, bottoming out in 2023. This trend aligns with the Commission's assessment of “no progress” during the Constitutional Court quorum crisis, proving how fragile institutions built under a stabilitocracy are, once the dominant ruling party is removed.

### 5.3.2 Combating Corruption

**(Note: The V-Dem Political Corruption index operates on an inverted scale, meaning a higher score indicates an increase in political corruption).**

Combining data regarding corruption from V-Dem (Chart 2 on page 14) and EU accession reports, makes it possible to observe the tension between setting up anti-corruption agencies and prosecuting high-level politicians. In the context of this thesis, the former is what the countries have already done and the latter is what the European Commission recommended to do.

Despite the EU awarding Albania “good progress” in 2019 and 2020 for the formal establishment of SPAK, the V-Dem graph shows that political corruption in Albania remained consistently high and without major changes across the entire decade. The lengthy institutional period of setting up SPAK coincided with continued high-level corruption as measured by V-Dem, with no significant downward movement in the index across the same period.

The V-Dem data for Serbia shows a steady, unbroken upward trend, indicating that political corruption actively worsened between 2014 and 2023. This quantitative reality exposes the limitations of the EU’s GRECO recommendations (as analysed in Section 5.2.2). During the same period in which the Serbian executive drafted strategies and revised agency laws, substantive corrupt practices continued, as documented by both V-Dem indices and successive EC recommendations.

Montenegro’s V-Dem corruption score remains stagnant before slightly worsening after 2020. This visualises the limited success of the Anti-Corruption Agency (ACA). Despite the EU’s early praise for the ACA’s creation in 2016, the quantitative data confirms the Commission’s later realisation that the agency’s selective approach and reliance on plea bargains coincided with high-level corruption continuing to avoid prosecution, as noted in successive accession reports.

### 5.3.3 Freedom of Expression and Fundamentals

The assessment of media freedom is the only sector where the qualitative EU reports and the quantitative V-Dem data align with no major deviations. Because media freedom cannot be

easily feigned through technical legislation, the European Commission graded the de facto reality accurately.

The V-Dem graph (chart 3 on page 15) for Serbia shows a steep decline in freedom of expression, dropping from roughly 0.6 in 2015 to below 0.3 by 2023. This visual cliff-dive validates the Commission's continuous warnings of state-sponsored smear campaigns and intimidation. The V-Dem data shows a simultaneous decline in media freedom alongside the drafting of judicial amendments, a pattern consistent with segmented compliance.

Similarly, the Albanian V-Dem trajectory shows a persistent downward slope. The European Commission recommended that the Albanian government needs to address issues regarding media freedom.

The V-Dem graph shows a spike in Montenegro's freedom of expression after 2020. This tracks with the fall of the long-ruling DPS party. It suggests that breaking a political monopoly instantly improved the environment for journalists, even as the same political fragmentation coincided with the stalling of formal judicial institutions (as seen in Section 5.3.1).

## 5.4 Findings

### 5.4.1 Democratic Outcomes

By evaluating the extent to which European Commission institutional reform recommendations translate into substantive democratic outcomes, this thesis suggests the presence of an implementation gap that facilitates segmented compliance. Candidate states that fulfilled structural recommendations in heavily monitored sectors tended to maintain positive accession momentum. For instance, passing constitutional amendments in Serbia or establishing anti-corruption agencies in Albania and Montenegro. However, comparing these qualitative institutional assessments to quantitative V-Dem indices hints that these formal reforms often lacked effective implementation, as the scores for the respective countries were often stagnant or regressive. The divergence between these two datasets requires methodological analysis before conclusions can be drawn. It must be noted that the accession reports compiled by the European

Commission are highly detailed and often suggest a slower, yet steadier process. Since the reports also evaluate the processes that each state goes through in order to meet recommendations, progress is reported even if it is not immediately noticeable on the ground. V-Dem reported the reality and the situation on the ground. As a result of this, the scores in the indices provided by V-Dem, have a more modest outlook on the state of democracy in the Western Balkans. What is important to note is that certain temporal lag between formal legislative change and measurable democratic improvement is methodologically expected. Institutional reforms need time to alter political behaviour, and V-Dem expert assessments may themselves trail real-world developments. However, a lag explanation is insufficient when quantitative indicators move in the opposite direction to formal assessments instead of simply trailing behind them. In the case of Serbia, V-Dem's rule of law index shows an uninterrupted negative trend from 2016 to 2023, the same period during which the EC upgraded its assessment following the passage of constitutional amendments. A lag would predict a flat or slowly rising line. An actively declining line suggests the formal reform had little substantive democratic effect. Furthermore, after 2020 in Montenegro, improvement in media freedom was captured simultaneously by both V-Dem and the European Commission, demonstrating that V-Dem is not inherently slow to register genuine change. The divergence between EC assessments and V-Dem outcomes in the judiciary and anti-corruption sectors therefore reflects a structural pattern: the European Commission's framework rewards visible legislative milestones while V-Dem tracks de facto institutional behaviour, and in certain cases these measure different realities rather than the same reality at different speeds.

#### 5.4.2 Segmented Compliance

Segmented compliance is a concept that can be seen among the states analysed in this thesis. While the assessments from V-Dem and the European Commission accession reports often line up relatively well, it is possible to see divergence. To compensate for concessions in the judicial and anti-corruption spheres, it is possible to suggest that domestic elites attempt to take advantage of more vulnerable and less technically regulated sectors, particularly the media, to maintain their domestic grip on power. This illustrates how stabilitocracies stay in power, as also found by Soyaltin-Colella, D (2023, p. 1317). The lengthy institutional creation process of SPAK

coincided with the corruption index from V-Dem showing no significant improvement despite positive EC assessments. This pattern of strategic selectivity in the media sector is consistent with what Dragojlov (2023) identifies as “fake compliance” in the Serbian case, the deliberate adoption of formal legislative frameworks without implementation, exploiting the ambiguity between public EU engagement and the critical stance of progress reports. Fake compliance in lower-scrutiny sectors such as media is not isolated but functions as a deliberate offset against genuine structural reforms in more heavily monitored areas. Another example is how Serbia made constitutional amendments formalising judicial independence in 2022 while at the same time holding back the law on the judicial academy which was also noted in the recommendations of the European Commission. The absence of this law meant that judicial independence remained difficult to formalise in practice. Serbia has also drafted many anti-corruption strategies and revised its anti-corruption laws, yet the strategies did not comply with GRECO recommendations. These cases illustrate Serbia meeting the recommendations of the European Commission and at the same time, the reforms do not fully translate to the situation on the ground. A similar example is noted in Montenegro, where the anti-corruption agency was set up but it mostly issued misdemeanor orders and worked with plea bargains. The effectiveness of the agency in addressing high-level corruption remained limited. This was also documented in successive accession reports.

While acknowledging the methodological limitations inherent in comparing qualitative policy assessments with expert-aggregated quantitative indices, in certain periods for certain countries, there is a noticeable divergence between the datasets.

## 6. Conclusion

The thesis aimed to analyse to what extent the European Commission’s recommendations translated into substantive democratic outcomes and how does the implementation gap facilitate “segmented compliance” in Albania, Montenegro and Serbia. In order to do this, mixed research methods were utilised in the form of document analysis and a quantitative analysis based on accession reports provided by the European Commission and V-Dem indices, respectively. Regarding the first research question on European Commission recommendations, based on the findings in the analysis, European Commission recommendations translated into substantive democratic outcomes only in narrow, heavily monitored institutional sectors. In areas like media

freedom and high-level corruption prosecution, formal legislative compliance did not correspond to measurable democratic improvement, as illustrated by the divergence between EC assessments and V-Dem indices. Evidence of segmented and “fake” compliance was also prevalent among the analysed countries, Domestic elites retain the ability to satisfy conditionality pressure selectively by fulfilling reforms that require observable institutional setup while neglecting sectors where compliance depends on sustained behavioural change rather than legislative action. As discussed in the analysis, the lengthy creation of SPAK in Albania occurred alongside persistent high-level corruption as measured by V-Dem. In addition to that, this is also suggested in the case of Serbia regarding the constitutional reforms and the law on the judicial academy. The conducted analysis found that Montenegro recorded the most measurable improvement across both datasets, Albania showed partial and uneven progress and Serbia demonstrated deterioration in several sectors according to V-Dem indices despite maintaining accession momentum.

For the second research question, the analysis finds evidence of segmented compliance across all three cases. While all three countries displayed elements of segmented compliance, the degree and consistency of divergence between the two datasets varied significantly across cases and sectors. The implementation gap identified in this thesis is not a result of individual state failures but reflects a structural feature of the EU’s conditionality framework itself. It is a feature that systematically prioritises observable legislative milestones over de facto institutional behaviour. As long as the European Commission’s assessment methodology rewards the creation of agencies and the passage of constitutional amendments without sufficient scrutiny of their practical operation, candidate state governments will retain the incentive to engage in segmented compliance. This is particularly consequential in the current geopolitical situation, where renewed enlargement momentum risks prioritising accession speed over democratic substance. Multiple methodological limitations should be acknowledged. The V-Dem indices rely on expert aggregation and carry inherent subjectivity. The accession reports are structured around observable legislative and institutional milestones, which could make them more sensitive to certain dimensions of democratic change than others. In the future, research could be done by looking into how the aforementioned segmented compliance affects democratic progress after 20-30 years. In addition to that, a deeper analysis can be conducted on whether this is only an

issue exclusive to the cases analysed in this thesis or is this also happening in for instance North Macedonia or Bosnia and Herzegovina. In the geopolitical context of today, renewed enlargement momentum can risk prioritising accession speed over democratic substance, these findings are relevant for how the European Union designs and evaluates its conditionality framework in the Western Balkans and potentially other regions.

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