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# Towards Inclusive EU Accession: Follow-up assessment of Western Balkans' EU accession process from a gender perspective





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# **TOWARDS INCLUSIVE EU ACCESSION:**

## **Follow-up assessment of Western Balkans' EU accession process from a gender perspective**

**2024**

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Author: Jana Juzová  
Reference group: Voskre Naumoska Ilieva, Stina Magnuson Buur  
Design and layout: Kontura  
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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

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# INTRODUCTION: WESTERN BALKANS' EU ACCESSION PROCESS 20 YEARS SINCE THESSALONIKI

In June 2023, the countries of the Western Balkans commemorated 20 years since the Thessaloniki Summit of the EU leaders with their counterparts from the region. The Summit represented an important milestone in the enlargement of the Union as the final declaration<sup>1</sup> specifically states that “the future of the Balkans is within the European Union”, giving a clear commitment to accepting the countries as future members of the EU.

However, the enlargement momentum of the 2000s withered away as the Union was encountered with a series of crises such as the financial and economic crisis of 2008, migration crisis and facing the risk of its own disintegration with the Brexit referendum in 2016. On the other hand, the reform efforts among the candidate countries are uneven at best and there is a democratic decline in most Western Balkan countries.

The general “enlargement fatigue” resulted in an atmosphere of disenchantment with the withering prospect of EU membership on the side of the candidates and frustrations over the lack of reform momentum in the region on the side of the EU. Further, bilateral issues either between candidate countries or between EU Member States and a candidate proved to place serious obstacles to the accession process, demonstrated in the case of North Macedonia, that was blocked for many years by Greece and then Bulgaria, and the case of Kosovo and Serbia.

With Russia’s aggression towards Ukraine in February 2022 and membership applications of the Associated Trio<sup>2</sup>, the EU enlargement returned among the EU’s priorities. While much of the attention focused on Ukraine, Moldova and to some extent Georgia, the Western Balkans’ protracted EU accession process also gained momentum in Brussels discussions. In the past two years, the EU enlargement process to the Western Balkans has thus delivered some long-awaited results for some countries but not for all, for different reasons.

Montenegro and Serbia are still the frontrunners of the process, despite the slow progress in the past years. Montenegro received candidate status in 2010 and started accession negotiations in 2012. By 2023, the country had opened all 33 screened chapters and provisionally closed three chapters. EU’s attention is now focused on the new government, with the expectation of delivering progress on Chapters 23 and 24, which lie at the core of the EU accession process, mainly in the area of independent and functioning judiciary, fight against corruption and organised crime, and public administration reform. The 2023 Country Report by the European Commission further points out the number of femicides, public expressions of misogyny and gender-based violence,

<sup>1</sup> European Commission, [Eu-Western Balkans Summit Thessaloniki, 21 June 2003](#)

<sup>2</sup> An informal initiative between Georgia, Moldova and Ukraine established in 2021 with the aim of integration into the EU.

and violence against children as issues of serious concern.<sup>3</sup> Once Montenegro demonstrates credible results on these issues, it could advance also in other negotiating areas of a more technical nature, potentially defending its position as a leader in the enlargement process.

Serbia opened accession negotiations in 2014, after obtaining candidate status in 2012. So far, the country has opened 22 out of 35 chapters and provisionally closed two of them. Currently, Serbia's EU accession process is particularly marked by a serious democratic decline and lack of alignment in the area of foreign and security policy. Among the main issues hampering Serbia's EU accession are the executive's capture of the media landscape and the shrinking space for independent media and civil society, dysfunctionality of the Parliament, prevalent corruption and the failure to align with the EU's Common Foreign and Security Policy (CFSP), especially regarding the sanctions against Russia following its war on Ukraine.

In 2023, the screening process with Albania and North Macedonia was being completed, opening the way to start their accession negotiations. North Macedonia obtained candidate status in 2005 and Albania in 2014. Despite repeated recommendations from the European Commission to the Council to start the negotiations with both countries, a positive decision was adopted by the EU leaders only after a revision of the enlargement methodology in 2020<sup>4</sup> and the signing of the Prespa Agreement in the case of North Macedonia. However, the actual start of the process was blocked by Bulgaria due to a bilateral dispute with North Macedonia over identity and historical issues. Only in July 2022, after a deal was reached between both countries, where North Macedonia among other things was conditioned to amend its Constitution by including Bulgarians as one of the country's constitutive peoples, the Intergovernmental Conferences with both countries were organised. The European Council, at its meeting in December 2023, expressed readiness to conclude the opening phase of negotiations once the constitutional changes are completed.<sup>5</sup> Albania could start the negotiations soon unless blocked by Greece that has threatened to do so, although there seems to be the preference on the side of the EU to let the countries advance together.

Bosnia and Herzegovina (BiH) applied for EU membership in 2016 and in 2022 the European Commission recommended granting candidate status, given that the country will meet the identified 14 key priorities prior to opening the accession negotiations.<sup>6</sup> In its 2023 Enlargement Package, the European Commission recommended opening the accession negotiations, although only two of the 14 priorities were marked as completed.<sup>7</sup> The European Council expressed its readiness to start the negotiations "once the necessary degree of compliance with the membership criteria is achieved" and invited the Commission to provide an additional report before the Council meeting in March 2024.<sup>8</sup> However, progress still needs to be demonstrated in areas such as the

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<sup>3</sup> European Commission, [Montenegro Report 2023](#)

<sup>4</sup> European Commission, [Enhancing the accession process – A credible EU perspective for the Western Balkans](#)

<sup>5</sup> European Council, [European Council meeting - conclusions, 14-15 December 2023](#)

<sup>6</sup> European Commission, [Bosnia and Herzegovina Report 2022](#)

<sup>7</sup> European Commission, [Bosnia and Herzegovina Report 2023](#)

<sup>8</sup> [European Council meeting - conclusions, 14-15 December 2023](#)

functionality of the Constitutional Court, lagging constitutional and electoral reforms and the protection of human rights including combatting gender-based violence.

Kosovo submitted its EU membership application in 2022 but is still waiting for the next steps as its independence is not recognised by five EU Member States, remaining the only country in the region without candidate status. The recent escalation in the relations between Belgrade and Pristina, and strong-worded messages towards the Kosovo government by top EU representatives additionally stalls the progress. Aside from the deteriorating dialogue, Kosovo is in the early stages of the process and more efforts are needed in crucial areas such as the fight against corruption, judicial reform, freedom of expression and challenging economic reforms. In 2023, however, Kosovo received the long-awaited positive decision by the Council on visa liberalization, entering into force in January 2024.

## EU approach to “fundamentals” and gender equality

The EU enlargement policy has been one of the most important instruments in the promotion of freedom, democracy, stability and prosperity in the EU’s neighbourhoods. Countries aspiring to join the European Union have to comply with several fundamental conditions outlined in the EU treaties<sup>9</sup>, in the conclusions of the European Council meeting in Copenhagen in 1993<sup>10</sup> and in the case of Western Balkans also under the Stabilization and Association Process.<sup>11</sup>

The Treaty on the EU stipulates that a country wishing to join the EU can apply if it respects the EU’s values<sup>12</sup> and is committed to their promotion. The Copenhagen criteria<sup>13</sup> comprise of political and economic criteria and administrative and institutional capacity to effectively implement the EU *acquis* (common rights and obligations binding to EU Member States). The acceding countries thus need to have stable institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities, functioning and competitive market economy and sufficient capacities to assume the membership obligations. Finally, the criteria include EU’s ability to integrate new members without impeding the functioning of the EU.

The EU’s fundamental values have been increasingly placed at the core of the enlargement process, initiated with the “fundamentals first” approach in 2011<sup>14</sup> and further underlined in the revised methodology for the accession process<sup>15</sup> adopted in 2020. The negotiating chapters related to EU’s values (Chapters 23 and 24) are currently opened first and closed last, for the Commission to be able to observe the track record of implementation of reforms and potentially reverse the process in case of backsliding in these areas.

9 EUR-Lex, [Treaty on European Union](#), Article 49

10 European Council, [European Council conclusions December 1993](#)

11 European Commission, [Stabilisation and Association Process](#)

12 These values are defined under Article 2 of the [Treaty on EU](#)

13 European Commission, [Accession criteria](#)

14 European Commission, [Enlargement Strategy and Main Challenges 2011-2012](#)

15 European Commission, [Enhancing the accession process](#)



Gender equality became an integral part of the EU accession process in 1997 with the signing of the Treaty of Amsterdam, amending the Treaty on European Union, which introduced revisions of articles 2, 3 and 13,<sup>16</sup> recognizing equality between men and women as a fundamental value and strengthening the Union's competence to combat gender-based discrimination.<sup>17</sup> This dimension was further enhanced by the consolidated Treaty on the Functioning of the EU which specifically states that "the Union shall aim to eliminate inequalities, and to promote equality, between men and women".<sup>18</sup> Discrimination on any grounds including sex is prohibited also by the EU Charter of Fundamental Rights, introduced in 2000.<sup>19</sup>

The longest-standing and dominant strategy that the EU uses for promotion of gender equality is gender mainstreaming, defined by the Council of Europe as "an approach to policy-making that takes into account both women's and men's interests and concerns, aimed at designing better policies."<sup>20</sup> In its Communication "Incorporating Equal Opportunities for Women and Men into all Community Policies and Activities",<sup>21</sup> the European Commission in 1996 set out to integrate this approach across all EU policies.

In 2020 the Commission introduced its Gender Equality Strategy for 2020-2025, outlining specific objectives which should contribute towards a gender-equal Europe by 2025 and to eradicating gender-based violence, sex discrimination and structural inequality between women and men.<sup>22</sup> The Strategy builds on the combination of enhanced gender mainstreaming and targeted measures promoting gender equality (the "dual approach") and promises inclusion of a gender perspective across all policy areas of the EU, including enlargement policy.

Since 2010, the Gender Action Plans (GAPs) have become a key instrument in strengthening gender mainstreaming in the EU's external policies. Building on GAP I and II, the GAP III (2020-2025) aims to enhance progress in several priority areas that include economic, social and political empowerment of women and girls, combatting gender-based violence, achieving universal access to healthcare, or equal participation and leadership. The GAP III also integrates the EU policy framework on Women, Peace and Security (WPS), connecting WPS to EU's general approach to gender equality.<sup>23</sup>

The GAP III builds on the *three-pronged approach* which combines gender mainstreaming, targeted actions and political dialogue (compared to the dual approach of the Gender Equality Strategy) and includes the objective of 85% of all new actions having gender as a significant or principal objective (Gender Equality Marker 1 or 2). In order to tailor GAP III to the specific context and challenges of individual countries, Country-Level Implementation Plans (CLIPs) were developed, to guide the engagement

16 Pasquinelli G. (2023) [Scratching the Surface: Assessing implementation of gender equality standards in the EU Accession process for the Western Balkans](#), Kvinna till Kvinna Foundation

17 Masselot A. (2007) The State of Gender Equality Law in the EU, *European Law Journal*, 13 (2),153-168.

18 EUR-Lex, [Treaty on the functioning of the European Union](#), Article 8

19 European Parliament, [EU Charter of Fundamental Rights](#), Article 21.

20 Council of Europe, [Gender mainstreaming at the Council of Europe](#)

21 European Commission, [Incorporating Equal Opportunities for Men and Women into All Community Policies and Activities](#)

22 European Commission, [A Union of Equality: Gender Equality Strategy 2020-2025](#)

23 European Commission, [EU Gender Action Plan III](#)

of EU Delegations/Offices (EUD/O) with various local actors, including the civil society sector. The CLIPs aim to identify concrete actions and objectives for each country, based on developed Gender Country Profiles and gender sector analysis.<sup>24</sup>

The EU's approach to gender equality in the Western Balkans is currently guided by concrete commitments and the unprecedented prominence of this agenda in the EU accession process. Analyses of the results of this approach in the Western Balkans are, however, so far largely missing. This report, together with the preceding report from last year<sup>25</sup> thus provide valuable insight into the extent to which the gender-equality commitments are being pursued and met by the EU institutions and Western Balkan governments.

## Background and methodology

The report presented below is one of the main outputs of the project “*Furthering Gender Equality through the EU Accession Process*” implemented by members of the Coalition for Gender Equality in the EU Accession Process (EQUAPRO) and is led by the feminist think tank Reactor – Research in Action (North Macedonia). Other EQUAPRO members involved in the project are Albanian Women’s Empowerment Network (AWEN) (Albania), Kosovo Women’s Network (Kosovo), The Kvinna till Kvinna Foundation (Sweden), Rights for All (Bosnia and Herzegovina) and Women’s Rights Center (Montenegro). The project is supported by the European Commission and Sweden. The goal of the project is to enhance and broaden existing regional cooperation, to strengthen participatory democracies and to bring about an inclusive gender-sensitive EU approximation process.<sup>26</sup>

The background and methodology presented below adhere to the methodology of the report conducted for the year 2021.<sup>27</sup> The methodology for monitoring and reporting on areas relevant to the EU accession process was developed by the EQUAPRO Coalition together with an external expert to enable comprehensive monitoring and evaluation of EU-led processes and political dialogues from a gender perspective in individual Western Balkan countries and the region as a whole.<sup>28</sup> The methodological approach adopted under the project derives from the documents guiding the EU accession process (particularly the revised EU enlargement methodology<sup>29</sup>), the above-mentioned GAP III<sup>30</sup> and the EU Regulation establishing the Instrument for Pre-accession Assistance (IPA III).<sup>31</sup>

The monitoring framework builds on 51 indicator (45 national and 6 regional) gathered under 10 criteria:

<sup>24</sup> These aspects of GAP III are among the most relevant for the methodology outlined below and were elaborated also in the previous [edition of the report](#).

<sup>25</sup> Pasquinelli G. (2023) [Scratching the Surface](#)

<sup>26</sup> Detailed information about the project and its activities can be found on Reactor’s [website](#)

<sup>27</sup> Pasquinelli G. (2023) [Scratching the Surface](#)

<sup>28</sup> The full methodology is available in Annex 1.

<sup>29</sup> European Commission, [Enhancing the accession process](#)

<sup>30</sup> European Commission, [EU Gender Action Plan III](#)

<sup>31</sup> EUR-Lex, [Regulation on Instrument for Pre-Accession Assistance](#)

a) Country Reports are gender mainstreamed
b) Stabilisation and Association Committee meetings include gender issues
c) EU strategic engagement on gender equality at country level is in place
d) EU mainstreams gender in all actions and targeted actions
e) The EU leads by example
f) Government adopts legislation in line with the EU acquis on gender equality and consults with women's organisations
g) Government implements recommendations on gender equality included in the EC Country Report
h) Programming of IPA III at national level prioritises gender equality
i) Sex-disaggregated data is collected by national statistical offices
j) National bodies responsible for EU integration include staff with gender expertise

The reports combine quantitative indicators and qualitative indicators which are rated on a scale from “not at all” to “fully”. Indicators can be rated also with “N/A” if the indicator is not relevant in the given country or “cannot be concluded” in cases where the needed data could not be retrieved or was available only partially, insufficient to provide a conclusion. The reports also rate the observed change between the assessments for 2021 and 2022 for individual indicators, using the values 1 for full compliance/extensive improvement, 0.5 for some improvement, 0 for no change, - 0.5 for some regression and -1 for significant regression/no compliance. The reports use quantitative and qualitative data collected from desk research of publicly available documents, questionnaires and interviews with representatives of EUD/O and relevant national government bodies.

The monitoring framework which includes 51 bespoke indicator under 10 criteria, including 45 national and 6 regional indicators, aims to monitor the inclusion of a gender perspective and/or gender expertise in: the EC Country Reports; the Stabilisation and Association Committee and Sub-Committee meetings; the EU’s strategic engagement at country-level; the programming of the Instrument for Pre-Accession (IPA) and the work of the National IPA Coordinators (NIPACs); the state statistical offices and collection and publication of sex-disaggregated data and statistics; the work of government bodies mandated to lead the process of negotiation for EU Accession; the national transposition of the EU *acquis communautaire* and political dialogues on accession processes; and the extent to which women’s civil society organisations are consulted and involved in different processes related to EU Accession.<sup>32</sup>

Using this monitoring framework, the project partners produced two batches of national reports, one for each country. The first batch of national reports followed the period from January – December 2021 and the second batch covered the period from January-December 2022. The national reports for 2022 provide further ratings and

<sup>32</sup> Pasquinelli G. (2023) [Scratching the Surface](#)

attempt to measure eventual changes observed during the assessment, by comparing the individual indicator scores for the two observed years. Building on the collected data for 2022 and on the comparisons with the results from the baseline year, this report presents and interprets the data from all the national reports and adds a regional perspective

## FINDINGS OF THE 2021 AND 2022 REPORTS

### Criterion A. Country Reports are gender mainstreamed

Indicators	ALB	BiH	KOS	MNE	NM	SRB	Average
1. Number of times gender is mentioned in the Country Report <sup>33</sup>	2021: 28	2021: 17	2021: 28	2021: 19	2021: 22	2021: 14	2021: 21,3
	2022: 31 (0)	2022: 18 (0)	2022: 38 (0.5)	31 (0.5)	2022: 37 (0.5)	2022: 26 (0.5)	2022: 30,2
2. Number of times women/girls are mentioned in the Country Report	2021: 44	2021: 30	2021: 57	2021: 42	2021: 34	2021: 32	2021: 39,8
	37 (0)	2022: 36 (0.5)	2022: 73 (0.5)	2022: 39 (0)	2022: 36 (0)	2022: 39 (0.5)	2022: 43,3
3. Number of times boys/men are mentioned in the Country Report	2021: 3	2021: 6	2021: 13	2021: 9	2021: 4	2021: 3	2021: 6,3
	2022: 4 (0)	2022: 5 (0)	2022: 11 (-0.5)	2022: 7 (0)	2022: 7 (0.5)	2022: 4 (0)	2022: 6,3
4. % of Chapters gender-mainstreamed	2021: 15%	2021: 6,1%	2021: 50%	2021: 6,06%	2021: 6,06%	2021: 3%	2021: 14,35%
	2022: 15% (0)	2022: 9,1% (0.5)	2022: 37% (-0.5)	2022: 9,09% (0.5)	2022: 6% (0)	2022: 3% (0)	2022: 13,2%
5. Number of official recommendations on gender equality included in the Country Report	2021: 1	2021:0	2021:3	2021: 3	2021: 2	2021: 1	2021: 1,6
	2022: 2 (0.5)	2022: 1 (0.5)	2022: 4 (0.5)	2022: 6 (0.5)	2022: 2 (0)	2022: 2 (0.5)	2022: 2,8
6. Number of other recommendations with a gender perspective included in the narrative of Chapters	2021: 5	2021: 4	2021: 44	2021: 5	2021: 9	2021: 3	2021: 11,6
	2022: 5 (0)	2022: 6 (0.5)	2022: 35 (-0.5)	2022: 7 (0.5)	2022: 19 (0.5)	2022: 9 (0.5)	2022: 14,2
7. Extent to which Country Report uses sufficiently sex-disaggregated data	2021: Moderately	2021: Moderately	2021: Moderately	2021: Moderately	2021: Moderately	2021: Minimally	2021: Moderately
	2022: Moderately (0)	2022: Moderately (0)	2022: Moderately (0)	2022: Moderately (0)	2022: Moderately (0)	2022: Minimally (0)	2022: Moderately

<sup>33</sup> This report refers to the 2022 Country Reports and changes in evaluations between 2021 and 2022.

8. Extent to which issues recommended by women's organisations are included in the Country Report, based on your knowledge	2021: Moderately	2021: Moderately	2021: Moderately	2021: Extensively	2021: Moderately	2021: Moderately	2021: Moderately
	2022: Moderately (0)	2022: Moderately (0)	2022: Extensively (0.5)	2022: Extensively (0)	2022: Moderately (0)	2022: Minimally (-0.5)	2022: Moderately

Findings of the national reports for 2022 and comparison with the first monitored year suggest that the improvements in gender mainstreaming of the European Commission's Country Reports are rather slow. The 2022 Country Reports mention gender more often than in 2021. Women/girls are also increasingly mentioned in the Country Reports for most countries, but in the case of Albania and Montenegro this number slightly decreased. As in 2021,<sup>34</sup> also in 2022 men continued to be considered the default category and the specific needs of men and boys are still only sporadically mentioned in all countries.

Despite the increased number of references to gender and women/girls, the number of gender mainstreamed chapters remained the same in most countries or increased only slightly (in BiH and Montenegro), suggesting that the mainstreaming efforts for most countries did not yet reach beyond the usual chapters (Chapter 23, Chapter 19 and in some cases Chapter 24) and the traditionally gender mainstreamed areas such as Fundamental Rights. The percentage of gender mainstreamed chapters in individual countries in 2022 ranged from 3% in Serbia to 37% in Kosovo. Despite the relative decrease in the number of gender mainstreamed chapters in the Kosovo report between 2021 and 2022, Kosovo still stands out among the Western Balkan countries. More efforts are needed to better include a gender perspective across different chapters of the Country Reports, possibly drawing also on the positive example of Kosovo, which can be partially attributed to the combination of openness of the EUO and recognition of the substantial input by WCSOs.

The number of official and unofficial recommendations slightly increased overall in 2022 Country Reports compared to 2021 (with the exception of unofficial recommendations in Kosovo report), but the differences among countries are significant, ranging from 1 to 6 official recommendations and from 5 to 35 unofficial ones. Most national reports assess the use of sex-disaggregated data in the respective Country Reports as moderate, only in the case of Serbia sex-disaggregated data is used to a minimal extent. Generally, sex-disaggregated data should be used in relation to more sectors, beyond the more straightforward areas such as the labour market.

The differences in the extent of inclusion of WCSOs' recommendations in the Country Reports are more pronounced in 2022 than in 2021, ranging from a minimal (Serbia) to extensive inclusion (Kosovo and Montenegro). However, in most cases, the consultative process could be improved to reflect recommendations from WCSOs across different parts of the Country Report.

<sup>34</sup> Pasquinelli G. (2023) [Scratching the Surface](#)

## Criterion B. Stabilisation and Association Committee meetings include gender issues

Indicators	ALB	BiH	KOS	MNE	NM	SRB
9. % of SAA Committee meetings with gender equality issues on the agenda	2021: Cannot be concluded	2021: 0%	2021: 50%	2021: Cannot be concluded	2021: Cannot be concluded	2021: Cannot be concluded
	2022: 100% (cannot be concluded)	2022: 0% (0)	2022: 100% (1)	2022: Cannot be concluded (cannot be concluded)	2022: N/A (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)
10. % of Sub-Committee meetings with gender equality issues on the agenda	2021: Cannot be concluded	2021: 16,6%	2021: 33%	2021: Cannot be concluded	2021: 16%	2021: Cannot be concluded
	2022: 40% (cannot be concluded)	2022: 25% (0.5)	2022: 33% (0)	2022: Cannot be concluded (cannot be concluded)	2022: 33% (0.5)	2022: Cannot be concluded (cannot be concluded)
11. Extent to which women's organisations were consulted by the EU ahead of the sub-committee meetings	2021: Not at all	2021: Not at all	2021: Moderately	2021: Moderately	2021: Minimally	2021: N/A
	2022: Moderately (0.5)	2022: Not at all (0)	2022: Moderately (0)	2022: Extensively (1)	2022: Minimally (0)	2022: Not at all (cannot be concluded)
12. Extent to which SAA committee and sub-committee meetings conclusions attend to gender equality issues	2021: Cannot be concluded	2021: Not at all	2021: 50% SAA, 33% SAA SC	2021: Cannot be concluded	2021: Minimally	2021: N/A
	2022: Not at all (cannot be concluded)	2022: Minimally (0.5)	2022: 50% SAA, 40% SAA SC (0.5)	2022: Cannot be concluded (cannot be concluded)	2022: Moderately (0.5)	2022: Cannot be concluded (cannot be concluded)

The assessment of the inclusion of gender equality issues on the agenda of the SAA Committee and Sub-Committee meetings was not possible in three of the countries due to the unavailability of the meeting agendas and conclusions. While these documents are in some cases not publicly available, some organisations obtained this information directly from the EUD/O and national institutions and responsible bodies. The lack of transparency, however, hinders the ability of civil society to monitor the work of SAA Committee and Sub-Committees and the accountability of responsible institutions.

From the collected data for 2021 and 2022, some improvement can be observed on the inclusion of gender equality issues in the Sub-Committee meetings in BiH and North Macedonia. Generally, the gender perspective is reflected in several of the Sub-Committees (mainly SAA SC on Justice, Freedom and Security or SAA SC on Innovation, Society and Social Policy), showing a similar trend as the results of the gender mainstreaming analysis of the Country Reports.



The extent to which WCSOs were consulted ahead of the SAA Sub-Committee meetings was on average assessed as minimal to moderate with improvements observed in 2022 in Albania and Montenegro. In general, however, the consultations with WCSOs are in most cases irregular; the information sent to WCSOs is incomplete or their participation in the consultations is limited to the capital and more steps towards increased inclusivity of the consultative process are needed. A good practice of regular consultations with WCSOs in Kosovo by EUO and government institutions prior to SAA SC meetings as well as the government institutions sharing the invitations, agendas, and conclusions of these meetings should be pointed out as an example worth following in other countries as well.

### Criterion C. EU strategic engagement on gender equality at country level is in place

Indicators	ALB	BiH	KOS	MNE	NM	SRB
13. CLIPs for GAP III agreed and transmitted to HQ (Brussels) (indicator 5.1 GAP III)	2021: Yes	2021: Yes	2021: Yes	2021: Yes	2021: Yes	2021: Yes
	2022: Yes (1)	2022: Yes (1)	2022: Yes (1)	2022: Yes (1)	2022: Yes (1)	2022: Yes (1)
14. Gender Country Profile conducted / updated	2021: Yes	2021: Yes	2021: Yes	2021: Yes	2021: No	2021: Yes
	2022: No (0)	2022: Yes (1)	2022: Yes (1)	2022: No	2022: No (0)	2022: Yes (1)
15. Fully-fledged gender analysis conducted / updated	2021: Cannot be concluded	2021: No	2021: Yes	2021: No	2021: No	2021: No
	2022: No (cannot be concluded)	2022: No (0)	2022: Yes (1)	2022: No (0)	2022: No (0)	2022: No (0)
16. Number of sector-specific gender analyses for the priority areas under the programming cycle 2021-2027 developed and transmitted to HQ (Brussels) (indicator 5.2)	2021: 0	2021: 0	2021: 0	2021: 1	2021: 0	2021: 1
	2022: 2 (1)	2022: 0 (0)	2022: 2 (1)	2022: 3 (1)	2022: 3 (1)	2022: 1 (0.5)
17. Extent to which EU Delegation engages in dialogue on gender equality with governments, national gender equality mechanisms, parliaments and other institutional actors (indicator 7.1)	2021: Extensively	2021: Moderately	2021: Moderately	2021: Extensively	2021: Moderately	2021: Moderately
	2022: Extensively (0)	2022: Moderately (0)	2022: Moderately (0)	2022: Extensively (0)	2022: Moderately (0)	2022: Moderately (0)
18. Extent to which EU Delegation consulted civil society including WCSOs for the development of the CLIP	2021: Fully	2021: Moderately	2021: Fully	2021: Extensively	2021: Fully	2021: Moderately
	2022: Fully (1)	2022: Moderately (0)	2022: Fully (1)	2022: Fully (1)	2022: Fully (1)	2022: Extensively (0.5)

19. Extent to which EU Delegation engages in dialogue on gender equality with civil society including WCSOs (indicator 7.2)	2021: Minimally	2021: Moderately	2021: Moderately	2021: Extensively	2021: Moderately	2021: Minimally
	2022: Extensively (0.5)	2022: Moderately (0)	2022: Moderately (0)	2022: Extensively (0)	2022: Moderately (0)	2022: Moderately (0.5)
20. Extent to which EU Delegation engages in dialogue with civil society on women, peace and security issues in partner countries (indicator 7.2)	2021: Moderately	2021: Moderately	2021: Minimally	2021: Not at all	2021: Moderately	2021: Minimally
	2022: Not at all (-0.5)	2022: Moderately (0)	2022: Minimally (0)	2022: Not at all (0)	2022: Cannot be concluded (cannot be concluded)	2022: Minimally (0)

By 2021 when the first monitoring reports were conducted, all countries had completed the CLIPs. The extent of consultation of the WCSOs by the EUD/O in the development of the CLIPs in most countries reached a significant extent, with the most extensive consultations in Albania, Kosovo and North Macedonia. The practice of WCSOs leading the consultation processes with other CSOs in close cooperation with the EUD/O, identified in the 2021 reports, is a best practice that could be replicated in other countries to ensure pro-active engagement of WCSOs.<sup>35</sup> The CLIP was not updated in 2022 (as the followed period) however, during the finalisation of this report, there was a process of updating of some of the CLIPs in the region with high involvement of WCSOs. Since 2021, most countries also had a completed Gender Country Profile (GCP) with the exception of North Macedonia where GCP was finalized and published a bit later in 2023.

Except for Kosovo, no fully-fledged gender analyses were conducted in any of the Western Balkan countries in 2022. However, several sector-specific gender analyses were provided by WCSOs in most of the countries (except for BiH) or conducted by UN Women (North Macedonia) and UNDP (Montenegro), representing an increase in comparison to 2021. In most countries the number of sector-specific analyses rose by two in 2022 compared to 2021, and while this number was assessed as sufficient in 2022, it would be desirable to continue with this pace and produce analyses for all sectors.

As in 2021, the engagement of EUD/Os with national actors is assessed as moderate in 2022 in most countries, and extensive in Albania and Montenegro. The dialogue between EUD/O and civil society, including WCSOs, on gender equality ranges from moderate to extensive (in Albania and Montenegro), indicating also a positive change from 2021 in Albania and Serbia. Despite this assessment, the narrative reports show the need for a more structured and regular dialogue which would include better also local WCSOs outside the capital.

In 2022 as in 2021, the dialogue between EUD/O and WCSOs on Women, Peace and Security issues (WPS) was rated as minimal or non-existent in most cases, with concerns expressed by some WCSOs over the lack of commitment to the implementation of the UNSCR 1325. More attention needs to be devoted by the EU towards engagement with civil society and WCSOs in particular on the WPS-agenda and integration of a gender perspective in the Belgrade-Pristina dialogue.

<sup>35</sup> Pasquinelli G. (2023) [Scratching the Surface](#)



## Criterion D. EU mainstreams gender in all actions and targeted actions

Indicators	ALB	BiH	KOS	MNE	NM	SRB	Average
21. Number and % of new actions <sup>36</sup> that are gender responsive / targeted (GM1 + GM2) at country level (indicator 1.1 GAP III)	2021: 6/6 100%*	2021: 5/10 50%*	2021: 7/7 100%*	2021: 6/6 100%*	2021: 5/7 71%*	2021: 2/5 40%*	2021: 75,61% (31/41)
	2022: 5/6 83% (0.5)	2022: 5/6 83,3% (0.5)	2022: 4/4 100% (1)	2022: 3/3 100 %	2022: 4/5 80% (0.5)	2022: 6/6 100% (0.5)	2022: 90% (27/30)
22. Number and % of new gender targeted action (GM2) implemented from national allocation (indicator 1.2 GAP III)	2021: 0	2021: 1 (11,1%)	2021: 0	2021: 0	2021: 0	2021: 0	
	2022: 0 (0)	2022: 0 (-0.5)	2022: 0 (0)	2022: 0 (0)	2022: 1/5 20% (0.5)	2022: 0 (0)	
23. Total funding in support of gender equality at country level (GM1 + GM2) (indicator 1.3 GAP III)	2021: 67.5 mil EUR	2021: 34 mil EUR	2021: 71,21 mil EUR	2021: 36,017 mil EUR	2021: 62,95 mil EUR	2021: 15,5 mil EUR*	
	2022: 86,6 mil EUR (0.5)	2022: 49,3 mil EUR (0.5)	2022: 62,25 mil EUR (-0.5)	2022: 38,72 mil EUR	2022: 49 mil EUR (-0.5)	2022: 168,7 mil EUR (0.5)	
24. Amount of funding directed towards women's organisations and movements at country level (indicator 1.4 GAP III)	2021: Cannot be concluded	2021: Cannot be concluded	2021: 488,300 EUR	2021: Cannot be concluded	2021: Cannot be concluded	2021: Cannot be concluded	
	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: 0 EUR (-1)	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	
25. % of new actions supporting public finance management reforms that include a gender budgeting component (indicator 3.1 GAP III)	2021: Cannot be concluded	2021: Cannot be concluded	2021: 100%	2021: N/A	2021: Cannot be concluded	2021: Cannot be concluded	
	2022: 17% (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: N/A (0)	2022: 33% (0.5)	2022: 0 (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	

<sup>36</sup> Based on guidance from the EC, this criterion refers to Action Documents and not individual contracts.

The 2022 reports show a slight increase in the percentage of gender-responsive new actions at the country level among the new actions (from 75,61% to 90%), which contributes, at least technically, towards meeting the GAP III objective of at least 85% gender-responsive new actions by 2025. However, it must be noted that detailed findings from the national analyses confirm that many of the analysed Action Documents demonstrate a significant discrepancy between the gender marking and the actual descriptions and indicators. In other words, many of the ADs are marked incorrectly and do not fulfil the OECD/DAC minimum criteria in order to qualify for a GM1 or GM2 marker.

In both years observed, there was only one new gender-targeted action (marked GM2) implemented from the national allocation. For 2022, North Macedonia was the only country having gender equality as a principal objective, i.e. an AD marked as GM2, and in the baseline year (2021), this applied to BiH.

The funding in support of gender equality (actions marked GM1 and GM2) at the country level increased in 2022 in Albania, BiH and Serbia, reaching approximately 78.000.000 EUR. However, it is important to underline that the final figures on support for gender equality are only indicative as only part of the actions marked GM1 (where gender equality is a significant objective) will contribute to this goal specifically. Furthermore, as the analyses proved, the Action Documents were in many cases marked incorrectly, creating a potentially misleading picture of the overall funding in support of gender equality.

The EU currently does not register the exact figures contributing to gender equality objectives and similarly, it is not possible to track the funding dedicated towards women's organisations and movements in the given countries. In 2021, it was possible to retrieve this figure for Kosovo due to contracts signed with WCSOs by the EU Office in Kosovo, however, no new contracts were signed in 2022.

In half of the countries, the information on actions supporting public finance management reforms and including a gender budgeting component could not be obtained. Even in some cases where such actions were approved, analysis showed that the document did not fulfil the OECD criteria (North Macedonia) or it missed to provide the necessary information for a correct evaluation (Albania).

## Criterion E. The EU leads by example

Indicators	ALB	BiH	KOS	MNE	NM	SRB
26. Number and % of women in senior and middle management positions in the EU Delegation/ Office (indicator 10.1 GAP III)	2021: Cannot be concluded	2021: Cannot be concluded	2021: 0*	2021: 4 (57%)	2021: Cannot be concluded	2021: Cannot be concluded
	2021: Cannot be concluded	2021: Cannot be concluded	2021: 0*	2021: 4 (57%)	2021: Cannot be concluded	2021: Cannot be concluded
27. % of management trained on gender equality and GAP III in EU Delegation and CSDP mission (indicator 10.2)	2021: N/A	2021: Cannot be concluded	2021: 92%	2021: 14%	2021: Cannot be concluded	2021: Cannot be concluded
	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: 0% (-0.5)	2022: 71% (0.5)	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)
28. % of management trained on women, peace and security in EU Delegation and CSDP mission (indicator 10.2)	2021: Cannot be concluded	2021: Cannot be concluded	2021: 14%*	2021: Not at all	2021: N/A	2021: N/A
	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: 0% (-0.5)	2022: Not at all (0)	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)
29. Number of Gender Adviser / Gender Focal Points in the EU Delegation and CSDP mission	2021: 1	2021: 3	2021:14	2021: 2	2021: 1	2021: 1
	2022: 1 (0)	2022: 3 (0)	2022:13 (-0.5)	2022: 2 (0)	2022: 1 (0)	2022: 1 (0)

In most countries, the information for indicators 27 and 28 could not be obtained publicly nor from the EU Delegations, with the exception of Kosovo and Montenegro. The representation of women in senior and middle management in the EU Delegations/ Office was in 2022 on average 20% while the representation of men was 80% and no women occupied these positions in BiH, Kosovo and North Macedonia.

The information on the proportion of EUD/O staff trained on gender equality, GAP III and the WPS-agenda could be retrieved only in Kosovo and Montenegro, suggesting a drop in Kosovo and a slight increase in Montenegro in relation to gender equality and GAP III. In the case of Kosovo, however, the decrease can be explained as the EUO staff received the training in previous years. The lack of publicly available data in other countries makes regional comparison and identification of eventual trends challenging.

The number of Gender Advisors and Gender Focal Points (GFPs) in the EUD/O and CSDP missions varies from one in Albania, North Macedonia and Serbia respectively, to 13 in Kosovo and was the same in 2021 and 2022 in most countries (only in Kosovo it decreased by one). The GFP position in the EUD/O is typically only part-time, where the colleague having this role would typically also be responsible for another agenda, for example human rights or civil society cooperation. Most national reports mention that a job description for the GFP position is missing. EULEX in Kosovo represents an exception, with a full-time Gender Adviser with a clear job description, and clear Terms of Reference for the EULEX GFPs.

## Criterion F. Government adopts legislation in line with the EU *acquis communautaire* on gender equality and consults with women's organisations

Indicators	ALB	BiH	KOS	MNE	NM	SRB
30. Extent to which gender equality is addressed in the National Programme for the Adoption of the Acquis (NPAA)	2021: Extensively	2021: N/A	2021: Extensively	2021: Minimally	2021: Minimally	2021: Moderately
	2022: Fully (1)	2022: N/A (N/A)	2022: Extensively (1)	2022: Minimally (0)	2022: Minimally (0)	2022: Cannot be concluded (cannot be concluded)
31. Extent to which key laws on gender equality and EU Accession are open for public consultation	2021: Fully	2021: Minimally	2021: Fully	2021: Fully	2021: Moderately	2021: Moderately
	2022: Fully (1)	2022: Minimally (0)	2022: Fully (1)	2022: Moderately (0)	2022: Moderately (0)	2022: Moderately (0)
32. Extent to which inputs on Laws / amendments / policies by WCSOs in line with the EU <i>acquis</i> on gender equality are taken on board	2021: Extensively	2021: Minimally	2021: Minimally*	2021: Moderately	2021: Moderately	2021: Minimally
	2022: Moderately (-0.5)	2022: Minimally (0)	2022: Minimally (0)	2022: Moderately (0)	2022: Moderately (0)	2022: N/A (cannot be concluded)
33. Extent to which new sectoral strategies are publicly available	2021: Extensively	2021: Fully	2021: Fully	2021: Fully	2021: Fully	2021: Fully
	2022: Fully (1)	2022: N/A (cannot be concluded)	2022: Fully (1)	2022: Fully (1)	2022: Fully (1)	2022: Fully (1)

34. Extent to which new sectoral strategies mainstream gender equality	2021: Minimally	2021: Moderately	2021: Moderately	2021: Minimally	2021: Moderately	2021: Moderately
	2021: Minimally	2021: Moderately	2021: Moderately	2021: Minimally	2021: Moderately	2021: Moderately
35. % of sector working groups (or the like) with WCSOs included/represented	2021: Cannot be concluded	2021: Cannot be concluded	2021: N/A	2021: 14%	2021: 25%	2021: Cannot be concluded
	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: N/A (N/A)	2022: Not at all (0)	2022: Cannot be concluded (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)

The extent to which gender is mainstreamed in National Programmes for the Adoption of the Acquis (NPAA) in individual Western Balkan countries differed significantly in 2022, from a full extent in Albania and an extensive extent in Kosovo to a minimal extent in Montenegro and North Macedonia. BiH still did not have a NPAA in 2022, despite its adoption being among the 14 priorities for BiH opening accession negotiations. This condition was marked as unfulfilled also in the 2023 Country Report. In Serbia, the fourth revision of the NPAA, in place from 2022, does not contain any narrative explanation, unlike previous revisions, making it impossible to determine to what extent the listed laws and policies address gender equality.

Key laws on gender equality and the EU accession process were usually available for public consultations to a moderate (Montenegro, North Macedonia, Serbia) or full extent (Albania, Kosovo), only in BiH to a minimal extent. Draft laws are published online, and public consultations are enabled through an online consultations platform positive practice in Albania can be pointed out as the existing electronic register documents each step of the consultative process including reports on the received comments. However, the consultation process could be enhanced by providing more time for the collection of inputs, increasing awareness about this possibility among citizens and by improving reporting on outcomes of these consultations. In BiH, the extent of public consultations availability was assessed as minimal because most laws affecting the everyday life of citizens were adopted at the levels of the entities, while an active online public consultation platform existed on the central level. The 2022 national report on Montenegro identified that after the relocation of public consultations from a joint platform to the government websites, not all ministries even conducted public consultations or consulted civil society, decreasing the assigned rating from 2021 to “moderately”.

The inputs on laws and policies by WCSOs were considered only to a minimal or moderate extent in all countries where they had been provided. In Serbia, because of the general elections held in 2022, no laws regarding gender equality were passed by the Parliament according to respondents in the research.<sup>37</sup> Their recommendations could be generally reflected better and the consultation process with civil society including WCSOs should be improved, providing the organisations with better and timely information, inclusion of more diverse (W)CSOs in the process and providing feedback on

the proposed inputs. In 2022, the new sectoral strategies were publicly available in all countries and were gender mainstreamed to a moderate extent in most countries and only minimally in Montenegro. No new sectoral strategies were adopted in BiH at state level in 2022. The extent of gender mainstreaming in sectoral strategies differs also among the documents themselves, with the most gender mainstreamed being typically on the topics of gender equality, human rights, trafficking in human beings etc.

Regarding the WCSOs' representation in sector working groups (or the like), in 2022 most countries could not verify this information, while in Kosovo the working groups have not been set up yet. The information is typically not publicly available, and the responses received from national institutions were not complete. A negative example from Montenegro stands out in 2022 as due to the rationalization of negotiating structures in terms of CSO involvement, the Government announced a public call for CSOs to propose one representative for each of the 33 working groups. As a result, the already low participation of WCSOs eroded to no representation at all.

## Criterion G. Government implements recommendations on gender equality included in the Country Report

Indicators	ALB	BiH	KOS	MNE	NM	SRB
36. Extent to which recommendations on gender equality included in the Country Report have been implemented by the government/institutions	2021: Moderately	2021: Minimally	2021: Minimally	2021: Moderately	2021: Moderately	2021: Moderately
	2022: Moderately (0)	2022: Minimally (0)	2022: Minimally (0)	2022: Moderately (0)	2022: Minimally (-0.5)	2022: Minimally (-0.5)

In 2022, the Western Balkan governments implemented the recommendations on gender equality from the European Commission's 2021 Country Reports mostly only to a minimal extent. Only Albania and Montenegro implemented these recommendations to a moderate extent. In North Macedonia and Serbia, the extent of implementation even decreased between 2021 and 2022.

In Albania, the one gender-targeted official recommendation in the 2021 Country Report on the improvement of access to health and services for disadvantaged populations (including women and girls) has been partially addressed by the government. In line with the 2021 Country Report's recommendations, the government adopted the new National Strategy on Gender Equality 2021-2030, which has significantly decreased the funding gap, is well aligned with EU GAP III, and has made progress in gender-responsive budgeting. However, in other areas such as combatting gender-based violence, presence of women in informal economy or sex-selective abortion and child marriages, no significant progress has been achieved.

Limited progress was registered in BiH regarding the 2021 Country Report's recommendations on combatting gender-based violence and on harmonization of maternity leave benefits and protection throughout the country. The Law on Material Support



to Families with Children in the Federation of BiH was adopted in 2022, setting minimal maternity benefits for unemployed mothers. While this law prescribes a minimum amount for the allowance, cantons can increase this amount according to their financial capabilities, which again contributes to the unequal position of unemployed mothers residing in different parts of the country. Despite this fact, the recommendation was removed from the 2022 Country Report.

The government in Kosovo has minimally fulfilled the 2021 Country Report recommendations on gender equality, although some steps in these directions were taken. In relation to the EC's recommendation to strengthen the implementation of the Law on Gender Equality (LGE) and ensure proper functioning of the system of protection, prevention and adjudication of all forms of gender-based violence, the Kosovo national report warns about some aspects of the LGE being poorly implemented, for example on ensuring availability of sex-disaggregated data, gender equality at all levels of government and public administration, and gender-responsive budgeting. The recommendation to adopt and enforce the Law on Labour, in line with EU *acquis*, also remains unfulfilled, in particular in relation to non-discrimination in employment and parental leave. The amendments aligned with the EU Work-Life Balance Directive were not completed by 2022 and the law was not adopted. Delivery on the recommendation to implement the strategy and action plan against trafficking in human beings 2022-2026, adopting a victim-centred approach is still lagging and examples of victim-blaming by police officers, judges and prosecutors still prevail. Centres for Social Work still lack capacities to handle gender-based violence cases with a gender-sensitive approach.

Most of the recommendations in the 2020 Country Report on Montenegro were still valid in 2022 and the 2021 report introduced additional obligations regarding the gender equality portfolio in the country, demonstrating that further efforts are still needed. Some progress has been achieved in the field of labour, the legal and institutional framework ensuring better access to justice, procedural rights, and free legal aid for victims of human rights violations and crimes. Further progress was noted in the Parliament's professional and expert capacity and women's political representation, although more significant steps are still needed. Other issues included under unofficial recommendations still remain unaddressed, for example, the adoption of the National plan for the implementation of the Istanbul Convention is being prolonged and still pending. The Country Report also recognized deficiencies in implementation and reporting on gender-responsive budgeting.

The extent to which the government in North Macedonia implemented the recommendations on gender equality from the Country Report decreased between 2021 and 2022. In relation to the recommendation to "implement all the provisions of the Law on Prevention and Protection against Discrimination, and to allocate the necessary resources enabling the Commission for Prevention and Protection against Discrimination to become fully functional", national institutions failed to address the challenges. The annual budget of the Commission was reduced, recruitment of administrative staff was not completed, and the Parliament did not fill the two vacant positions, resulting in no improvement in diversity in 2022. Civil society actors also warned that the independence of the Commission is affected by the legal requirement to request budget-related approvals from the Ministry of Finance. The government also made efforts to address the recommendation to continue to implement activation measures for long-term and low-skilled unemployed people, including women, persons with disabilities and Roma, and ensure proper monitoring and evaluation of such measures. However, the progress was limited and there is a continuous need for improvement.

In Serbia, little or no progress was achieved in 2022 on the one official recommendation in the 2021 Country Report, on ensuring adequate financial and institutional resources for employment and social policies to target women more systematically, among a few other groups. No to little progress was achieved on the recommendation on improving the implementation of the law against domestic violence and efforts to enrich teaching materials with gender-relevant content. Both recommendations remain the same also in the 2022 Country Report. Improvements in the implementation of the Law on Prevention of Domestic Violence are needed, namely disaggregation of cases by type of violence and by relationship between perpetrator and victim and amending the definition of rape in the Criminal Code. No progress was noted on improving access to health-care services for people with disabilities, people living with HIV, children and adult drug-users, incarcerated persons, women in prostitution, LGBTIQ+ persons, internally displaced persons or Roma.

## Criterion H. Programming of IPA III at national level prioritises gender equality

Indicators	ALB	BiH	KOS	MNE	NM	SRB
37. Extent to which responsible government bodies consulted WCSOs for the development of the IPA III Strategic Response	2021: Minimally	2021: Cannot be concluded	2021: Not at all	2021: Moderately	2021: Minimally	2021: Not at all
	2021: Minimally	2021: Cannot be concluded	2021: Not at all	2021: Moderately	2021: Minimally	2021: Not at all
38. Extent to which IPA III Strategic Response includes gender equality objectives	2021: Not at all	2021: Cannot be concluded	2021: Cannot be concluded	2021: Minimally	2021: Moderately	2021: Cannot be concluded
	2022: Not at all (0)	2022: Moderately (cannot be concluded)	2022: Cannot be concluded (cannot be concluded)	2022: Minimally (0)	2022: Moderately (0)	2022: Cannot be concluded (cannot be concluded)
39. Extent to which Action Documents contain a gender perspective	2021: Moderately	2021: Moderately	2021: Extensively	2021: Fully	2021: Moderately	2021: Minimally
	2022: Moderately (0)	2022: Minimally (-0.5)	2022: Moderately (-0.5)	2022: Moderately (-0.5)	2022: Moderately (0)	2022: Minimally (0)

According to the findings in national reports, in some of the countries, WCSOs were not consulted in the development of the Strategic Responses at all (Kosovo, Serbia) or it was not possible to find out which CSOs were consulted and whether WCSOs were involved (BiH). Even in the countries where CSOs were consulted, the findings mostly suggest that these consultations did not take place in an extensive and structured manner and that the entire process would benefit from greater transparency and inclusivity.

In 2022, the Strategic Responses were not publicly accessible in Kosovo and Serbia (while in BiH it was made available only in 2022), hindering the transparency of the



national approach to IPA III programming. The IPA III Strategic Responses that could be accessed, generally include gender equality objectives only to a minimal (Montenegro) or moderate extent (BiH, North Macedonia). In Albania, while the IPA III Strategic Response document frequently mentions gender equality and provides data and information in the context analysis for each of the five windows,<sup>38</sup> the resulting objectives under each thematic priority do not reflect gender at all.

More detailed information on indicator 39 (gender perspective in the Action Documents) is included under criterion D. A prevailing related problem is, however, that most of the Action Documents are marked incorrectly and do not meet the criteria for the assigned gender marker.

## Criterion I. Sex-disaggregated data is collected by national statistical offices

Indicators	ALB	BiH	KOS	MNE	NM	SRB
40. The Country has an updated Gender Equality Index (GEI) at national level	2021: Yes	2021: No	2021: No	2021: No	2021: No	2021: Yes
	2022: No (-0.5)	2022: Yes (1)	2022: No (0)	2022: No (0)	2022: No (0)	2022: No (-0.5)
41. Whether National Statistical Offices publish a report with easily accessible sex-disaggregated data that is sufficient for the public's use (based on Women & Men publication)	2021: Extensively	2021: Extensively	2021: Moderately	2021: Moderately	2021: Extensively	2021: Moderately
	2022: Fully (1)	2022: Extensively (0)	2022: Moderately (0)	2022: Moderately (0)	2022: Extensively (0)	2022: Moderately (0)

In 2022, no updated Gender Equality Index (GEI) was published in the Western Balkans, although in several countries a GEI update was being planned. A partial GEI in BiH (focusing on two domains) was published in 2022. In Kosovo, the GEI was not published during 2022, although three domains were being developed. The same happened in North Macedonia, where the new GEI was in progress but not published during the reference year for this report. As pointed out in the 2021 regional report,<sup>39</sup> the use of GEI would be greater if they were published at regular intervals, such as every other year, and timed so that they could inform Country Report.

In all Western Balkan countries, the *Women and Men* publication is published regularly, providing sex-disaggregated data in several areas. However, the extent to which these data are sufficient for the public's use differs among the countries.

38 Window 1 – Rule of law, fundamental rights and democracy; window 2 – Good governance, acquis alignment, good neighbourly relations and strategic communication; window 3 - Sustainable connectivity and green agenda; window 4 – Competitiveness and inclusive growth; window 5 – Territorial and cross-border cooperation

39 Pasquinelli G. (2023) [Scratching the Surface](#)

To be better suited for public use, the sex-disaggregated data should be available for more areas, for example informal economy and unpaid labour, pay and pension gaps, gender-based violence and rural development. Several national reports also underline that the *Women and Men* publication could provide for intersectional analysis by offering better data on women from marginalized groups.

## Criterion J. National bodies responsible for EU integration include staff with gender expertise

Indicators	ALB	BiH	KOS	MNE	NM	SRB
42. Extent to which gender expertise exists in the government body responsible for EU integration	2021: Moderately	2021: Moderately	2021: Moderately	2021: Minimally	2021: Minimally	2021: Moderately
	2022: Moderately (0)	2022: Moderately (0)	2022: Moderately (0)	2022: Minimally (0)	2022: Minimally (0)	2022: Cannot be concluded (cannot be concluded)
43. % of staff trained on gender equality in the national body responsible for EU integration	2021: Cannot be concluded	2021: 10%	2021: 0%	2021: Minimally*	2021: 3,6 %	2021: Cannot be concluded
	2022: Cannot be concluded (cannot be concluded)	2022: 10% (0)	2022: 0% (0)	2022: 54,2% (0.5)	2022: 6% (0.5)	2022: Cannot be concluded (cannot be concluded)
44. Extent to which Gender Focal Points are consulted in the IPA programming	2021: Moderately	2021: Cannot be concluded	2021: Minimally	2021: Minimally	2021: Minimally	2021: Minimally
	2022: Moderately (0)	2022: Cannot be concluded (cannot be concluded)	2022: Minimally (0)	2022: Minimally (0)	2022: Moderately (0.5)	2022: Cannot be concluded (cannot be concluded)
45. Extent to which gender equality expertise exists in national statistical offices	2021: Extensively	2021: Moderately	2021: Minimally	2021: Cannot be concluded	2021: Minimally	2021: Moderately
	2022: Extensively (0)	2022: Moderately (0)	2022: Minimally (0)	2022: Minimally (cannot be concluded)	2022: Moderately (0.5)	2022: Moderately (0)

Gender expertise in the government bodies responsible for EU integration exists to a minimal or moderate extent and there was no improvement between 2021 and 2022. According to the national reports, formal education in gender studies or previous experience with working on gender issues is very limited among the staff of the institutions dealing with EU integration. In some cases, even the gender equality officers do not have sufficient expertise or experience. Received training on gender equality in the na-

tional body responsible for EU integration was confirmed only in three of the Western Balkan countries. With the exception of Montenegro, only a very limited number of staff in the bodies responsible for EU integration according to the findings of the national reports. In case of Kosovo, the NIPAC staff received training on gender equality from KWN in previous years but according to the available information, the current staff did not receive any such training in 2021 nor 2022.

In 2022, GFPs were consulted in the IPA programming to a minimal (Kosovo, Montenegro) or moderate (Albania, North Macedonia) extent with a positive change between 2021 and 2022 observed in North Macedonia. In Serbia, the information needed for assessment under these indicators could not be obtained from public sources or from the Ministry of European Integration directly. In BiH, according to the obtained information, the IPA planning and programming processes rely on the expertise of the Agency for Gender Equality which provides an estimate of whether the GFPs expertise is required, as the NIPAC office does not contact the GFPs of other institutions.

The assessments of gender equality expertise in the national statistical offices ranged from a minimal extent in Kosovo to extensively in Albania. The statistical offices are responsible for the publication of the Gender Equality Indexes and for the regular *Women and Men* publication, but in some countries, the capacities for gender analysis and statistics could still be improved. The findings of some national reports also mention issues such as understaffing or high employee turnover in the statistical offices, possibly hindering the increase in gender equality expertise in these bodies. An improvement between 2021 and 2022 was observed only in the case of North Macedonia where the statistical office engaged in substantial work on gender equality, updating the GEI, producing the thirteenth edition of the *Women and Men* publication, and conducting two surveys related to gender-based violence against women and safety of women.

## Regional-level indicators

Indicators	Baseline 2021	2022
46) Number and % of new actions <sup>40</sup> that are gender responsive / targeted (GM1 + GM2) at regional level (indicator 1.1 GAP III)	10 (48%) <sup>41</sup>	3 (75%)
47) Number and % of new gender targeted action (GM2) implemented from regional allocation (indicator 1.2 GAP III)	0	1 (25%)
48) Gender regional profile with GAP III priorities and actions developed (indicator 8.1 GAP III)	No	No <sup>42</sup>
49) Number of joint EU positions for key gender regional events and negotiations	Cannot be concluded	Cannot be concluded
50) Number of statement and commitments made by EU officials on GEWE and WPS including women's participation in peace processes (indicator 16 WPS)	Cannot be concluded	Cannot be concluded
51) Number and details of EU and MS regional dialogues that include WPS-related priorities and commitments (indicator 19 WPS)	Cannot be concluded	Cannot be concluded

This part of the report is dedicated to monitoring and evaluating the indicators identified for the regional level, particularly focusing on the published regional Action Documents, the existence and quality of a Gender regional profile and EU communication on gender equality and WPS-issues in the region, including through regional dialogues.

For 2022, there were four regional Action Documents published under the Multi-Country Financial Assistance under IPA III<sup>43</sup>. All of them were published under the financing of the multi-country, multi-annual plan for Western Balkans and Türkiye. An analysis was conducted, comparing the content of these documents against the OECD DAC criteria for markers GM1 and GM2.<sup>44</sup> Two of these four Action Documents are marked GM1 (EU-Council of Europe Horizontal Facility for Western Balkans and Türkiye – Phase III, and EU support to statistics in the Western Balkans and Türkiye) and one is marked GM2 (EU4Youth: European Week of Sport in the Western Balkans). One Action Document is marked GM0 (“Support for the participation of the Western Balkans in Union programmes”). However, a deeper analysis of the Action Documents marked GM1 or GM2 revealed that they do not fulfil the OECD/DAC requirements to be marked as such. A full analysis of the Action Documents and the extent to which they comply with

<sup>40</sup> Based on guidance from the EC for the 2021 report, this criterion refers to Action Documents and not individual contracts.

<sup>41</sup> According to the [2021 report](#), none of the **Cross-border Action Documents** available online under Multi-country financial Assistance under IPA II for 2021 used formally the Gender Marker but claim to be gender mainstreamed. For consistency purposes, they are not accounted for in the table above.

<sup>42</sup> European Commission, [Commission Staff Working Document SWD\(2023\) 357 final](#), p. 295

<sup>43</sup> European Commission, [Multi-country – financial assistance under IPA](#)

<sup>44</sup> OECD, [Handbook on the OECD-DAC Gender Equality Policy Marker](#)

OECD/DAC requirements is available in Annex 2. Three Commission Implementing Decisions were published in 2022 and two in December 2021 amending the previous Action Documents but they do not include any changes relevant to gender equality and women's empowerment (GEWE).

The data for indicators 49 to 51 were not possible to obtain from publicly available sources. Further request was sent to DG NEAR and DG INTPA and we were referred to the GAP III joint mid-term report<sup>45</sup> and the report on the implementation of the EU's External Action Instruments in 2022.<sup>46</sup> These reports and their accompanying staff working documents,<sup>47</sup> however, do not provide comprehensive data needed for this monitoring report or information on the Western Balkans region specifically.

## CONCLUSIONS

Gender equality is an integral part of the EU's fundamental values that all candidates for membership have to respect and be ready to promote. It has been ingrained as such through the EU Treaties and under the Copenhagen criteria.

This report provides an insight into the extent to which the commitments of the EU and Western Balkan countries concerning strengthening GEWE are being implemented, and to what extent a gender perspective and expertise was reflected in the instruments of the EU accession process. Building on the national monitoring reports provided by members of the EQUAPRO Coalition for 2021 and 2022 and on the previous regional report, mapping the first year of this endeavour,<sup>48</sup> this report offers an overview of the state of play on gender equality issues in 2022 and looks into the change, positive or negative, between the two years.

The extent of gender mainstreaming of the European Commission's annual Country Reports remained limited with ambiguous improvements in 2022. While most of the 2022 Country Reports mentioned gender and women/girls more often than in the previous year, the number of gender mainstreamed chapters slightly decreased, failing to reach beyond the "traditional" chapters such as Chapter 23, Chapter 19 and in some cases Chapter 24. More efforts are needed to better include a gender perspective across the different chapters of the Country Reports, possibly drawing also on the positive example of Kosovo where 50% of chapters were gender mainstreamed in 2021 and 37% in 2022 (which is still a high number compared to the other countries). The numbers of official and unofficial recommendations in the Country Reports increased slightly in 2022, but this number differs significantly among the countries. It should be ensured that all future Country Reports include clear and action-oriented recommendations related to gender equality. The use of sex-disaggregated data in the Country Reports could be increased to cover more sectors, beyond the traditional areas such as the labour market. While the extent of inclusion of WCSOs' recommendations in the Country Reports differed among the countries, these recommenda-

<sup>45</sup> European Commission, [Mid term evaluation of the EU Gender Action Plan III](#)

<sup>46</sup> European Commission, [2023 Annual Report on the implementation of the European Union's External Action Instruments in 2022](#)

<sup>47</sup> Council of the EU, [Commission Staff Working Document part I and part II](#)

<sup>48</sup> Pasquinelli G. (2023) [Scratching the Surface](#)

tions could be reflected more evenly across the different chapters and more diverse WCSOs could be involved in the process.

Limited information could be obtained for the assessment under criterion B, on Stabilisation and Association Committee and Sub-Committee meetings, due to agendas and conclusions not being publicly available. However, the gathered data indicated that the gender perspective had been included only in a few of the Sub-Committees (SAA SC on Justice, Freedom and Security and SAA SC on Innovation, Society and Social Policy), suggesting limited success in terms of gender mainstreaming. The extent of consultations with WCSOs ahead of the SAA Sub-Committee meetings ranged from minimal to moderate, and although some improvement was registered in 2022 in Albania and Montenegro, the process could be improved. These consultations should be held on a more regular and structured basis, WCSOs should be provided with complete and timely information and more WCSOs from outside of the capital should be included. Among the countries of the region, Kosovo provides an example of good cooperation with WCSOs as the EUO and government institutions hold regular consultations with WCSOs prior to SAA SC meetings and the government institutions share with WCSOs the invitations, agendas, and conclusions of these meetings.

The results were mixed also in relation to the EU's strategic engagement on gender equality at the country level. While the EUD/O's engagement with national stakeholders and civil society, including WCSOs, was assessed rather highly (moderate to extensive), the dialogue with civil society on WPS was largely missing, which is perceived with concern in the post-conflict context of the region. In all countries, CLIPs for GAP III were developed with significant WCSO consultations with best examples set in Albania, Kosovo and North Macedonia. Although the CLIPs were not updated in 2022 in any of the Western Balkan countries, updates were conducted in Montenegro and North Macedonia with a great degree of consultations of WCSOs. Most countries also had a Gender Country Profile completed in 2021, except for North Macedonia where the GCP was finalised and published only in 2023. A fully-fledged gender analysis was conducted only in Kosovo, but several sector-specific gender analyses were conducted in 2021 and 2022 by WCSOs. While the number of sector-specific gender analyses per year was assessed as sufficient in 2022, it would be desirable to continue with this pace and produce gender analyses for all sectors.

Regarding the extent to which EU actions are gender-responsive or targeted, the results were at first glance good, meeting the GAP III objective of at least 85% gender-responsive new actions (with 90% of new actions being gender-responsive in 2022) and with one 2022 Action Document having gender equality as a principal objective (marked GM2 according to the OECD/DAC markers). However, a more detailed analysis of the documents showed that many of these actions were **marked incorrectly and do not meet the minimum OECD/DAC criteria for GM1 or GM2**. Similarly, the funding in support of gender equality at the country level formally increased in 2022 in Albania, BiH and Serbia, reaching approximately 78.000.000 EUR. However, these figures are misleading as only part of the actions marked GM1 would contribute to gender equality specifically, in addition to the frequently incorrect marking. It was also not possible to estimate the amount of funding towards WCSOs in individual countries as the EU lacks a system to track this data.

For the criterion E “the EU leads by example”, which corresponds with the fourth pillar of GAP III, it was not possible to obtain the needed information for most indicators in all countries except for Kosovo and Montenegro, as it could not be accessed publicly nor



was it provided by the EUDs. In the countries where this data was available, the results for 2022 showed that the representation of women in senior and middle management in EUD/O was on average 20%, while the representation of men was 80%. The lack of data prevented a regional comparison and identification of the trends in the proportion of EUD/O staff trained on gender equality, GAP III and WPS. Regarding the position of Gender Advisors and GFPs in the EUD/O and CSDP missions, most institutions had one, while Kosovo stood out with 13 such positions (largely due to EULEX presence with 10 GFPs). In general, the GFP colleagues are faced with obstacles to fulfilling their role sufficiently – typically this is only a part-time role, and there are often no job descriptions related to this position.

The extent to which gender equality was included in the National Programmes for the Adoption of the Acquis (NPAA) in individual Western Balkan countries differed significantly in 2022, from full to minimal extent. By the end of 2023, BiH still did not have a NPAA, although it is included among the 14 priorities for BiH opening accession negotiations. The new sectoral strategies, publicly available in all countries, were in 2022 gender mainstreamed mostly to a moderate extent. However, the most gender mainstreamed documents remained the ones focused on gender equality, human rights or trafficking in human beings. Although public consultation mechanisms for draft laws were in place in all countries, the process could be improved by an expanded timeframe for the collection of inputs, increased awareness among citizens and enhanced reporting on the consultation outcomes. The inputs on laws and policies by WCSOs could be better reflected, civil society should receive better information in a timely manner and more diverse (W)CSOs could be involved in the process. The information on WCSOs' representation in sector working groups in 2022 was not retrieved in most countries despite best efforts. However, a regress was noted in Montenegro where new government rules introduced a public call for CSOs to propose one representative for each of the working groups, undermining WCSOs' participation, with no involved representative in 2022.

The extent of implementation of Country Report recommendations related to gender equality was assessed as minimal in 2022 in most countries. Steps were taken to address some of the recommendations but usually these were insufficient, or some aspects of the amended legislation were poorly implemented. The national reports also noted that in some cases a recommendation was removed from the next year's Country Report although the existing problems remained and had not been addressed properly.

The Strategic Responses for IPA III were developed in most countries without an appropriate consultation of WCSOs, except in Montenegro where it was subject to public debate. In Kosovo and Serbia, the Strategic Responses were neither publicly available nor were the WCSOs consulted in the process. Documents of such importance should be made available in order to increase transparency of the national approach to IPA III programming. Analyses of the available Strategic Responses in the national reports showed that gender equality objectives were included in the documents only to a minimal or moderate extent and should be enhanced in future revisions.

The collection and publication of sex-disaggregated data by national statistical offices was assessed relatively well, although the national reports showed that no updated Gender Equality Index was published in the Western Balkans in 2022 (the most recent publications had been in Serbia in 2021 and in Albania in 2020). The *Women and Men* publication is released regularly in all countries but the areas for which data is available could be expanded and include an intersectional approach.

As regards the gender expertise in national bodies responsible for EU integration, it was present only to a minimal or moderate extent and sufficient expertise or experience on gender issues was very limited among the staff. The training on gender equality in these institutions was confirmed in 2022 only in three countries and usually involved a very small proportion of the staff (with the exception of Montenegro). Gender equality expertise in the national statistical offices varied significantly among the countries, from a minimal (in Kosovo) to a large extent (Albania), but in general, the statistical offices could benefit from increased capacities for gender statistics and analysis. The findings also showed that GFPs were consulted in the IPA programming to a minimal or moderate extent and that there is a need for clarification on the GFP's role in IPA programming, and a more structured involvement.

The findings of the monitoring conducted over the scope of two years suggest that although the EU accession process remains the main driver of pro-democratic reforms and advancement on fundamental values, including gender equality, in the Western Balkans, the results so far have been mixed. While the findings of the reports show, and the WCSOs' advocacy activities contributed to, some positive developments, further monitoring would be necessary to assess how substantive, transformative and sustainable these changes are. The recommendations presented below aim to provide EU institutions and Western Balkan governments with guidance on how to better address their commitments related to gender equality. These recommendations correspond with the recommendations from last year's report<sup>49</sup> as the challenges and issues still stand.

## RECOMMENDATIONS

### Recommendations to DG NEAR and EU Delegations/Offices:

#### Gender mainstreaming of Country Reports

- Revise the internal guidelines on compiling the Country Reports and progressively include gender-sensitive questions for all Chapters;
- Establish minimum requirements on gender mainstreaming of each Country Report and ensure consistency in the approach across the different countries;
- Ensure there are clear and concrete action-oriented recommendations on gender equality and that these are not removed from the reports until fulfilled;
- Empower the Gender Adviser in DG NEAR and Gender Focal Points in Delegations/Offices to further support colleagues in gender mainstreaming the Chapters that are not currently mainstreamed;

<sup>49</sup> Pasquinelli G. (2023) [Scratching the Surface](#)



- Consult diverse WCSOs and utilise their input to better integrate attention to gender equality in different chapters.
- **Transparency and inclusion**
- Publish all the relevant documents connected to the EU Accession process on the relevant webpages, including the agendas and conclusions of the SAA Committee and Sub-Committee meetings;
- Further inform and involve citizens and civil society organisations in key steps of the EU accession process;
- Publish all key accession-related documents and information in local languages.

### **Strategic engagement on gender equality**

- Continue the good practice of consulting and partnering with WCSOs for the development, revision and assessment of CLIPs;
- Establish a meaningful dialogue and partnership with WCSOs for the implementation of the GAP III at country level to ensure alignment of the EU priorities with those identified by WCSOs;
- Increase funding to national and grassroots WCSOs as provided for in GAP III, indicating a baseline and a target;
- Ensure an inclusive and participatory reporting system throughout the implementation of GAP III,

### **Inclusive dialogue**

- Increase regular dialogue with diverse WCSOs not just in relation to programming and funding opportunities but also on policy and political issues;
- Continue the good practice of consulting with CSOs, including WCSOs, and collecting written input ahead of the drafting of Country Reports;
- Establish a yearly dialogue on WPS-issues with WCSOs, providing space to discuss issues related to peacebuilding, reconciliation and transitional justice, as per the EU's commitments;
- Ensure a system of feedback is in place to inform WCSOs about the uptake of their proposals and concerns.

### **Funding for gender equality related to EU Accession**

- Train EUD staff on the appropriate use of the gender markers based on the OECD/DAC criteria and establish an internal quality control system to ensure that Action Documents are marked correctly;

- Improve OPSYS to track more accurately the actual amount of funding allocated to gender equality and to different beneficiaries, including specifically WCSOs;
- Publish the relevant data every year on the EC and EUD/Os' webpages.

### **Collection of sex-disaggregated data**

- Continue to support and fund programmes to improve data collection and management systems in accession countries, as well as to encourage governments to improve these systems;
- Urge EIGE to publish the Gender Equality Index at regular intervals and, where possible, time it so that the data can be used to inform different chapters in Country Reports.

### **Expertise and capacities on gender equality**

- Ensure at least one full-time Gender Adviser/Focal Point in the EUD/Os with a standard job description, clear responsibilities and access to senior decision-making level;
- Provide regular trainings on gender mainstreaming and GAP III requirements, objectives and tools for implementation to staff and particularly management in DG NEAR, EU Delegations and CSDP missions;
- Provide regular trainings on WPS issues to staff in EU Delegations and CSDP missions;
- Consider contracting WCSOs' expertise to support capacity building in gender mainstreaming that also considers country-specific contexts.

## **Recommendations to Western Balkan national governments:**

### **Transparency and inclusion**

- Publish information about the composition of sector working groups on EU integration;
- Publish agendas and conclusions of SAA Committee and Sub-Committee meetings and provide more accurate and user-friendly information about the country's engagement in the Accession process and opportunities for CSOs to contribute to the process;
- Publish the IPA III Strategic Response and make it accessible to all citizens on government's websites;

- Consider quotas for the inclusion of CSOs within the sector working groups, including at least one WCSO, elected by their peers, to represent civil society interests and support the inclusion of a gender perspective across different themes;
- Alternatively set up clear, structured and meaningful consultation mechanisms between the sector working groups and CSOs with minimum criteria for participation of WCSOs.

### **Inclusive dialogue**

- Strengthen consultation mechanisms as part of the EU accession process in relation to key reforms and legislation;
- Consult more with diverse WCSOs, allowing time for preparation, improving modalities for meaningful participation and providing feedback afterwards;
- Consult CSOs, including WCSOs, in the development of the IPA III Strategic Response, its future revisions and in designing the action documents.

### **Implementation of gender equality commitments**

- Enhance implementation of the recommendations related to gender equality included in the EC Country Reports;
- Ensure progressive approximation of the national legislation to the EU *acquis* on gender equality, including the Work-Life Balance Directive, Victims Directive etc.; include the adoption of relevant legislation in the National Programmes for the Adoption of the Acquis.

### **Gender mainstreaming**

- Improve gender mainstreaming of the National Programmes for the Adoption of the Acquis;
- Improve gender mainstreaming of the IPA III Strategic Responses;
- Improve gender mainstreaming in future sectoral strategies;
- Include gender equality on the agenda of sector working groups.

### **Sex-disaggregated data**

- Improve systems for collecting sex-disaggregated data and statistics, in a wide range of sectors and cross-sectors, including through statistically significant surveys required by the Gender Equality Index;

- Develop a user-friendly online database that can be accessed by public administrations, professionals and researchers and be used as a basis for decision-making and policy-making.

### **Programming of IPA III**

- Adhere to the GAP III commitments that 85% of new actions must be GM1 and 5% GM2 when developing the IPA III Strategic Responses and designing Action Documents;
- Make use of gender expertise in the drafting of Action Documents and ensure the correct use of the gender markers as per the OECD Guidelines.

### **Expertise and capacities on gender equality**

- Increase knowledge and competencies on gender equality of officials in national institutions through regular and comprehensive gender equality and gender mainstreaming trainings;
- Utilise the expertise and existing capacities of WCSOs to support the trainings, compensating them for their work;
- Establish and support Gender Focal Point networks among ministries, including those responsible for EU integration, to facilitate exchanges and build institutional knowledge on gender equality.

## **ANNEX 1 GENDER-SENSITIVE MONITORING METHODOLOGY FOR THE EU ACCESSION PROCESS**

### **Introduction**

The project *Furthering Gender Equality through the Accession Process*, led by Reactor – Research in Action and implemented with The Kvinna till Kvinna Foundation (Sweden), Kosovo Women’s Network (Kosovo), AWEN (Albania), Rights for All (Bosnia and Herzegovina) and Women’s Rights Center (Montenegro), aims to enhance and broaden existing regional cooperation to strengthen participatory democracies and to bring about an inclusive and gender-sensitive accession process. In particular, its specific objectives are:

- To enhance WCSO capacities to effectively engage with governments, EU Delegations and Office (EUD/O), local CSOs and other CSOs in the region, making all involved actors aware of the gender dimensions of the EU Accession process;
- To improve accountability of governments and EUD/O in implementing commitments to gender equality and women’s rights during the EU Accession process.

## Scope of the assignment

Activity 3.4 Monitor and report to inform and gender mainstream EC Country Reports, political dialogue on Accession and IPA programming.

In order to inform and gender mainstream the EU Accession process and successfully undertake evidence-based advocacy on the gender aspects in the EU Accession process at national, regional and EU level, it is necessary to monitor and report on the key EU related processes and political dialogues in the countries and the region as a whole. Monitoring reports on different aspects of the EU Accession process will enable government officials and EU officials to have insight and recommendations on how to improve gender mainstreaming, WCSOs and CSOs will have valuable advocacy resources, while the general public will have more information on the process and how they can benefit from it.

The scope of the assignment is to develop a comprehensive methodology to monitor and reporting of the following areas relevant to the EU accession process from a gender perspective: IPA programming and the work of the NIPACs; gender mainstreaming in the work of the state statistical offices and gender statistics; the work of the government bodies mandated to lead the process of negotiation for EU accession; the political dialogue on the accession process with reference to the gender perspective and the participation and representation of women's voices (including diverse WCSOs) and their expertise; and any additional process which are relevant and which affects the accession process and gender equality. The same methodology will be used in each country, adjusted to the specificities and stages of the accession process. Based on the developed methodology for monitoring, each partner will perform continuous country focused monitoring and produce monitoring reports on annual basis (reports will be published from the second year on) to track the progress throughout the Action's implementation period.

Based on the findings of the national level reports, Kvinna till Kvinna - with partners' support, will produce two regional reports. The first regional report will be produced after the first national monitoring reports have been published, while the second regional report will be published in the final year, providing overview of the regional developments, potential progress and achievements.

## Policy framework of reference

The proposed monitoring framework takes into account recent developments at EU level in relation to the EU accession process and EU's support to gender equality through external action. In particular, it draws from the revised methodology for the EU accession process included in the Communication "[Enhancing the Accession process: A Credible EU Perspective for the Western Balkans](#)" proposed by the European Commission in February 2020 and officially endorsed by the EU Member States in the March 2020 [Council Conclusions](#). This revised approach calls for a greater focus on fundamental reforms, a greater use of conditionality with clear conditions and benchmarks spelled out in the annual report and greater transparency and inclusivity of the

process.

The proposed methodology also draws from the recently adopted [Joint Communication on the new Gender Action Plan III – An Ambitious Agenda for Gender Equality and Women’s Empowerment in External Action](#) accompanied by [Objectives and Indicators \(GAP III\)](#). The new GAP III calls for a more strategic EU approach to gender equality in partner countries, tailored to the context and based on a Country-level implementation Plan to be developed together with national stakeholders, including gender equality bodies, ministries and civil society.

The monitoring framework also includes bilateral funding provided by the EU to candidate and prospective candidate countries in the Western Balkans, therefore it draws from the (draft) regulation for the Instrument for Pre-accession Assistance III and its draft programming framework. Both documents are at the final stages of negotiations and are expected to be adopted soon as part of the 2021-2027 Multi-annual Financial Framework of the EU.

### Outline of the methodology

The proposed methodology aims to monitor how gender equality is mainstreamed in the EU Accession process in each of the six Western Balkan countries, based on both qualitative and quantitative indicators. It looks at the two key actors driving the process, namely the EU and the governmental bodies responsible for EU integration. The framework includes indicators at national level which will be monitored on a yearly basis by Coalition partners in their respective countries, to produce a national report and indicators at regional level which will be monitored by Kvinna till Kvinna for the regional reports.

### National-level indicators

Indicators	Baseline - data from year 1	Data from year 2	Rating (from second year) <sup>50</sup>
a) EC Country Reports <sup>51</sup> are gender mainstreamed			
1) Number of times gender is mentioned in the Country Report			
2) Number of times women/girls are mentioned in the Country Report			

<sup>50</sup> Rating will be based on the Boolean system: 1: full improvement; 0.5: some improvement; 0: no improvement; -0.5 some regression; -1: significant regression..

<sup>51</sup> This refers to the latest available Country Reports.

3) Number of times boys/men are mentioned in the Country Report			
4) % of Chapters gender-mainstreamed <sup>52</sup>			
5) Number of official recommendations <sup>53</sup> on gender equality included in the Country Report			
6) Number of other recommendations with a gender perspective included in the narrative of Chapters			
7) Extent to which Country Report uses sufficiently sex-disaggregated data	Not at all Minimally Moderately Extensively Fully		
8) Extent to which issues recommended by WCSOs are included in the Country Report, based on your knowledge <sup>54</sup>	Not at all Minimally Moderately Extensively Fully		
<b>b) Stabilisation and Association Committee meetings include gender issues</b>			
9) % of SAA Committee meetings with gender equality issues on the agenda			
10) % of SAA Sub-Committee meetings with gender equality issues on the agenda			
11) Extent to which WCSOs were consulted by the EU ahead of the sub-committee meetings	Not at all Minimally Moderately Extensively Fully		
12) Extent to which SAA committee and sub-committee meetings conclusions attend to gender equality issues	Not at all Minimally Moderately Extensively Fully		

<sup>52</sup> For a chapter to be gender-mainstreamed it would need to include specific reference to the situation and needs of women and girls in a particular sector/domain or/and specific gender aspects emerging from your analysis of a specific sector/domain. It should also, ideally, include an analysis of key barriers preventing progress in a specific sector/domain such as, for example, lack of housing, land and property rights for women's access to economic rights.

<sup>53</sup> Official recommendation shall mean the recommendations included in the grey boxes at the beginning of each chapter/section.

<sup>54</sup> This should be based ideally on information collected on a yearly basis from several women's organisations in each country. Where such information is not available, answers will be based on the input provided to the EU by the organisation compiling the report and incorporated in the Country Reports. This will need to be clearly indicated in the report.

<b>c) EU strategic engagement at country-level on gender equality is in place</b>			
13) Country-level Implementation Plan for GAP III agreed and transmitted to HQ (Brussels) (indicator 5.1 GAP III)	yes/no		
14) Gender Country Profile conducted / updated <sup>55</sup>	yes/no		
15) Fully-fledged gender analysis conducted / updated	Yes/no		
16) Number of sector-specific gender analyses for the priority areas under the programming cycle 2021-2027 developed and transmitted to HQ (Brussels) (indicator 5.2)			
17) Extent to which EU Delegation engages in dialogue on gender equality with governments, national gender equality mechanisms, parliaments and other institutional actors (indicator 7.1)	Not at all Minimally Moderately Extensively Fully		
18) Extent to which EU Delegation consulted civil society including WCSOs for the development of the Country-level Implementation Plan	Not at all Minimally Moderately Extensively Fully		
19) Extent to which EU Delegation engages in dialogue on gender equality with civil society including WCSOs (indicator 7.2) <sup>56</sup>	Not at all Minimally Moderately Extensively Fully		
20) Extent to which EU Delegation engages in dialogue with civil society on women, peace and security issues in partner countries (indicator 7.2)	Not at all Minimally Moderately Extensively Fully		

<sup>55</sup> Updated if more than 5 years old.

<sup>56</sup> Extent will be defined by the number of times per year they have met with women's civil society groups to discuss gender equality issues. Dialogue shall be defined to include discussions on various political issues (not only "women's issues"). This will include a qualitative explanation of who was met (their position level) and the types of topics discussed.



<b>d) EU mainstreams gender in all actions and targeted actions</b>			
21) Number and % of new actions <sup>57</sup> that are gender responsive / targeted (GM1 + GM2) at country level (indicator 1.1 GAP III)			
22) Number and % of new gender targeted action (GM2) implemented from national allocation (indicator 1.2 GAP III)			
23) Total funding in support of gender equality at country level (GM1 + GM2) (indicator 1.3 GAP III)			
24) Amount of funding directed towards WCSOs and movements at country level (indicator 1.4 GAP III)			
25) % of new actions supporting public finance management reforms that include a gender budgeting component (indicator 3.1 GAP III)			
<b>e) The EU leads by example</b>			
26) Number and % of women in senior and middle management positions in the EU Delegation/Office (indicator 10.1 GAP III)			
27) % of management trained on gender equality and GAP III in EU Delegation and CSDP mission (indicator 10.2)			
28) % of management trained on women, peace and security in EU Delegation and CSDP mission (indicator 10.2)			
29) Number of Gender Adviser / Gender Focal Points in the EU Delegation and CSDP mission <sup>58</sup>			
<b>f) Government adopts legislation in line with the EU Acquis Communautaire on gender equality and consults women's organisations</b>			
30) Extent to which gender equality is addressed in the National Programme for the Adoption of the Acquis (NPAA) <sup>59</sup>	Not at all Minimally Moderately Extensively Fully		

<sup>57</sup> This criterion refers to Action Documents and not individual contracts.

<sup>58</sup> Optional interview protocol on the quality of gender advisor/GFP engagement for interested countries.

<sup>59</sup> The NPAA is the multi-annual plan for the alignment of domestic legislation with the EU *acquis communautaire*. If the NPAA is not in place / available, indicate "not applicable".

31) Extent to which key laws on gender equality and EU Accession are open for public consultation	Not at all Minimally Moderately Extensively Fully		
32) Extent to which inputs on Laws / amendments / policies by WCSOs in line with the EU Acquis on gender equality are taken on board	Not at all Minimally Moderately Extensively Fully		
33) Extent to which new sectoral strategies are publicly available	Not at all Minimally Moderately Extensively Fully		
34) Extent to which new sectoral strategies mainstream gender equality	Not at all Minimally Moderately Extensively Fully		
35) % of sector working groups with WCSOs included/ represented			
<b>g) Government implements recommendations on gender equality included in the Country Report<sup>60</sup></b>			
36) Extent to which recommendations <sup>61</sup> on gender equality included in the Country Report have been implemented by the government/institutions	Not at all Minimally Moderately Extensively Fully		
<b>h) Programming of IPA III at national level prioritises gender equality</b>			
37) Extent to which responsible government bodies consulted WCSOs for the development of the Multi-annual Indicative Programmes <sup>62</sup>	Not at all Minimally Moderately Extensively Fully		

<sup>60</sup> This refers to the latest available Country Report.

<sup>61</sup> This refers to both, the official recommendation in the grey boxes and the recommendations included in the narrative of the Chapters.

<sup>62</sup> The Multi-annual Indicative Programmes ensure consistency between the key EU areas of intervention and the priorities expressed by the beneficiary country.

38) Extent to which Multi-annual indicative Programme includes gender equality objectives	Not at all Minimally Moderately Extensively Fully		
39) Extent to which annual Indicative Programs or Action Documents contain a gender perspective	Not at all Minimally Moderately Extensively Fully		
<b>i) Sex-disaggregated data is collected by national statistical offices</b>			
40) The Country has an updated Gender Equality Index at national level	Yes/No <sup>63</sup>		
41) Whether National Statistical Offices publish a report with easily accessible sex-disaggregated data that is sufficient for the public's use (based on Women & Men publication)	Not at all Minimally Moderately Extensively Fully		
<b>l) National bodies responsible for EU integration include staff with gender expertise</b>			
42) Extent to which gender expertise exists in the government body responsible for EU integration	Not at all Minimally Moderately Extensively Fully		
43) % of staff trained on gender equality in the national body responsible for EU integration			
44) Extent to which Gender Focal Points are consulted in the IPA programming	Not at all Minimally Moderately Extensively Fully		
45) Extent to which gender equality expertise exists in national statistical offices	Not at all Minimally Moderately Extensively Fully		

<sup>63</sup> Yes if it is from the year prior to monitoring, no if it is more than 2 years old.

## Regional-level indicators (for Kvinna till Kvinna)

Indicators	Baseline (data from year 1)	Data (second monitoring)	Rating (from second year) <sup>64</sup>
46) Number and % of new actions <sup>65</sup> that are gender responsive / targeted (GM1 + GM2) at regional level (indicator 1.1 GAP III)			
47) Number and % of new gender targeted action (GM2) implemented from regional allocation (indicator 1.2 GAP III)			
48) Gender regional profile with GAP III priorities and actions developed (indicator 8.1 GAP III)	yes/no		
49) Number of joint EU positions for key gender regional events and negotiations			
50) Number of statement and commitments made by EU officials on GEWE and WPS including women's participation in peace processes (indicator 16 WPS)			
51) Number and details of EU and MS regional dialogues that include WPS-related priorities and commitments (indicator 19 WPS)			

### Monitoring process and production of national and regional reports

Each Coalition partner will fill in the monitoring framework above based on publicly available documents and data requested directly from the EU Delegations/Office<sup>66</sup> and national governments/bodies. Based on the quantitative and qualitative data collected, partners should produce an annual Country Assessment Report<sup>67</sup> of the extent to which gender has been mainstreamed in the national accession process. The assessment should cover the different criteria identified in the monitoring framework and highlight the key progress and challenges in integrating gender equality in the accession process. The aim is to identify areas that need improvement, and support policy makers at EU and national level to take concrete steps to prioritise gender equality in the framework of EU integration.

Kvinna till Kvinna will collect data on the regional indicators during year two of the project and in the final year. The regional report will aggregate and analyse data from the national-level and regional-level indicators, identify trends and provide recommendations.

<sup>64</sup> Rating will be based on the Boolean system: 1: full improvement; 0.5: some improvement; 0: no improvement; -0.5 some regression; -1: significant regression.

<sup>65</sup> Action shall be defined as contracts. New shall refer to the last year, based on the date on which they were signed (as illustrated in the excel file).

<sup>66</sup> Kvinna till Kvinna will support partners in the collection of data under selected indicators related to the EU Delegations where partners request so.

<sup>67</sup> A standard template for the Country Assessment Report is available as Annex 1.

## ANNEX 2 ANALYSIS OF REGIONAL ACTION DOCUMENTS PUBLISHED IN 2022

Two of the four Action Documents under the “Commission Implementing Decision of 9.11.2022 on the financing of the multi-country annual action plan in favour of the Western Balkans and Türkiye for 2022”<sup>68</sup> mark gender equality and women’s empowerment (GEWE) as a significant objective (GM1). The Action Document “EU4Youth: European Week of Sport in the Western Balkans – 2022” marks GEWE as a principal objective (GM2). One Action Document, (“Support for the participation of the Western Balkans in Union programmes”), is marked GM0. Below is an analysis of the three Action Documents, and whether they fulfil the minimum OECD/DAC criteria for GM1/GM2 marking.<sup>69</sup>

The Action Document “**EU-Council of Europe Horizontal Facility for Western Balkans and Türkiye – Phase III - 2022**”<sup>70</sup> is marked GM1. Under the section on problem analysis the need to empower and increase participation in decision making of under-represented groups, including women and youth, is emphasised. It is not clear, however, whether a gender analysis was conducted. The action identifies two main areas of support. In the second area, *Fundamental rights and freedom of expression/media are better protected and realised*, the document mentions particular attention to the most vulnerable and disadvantaged persons, including women, children and youth, in relation to the beneficiaries. In the section on activities relating to outputs, the document mentions “strengthening capacities of those whose rights are most violated (including prisoners, Roma, LGBTIQ, women, children and youth) to claim their rights through outreach, legal clinics or other measures”. The listed four themes under this facility reflect gender only under *Theme 3: Promoting anti-discrimination and protection of the rights of vulnerable groups* where it refers to fighting violence against women and gender-based violence.

The gender mainstreaming section states that “the action will be implemented in a way to mainstream gender, promoting and supporting gender equality and girls’ and women’s empowerment.” The document foresees a gender analysis at each IPA III beneficiary-specific/regional action package level. The monitoring system is supposed to ensure collection of sex-disaggregated data. Furthermore, the action places special emphasis on strengthening the access to justice for women, for which a new regional action in the Western Balkans is to be implemented. The section on human rights-based approach states that “activities will be conducted with a human rights-based approach based on the principles of participation and inclusion of all in society, irrespective of their specific characteristics (e.g. sex/gender, age, ethnicity, disabilities, religious or political belief etc.), equality and non-discrimination (including gender considerations).” None of the objectives explicitly mentions gender equality. Due to the lack of an explicit gender equality objective and lack of clarity regarding the gender analysis, the document does not fully meet the criteria to be marked with GM1.

The Action Document “**EU support to statistics in the Western Balkans and Tür-**

<sup>68</sup> European Commission, [Multi-country – financial assistance under IPA](#)

<sup>69</sup> OECD, [Handbook on the OECD-DAC Gender Equality Policy Marker](#)

<sup>70</sup> European Commission, [Action Document for “EU-Council of Europe Horizontal Facility for Western Balkans and Türkiye – Phase III - 2022”](#)

**kiye - 2022**<sup>71</sup> is marked GM1. However, the only mention of gender appears in the mainstreaming section stating that statistical data on persons will be disaggregated by gender. None of the outcomes/outputs or indicators are gender sensitive and gender-disaggregated data is not mentioned under the indicators. This document does not fulfil the criteria to be marked with GM1.

The Action Document **“EU4Youth: European Week of Sport in the Western Balkans - 2022”**<sup>72</sup> is marked GM2. Even though this action builds on ongoing support since 2015 and states GEWE as its principal objective, neither the context section nor problem analysis provide information on citizens’ participation according to gender. Among the activities, the document mentions targeted activities for specific groups (women, people with disabilities. Men are not mentioned). The gender mainstreaming section states that “the action will provide equal opportunities for males and females in all aspects with special focus on youth including young athletes and staff where gender gap is very high.” However, there is no clear reference to any gender analysis. The action commits to gender balance among participants, on managing bodies and in all activities. Only one objective (European Common values are promoted) includes gender equality through a gender-balance indicator (share of male and female participants to the events, with at least 40% for the gender with the lowest share). The indicator “number of people taking up physical activity thanks to the Action” is to include data disaggregated by sex. Overall, this document does not fulfil the criteria to be marked with GM2.

Three Commission Implementing Decisions were published in 2022 and two in December 2021 amending the previous Action Documents but they do not include any changes relevant to gender equality and women’s empowerment (GEWE). The exception is the decision on the Individual measure to strengthen the response capacity to manage migration flows in favour of the Western Balkans for 2022 which is however marked GM0

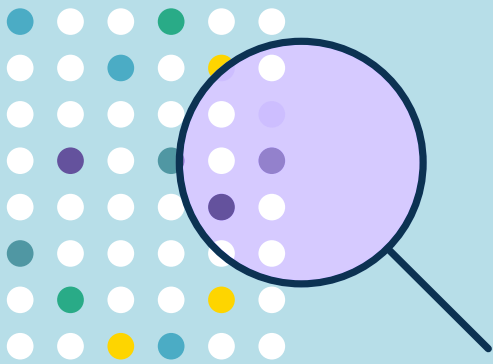
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71 European Commission, [Action Document for “EU support to statistics in the Western Balkans and Türkiye - 2022”](#)

72 European Commission, [Action Document for “EU4Youth: European Week of Sport in the Western Balkans - 2022”](#)







# Gender Mainstreaming in the EU Accession Process

**Regional Assessment Report**

Western Balkans

2023