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The global coalition against corruption

## EU enlargement must prioritise fighting corruption

Pia Engelbrecht-Bogdanov · Wednesday, December 18th, 2024

In a devastating juncture for democracy, Georgia's October parliamentary elections were marred by numerous allegations of corruption. As detailed in [Transparency International Georgia's reporting](#) and by [international observers](#), there have been widespread allegations of electoral irregularities and voter intimidation during the Georgian parliamentary elections. The ruling party has not addressed these claims publicly, sparking significant protests. Thousands of Georgians took to the streets in protest, but the Georgian Dream Party has refused to acknowledge any wrongdoing.

As Georgia became a candidate country to the European Union (EU) in late 2023, the EU has looked on with apprehension as the Georgian Dream Party has consolidated power, eroding democracy and civil rights. Less than a year after granting Georgia candidate status, the [European Commission decided to officially halt the country's accession process](#). This was due to measures taken to suppress civil society in the spring, and the handling of the election will only reinforce this decision. Last week, Georgia paused its efforts to join the EU in protest at the EU Parliament's resolution that rejected the result of the elections.

Unfortunately, all candidate countries are plagued by entrenched corruption. While many across the Western Balkans, as well as Georgia, Moldova, Türkiye and Ukraine, have made formal commitments to reform, few are making progress. Other than Georgia, which is now declining, only one of these states scores above the 2023 global average on the [Corruption Perceptions Index](#), with Montenegro still only reaching 46 out of 100. Among the rest, scores are stagnating or further deteriorating. People all over the region recognise this. In the Western Balkans, the public [consistently cites corruption as one of the biggest problems they face](#).

Yet hope remains. With the enlargement process, the EU has the opportunity to motivate anti-corruption reform and hold governments accountable to achieve meaningful progress. Throughout her time in office, Commissioner for Enlargement Marta Kos must prioritise the fight against corruption to strengthen both candidate countries and the EU itself. And it is crucial that the funds the EU provides to drive reform are given out and – where necessary – suspended based on transparent progress assessments that involve civil society.

## Pervasive corruption in candidate countries

In its [National Integrity System Assessment](#) of the Western Balkans and its broader work, Transparency International identified several common reasons for why corruption remains so pervasive.

### Executive consolidation

Political leaders are consolidating power, evading checks and balances, and manipulating public institutions to serve their interests and erode the rule of law. In Serbia, reports indicate that [state-controlled media and institutions have frequently been leveraged](#) in ways that target and undermine opposition voices and [impair democratic processes](#). From one election campaign to another, President Aleksandar Vučić and government ministers [use public resources](#) to the [advantage of their party](#) while ignoring requests for a level playing field in elections.

In the [absence of effective oversight](#), the Serbian government also uses its power to establish heavy control over parts of the state that it should not interfere with. With blatant [disrespect for legally required, competitive recruitments](#) and term limitations of acting directors, state-owned enterprises are one of the most obvious examples of institutions being misused to secure political loyalty and otherwise serve the interests of the ruling elite. This eradicates public accountability and creates huge risks. The deadly collapse of the Novi Sad railway station roof on 1 November – widely [blamed on corruption and sloppy renovation work](#) – is a chilling example of this. The lack of transparency and executive overreach that characterised authorities' reactions raise concerns about whether those responsible will be held to account for this tragic loss of life.

Anti-corruption efforts are making limited progress in Montenegro after a coalition of opposition parties ousted the three-decade rule of Milo Đukanović. Yet the country is still struggling to overcome the scars left by such a prolonged period of capture. Under Prime Minister Dritan Abazović, the government stayed in power for over a year after losing a no confidence vote in August 2022 – and continued to pass important legislation during that time. The current government has [adopted laws to fight corruption](#), but it often does not go far enough. The newest regulation does not stop public officials from syphoning public funds and taking bribes, and in some ways presents a step back compared to the previous legal framework. The change also fails to ensure sufficient disclosure, allowing misuse of public funds for personal enrichment to go undetected. However, forced by the civil society advocacy, the Government of Milojković Spajić has formed a task force to amend the law.

### Weak justice systems

While strongmen centralise control, justice systems lack independence. Across the candidate countries, high-level corruption is frequently ignored as cases remain unresolved, proceedings are continually delayed and sentences are minimal. In Kosovo,<sup>1</sup> court cases over alleged corruption by high-level officials often face delays and sometimes take as long as ten years to complete, reducing deterrence and allowing corrupt officials to remain free. In one such case, several former ministers accused of abuse of official positions in connection to the privatisation of four hydropower plants [were acquitted](#) just a couple of weeks before the case was to reach the statute of limitations.

In Bosnia and Herzegovina, the complexity of governance structures leaves the judiciary vulnerable to political interference, bribery and threats. Just 34.6 per cent of corruption convictions in 2022 resulted in prison time, and high-level corruption cases often remain unresolved due to political obstruction. At the same time, existing integrity regulations concerning members of judiciary and prosecution at the country level are not implemented, while the Federation of Bosnia and Herzegovina still lacks a new law on conflict of interest.

To make matters worse, a number of countries have recently revised laws or introduced new regulations that further weaken prosecution of corruption. In North Macedonia in 2023, [the government proposed changes to the criminal code](#) that impacted a number of high-profile ongoing corruption cases. In a highly criticised move, the legislature quickly pushed the revisions through, with the revised law now decriminalising public officials' abuse of their power in public procurement and reducing the statute of limitations for corruption offences. Some important cases have, consequently, already been dropped. Similarly, a [new law in the Republika Srpska](#) would shield public officials from prosecution, including for any infractions committed before the law was passed. Such measures, if enacted, would deal a devastating blow to any semblance of the rule of law in Bosnia and Herzegovina.

Even attempts at reform are hampered by entrenched interests: in Kosovo, while the government has introduced integrity vetting for high-level judiciary officials, the judicial and prosecutorial councils disagree with the reform and political will to pass necessary constitutional changes is still missing.

Fortunately, some countries have made progress in securing an effective and independent judiciary, and some cases of high-level corruption are being pursued, though significant challenges remain. In Albania, the judicial vetting process has strengthened anti-corruption efforts and improved the judiciary's functioning, resulting in convictions against former ministers, MPs and mayors and advancing investigations into high-level corruption cases, such as those against [former Prime Minister Sali Berisha](#) and [former President Ilir Meta](#). Nevertheless, concerns about political interference, gaps in merit-based appointments to key judicial councils and insufficient funding for reforms persist.

Additionally, Montenegro has signalled efforts to hold corrupt officials accountable by arresting

several high-profile individuals from the judiciary and police. Recently, the country saw the [arrest of the head of its anti-corruption agency](#) in a case linked to abuse of office, signalling efforts to hold officials accountable. However, without deeper judicial reforms and integrity vetting, there is a real risk of influence by organised crime and continued impunity for corruption.

Ukraine has made significant anti-corruption reforms, even as the war against Russia's invasion taxes its resources. Key achievements include revising appointment processes for judges, enhancing open and competitive court procedures and strengthening the independence of the national anti-corruption prosecution body. Progress has also been made with reforming the Economic Security Bureau of Ukraine to counter economic offences and the Accounting Chamber, the country's key body of financial control.

Corruption remains in the country, but more and more cases are being brought to light and to trial – such as that of a [Deputy Energy Minister who was arrested in August](#) for allegedly taking US\$500,000 in bribes. Another is the 2023 arrest of then-head of the Supreme Court Vsevolod Knyazev, for [allegedly receiving US\\$2.7 million in bribes](#). These show important progress and how reforms are starting to take effect. However, the achievements remain exceptions in a region where entrenched corruption and weak systems continue to undermine the rule of law.

## Restricted civil society

Civil society and news organisations are vital watchdogs that bring corruption to light, especially when other institutions are compromised – yet governments are attacking them as well. In Albania, freedom of expression is challenged by intimidation, threats and actual physical violence against members of the press. Journalists have been brutally beaten by organised crime, and even the police, as they covered demonstrations against the government in 2022. The government has also made frequent use of Strategic Lawsuits Against Public Participation (SLAPPs) against independent media, including Balkan Investigative Reporting Network (BIRN) and Fokus Media Group.

In Moldova, people have little access to free and unbiased media. In a country divided by pro-Russian and pro-European interests, almost all media outlets are associated with a political party and report from partisan perspectives. Since Russia's invasion of Ukraine in 2022, authorities have restricted access to pro-Russian media, but [some consider these limitations to have gone too far](#). In October 2023, six television channels were suspended, with little explanation of their exact dangers.

The lack of independent media became all the more apparent in the most recent Moldovan presidential election, which was marked by polarisation and Russian influence. Pro-Kremlin

sources aimed to sway the election by deepening social divides with narratives that emphasised ethnic, linguistic and regional differences. There were also significant concerns about vote-buying and other election interference, particularly involving pro-Russian factions. After the results were released, the large-scale disinformation campaigns continued, causing certain groups to question the win of pro-European President Maia Sandu.

Governments are also restricting civil society organisations that can shed a light on corruption. In Georgia, the [government enacted a “foreign influence” law in May](#), which severely inhibits organisations that receive more than 20 per cent of their funding from abroad. A measure replicated from a similar Russian statute, organisations must now register as foreign agents and are subject to increased scrutiny. The law was highly criticised, engendered massive protests and became a major issue in the recent election, but organisations are nonetheless being forced to register or face significant fines.

Similar attempts to suppress civil society have been seen elsewhere in the region. In Republika Srpska, a Russian-style foreign agents law was proposed, but was [ultimately shelved](#) in the final stages following widespread backlash. In [Montenegro](#) and [Serbia](#), political parties have proposed similar laws, sparking criticism for jeopardising the countries’ European aspirations by undermining the ability of civil society to operate freely.

## EU must take action

Corruption harms the EU’s core values, from promoting the rule of law to protecting human rights and upholding democracy and freedom for all. Allowing countries plagued by corruption to join the EU would bring myriad problems. Not only would it mean continued harm to the lives and livelihoods of people living in Georgia, Moldova, Türkiye, Ukraine and the Western Balkans, but it would also threaten the integrity and functioning of the Union itself. What is more, the public in these countries now look to the EU as a beacon of hope, but their trust erodes when they see authoritarian and corrupt practices rewarded with political or economic concessions.?

The EU already supports anti-corruption and broader reform efforts in these countries through the New Growth Plan for the Western Balkans, and the Economic and Investment Plan for the Eastern Partnership for Georgia, Moldova and Ukraine, and the additional Ukraine Facility that supports efforts during the war. But, with the exception of Ukraine, where civil society is largely involved in the transparent assessment of progress and the co-designing of conditions for the provision of EU funds, the current system – which provides funds with little accountability – is insufficient. This risks funding countries acting against the EU’s values.

The assessments of countries’ accession progress and the disbursement or suspension of EU funds

associated with these processes should be open – society should be informed about how assessments are done and how conclusions are reached. At the same time, civil society should be involved in all assessment processes, including by providing information about progress and backsliding, and be consulted when decisions are made. Furthermore, the EU must protect and financially support the work of independent civil society – at both local, sub-national, national and EU levels – that are actively working on the protection of democracy and the rule of law in candidate countries. A vibrant civic space is a must if governments and the broader citizenry are to understand and fully contribute to informed decisions, strengthening the EU’s ability to secure reform.

The enlargement process is meant to strengthen the EU and build stability and prosperity across Europe – integrating corruption would do the opposite. The EU Commission must take a firm stand in the fight against corruption, while ensuring transparency and consultation. The future of the EU depends on it.

*[1] All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with United Nations Security Council Resolution 1244.*

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