BRMC STATEMENT

The EU Pact on Migration and Asylum: Implications and Priorities for the Western Balkans

The EU Pact on Migration and Asylum represents a significant development in the European Union's migration and asylum framework, with important implications for the Western Balkans. Although the Pact does not directly apply to the countries of the region in the same way as it applies to EU Member States, its implementation will increasingly shape their migration and asylum policies, particularly in the context of EU accession and alignment with the EU acquis.

At the same time, the implementation of the Pact within the EU may have more immediate consequences for Western Balkan countries, given their geographical position and role as countries of origin, transit and destination. Changes in border procedures, the application of the Safe Third Country concept and return arrangements may place additional pressure on national asylum and migration systems and create new challenges for access to international protection.

These concerns were among the central issues addressed during the Regional Policy Dialogue on the EU Pact on Migration and Asylum and its Implications for the Western Balkans, held in Skopje on 29 October 2026, with the participation of representatives of border police, Ombudsperson institutions and civil society organizations from six Western Balkan countries.

Based on the regional exchange and the challenges identified, the Balkan Refugee and Migration Council (BRMC)[1] calls on national authorities, the European Union and relevant international actors to ensure that preparations for the Pact are grounded in human rights standards, effective institutional capacities and meaningful safeguards.

Legal Framework

- Western Balkan countries are aligning their legislation with the EU acquis as part of the accession process. The adoption and application of the Pact on Migration and Asylum will require them to adapt national legislation to the new standards. This is particularly challenging because the extent to which EU Member States themselves meet these standards is still unclear.
- BRMC stresses the importance of adapting national legislation to the Pact's standards on border procedures, screening, vulnerability assessment, the use of detention and restrictions on freedom of movement, and independent monitoring mechanisms.
- BRMC draws particular attention to the lack of a legal framework allowing civil society organizations to access green borders, the stretches between official border crossing points, to provide legal assistance to migrants and asylum seekers.

[1] The Balkan Refugee and Migration Council (BRMC) is an informal coalition of five civil society organizations from North Macedonia, Bosnia and Herzegovina, Kosovo* and Serbia. The members of the coalition are prominent CSOs with specific competences demonstrated through long-standing work in the asylum and migration policy area, both at the national and regional level. These are Belgrade Centre for Human Rights, Civil Rights Program Kosovo*, Group 484, Macedonian Young Lawyers Association, Vaša prava BiH.

- Some Western Balkan countries need to further develop the legislation governing the role of the Ombudsperson as a key institution in independent monitoring mechanisms.

Infrastructure and Human and Financial Resources

- BRMC notes that most stretches of the Western Balkans' borders with EU Member States lack the infrastructure, particularly suitable facilities, needed to fully meet the standards set by international human rights law and European law.
- BRMC also points to shortages of border police officers and staff from other institutions required to take part in the relevant procedures. This affects, for example, the timely appointment of guardians for migrant and asylum-seeking children during screening and subsequent procedures.
- BRMC highlights the need for continued training for national authorities on the obligations and expectations relevant to Western Balkan countries, alongside exchanges of information with EU Member States on the implementation of the Pact.
- Capacity and funding constraints are significant across the Western Balkans, particularly for Ombudsperson institutions. In several countries, their mandates and activities have already expanded without a corresponding increase in staffing and resources.
- BRMC stresses the importance of EU financial support to develop the infrastructure needed to adopt and apply the Pact's standards.
- BRMC also stresses the importance of Western Balkan countries making their own financial commitments to put the relevant standards into practice.

Fundamental Rights Protection

- BRMC calls for ongoing training for civil society organizations on the Pact's standards and for greater involvement and support for organizations that provide psychological support and health services to migrants and asylum seekers.
- BRMC calls for predictable and sustained funding for civil society organizations, particularly regional networks. This would enable them to provide ongoing legal protection to migrants and asylum seekers, advocate for reform and help strengthen legal and institutional frameworks across the Western Balkans.
- Frontex can play an important role in supporting screening and border procedures, as well as in monitoring fundamental rights through its Fundamental Rights Monitors and Fundamental Rights Officer.
- BRMC recognizes the importance of its cooperation with the European Council on Refugees and Exiles (ECRE) in accessing European-level expertise, information and analysis on the implementation of the Pact. ECRE's monitoring and reporting on developments across EU Member States can provide valuable insights for BRMC and its members to anticipate potential implications for the Western Balkans, identify emerging risks and respond in a timely and coordinated manner at the regional level.