FOSTER
INCLUSION OF FOREIGNERS IN THE WESTERN BALKANS
ACCESS TO SOCIAL AND ECONOMIC RIGHTS

This project is funded by the European Union

# SKOPJE CONCLUSIONS

## The EU Pact on Migration and Asylum and its Implications for the Western Balkans

*Regional Policy Dialogue | Skopje, 29 October 2026*

### Background

The Regional Policy Dialogue on "The EU Pact on Migration and Asylum and its Implications for the Western Balkans" was held in Skopje on 29 October 2026, bringing together representatives of border police, Ombudsperson institutions and civil society organizations from Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia.

The meeting was organized within the project "*Inclusion of Foreigners in the Western Balkans – Access to Social and Economic Rights" (FOSTER)*, coordinated by the Macedonian Young Lawyers Association (MYLA) in cooperation with partner organizations across the region: Group 484, the Belgrade Centre for Human Rights (Serbia), Civil Rights Program Kosovo (CRP/K), Albanian Helsinki Committee, Legal Centre Podgorica and Vaša prava BiH. Most of these organizations are members of the Balkan Refugee and Migration Council (BRMC), a regional network working on refugee and migration issues. The dialogue provided a platform to exchange views on the implications of the EU Pact on Migration and Asylum, national preparedness and the protection of fundamental rights.

Although the Pact does not apply to Western Balkan countries in the same way as to EU Member States, its implementation will have significant implications for the region, particularly in the context of EU accession and the ongoing alignment of national legislation with the EU acquis.

The following conclusions reflect the main issues and common challenges raised during the discussions and will inform the development of national and regional recommendations under the FOSTER project.

### 1. Preparing National Systems

- The discussions highlighted the need for Western Balkan countries to review and adapt their legal and institutional frameworks in line with the relevant standards of the Pact, particularly concerning screening, border procedures, vulnerability assessments, detention and restrictions on freedom of movement, while considering the specific obligations applicable to enlargement countries.
- Significant gaps remain in the infrastructure, human resources and operational capacities required to implement these standards. Shortages of adequately equipped facilities, border police personnel and professionals from other relevant institutions may affect the effective implementation of procedures.

- Participants emphasized the importance of sustained capacity-building and training for national authorities, alongside exchanges of information and experience with EU Member States. The discussion also addressed the European Commission's coordinated approach to Pact preparation in enlargement countries, including national needs assessments and National Implementation Plans identifying legislative, institutional, human-resource, infrastructure and IT gaps.
- Financial and institutional constraints were also identified, particularly concerning Ombudsperson institutions, whose mandates and responsibilities have expanded in several countries without corresponding increases in staffing and resources. Adequate EU financial support, alongside national budget commitments, will be important for translating legislative alignment into effective implementation.

**2. Fundamental Rights Protection and Independent Monitoring**

- The potential implications of the revised Safe Third Country framework for Western Balkan transit countries were discussed, including the possibility of increased returns to countries of transit and the impact of changes to the suspensive effect of appeals on access to effective remedies. Participants underlined the importance of individual assessments, access to asylum, effective judicial protection and respect for the principle of non-refoulement.
- Access to legal assistance throughout asylum, border and return procedures remains an important concern. The discussions highlighted the need for effective national free legal aid systems, timely access to legal advisers and relevant case files, including in accelerated procedures and closed border facilities. The absence of a clear legal framework allowing civil society organizations to access green borders to provide legal assistance was also identified as a gap.
- The role of Ombudsperson institutions in independent monitoring, particularly of forced returns, was emphasized. Effective monitoring requires clear mandates, institutional independence and adequate human, financial and operational resources. Specialized civil society organizations can play a complementary role through monitoring, documenting practices and identifying protection gaps.
- Participants also highlighted the importance of meaningful civil society involvement in national preparation processes, legislative reforms and monitoring mechanisms. The contribution of organizations providing legal assistance, psychological support and health services was recognized as an important element of a comprehensive protection response.

**3. Regional Cooperation and EU Support**

- The discussions underlined the importance of stronger cooperation between national authorities, Ombudsperson institutions and civil society organizations, including regular dialogue, information exchange and coordinated approaches to common challenges.

This project is funded
by the European Union

- Given the shared challenges and cross-border implications of the Pact, regional cooperation and exchange of experience among Western Balkan countries were considered important for identifying common gaps, sharing practices and developing coordinated responses. The national and regional recommendation papers to be developed under the FOSTER project will contribute to these efforts by identifying country-specific needs and gaps, and providing relevant input to the EU-supported preparation of National Implementation Plans for the Pact in each of the Western Balkan countries.
- The role of EU institutions and agencies was discussed in relation to technical assistance, capacity-building and support for the implementation of the Pact. Frontex may contribute to screening and border procedures and fundamental rights monitoring through its Fundamental Rights Monitors and Fundamental Rights Officer. Such support should complement, and not replace, the responsibility of national authorities to uphold fundamental rights and ensure independent oversight.
- Participants also highlighted the importance of sustained support for civil society organizations and regional networks. ECRE was recognized as a platform for mutual learning, access to expertise and engagement with European-level advocacy processes, while BRMC provides a framework for regional cooperation and joint civil society engagement across the Western Balkans.