

REX/502 Women in the Western Balkans

OPINION

European Economic and Social Committee

Women in the Western Balkans

Rapporteur: Dilyana SLAVOVA

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Legal basis Rule 29(2) of the Rules of Procedure

Own-initiative opinion

Section responsible External Relations

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Outcome of vote

(for/against/abstentions) 174/1/6

1. Conclusions and recommendations

- 1.1 The EU policy towards the Western Balkans has been re-energised. It was given an additional boost by the Bulgarian presidency, which made the region its priority, and by the EC's Communication "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans" published on 6 February 2018.
- 1.2 The Sofia summit and the June 2018 Council conclusions on "Enlargement and Stabilisation and Association Process" confirmed this commitment and defined the next stages in the European integration of the region. More specifically, Albania and FYROM were given a conditional date of June 2019t for the start of accession negotiations. This focus and action is likely to be sustained and taken forward by the presidencies that follow, since they are among those Member States that also show greater sensitivity towards and commitment to the Western Balkans, namely Austria, Romania, and Croatia.
- 1.3 The EESC is a strong proponent of enlargement as it is in the interest of both sides the Western Balkans and the EU. The success of this policy is a major factor for the EU's global standing and the cornerstone of Europe's stability and prosperity. The EESC is therefore convinced that the accession process should be pursued further with both vigour and rigour as one of the EU's top priorities, under the clear and stringent conditions that are the basis of all enlargement processes nothing more, and nothing less.
- 1.4 Gender equality is a fundamental right recognised by Articles 2 and 3 of the Treaty on European Union and by the EU Charter of Fundamental Rights. In this opinion, the EESC highlights the role of women as a key driving force for the consolidation of democracy, respect for human rights and freedoms, and economic and social progress. The purpose of the opinion is to raise awareness about and promote women's political, social and economic rights and gender equality in the Western Balkans. Gender mainstreaming can be successful only if there is a strong political will and belief in the benefits that equality between women and men would bring to society.
- 1.5 Women have played and continue to play an essential role in reconciliation and social and economic development in the region, especially in conditions of severely weakened economic structures, poverty and broken social ties, where women manifest greater flexibility and initiative in restoring and renewing social networks and exploring new avenues for work. Despite some good practices and positive developments concerning the empowerment of women and programmes put in place, women still remain in a disadvantaged position with respect to their ability to fully exercise their political, social and economic rights, and take full advantage of socio-economic development opportunities. Owing to the patriarchal culture which results in their marginalised role, women face prejudices and gender stereotypes, labour market and education segregation and much greater risk of discrimination and violence that impede their advancement to leadership positions.
- 1.6 The EESC calls not only for the equal representation and inclusion of women in socio-economic and political life at all levels but also for the implementation of effective laws and policies to fight discriminatory behaviour and deeply ingrained patriarchal attitudes towards women,

including women from minority groups (particularly Roma and LGBTIQ), young women, elderly women, rural women and women with disabilities, as well as women and girl refugees that are seeking asylum in the Western Balkans.

- 1.7 The EESC emphasises the importance of developing a gender equality roadmap and measures that could lead to a more equal distribution of power and resources in the Western Balkans. Women's rights groups, business associations and trade unions have been active in promoting the role of women in the region and there is a need for further focused and persistent work with civic and social partners in order to be effective in fighting and advocating for women's rights. The EU institutions should do more to financially support these organisations and associations by providing specific plans and projects which target the empowerment of women at all levels, including programmes to support gender equality organisations and detailed action plans.
- 1.8 The EESC calls upon the EU and national authorities to cooperate more on dismantling education stereotypes so as to ensure access for young girls and women during their whole life cycle to affordable and quality education, equipping them with relevant skills and facilitating their careers and access to quality jobs in the labour market.
- 1.9 As violence and discrimination against women is one of the most serious violations of human rights, and is increasingly common in this post-war area, the EESC invites the Commission to encourage stronger regional cooperation on the exchange of best practices with regard to domestic violence and extend necessary funding and expert support for all efforts made to reduce and possibly eradicate the occurrence of this widespread social ill.
- 1.10 The EESC believes that national authorities should make considerable efforts to improve media freedom, including by reinforcing the existing legislation and by implementing it consistently. This, among other things, will help raise awareness of gender-equality matters and advocate for a safer media environment in which gender stereotypes can be deconstructed through public debate and where women are not targeted by sexism, hate speech and online smear campaigns.
- 1.11 The EESC reiterates the need for Western Balkan partners to mainstream the gender perspective into all relevant programmes funded through the Instrument for Pre-accession Assistance (IPA II), particularly in policy area 3, which includes employment, social policies, education, promotion of gender equality and human resources development. Thematic funds for combating domestic violence and support for women's civic and media activism should be developed.
- 1.12 Clear and sustained commitment to gender equality as a founding value of the EU should be guaranteed. The EESC encourages the Commission to include critical gender equality indicators in its benchmarking system for the accession negotiations, developed and monitored in close collaboration with social and civic partners who are committed to women's empowerment in the region and across the EU. The systemic application of a gender perspective should be treated as a horizontal benchmark for assessing the acceptability and quality of the legislative process as part of the accession negotiations.
- 1.13 The EESC expects future efforts in the Western Balkans to be aimed not only at bringing legislation related to women's human rights in line with the EU *acquis* and relevant international

mechanisms and instruments, but also and most importantly at closing the gap between existing laws and their proper implementation. Governments in the Western Balkans should be encouraged and supported in developing viable public funding mechanisms, focused on protecting women against violence, discrimination and economic exploitation.

- 1.14 The EESC calls on the Member States and Western Balkan partners who have not yet ratified the Istanbul Convention to do so urgently, as it represents the most comprehensive policy framework for preventing domestic violence, protecting victims and prosecuting offenders. The EESC also calls upon churches and other religious institutions and civil society organisations of all faiths not to violate women's rights or interfere with their reproductive rights, which is a critical prerequisite for women's social and economic emancipation and empowerment.
- 1.15 The EESC reiterates the importance of linking gender-responsive budgeting to overall gender equality measures. It calls for the inclusion of a gender perspective in all policies and programs through better resource allocation that is in line with gender-specific needs. In light of this and in view of the next MFF, the EU should be more consistent when dealing with the Western Balkans on gender mainstreaming and should insist on gender-responsive budgeting and gender disaggregated data collection in order to make sure that equality and respect for women's rights are taken into consideration in a sustainable way. To this end, the Western Balkan partners, as well as the Commission, are encouraged to intensify policy consultations with women's rights activists and gender equality experts in different policy areas related to enlargement.
- 1.16 The EESC stresses that particular attention needs to be given to female entrepreneurship in view of its potential to significantly increase the region's growth prospects, and invites EU institutions to play a role in this respect. Measures to support new business creation include, among others, ensuring access to financial and institutional resources, offering optimal infrastructure for start-ups, providing relevant information concerning the founding of an enterprise, fostering interest in female entrepreneurship through media campaigns, and granting loans for start-ups and expansion projects. Female entrepreneurs and their business organisations should be systematically included in all policy development processes that are relevant to the social and economic dimension of enlargement.

2. **Background**

2.1 Equality between women and men is a fundamental right and a common value, recognised by the EU. Embodied in the EU Treaties and international human rights conventions, gender equality forms part of the accession conditions with which candidates and potential candidates from the Western Balkans (Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Kosovo¹, Montenegro and Serbia) have to comply. Investing in gender equality is essential: not only is it an EU requirement, but it also serves as a key indicator of an equal and democratic society.

This designation is without prejudice to positions on the status of Kosovo, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

- 2.2 As part of their preparation for EU accession, the Western Balkans countries have taken steps to advance women's rights in recent years. These include adopting or amending relevant legislation (e.g. anti-discrimination, criminal and labour laws), preparing national strategies and action plans, and establishing institutional mechanisms to carry out and monitor relevant policies. Nevertheless, promotion of gender equality is often only superficial while the actions taken in this respect lack true political commitment, competences and financial resources, resulting in weak and sporadic implementation.
- 2.3 Regrettably, the Western Balkans Summit in London in July 2018 missed an opportunity to make progress in terms of promotion of gender equality in the region. The proposal for coherent action, which was considered during preparations for the summit should therefore quickly find political endorsement and expeditiously be implemented in a sustainable way.
- 2.4 Inequality between men and women remains a problem in the Western Balkans because of the highly patriarchal structures typical for the region, which manifest themselves in gender-based violence, discrimination and exploitation, a chronic double burden for women in respect to their work and family-related responsibilities, numerous barriers to women's upward mobility and equal pay and inadequate access to social and reproductive health services and financial instruments. There have been some improvements regarding women's political representation, yet with little lasting effect on the fair redistribution of political power between women and men. The critical problem lies in the weak implementation of progressive policies, reflecting a lack of true political commitment, funding and expertise.
- 2.5 Ensuring equality between women and men remains "unfinished business" in the region. With this opinion the EESC draws attention to efforts on the part of the EU's social partners and civil society to promote gender equality as part of the EU enlargement policy, and make it a crosscutting indicator in all domains of society. It also addresses some of the major challenges that women face in the Western Balkans, such as their weaker roles in social, economic and political fields, and widespread gender-based violence.

3. Gender-based violence

3.1 Gender-based violence, i.e. sexual, reproductive and domestic violence, remains a prevalent problem in the region. Although domestic violence is under-reported, the reported numbers are still high. The data indicates that in Albania 56% of women are exposed to at least one form of domestic violence; in Kosovo almost 70% of women experience domestic violence in their lifetime, whereas in Serbia, at least twenty-six cases of femicide were registered in 2017 and in most of these cases the perpetrator was the victim's partner³. A review of services relating to domestic violence in the countries of the region revealed that they were under-funded, under-staffed and over-worked⁴ and that reporting mechanisms were in general very weak.

² EPRS. Briefing on Women in the Western Balkans, July 2018.

Civil Society forum (CSF) of the Western Balkans Summit, Gender Issues in the Western Balkans, Policy Brief No. 04, April 2018, http://wb-csf.eu/wp-content/uploads/2018/04/CSF-PB-04-Gender-Issues-in-the-Western-Balkans.pdf

Hughson, 2014, Gender Country Profile of Bosnia and Herzegovina and Brankovic, 2015. Multisectoral Cooperation: An Obligation or Wishful Thinking. UNDP.

- 3.2 Every Western Balkan partner has a national strategy aimed at combatting domestic violence⁵. Women for the most part do not report incidents due to norms of acceptance, mistrust in security and justice authorities, and a lack of institutional response even to those cases that are reported. The absence of financially sustainable support networks, safe-houses and institutions for victims who are brave enough to report violence contributes to further victimisation of the most vulnerable women. There are a number of shortcomings in comparable data collection in the region that need to be dealt with. The objective is to have well-designed, funded and monitored policies that *prevent*, *protect and prosecute*. This requires proper training for all actors involved in the process, adequate awareness-raising, and a change in attitudes in society. The EESC considers that, like elsewhere, prevention is of primary importance and costs less than later-stage interventions.
- 3.3 The full implementation of the Council of Europe's Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is needed across the Western Balkan region. Having signed and ratified the Convention, the majority of Western Balkan partners should intensify their work on allocating adequate public funding, coordinating policies and implementing practical measures to address any form of violence inflicted on women. In addition, the Commission is asked to prioritise the issue of domestic violence in the context of pre-accession funding both for civil society and for institutional capacity-building activities. The EESC calls on the Commission to encourage stronger regional cooperation on the exchange of best practices relating to domestic violence, beyond division between EU Member States and enlargement countries. In the context of enlargement, it is important that EU Member States present a positive model in this respect.

Greater engagement and coordination between all actors from the public and private sector, and greater inclusion of NGOs, as collaboration between state services and NGOs is fundamental for the successful implementation of legislation and policy action in combatting all forms of violence against women.

3.4 Families and schools have a crucial role to play. The upbringing of children and education should be gender-sensitive and focused on the eradication of gender-based violence specifically against girls and young women. Setting up a framework that introduces clear policies in schools to address gender-based violence would contribute to the reduction of such practices and would consequently create a more supportive environment for the victims and enhance gender equality as a fundamental principle underpinning society.

4. Human rights

4.1 Women's human rights are being systematically targeted in the Western Balkans by nationalist and clerical actors who often profess religious dogmas and national interests, such as traditional patriarchal family values and demographic renewal, as a moral justification for depriving women of their freedoms, equality and safety. Despite existing comprehensive and generally protective laws related to human rights, the mechanisms of delivery and enforcement have

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⁵ Petricevic, I. 2012. Women's Rights in the Western Balkans in the Context of EU Integration.

considerable deficiencies. The EESC calls for more efficient cooperation and joint action between national human rights structures, social partners, civil society organisations and government authorities to advance a human rights agenda and to assist those who are particularly vulnerable.

- 4.2 Traditional gender roles and attitudes towards women's sexuality prevail. Access to maternity care is reasonable, but beyond that, women still often choose not to go to the doctor. Women in work often face discrimination in terms of maternity rights, including questions in job interviews about their marital status and intention to have children, despite the fact that laws have been put in place to prevent this. Regular medical check-ups should be encouraged and promoted. Intensive awareness-raising activities regarding reproductive health services are needed.
- 4.3 It is of particular concern to the EESC that women's reproductive health in the Western Balkan countries is being put at risk due to increasing attacks on the part of ultraconservative interest groups, which are closely affiliated with dominant religious communities. A further analysis should take place regarding the impact of fundamentalist religious views on women's rights and especially on their reproductive rights in the region.
- 4.4 The LGBTIQ community deserves particular attention, given that their rights are far from consolidated. What is more, they are under consistent pressure from various conservative social groups.

5. Social rights

- 5.1 There are still deficiencies in the countries of the region in terms of guaranteeing and monitoring economic and social rights, including the right to non-discrimination. This affects all women in the labour market but especially those women and girls from vulnerable groups, including ethnic minorities (above all the Roma), internally displaced people, people with disabilities, migrants and refugees.
- 5.2 Women from these disadvantaged groups often do not have sufficient knowledge about social rights, access to social services, education, healthcare or housing. The institutions legally responsible for these areas are not yet in a position to provide these people with adequate support. The EESC believes that stakeholders such as centres for social work, local administrations and non-governmental organisations should improve the conditions needed to ensure equal social rights for vulnerable groups. There is an urgent need to revisit the quality and financial viability of social reform programmes supported by the EU, such as via a joint inclusion memorandum geared towards social inclusion, diversification, democratisation and decentralisation of social services. Avenues should be explored for timely application of the European Pillar of Social Rights in the enlargement process.
- 5.3 A worrying social phenomenon is women's radicalisation in some Muslim communities and their involvement in violent extremism. From 2012 to 2016, roughly 20% of some 1 000 individuals leaving the Western Balkan region for the conflict zones in Syria and Iraq

were women⁶. Governments, institutions and civil society organisations are not doing enough to publicly acknowledge the migration of women to the Middle East and guarantee that the gender perspective is being included in current efforts to counter violent extremism (CVE). The enactment of legislation to criminalise participation in, material support of, and recruitment for foreign paramilitary groups should be followed up by practical measures to support the deradicalisation and rehabilitation of women who should primarily be recognised as victims of extremist propaganda and recruitment.

6. Women in the labour market

- 6.1 The exclusion of women from the labour market is widespread in the region and is considerably higher than the EU average⁷. Almost two-thirds of working-age women in the region are either inactive or unemployed. For Roma women and women with disabilities the rates are even higher. Statistics show that women have lower levels of activity compared to men and little progress has been made in closing the gender employment gap.
- 6.2 This represents not only violation of fundamental human rights but also carries a high economic and social cost and stunts potential economic growth in the region. Every year, countries in the Western Balkans lose an average of 18 percent of their total GDP due to gender gaps in the labour market⁸. One-third of this loss is due to distortions in the choice of occupations between men and women. The remaining two-thirds correspond to costs associated with gaps in labour force participation. The Western Balkans should be encouraged to make optimal use of existing untapped human resources, support and facilitate the participation of women in the labour market, and address the issue of a large proportion of women engaged in the informal economy.
- 6.3 This gender gap stems from the existence of entrenched norms concerning family roles and an insufficient institutional response to tackle these challenges. Family responsibilities tend to fall on women, and flexible working arrangements are extremely limited. This forces women to choose between family and career. Women are formally employed at a much lower rate than men, earn less and seldom occupy high-level positions. It is important to include men in the discussion and to encourage them to take on a greater share of family responsibilities.
- 6.4 Access to affordable childcare and the encouragement of parental leave for fathers is one of the prerequisites to increase participation of women in labour markets. Specific measures are also needed to improve labour-market matching for women workers such as the provision of publicly provided nursery and kindergarten education for young children. Stereotypes in parental upbringing and attitudes, particularly in some communities, towards boys' versus girls' education, as well as stereotypes in choosing a typically "female" or "male" profession, among other factors, contribute to the pay and pensions gap between women and men.

Regional Cooperation Council, A Waiting Game: Assessing and Responding to the Threat from Returning Foreign Fighters in the Western Balkans, November 2017, https://www.rcc.int/pubs/54/a-waiting-game-assessing-and-responding-to-the-threat-from-returning-foreign-fighters-in-the-western-balkans

⁷ EPRS. Briefing on Women in the Western Balkans, July 2018.

⁸ http://blogs.worldbank.org/europeandcentralasia/key-unlocking-economic-potential-western-balkans-women

- The gender pay gap in the region, which is around 20%9, is a persistent problem. This 6.5 consequently has an impact on the gender pension gap and inequality between men and women at retirement age. With the possible rise in the working poor, many of whom are women, there is a clear case for greater policy attention and action on the part of government, employers and social partners, not only through direct measures associated with both the minimum and living wage, progressive taxation, inward benefits and social assistance but also, and more importantly, through indirect measures, such as more flexible working arrangements, housing, upgrading of skills and childcare.
- 6.6 The economic situation and lack of employment opportunities negatively affect women, in particular young women, forcing them to leave their countries and thus exacerbating the brain drain in the region. Policy measures should be designed to make full use of the talent and skills of women in the dynamically changing economic environment. In this respect, the establishment of pipelines of women experts should be considered in order to highlight their expertise in different fields. Furthermore, the access of women to lifelong learning should be improved and ensured.
- 6.7 To break education stereotypes it is necessary to consistently encourage girls and women to be more engaged in the STEM (science, technology, engineering and mathematics) areas, vocational education and training, and apprenticeships.

7. **Empowerment of women**

- 7.1 Economic empowerment of women
- 7.1.1 Women entrepreneurs are still an untapped source of business and job creation and an important driving force for economic growth. Women entrepreneurs face unique challenges and barriers in starting and growing business, such as a lack of business and entrepreneurial skills, prevailing prejudices in banks against the credit-worthiness of women-led businesses. There is no unique definition of 'female entrepreneurship', which results in the lack of data on this important matter.
- 7.1.2 The drive for change is based on strong evidence that there is a supply of highly skilled women across the Western Balkans and therefore any argument for gender balance should be based on the "merit and preference rule" rather than positive discrimination. Nevertheless, there are still factors that hinder women from taking the lead, such as a lack of reconciliation measures between business and family life, limited access to networks that are important for higher positions, lack of self-confidence, etc. 10.

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⁹ UN Women Regional Project.

OJ C 133, 9.5.2013, p. 68.

- 7.1.3 The EESC would further recommend that policymakers and companies review the following issues to ensure women engage at a senior level in the Western Balkans¹¹:
 - better visibility of women in senior roles;
 - greater transparency in headhunting talent;
 - challenging stereotypes around gendered roles;
 - leadership succession planning;
 - creation of a talent pipeline;
 - disseminating examples of good practice;
 - creating a coordinated database of qualified women for board positions.
- 7.1.4 Training and access to finance, including microfinance, should be provided as an integrated package for women's start-ups and growing businesses¹². Promoting female entrepreneurship in the region would lead to job creation and bring about economic benefits for all. For this purpose, measures such as business incubators, mentoring programmes, innovation hubs, technology labs and other forms of support for women in business should be more actively used.
- 7.1.5 Associations of businesswomen should actively take part in decision-making processes and public dialogue with local and regional authorities and partner organisations. Recent projects in this area have concluded that the topic is receiving a higher level of recognition than in the past and support for women entrepreneurs has moved forward from being a project to being an ongoing process. Achieving further substantial progress would require a change in people's mind-sets.
- 7.1.6 Social enterprises have an important role to play in bringing female entrepreneurs together and should be encouraged across the region in order to coordinate action and facilitate successful access to funding.
- 7.1.7 Youth entrepreneurship is essential for the region and there is a need for a new growth model in order to reach the digital frontier. It should be based on innovation and the entrepreneurial spirit of the new millennial generation. The model should, inter alia, entail tailor-made education of young women and men for the new world of work, with secure financing solutions.
- 7.2 Political empowerment of women
- 7.2.1 All Western Balkan partners have a gender quota and there is quite a strong policy in place to increase women's representation. The quota system in most of the respective partners requires political parties to include at least 30% of female candidates on their lists, except in Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia, where the minimum is 40%.
- 7.2.2 Although the gender quotas are developing and providing positive changes in the region, there is no consistency in the pursuit of this policy. As a result, the status of women in politics and

¹¹ OJ C 133, 9.5.2013, p. 68.

EC SME Policy Index, Western Balkans and Turkey 2016, Assessing the implementation of the Small Business Act for Europe.

their participation in decision-making processes has not improved substantially and is still not sustainable

- 7.2.3 There is hierarchical marginalisation in the region that shows the presence of larger number of men than women in high decision-making positions. Women still do not occupy top positions of power. They are very often involved in political bodies dealing with education, health, social policy and administration and this can lead to horizontal segregation in some sectors. They are, however, much less represented in other bodies, which have greater decision-making power and influence on policymaking or governmental legislation.
- 7.2.4 There are some good examples of women's political empowerment in the region. Local organisations have managed to mobilise women in political processes and the support provided to women in political parties has led to the election of the first female mayor in Kosovo. In Albania, partners have led the civil society coalition demanding respect for the gender quota in parliament, raising the level of female participation in the past few elections. There are many ongoing plans, mechanisms and support structures to raise women's political participation in the region, and considerable improvements have taken place.¹³

8. The role of social partners and civil society organisations

- 8.1 Social partners and civil society organisations (CSOs) in the Western Balkans have an important role to play in influencing authorities to commit to gender equality. They are proven catalysts for positive change and the building of tolerant and resilient societies. There are a number of successful women's initiatives, projects and platforms and the EESC firmly supports these positive undertakings.
- 8.2 Women's organisations as part of CSOs are particularly instrumental in this respect and play a leading role in preventing violence against women as well as with regard to reconciliation at local and regional levels. They are a key part of the process of monitoring and holding governments to account with regard to effective policy implementation.
- 8.3 In spite of formally introduced mechanisms for the inclusion of social partners and CSOs in consultation procedures, communication and cooperation with governments leaves a lot to be desired. The recent more negative attitude toward CSOs makes it hard for them to deliver sound criticism and propose measures to deal efficiently with existing shortcomings. The EESC emphasises the need to support and safeguard space in civil society for women's rights and empowerment.
- 8.4 The enlargement process and the Berlin Process have contributed to the inclusion of civil society in regional initiatives and policy-making. There are signs of progress in relation to the status and position of the sector as a whole, whereby several changes in legislation, policy and budgets have been made, taking into consideration what citizens want.

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¹³ UNDP, 2016.

- 8.5 The EESC has developed a dual approach, both regional and bilateral, for its relations with the CSOs of the Western Balkans. The Western Balkans Follow-up Committee, established by the EESC in 2004, is the main instrument for coordinating the EESC's activities in the region and monitoring the changes in the political, economic and social situation in the Western Balkan partners, as well as in EU-Western Balkans relations, including in the area of women's rights. The Western Balkans Civil Society Forum is part of the work of the Follow-up Committee. The 6th Forum, conducted in July 2017 in Sarajevo, discussed and adopted recommendations in the area of rights and the empowerment of women.
- 8.6 The 2018 Enlargement Communication by the European Commission calls on national authorities, with the support of their societies, to take ownership and deliver on the well-known conditions for EU accession. An inclusive and effective structured dialogue on reform priorities with the involvement of an empowered civil society would determine to a great extent the success of any transformational action. The EU should therefore do more to encourage and facilitate this dialogue.

Brussels, 23 January 2019

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The president of the European Economic and Social Committee