



Committee of the Regions

RELEX-028

Brussels, 20 July 2005

OPINION

of the

Committee of the Regions

of 6 July 2005

on the

Communication from the Commission to the Council and to the European Parliament:

Strategy Paper of the European Commission on progress in the enlargement process

COM(2004) 657 final - SEC(2004) 1199, 1200

THE COMMITTEE OF THE REGIONS,

Having regard to the Communication from the Commission to the Council and to the European Parliament: Strategy Paper of the European Commission on progress in the enlargement process (COM(2004) 657 final - SEC(2004) 1199, 1200);

Having regard to the European Commission's decision of 29 November 2004 to consult it in accordance with the first paragraph of Article 265 of the Treaty establishing the European Community;

Having regard to its Bureau's decision of 28 September 2004 to instruct the Commission for External Relations to draw up an opinion on the European Commission's strategy on progress in the enlargement process;

Having regard to the presidency conclusions of the European Council of 16 and 17 December 2004 (No. 16238/04);

Having regard to the European Parliament resolution on *Bulgaria's progress towards accession* (COM(2004) 0657-I6-150/2004 - 2004/2183(INI));

Having regard to the CoR's political priorities for 2002-2006, in which European enlargement is seen as a unique event, which will ensure peace and stability and strengthen the integration process in Europe as a whole;

Having regard to its resolution of 13 February 2003 on *the European Commission's work programme and the Committee of the Regions' priorities for 2003* (CdR 6/2003 fin¹);

Having regard to its opinion on the document *Towards the enlarged Union - Strategy Paper and Report of the European Commission on the progress towards accession by each of the candidate countries* and on the *Report from the Commission to the Council: Explaining Europe's enlargement* (CdR 325/2002 fin²);

Having regard to its opinion on the *Communication from the Commission on the Action Plans for administrative and judicial capacity, and the monitoring of commitments made by the negotiating countries in the accession negotiations* (CdR 244/2002 fin);

Having regard to the recommendation of its EU-Bulgaria JCC on *Strengthening regional and local administrative capacities in the Republic of Bulgaria* of 2 April 2004 (CdR 33/2004 fin);

¹ [OJ C 128, 29.5.2003, p. 53](#)

² [OJ C 128, 29.5.2003, p. 56](#)

Having regard to the declaration of cooperation signed with the National Association of Municipalities in the Republic of Bulgaria on 12 December 2001;

Having regard to the cooperation agreement between the National Association of Municipalities in the Republic of Bulgaria and the Government of the Republic of Bulgaria signed on 11 December 2001;

Having regard to its draft opinion (CdR 497/2004 rev. 1) adopted on 26 April 2005 by the Commission for External Relations (rapporteur: Tilman Tögel (DE/PES), Member of the Saxony-Anhalt *Landtag*);

adopted the following opinion at its 60th plenary session, held on 6 and 7 July 2005 (meeting of 6 July):

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1. Views of the Committee of the Regions

1.1 General comments on the enlargement process

The Committee of the Regions

- 1.1.1 **welcomes** European enlargement which took place on 1 May 2004 with the accession of ten new Member States;
- 1.1.2 **emphasises** the fact that Bulgaria and Romania are also part of the current enlargement process, even though accession will for various reasons only take place at a later date;
- 1.1.3 **welcomes** the conclusions and recommendations submitted by the European Commission on 6 October 2004 to the Council and the European Parliament in its regular report and in the strategy paper on Bulgaria, Romania and Croatia;
- 1.1.4 **shares** the view that Bulgaria and Romania will be capable of meeting commitments arising from EU membership and of fulfilling the Copenhagen political criteria, and also that they have functioning market economies;
- 1.1.5 **endorses** the signing of the accession treaties with Bulgaria and Romania by the EU foreign ministers on 25 April 2005, thereby enabling these two countries to become members of the EU on 1 January 2007, provided that they have met all the conditions of accession by that date;

- 1.1.6 **points out** that the individual readiness of each applicant country for accession has been a basic and proven principle of previous enlargements;
- 1.1.7 **emphasises** the need to intensively monitor the systematic implementation of commitments made by Bulgaria and Romania after the close of negotiations;
- 1.1.8 **points out** that the accession of Bulgaria and Romania can be postponed by a year if the requisite reforms, especially in the fields of justice, home affairs, administration and competition law, have not been completed;
- 1.1.9 **stresses** that it can support Bulgarian and Romanian local and regional authorities in the pre-accession phase through intensive involvement of observers from the countries affiliated to it after the signing of the accession treaties;
- 1.1.10 **expresses its willingness** to pursue an active information policy in order to secure broad support for Bulgarian and Romanian accession during the ratification process;
- 1.1.11 **notes** that this information policy should also include the draft Treaty establishing a Constitution for Europe, given that this is an integral part of the Community *acquis* which will have to be ratified by Bulgaria and Romania in the course of accession, and **considers** that an information campaign should be launched at local and regional levels in both countries to explain the constitution to the public, in order to bring home to them what the values of the European Union are and how it works;
- 1.1.12 **welcomes** the presidency conclusions of the European Council of 16 and 17 December 2004 on opening accession negotiations with Croatia, and **notes** that the commencement of accession negotiations has been postponed until such time as full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY) has been confirmed;
- 1.1.13 **welcomes** the presidency conclusions of the European Council of 16 and 17 December 2004 on opening accession negotiations with Turkey on 3 October 2005, and **stresses** the need for these negotiations to be conducted without any preconceived views as to their outcome;
- 1.1.14 **envisages** an opportunity for its members to support regional and local authorities in the applicant countries in their preparations for accession by entering into partnerships with them;
- 1.2 **Observations on the regular report on Bulgaria's progress on the road to accession SEC(2004)1199**

The Committee of the Regions

- 1.2.1 **acknowledges** Bulgaria's economic achievements in terms of overall economic stability, structural reform and economic growth, but **is also aware** of continuing problems with unemployment, which is still too high;
- 1.2.2 **trusts** that Bulgaria will continue its efforts to prepare for accession in the remaining period and, in this connection, will attach particular importance to making progress in the fields of justice, home affairs and administration as called for by the Commission;
- 1.2.3 **points out** that the European Union is providing significant financial support in the form of pre-accession aid, which must also be used for capacity-building at local level, partly in order to support and speed up implementation of European cohesion policy;
- 1.2.4 **notes** that, as things stand, conditions for regionalisation have improved considerably;
- 1.2.5 **welcomes** the adoption of the regional development act, which has laid the foundations for regional policy planning, and a more effective territorial structure, which has been achieved by dividing the country into NUTS 1 regions for statistical purposes;
- 1.2.6 **welcomes** the current efforts by the government and parliament to reform public administration, and **acknowledges** the contribution this makes to more effective regional policy;
- 1.2.7 explicitly **supports** the ongoing reforms of public administration and the concomitant reforms of municipal administration, particularly the measures introduced through the amendment of the municipal property act to give municipalities greater responsibilities of their own, to boost their capacity, and to enhance their institutional and therefore their financial autonomy;
- 1.2.8 **acknowledges** that building up the capacities of local and regional authorities is a long-term process, which must regularly be supported by disseminating information, holding hearings and running tailor-made training programmes.

2. Recommendations of the Committee of the Regions

The Committee of the Regions

- 2.1 **welcomes** the conclusion of accession negotiations and the signing of the accession treaty between Bulgaria and the European Union, and **recommends** that all EU Member States ratify this treaty in good time so as to enable the EU to welcome Bulgaria as a full member on 1 January 2007;

- 2.2 **calls** on Bulgaria to continue making productive efforts to support this reform process by amending the state property act accordingly, in order to reflect the subsidiarity principle even more closely;
- 2.3 **recommends** that further steps be taken in the devolution process, and also **notes** that the transfer of powers from central to local-government or self-governing bodies should be seen not only as a transfer of rights and obligations but also as a transfer of facilities, funds and human resources;
- 2.4 **recommends** that the discussion also be continued in the transition period on regional policy responsibilities in the Republic of Bulgaria and the endeavours to strengthen the position of local and regional authorities so that, by the time of accession, Bulgaria will be equipped with effective local administrative structures which are able to meet the demands of the single market;
- 2.5 **notes** that strengthening the role and powers of local and regional authorities, for example in property allocation and administration, is essential for constructive cooperation between central and local authorities, thereby giving local authorities a more propitious point of departure from which to implement EU measures and to make use of Structural Funds;
- 2.6 once again **draws attention** to the need to broaden local and regional authorities' decision-making powers in line with the subsidiarity principle and the principle of solidarity between central government and local and regional authorities, and also horizontally between regions and municipalities;
- 2.7 **notes** that the local authorities are much more called upon to create the requisite institutional framework for deployment of structural policy instruments; this especially applies to the setting up of administrative agencies or to implementation of the requisite institutional and/or organisational changes to ensure that local authorities are better prepared to make use of the Structural Funds;
- 2.8 **points out** that with a view to the establishment of efficient regional and local self-government additional legal and organisational measures need to be taken to promote the appropriate use of local resources, earmarking sufficient funds for training programmes and for the transfer of competences through exchanges of good practice with EU Member State local and regional authorities and providing for effective incentives, and, moreover, given that local authorities' financial and economic autonomy is a basic cornerstone of self-government, **recommends** that particular attention be paid in this context to the safeguarding and improved management of network resources, facilities and services;
- 2.9 **points out** that, in their legislative activities, local and regional authorities and municipalities take care to ensure that EU rules already implemented under Bulgarian law at local and regional level are enforced, insofar as these rules fall within the remit of the authorities and

municipalities concerned; this most definitely applies to EU rules in areas such as public procurement, the environment, competition and social policy;

- 2.10 **voices its concern** that the problem of integrating the Roma population is still unresolved and that municipalities bear most of the responsibility for finding a long-term solution, and **calls on** local and regional authorities to work harder at making jobs in local administrative structures available to members of this population group, in keeping with the principle of equal opportunity; in doing so, it is important to avoid secondary discrimination within such structures (members of the Roma population helping one another out);
- 2.11 **points out** that self-government instruments should be used to speed up integration of the Roma population, with support for measures within the Roma communities to ensure that they are able to take over responsibilities in areas such as security and welfare;
- 2.12 **calls for** the drafting and implementation of long-term programmes at municipal level to eliminate the problem of separate residential areas (ghettos), involving the release of land on which appropriate new housing for members of the Roma population group can be constructed with their involvement by means of public-private partnerships, and **recommends** greater EU commitment to such projects;
- 2.13 **points out** that the situation with regard to integration of mentally handicapped persons is far from satisfactory, and **calls on** municipal bodies to look into this problem and do what they can within their powers to try and find appropriate solutions;
- 2.14 **notes** that, in the context of the ambitious schedule for the submission of its National Development Plan, Bulgaria has committed itself to giving local and regional authorities particular responsibility for establishing appropriate local and regional development plans; as well as helping to draw up a fitting National Development Plan, this will ensure that there is scope for appropriate involvement of local and regional authorities as equal partners in the implementation of the Structural Funds;
- 2.15 also **notes** that special attention must be paid to the application of the partnership principle, i.e. to the closer involvement in this process of the regional, social and non-governmental partners concerned;
- 2.16 **recommends** that aid from the pre-accession funds be made available for the development of administrative structures and capacities, and **suggests** that, when making this funding available, due account should be taken of the importance of local and regional authorities in implementing Structural Fund programmes and other regional development initiatives;
- 2.17 **emphasises** that the constructive exchange of experience under the existing partnership agreements between Bulgaria and the EU Member States provides a basis for the effective deployment of the Structural Funds at regional level;

- 2.18 **also notes** that existing direct partnership agreements between individual regions in the Member States and in Bulgaria provide a vehicle not only for exchanging information and experience, but also for direct cooperation, or the provision of human and material resources to help Bulgarian local and regional authorities; there should be stronger support for such a vehicle, which should be used to help achieve the recommendations put forward here;
- 2.19 **points out** that continued success in the fight against corruption is vital in order to boost the trustworthiness of local and regional authorities in the public eye, in the eyes of Bulgaria's EU partners and in the eyes of investors and the business community;
- 2.20 in view of increasingly frequent reports of criminal proceedings involving local and regional politicians, **recommends** vigorous application of measures to eliminate the causes of corruption; this will require measures to improve financial administration and auditing, bearing in mind that, while separation of these two activities is very important, it is not the only option available.

Brussels, 6 July 2005.

The President
of the
Committee of the Regions

The Secretary-General
of the
Committee of the Regions

Peter Straub

Gerhard Stahl