

EUROPEAN UNION



Committee of the Regions

RELEX-032

Brussels, 16 November 2005

OPINION
of the
Committee of the Regions
of 16 November 2005
on the
Communication from the Commission to the Council
on
A European Future for Kosovo
COM(2005) 156 final

THE COMMITTEE OF THE REGIONS,

Having regard to the Communication from the Commission to the Council on *A European Future for Kosovo* (COM(2005) 156 final);

Having regard to the decision of the European Commission of 11 May 2005 to consult it on this subject, under the first paragraph of Article 265 of the Treaty establishing the European Community;

Having regard to the decision of its Bureau of 12 April 2005 to instruct its Commission for External Relations to draw up an opinion on the subject;

Having regard to the Presidency conclusions of the European Council, held in Brussels on 16-17 June 2005;

Having regard to the Presidency conclusions of the European Council, held in Thessaloniki, on 19 and 20 June 2003;

Having regard to the decision by the European Council on 14 June 2004 on the principles, priorities and conditions contained in the European Partnership with Serbia and Montenegro including Kosovo;

Having regard to the Report on the preparedness of Serbia and Montenegro to negotiate a Stabilisation and Association Agreement with the European Union (SEC(2005) 478 final);

Having regard to the opinion of the Parliamentary Assembly of the Council of Europe on the "Current situation in Kosovo" adopted on 3 June 2005 (doc. 10572, rapporteur: Ms Marianne Tritz);

Having regard to the Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo of 23 May 2005 (doc. 05-33918);

Having regard to the United Nations Security Council Resolution 1244 (1999) of 10 June 1999;

Having regard to the Cooperation Agreement between the Committee of the Regions and the Congress of Local and Regional Authorities of the Council of Europe of 13 April 2005, CdR 62/2005;

Having regard to its opinion on *The role of the European Union's local and regional authorities in the democratic consolidation process in the Western Balkans* - CdR 101/2003 fin¹;

Having regard to the conclusions adopted by the participants at the conference held in Pristina on 22 June 2005 (the "Pristina declaration"), CdR 145/2005 fin;

¹ OJ C 73 of 23.3.2004, p.1.

Having regard to its Draft Opinion (CdR 143/2005 rev. 2) adopted on 15 September 2005 by its Commission for External Relations (Rapporteur: Mr Tomaž Štebe, Mayor of the Municipality of Mengeš (SI/EPP));

Wishing to submit views on the European future for Kosovo from a local and regional perspective;

Whereas:

1. The Presidency conclusions of the European Council, held in Thessaloniki, on 19 and 20 June 2003, have given the whole region of the Western Balkans an European outlook for the future. This outlook was stressed again by the Presidency conclusions of the European Council, held in Brussels on 16-17 June 2005;
2. all Western Balkans countries, as well as Kosovo, are currently undergoing positive changes in attitudes, including in relation to the International Criminal Tribunal for the former Yugoslavia (ICTY). These changes are an important step to their eventual European integration. However, further substantial progress is needed;
3. in respect of Kosovo, people showed peaceful restraint following the resignation of former Prime Minister Haradinaj, and the government showed political maturity in the smooth transition to a new Kosovo Government led by Prime Minister Kosumi. This was accompanied by a renewed commitment to carry on the programme of the previous Government centred on UN standards implementation;
4. Kosovo's Government has adopted a "Reform of Local Government – Working Programme 2005" on 22 February 2005. The reform is intended to improve services at the local level and thereby contribute to (a) ensuring sustainable government and living conditions for all people in Kosovo; (b) the integration of all communities into democratic structures in Kosovo; (c) the setting up and consolidation of functioning democratic institutions in Kosovo as required by the standards;
5. activities aimed at the economic integration of Kosovo in the region continue. These ongoing efforts are intended to address the continuing difficult economic situation in Kosovo, including low-income level, high unemployment and huge infrastructure deficit. A legal framework defining clear property rights is urgently needed;
6. an ambitious and comprehensive review of the implementation of standards, which is currently taking place, should launch a realistic process leading to the settlement of Kosovo's future status. Strong, autonomous and multiethnic local and municipal authorities are a prerequisite for long-lasting peace and prosperity in Kosovo, as well as a key element in any negotiated agreement on the future status of Kosovo;

7. the final declaration of the conference on the role of EU regional and local authorities in the process of democratic consolidation in the Western Balkans' region organised jointly with the Committee of the Regions, the European Commission, the Congress of Local and Regional Authorities of the Council of Europe and the Stability Pact for South-Eastern Europe in Pristina, 22 June 2005, stresses that if the people of Kosovo were to have a future within the European Union, it was vital to have genuine devolution and a participatory democracy, which fully respected democratic values and minority rights.

adopted the following opinion at its 62nd plenary session, held on 16 and 17 November (meeting of 16 November):

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1. The Committee of the Regions' Views

The Committee of the Regions

- 1.1 **welcomes** the report and the conclusions reached by the Commission in the Communication *A European Future for Kosovo*, (COM(2005) 156 final) which present a framework for ending the current impasse regarding the development of a democratic and multi-ethnic society in Kosovo, in order to enable it to participate in the region in a context of peace and prosperity;
- 1.2 **welcomes** the Report on the preparedness of Serbia and Montenegro to negotiate a Stabilisation and Association Agreement with the European Union, SEC(2005) 478 final, which concludes with a positive recommendation towards opening stabilisation and associations negotiations provided Serbia and Montenegro continues its preparations in a sustained way;
- 1.3 **welcomes** Presidency conclusions of the European Council, held in Brussels on 16-17 June 2005 and the annexed Declaration on Kosovo which stressed that the outcome of the comprehensive review of the situation in Kosovo was not a foregone conclusion: the implementation of standards, particularly those which have been identified as a priority, and the decentralisation process are of particular importance;
- 1.4 **considers** that Kosovo's and EU local and regional authorities should help to achieve the challenge of the European future for Kosovo;
- 1.5 **welcomes** the Commission's commitment to focussing on the specific situation and particular needs of Kosovo in order that it might make progress in the stabilisation and association process;

- 1.6 **welcomes** the active focus on the development and reform needs of Kosovo with a commitment to mobilise Commission resources to accelerate such development and reforms;
- 1.7 **endorses** the European Commission proposal to explore new avenues in order to ensure that Kosovo can benefit fully from all relevant European Union instruments;
- 1.8 **attaches** the utmost importance to the political dialogue between the communities of Kosovo and between the authorities in Belgrade and Pristina as the only way to achieve that greater stability which is a prerequisite for the European integration of the whole Western Balkans region;
- 1.9 **welcomes** the initial effort made by the Provisional Institutions of Self Government in Kosovo (PISG) to reform the local government in Kosovo;
- 1.10 **recalls** that devolution must be accompanied by a genuine transfer of power and particularly financial resources and properties commensurate with the new responsibilities entrusted to the local and regional authorities;
- 1.11 **supports** the vital role that the local and regional authority associations play in putting the collective views of local and regional authorities to their governments and as key instruments to promote the potential for action through local and regional politicians;
- 1.12 **endorses** the Commission's engagement in high-level consultation with the main international actors so as to establish a coordinated policy approach to Kosovo; and **welcomes** the decision to launch the comprehensive review of progress made in the implementation of the Kosovo standards.

2. **The Committee of the Regions' recommendations**

The Committee of the Regions

- 2.1 **asks** the Commission to actively involve local authorities of Kosovo in the task of implementing political, social and economical reforms at the ground level with the full respect of the principles of subsidiarity, proportionality and good governance;
- 2.2 **encourages** the Commission to promote and support – in close cooperation with local authorities – information campaigns in order to inform EU citizens about relations with Kosovo and to inform Kosovo citizens of EU values;
- 2.3 **encourages** the Commission to support – in close cooperation with local authorities – exchange and twinning programmes that will help to increase mutual understanding between

citizens and the administrations of the EU and Kosovo and strengthen local and regional-level administrative capacity;

- 2.4 **recommends** that Commission assistance for institution building give special consideration to local government capacity, in particular to assist the implementation of law and to improve communication and cooperation between central and local government;
- 2.5 **calls for** cooperation efforts and exchanges of the experiences and best practices gained under the pre-accession policy implemented with the local and regional authorities of the EU member states, applicant countries and Western Balkans countries;
- 2.6 **stresses** that one way of developing confidence and stability in Kosovo and the Western Balkan region is through active cross-border cooperation between local and regional authorities;
- 2.7 **encourages** all those responsible for implementing standards, particularly the Provisional Institutions of Self-Government (PISG) in Kosovo to continue the implementation of the Reform of Local Government in entire Kosovo's territory and to assist local authorities in Kosovo to conform with the European Charter of Local Self Government, notably by providing the local authorities in Kosovo with the necessary financial, land and human resources for their social and economic responsibilities;
- 2.8 **recalls** to all those responsible for implementing standards, particularly the Provisional Institutions of Self-Government (PISG) in Kosovo that safeguarding and promoting regional and minority languages as well as cultural heritage of all communities are key factors in tolerance and mutual understanding within a pluralist, multiethnic and multicultural Kosovo;
- 2.9 **encourages** all those responsible for implementing standards, particularly the Provisional Institutions of Self-Government (PISG) in Kosovo to facilitate participation of persons from all ethnic groups and communities in the decision-making processes, in particular at local and municipal level and **stresses** that multiethnic municipalities are key element for stabilisation and reconciliation process in Kosovo;
- 2.10 **recommends** all those responsible for implementing standards, particularly the Provisional Institutions of Self-Government (PISG) in Kosovo, to redouble their efforts to achieve concrete results urgently, particularly as regards the return of refugees, return of displaced persons and freedom of movement for all communities;
- 2.11 **asks** all those responsible for implementing standards, particularly the Provisional Institutions of Self-Government (PISG) in Kosovo to take steps, in cooperation with EU and international institutions, to look beyond the implementation of standards and to be prepared to implement EU legislation, including at local level;

- 2.12 **recommends** to work closely with the Congress of Local and Regional Authorities of Europe (CLRAE) of the Council of Europe and to foster a wider participation of Kosovo's authorities in the European democratic process;
- 2.13 **recommends** that in the context of Financial Perspectives 2007-2013 sufficient financial support is allowed for Kosovo.

Brussels, 16 November 2005

The President
of the
Committee of the Regions

The Secretary-General
of the
Committee of the Regions

Peter Straub

Gerhard Stahl
