



Committee of the Regions

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**77th Plenary session
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**OPINION
of the
Committee of the Regions
on
THE ADDED VALUE OF PARTICIPATION BY LOCAL AND
REGIONAL AUTHORITIES IN THE ENLARGEMENT PROCESS**

THE COMMITTEE OF THE REGIONS

- recommends that, insofar as they meet the set requirements by the European Commission, the group of potential candidate countries should also be entitled to draw on the three other components and thus be subject to the same terms and conditions as candidate countries,
- recommends that this opinion should be the starting point for a more comprehensive and thorough evaluation of past experience as that would bring into focus – and document – the wide-ranging and substantive work done by local and regional authorities in the course of earlier enlargements. In this connection, the Committee of the Regions should, with the help of research funding, undertake a thorough-going analysis of local and regional involvement in the IPA between 2007 and 2009,
- recommends that the Committee of the Regions should, at the start of 2009, launch a round-table discussion, to which delegates from the Commission, the Parliament and the local and regional authorities from the candidate and potential candidate countries, and other relevant players, would be invited to discuss the issue in detail, thereby providing the starting signal for the re-evaluation process,
- asks that, as part of this evaluation, a political reference framework be drawn up between the Committee of the Regions and the Commission on the involvement of local and regional authorities in enlargement processes. The Committee should adopt this political reference framework as it represents a unique opportunity to reassess existing structures and types of collaboration, in a bid to further advance cross-border cooperation between local and regional authorities in Member States, candidate countries and potential candidate countries.

Rapporteur: **Ms Helene Lund (DK/PES)**
Member of Furesø Municipal Council

Reference document

I. GENERAL COMMENTS

THE COMMITTEE OF THE REGIONS

Basic points

1. welcomes the successful conclusion of the fifth wave of enlargement, in which the local and regional authorities in Bulgaria and Romania played a key role in fostering the development of sustainable local and regional democracy;
2. underscores the importance of learning from the experience of past enlargements in the field of cross-border cooperation so as to optimise and enhance efforts as part of the current accession negotiations with candidate and potential candidate countries;
3. thus recommends that greater focus be placed on cooperation between local and regional authorities in the Member States, candidate countries and potential candidate countries;
4. welcomes the Instrument for Pre-Accession Assistance (IPA) established under the relevant Commission proposal (COM(2004) 627 final) and Council Regulation (1085/2006), and would refer to its own opinion on the subject (CdR 498/2004 fin). The Committee of the Regions backs the structure of the IPA, which is made up of the following five components: a) support for transition and institution-building, b) cross-border cooperation, c) regional development, d) human resources development, and e) rural development;
5. notes that the IPA, which runs from 2007 to 2013, is an important tool in helping establish durable political and administrative structures in the candidate and potential candidate countries, as it has, since 1 January 2007, brought together the various different strands of pre-accession aid previously in place for Turkey and the Western Balkans: Phare, Ispa, Sapard, Cards and the financial instrument for Turkey;
6. welcomes the three-year indicative financial framework under the IPA for the allocation of resources to each beneficiary country, as this demonstrates a flexible approach, and points out that it is not possible to come up with a single solution appropriate to all – hence the need for flexible tools that are able to meet the challenges and issues specific to each individual country;
7. at the same time notes that beneficiary countries are divided into two groups: (i) candidate countries – the Former Yugoslav Republic of Macedonia, Croatia and Turkey; and (ii) potential candidate countries – Albania, Bosnia and Herzegovina, Montenegro, Serbia and Kosovo. The Committee of the Regions also notes in this regard that the first group (candidate countries) is able to seek support under all five components, while the second (potential candidate countries) is able to do so only under the first two components (support for transition and institution-building, and cross-border cooperation);

8. recommends that, insofar as they meet the requirements set by the European Commission, the group of potential candidate countries should also be entitled to draw on the three other components and thus be subject to the same terms and conditions as candidate countries;
9. stresses the vital importance of putting in place tough requirements for the subsequent documentation of the results achieved under the IPA;
10. draws attention to the fact that, often, a large proportion of legislation is implemented at local and regional level (as much as 70% of EU environmental legislation falls into this category), thus making it vital for local and regional authorities to have a genuine opportunity to secure IPA support so that they can press ahead with their worthwhile and important work and continue to play a constructive role in the development of sound administrative structures and sustainable local and regional democracy in the candidate and potential candidate countries;

Importance of local and regional players' input into the enlargement process

11. underscores the fact that, to meet the requirements established under the *aquis communautaire*, the Copenhagen criteria and the December 1995 Madrid conclusions, candidate and potential candidate countries must develop durable and decentralised political and administrative structures;
12. points out that local and regional authorities are frequently citizens' first point of contact with the system and it is thus vital that they should be able to provide the services citizens require. Experience shows the importance of working towards the development of strong, decentralised political and administrative structures, as these are often weak in candidate and potential candidate countries. This is one area in which EU local and regional authorities have a great deal of experience, given that the challenges involved are faced by such authorities in all Member States. The Committee of the Regions also underscores the importance of ensuring that citizens do not experience any sustained deterioration in service levels in the course of the enlargement process as that may cloud their opinion of EU membership;
13. stresses, therefore, how important it is to focus on the development of strong, decentralised structures since much of the *aquis communautaire* is implemented at local and regional level, and notes the vital need for the local and regional level to engage with central government as an equal partner since a well-developed administrative capacity at local and regional level that is able to provide the requisite services and meet the challenges arising helps relieve pressure on central government;
14. points that, if the political and administrative structures at local and regional level are to have a sound political and administrative base, it is important to develop in cooperation with civil society a local democracy that citizens can trust and in which they feel they have a say. Local and regional authorities have many years' experience in cross-border cooperation, for instance

through town-twinning schemes, which also bring aspects of culture and identity into the development of democracy and administrative structures. This in turn brings added value to the Community;

15. also draws attention to the local and regional level's expert grasp of intercultural cooperation as it is that level which, more often than not, is in direct contact with citizens from different cultural backgrounds. Local and regional authorities are thus experienced in working with different cultures at close quarters. This is an asset that can be also be drawn on in enlargement-related intercultural activities between Member States, candidate countries and potential candidate countries;

Need for a cohesive approach to cross-border cooperation

16. considers it important to develop a cohesive approach to cross-border cooperation in any pre-accession processes;
17. stresses that one of the Committee of the Regions' key external relations priorities is to explain the enlargement process to citizens (CdR 322/2006 fin). To facilitate the more effective communication of its efforts in this area, the Committee of the Regions should be systematically kept abreast of local and regional authorities' practical, constructive and durable achievements in the enlargement process;
18. thanks all local and regional authorities in the Member States, candidate countries and potential candidate countries that have taken part in the study underpinning this opinion. They have made an outstanding contribution to the drafting of this opinion by bringing in their experience of cooperation between local and regional authorities in the Member States, candidate countries and potential candidate countries. The submission from the Croatian cities and regions was particularly comprehensive and reflective of their strong commitment to the issues involved. The responses from all the countries that took part constitute a strong, practical starting point for the work of evaluating activities to date and provide a basis for developing a set of political guidelines for future work;

II. POLITICAL RECOMMENDATIONS

Political guidelines¹

19. recommends that this opinion should be the starting point for a more comprehensive and thorough evaluation of past experience as that would bring into focus – and document – the wide-ranging and substantive work done by local and regional authorities in the course of earlier enlargements. In this connection, the Committee of the Regions should, with the help

¹ The political and practical guidelines have been drawn up on the basis of the study conducted among Member States, candidate countries and potential candidate countries. The relevant data are appended to the opinion.

of research funding, undertake a thorough-going analysis of local and regional involvement in the IPA between 2007 and 2009. Research should be conducted in cooperation with universities and organisations across the Member States and applicant countries. It is also recommended that a follow-up group be established, made up of representatives of the political groups, the Commission and the local and regional authorities from the candidate and potential candidate countries. Its task would be to monitor the research work and report back to the Committee and the working groups, thereby generating broad commitment to the evaluation process;

20. recommends that the Committee of the Regions should, at the start of 2009, launch a round-table discussion, to which delegates from the Commission, the Parliament and the local and regional authorities from the candidate and potential candidate countries, and other relevant players, would be invited to discuss the issue in detail, thereby providing the starting signal for the re-evaluation process;
21. recommends that the evaluation work should also involve the Committee of the Regions secretariat, the three working groups for the Western Balkans, Turkey and Croatia, which have to some extent already considered the relevant aspects of enlargement, and the joint consultative committee with the Former Yugoslav Republic of Macedonia, as they will be able to bring to bear considerable knowledge of the challenges facing candidate and potential candidate countries;
22. asks that, as part of this evaluation, a political reference framework be drawn up between the Committee of the Regions and the Commission on the involvement of local and regional authorities in enlargement processes. The Committee should adopt this political reference framework as it represents a unique opportunity to reassess existing structures and types of collaboration, in a bid to further advance cross-border cooperation between local and regional authorities in Member States, candidate countries and potential candidate countries. The purpose of the political reference framework is to act as a shared reference document for the Commission and the Committee of the Regions for the ongoing development of the IPA, through defining a set of recommendations for enlargement cooperation, so that this instrument can be better attuned to meeting local and regional authorities' specific needs;
23. recommends that local and regional authorities be involved as an equal player in the enlargement process, given their considerable expertise and knowledge in helping strengthening candidate and potential candidate countries through cross-border local and regional cooperation. This must be seen as a common resource that also benefits the rest of the Union and its institutions. The Commission and the candidate and potential candidate countries are therefore asked to work with local and regional authorities to develop the requisite legal and financial framework for input of this kind. The political reference framework on the involvement of local and regional authorities could be a first step towards achieving this objective;

III. PROJECT-RELATED RECOMMENDATIONS

Project-related guidelines

24. notes that smaller cross-border projects conducted by local and regional authorities provide vital added value since, as past experience from a number of Member States shows, the openness, transparency and direct contact between partners inherent in smaller projects engender mutual trust and produce tangible results to practical problems;
25. would stress in that connection that, as experience in Romania and elsewhere has shown, resources accessible to fund decentralised projects under the pre-accession instruments are of key importance for institution-building at local and regional level in the candidate and potential candidate countries;
26. recommends that all elements of the IPA be adjusted to take account of local and regional authorities and NGOs, which make a key contribution to enlargement processes. As experience from a number of Member States, including the UK and Denmark, shows, local and regional authorities have difficulty in reaching the lower support limit for cross-border projects under the IPA;
27. thus feels it is important that the IPA should devote more attention to strengthening administrative capacity at local and regional level rather than focusing solely on building up the central administration. Unless local and regional authorities have the requisite administrative capacity in place, it will be difficult to implement the *aquis communautaire* in any sustainable way;
28. notes that, from experience, one fundamental factor hindering the effective use of project funding is the insufficient capacity of candidate and potential candidate countries to make proper use of the support given to them. This applies to the entire process – from application to implementation and reporting - and is largely due to lack of experience. It should be noted in this regard that language barriers and lack of technical know-how on the application procedures and project management constitute major challenges for project start-up and implementation. This further underscores the importance of putting in place genuine support facilities under the IPA to help local and regional authorities build up their administrative capacity;
29. would thus propose that the IPA incorporate a phased approach that makes it possible to start off with smaller projects before moving on to bigger ones once experience has been gained and administrative capacity has increased;
30. recommends that a special budget heading be established within the IPA for small projects, as was the case in earlier programmes such as the Phare Baltic Project Facility and the Tacis Small Project Facility, and notes that, from 1998 to 2001, 259 projects were implemented

under these programmes as cooperative ventures between the Member States and Estonia, Latvia, Lithuania, Poland, Russia, Belarus, Ukraine and Moldova, and that, in 2000, the European Court of Auditors' evaluation of the Tacis programmes – and others – recommended that, as it has proved so successful, more funding should be allocated to the Tacis Small Project Facility;

31. would at the same time draw attention, among other things, to the experience from Turkey, which shows just how smaller projects that frequently involve quite specific initiatives do bring substantial added value to the Union as a whole, as such projects are also a way to spread positive EU-related information and knowledge at local and regional level and raise practical awareness of what the EU is about;
32. points out that, as experience of past support programmes shows, it is important that support under the IPA should be provided with as little red tape as possible and should not be split into too many phases, each with its own respective grants, and thus feels that the programmes need flexible structures under which funding can be moved between the different budget lines to reflect new developments, thereby helping to build on and improve projects as they are implemented. In that connection, the Committee of the Regions would also note that cumbersome bureaucratic arrangements are particularly restrictive for smaller projects. The Committee of the Regions notes, for instance, that, as experience in Serbia shows, delays in the transfer of project funding to the appropriate authorities may have untoward consequences;
33. notes that national organisations can help facilitate how projects are run, for instance, by taking on an active role as a contact point and information provider. Such organisations often have the requisite know-how and are in a position to help promote best practices in project management;
34. draws attention to the successful cooperation between Member States and Turkey, Croatia and the Former Yugoslav Republic of Macedonia under the EU's culture programme, and between the Member States and Turkey under the EU's lifelong learning programme, and also to the positive experience of working together with Turkey, Croatia, the Former Yugoslav Republic of Macedonia and Serbia under the EU's 7th framework programme for research. The Committee of the Regions notes that this approach – and the attendant exchange opportunities – should also be reflected in the IPA so as to more readily facilitate local- and regional-level exchanges of experts from specific sectors between Member States, candidate countries and potential candidate countries;
35. notes the key importance of focusing on sector-specific expertise. As experience from Denmark and Poland shows, involving local and regional experts who are engaged on a daily basis with the specific issues at stake, facilitates focused dialogue and is also conducive both to teamwork and to the learning process. Experience from the UK indicates that exchanges of experts must be seen as a positive two-way process, i.e. where both sides learn from each

other inasmuch as national sector-based experts from the Member States are also able to benefit from working together in this way. Experience from Italy and Croatia shows that projects such as these, from which both sides benefit, can pave the way for further projects and encourage further cooperation;

36. draws attention to the key importance of the lifelong learning and training programmes, which are designed to ensure that learning does not stop at each individual project but continues to develop and gain momentum, and notes that, as experience from Romania and elsewhere shows, cooperation in this field is vital to secure an effective and viable public sector;
37. believes that a specific budget heading should be set aside for interpretation, and notes that, as experience from Estonia, Croatia and elsewhere shows, the planning and implementation of cross-border projects is hampered by lack of access to professional interpreting since stakeholders are unable to communicate in a way that is conducive to the success of the project and to mutual understanding;
38. calls attention to the need for greater focus to be placed on project data as, in some cases, data have proved difficult to access and to be of variable quality; this in turn can have an adverse impact on project standards;
39. feels that a strong administrative capacity at all levels of government is vital for the development of institutional reforms, and notes that such reforms risk being undermined if there are weaknesses in the administrative structure. In Croatia and Bosnia, for example, delays in the application of national legislation are having a negative impact on project implementation at local and regional level;
40. notes therefore the need to focus on the potential challenges involved in securing proper interplay between EU rules and national legislation. In Serbia, for instance, inconsistencies between tendering rules can result in misunderstandings and delays in project implementation;
41. points out the importance of securing a viable balance between support for the various areas. As experience of past enlargements shows, the development of the different sectors involved has varied considerably. While progress has been made in the *aquis*-based sectors that have been recognised as clear political priorities, in other sectors, very little has been done. This has resulted in a narrow focus on a small number of sectors, so that other key public-sector areas have been deprived both of resources and of the attention that is due them. For that reason, a whole range of initiatives have been introduced in these areas with undue haste and under enormous pressure of time and resources. This in turn has compromised any scope for achieving effective results;

42. would stress, in the light of the experiences outlined above, that EU projects should be launched at an early stage of the process so that their implementation – and thus the sought-for results – do not suffer needlessly because of pressure of time;
43. feels that a broader view must be taken of the political criteria in order to take due account of the balance and interplay needed between political criteria that are laid down by the EU and those that are adopted at other, national levels. Past experience with the Phare programme has shown that some of the support provided to meet the political criteria has proved ineffectual because of an overly narrow scope. The support has not adequately reflected the need to address the interplay between key areas such as public-sector reform, the development of civil society, good governance and the fight against corruption. Moreover the support has failed to reflect the key point that many facets of the political criteria cannot be put into practice without impacting on the economic criteria. It is thus important that the local and regional level is involved in setting priorities under the IPA so that support is determined on the basis of genuine need. The Committee therefore points out that, as experience from Croatia makes clear, problems may arise if the national development strategies fail to dovetail with the strategies of external donors;
44. feels that, given the need for coordination between local, regional and central tiers, the local and regional level should be involved at an earlier stage in the process. Experience shows that, where coordination is lacking, a great many activities are launched from the central level that are not brought to bear at a later stage in resolving issues arising at the local and regional level. As a result, the potential of the activities and projects that are launched is not exploited to the full;
45. thus recommends enhanced coordination between the central tier and local and regional authorities and would draw attention *inter alia* to the Croatian regions of Sisak-Moslavina, Slavonia, Osjecko-Baranjska, Lika-Senj and the cities of Varaždin and Karlovac, which are seeking greater involvement in the preparatory work for the operational programmes under the IPA. This will also help secure consistency between what is actually needed and any activities that are launched;
46. proposes therefore that, as part of operative IPA programming, steps should be taken to encourage more input from elected local and regional authorities, as has happened in Croatia in relation to IPA component II (cross-border cooperation). The Committee of the Regions

notes that it is local and regional authorities that have experience of – and are in touch with – local and regional requirements and are thus in a position to identify and help resolve the issues at hand. It is thus recommended that this approach be extended to other applicant countries and be expanded to include the other programme priorities.

Brussels, 27 November 2008

The President
of the Committee of the Regions

Luc Van den Brande

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

IV. PROCEDURE

Title	The added value of participation by local and regional authorities in the enlargement process
References	
Legal base	Article 265(5) TEC
Procedural basis	Own initiative opinion
Date of Commission referral	
Date of Bureau decision	5 February 2008
Commission responsible	Commission for External Relations and Decentralised Cooperation (RELEX)
Rapporteur	Ms Helene Lund (DK/PES) , Member of Furesø Municipal Council
Explanatory memorandum	
Date of commission debate	18 April 2008
Date of adoption by the commission	23 September 2008
Result of voting by the commission	Majority
Date adopted in plenary	27 November 2008
Previous Committee of the Regions opinions	<p>CdR 115/2006 fin², Opinion on the 2005 Enlargement Package and the Communication from the Commission: The Western Balkans on the road to the EU: consolidating stability and raising prosperity COM(2006) 27 final, Rapporteur: Mr Franz Schausberger (AT/EPP)</p> <p>CdR 385/2006 fin³, Opinion on the Communication from the Commission to the European Parliament and the Council - Enlargement Strategy and Main Challenges 2006-2007, including annexed special report on the EU's capacity to integrate new members – pre-candidate countries COM(2006) 649 final, Rapporteur: Mr Wolfgang Gibowski (DE/EPP), adopted in the CoR plenary session of 6 June 2007</p>

² OJ C 51, 6.3.2007, p.16.

³ OJ C 197, 24.8.2007, p.16.

	<p>CdR 386/2006 fin⁴, Opinion on the Communication from the Commission to the European Parliament and the Council – Enlargement Strategy and Main Challenges 2006-2007, including annexed special report on the EU's capacity to integrate new members – integration capacity COM(2006) 649 final, Rapporteur: Mr Isidoro Gottardo (IT/EPP), adopted in the CoR plenary session of 6 June 2007</p> <p>CdR 495/2005 fin⁵ Recommendation of the European Commission on Turkey's progress towards accession COM(2004) 656 final, Rapporteur: Ms Helene Lund (DK/PES), adopted in the CoR plenary session of 6 July 2005</p>
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⁴ OJ C 197, 24.8.2007, p.7.

⁵ OJ C 31, 7.2.2006, p. 11.