

EUROPEAN UNION



Committee of the Regions

RELEX-IV-021

**80th plenary session
17-18 June 2009**

**OPINION
of the
Committee of the Regions
on the
ENLARGEMENT STRATEGY AND MAIN CHALLENGES 2008-2009:
CANDIDATE COUNTRIES**

THE COMMITTEE OF THE REGIONS

- Underlines its full support for the measures and reforms introduced by the candidate countries in order to meet the membership criteria.
- Highlights the importance of the enlargement processes for the stable and democratic development of candidate countries, and is also aware of the added value for the EU.
- Draws attention to the key importance of good neighbourly relations and regional cooperation in the stabilisation and accession process. Calls on the candidate countries to increase their efforts to resolve outstanding issues with neighbouring states calmly and as a matter of priority, so that solutions acceptable to all parties can be found.
- Draws attention to the need to involve local and regional authorities and their associations in the accession process at an early stage; with their knowledge and experience they can contribute new and added value to the enlargement process.
- Recommends intensifying cooperation between local and regional authorities in the Member States and candidate countries, and believes that special attention needs to be paid to fostering public support for the accession process both in the Member States and candidate countries.

Rapporteur:

Jasmina Vidmar (SL/ALDE)

Member of the Maribor City Council

Reference document

Communication from the Commission to the Council and the European Parliament – Enlargement strategy and main challenges 2008-2009

COM(2008) 674 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

1. Underlines its full support for the measures and reforms introduced by the candidate countries in order to meet the membership criteria.
2. Highlights the importance of the enlargement processes for the stable and democratic development of candidate countries, and is also aware of the added value for the EU.
3. Welcomes the progress achieved thanks to the numerous reforms being carried out in the candidate countries, which enhance the rule of law and modernise economic and social structures.
4. Believes candidate countries should be encouraged to make further efforts and draw on their full potential when implementing reforms, so as to ensure that the accession process moves forward smoothly and more quickly.
5. Welcomes the efforts being made to improve the quality of the enlargement process and its transparency, including the benchmarks that have been set for the opening and closing of negotiation chapters.
6. Draws attention to the key importance of good neighbourly relations and regional cooperation in the stabilisation and accession process. Calls on the candidate countries to increase their efforts to resolve outstanding issues with neighbouring states calmly and as a matter of priority, so that solutions acceptable to all parties can be found.
7. Welcomes the general progress made by Croatia in adopting and implementing reforms for EU membership, and believes that it is possible to keep to the proposed timetable for reaching the final stage of negotiations by the end of 2009, provided that Croatia meets all the necessary criteria.
8. Highlights the need for Croatia to increase its efforts to reform the judiciary, fight corruption and organised crime, safeguard minority rights, support the return of refugees and cooperate with the International Criminal Tribunal for the Former Yugoslavia.
9. Notes the progress made by the former Yugoslav Republic of Macedonia in reforming the judiciary and police, meeting the requirements set out in the Stability and Association Agreement and developing a multi-ethnic society.
10. Notes the shortcomings in the former Yugoslav Republic of Macedonia's endeavours to meet the political criteria, as outlined in the European Commission's progress report for 2008; welcomes the progress made in conducting presidential and local elections in the beginning of

2009 in a manner that met most international standards; therefore believes that the former Yugoslav Republic of Macedonia should be given a date for starting the membership negotiations with the EU provided the necessary conditions are met.

11. Takes note of the ongoing efforts in Turkey to achieve reform in the area of fundamental freedoms and the rule of law, and calls on Turkey to adopt a constructive approach towards efforts to reach agreement on the reunification of Cyprus.
12. Draws attention to the need to involve local and regional authorities and their associations in the accession process at an early stage; with their knowledge and experience they can contribute new and added value to the enlargement process.
13. Welcomes the positive cross-border cooperation between local and regional authorities that has taken place to date, and calls on these authorities to boost such cooperation, since, besides increasing prosperity, it also allows direct contact and better mutual understanding to be achieved between people in Member States and non-member states. Stresses the opportunities offered in this regard by the European Grouping for Territorial Cooperation (EGTC) and therefore invites the competent national authorities to take the appropriate steps for allowing the participation of partners in the candidate countries to future EGTCs as allowed by the Regulation (EC) 1082/2006.
14. Welcomes the improved coordination between the IPA's support mechanisms and those of other international financial institutions and donors, and believes that further harmonisation of the various support mechanisms will help to improve their effectiveness.
15. Recommends intensifying cooperation between local and regional authorities in the Member States and candidate countries, and believes that special attention needs to be paid to fostering public support for the accession process both in the Member States and candidate countries.
16. Recognises the importance of the use of the existing networks of local authorities such as NALAS (Network of Associations of Local Authorities in South-East Europe) in its work with the candidate countries. Coordination and sharing of experience between the working groups of the CoR and the Joint Consultative committee covering the region could be fostered with the involvement of NALAS with the objective of comparing integration processes and decentralisation efforts in the region.

CROATIA

Progress achieved by Croatia in the accession process

17. Welcomes the fact that the final stage of negotiations with Croatia will be opened shortly, provided it can meet the criteria for membership; encourages Croatia to speed up its reforms in several key areas.

18. Believes that progress has been made in fighting corruption thanks to improvements in the legal framework and the activities of the Office for the fight against corruption and organised crime. Notes, however, that corruption remains a serious problem, and therefore recommends that additional efforts be made to boost coordination and independent monitoring, as well as to increase the administrative capacities of bodies that fight corruption.
19. Welcomes the legal guarantees and general recognition of media freedom and pluralism. Has been following the cases involving physical attacks, threats and the exertion of political pressure on journalists with concern. Notes, that some additional appropriate measures have been undertaken, and calls on the authorities to take further steps to guarantee a safe working environment for journalists and to facilitate free and independent reporting.
20. Notes that Croatia has been cooperating with the ICTY and calls on Croatian authorities to grant the Tribunal access to the remaining documents it requests.
21. Encourages Croatia to resolve the border issues with Slovenia, Serbia, Montenegro and Bosnia and Herzegovina. Welcomes the readiness of Croatia and Slovenia to resolve their border issues with the help of the European Commission in conformity with the principle of peaceful settlement of disputes in accordance with the UN Charter.
22. Considers the implementation of the constitutional law on minorities, coupled with the adoption of an action plan, as an important step in the introduction of legal frameworks which support the integration of minority groups in society. Highlights the importance of providing adequate information, financial resources and administrative support to allow the law to be successfully implemented at local and regional level.
23. Believes that progress has been made with the return of refugees and internally displaced people, and underlines that for the accelerated return and integration of refugees and displaced persons in addition to providing an adequate living environment further measures are needed to improve access to the labour market and reduce hostility in some localities.

Boosting local and regional authorities' capacities

24. Welcomes the ratification of the European Charter on Local Self-Government, but believes that further efforts need to be made to fully implement the charter's provisions.
25. Welcomes the improvements that have been made to legal frameworks in public administration, and deems the adoption of the law on civil servants to be a step forward in efforts to depoliticise the civil service, introduce better administration and outline the rights and duties of civil servants.

26. Notes that local and regional authorities and their associations are not adequately involved in the decisions being taken on legislation and implementing provisions that regulate the working methods, financing and organisation of local and regional authorities. Calls on the national authorities to set up procedures that allow them to be adequately represented in the legislative process.
27. Believes that local and regional authorities and their associations must be involved in the process of implementing the Community *acquis*, and should be regularly informed about the progress made towards membership. Stresses that local and regional authorities must be well prepared to take on the obligations of future EU membership, as well as to benefit from the opportunities it offers.
28. Draws attention to the delays incurred in devolution, and stresses that improving the capacity of local administration is key to a successful transfer of responsibilities to the local and regional level.
29. Notes that the financial resources available to local and regional authorities are inadequate to meet the numerous, demanding tasks resulting from the urgent need for devolution. Therefore recommends that appropriate measure be adopted to improve the financial situation of local and regional authorities.
30. Believes that the legal framework for inter-municipal cooperation needs to be improved to allow municipalities to cooperate with each other following devolution.
31. Supports the initiative by municipal and regional associations to transform the working group into a joint consultative committee in order to improve the dialogue between local and regional authorities of Croatia and the Member States.

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Progress achieved by the former Yugoslav Republic of Macedonia in the accession process

32. Welcomes the progress achieved in certain areas, and in meeting the requirements of the Stabilisation and Association Agreement, and encourages the former Yugoslav Republic of Macedonia to comply with the political criteria and fully implement the key priorities of the accession partnership. Recommends that a date for the start of membership negotiations be set if the necessary criteria, including good neighbourly relations, are met.
33. Believes that the adoption of the new anti-corruption programme and action plan is expected to lead to progress in the fight against corruption. However, points out that corruption remains a widespread phenomenon, and therefore calls for additional efforts to be made to fight corruption and organised crime.

34. Believes that the Ohrid Framework Agreement represents a guarantee that the former Yugoslav Republic of Macedonia will respect ethnic minority rights, and appreciates the progress achieved with the adoption of the law on languages which regulates and widens the use of minority languages. However, regrets the lack of further progress on the rights of the Roma community and highlights the repeated cases of discrimination of Roma. Calls for further steps to be taken to improve Roma's social integration and reduce discrimination.
35. Welcomes the visa facilitation and readmission agreement reached with the former Yugoslav Republic of Macedonia, and is confident that the progress achieved in meeting the benchmarks will be sufficient to submit a proposal to abolish the visa requirements for citizens of the former Yugoslav Republic of Macedonia.
36. Encourages the good neighbourly relations, and reiterates its support to the efforts by the UN special representative, Matthew Nimetz, considering the country's name. Following the elections, urges the new president of the country to reach a compromise agreement between the Former Yugoslav Republic of Macedonia and Greece regarding the country's name. Calls on the national authorities of the former Yugoslav Republic of Macedonia to avoid actions which could risk undermining efforts to reach a mutually acceptable solution on the name issue. This issue should however not influence the decision for the opening of the accession negotiations, but it will significantly contribute to the accession process.
37. Considers that some progress has been achieved on gender equality, and welcomes the setting up of equal opportunities commissions in numerous local authorities. Calls for further efforts to be made to prevent family and sexual violence, reduce discrimination, and guarantee more equal participation at elections.
38. Takes note of the introduction of commissions for inter-ethnic relations at local level, but is aware of the difficulties which an unclear mandate and lack of financial resources are causing. Calls on the authorities to remove the obstacles that hamper these commissions.

Boosting local authorities' capacities

39. Welcomes the continuation of fiscal devolution and the further reduction of local authority debt, as well as the improvement in tax collection rates. Points out, however, that the financial resources available are still inadequate to ensure tasks at local level are carried out to a high standard.
40. Welcomes the adoption of a law on regional development, and calls for financial resources to be provided that will secure balanced regional development, as well as for the establishment of councils for regional development. Underlines the importance of improving the possibility for enhanced coordination between different administrative structures.

41. Draws attention to the need for more effective and consistent dialogue between national and local authorities on areas such as education, state owned properties and others that are important for the development and work of local authorities, and recommends that this dialogue be enhanced.
42. Highlights the importance of setting up appropriate instruments to increase the administrative capacities of local authorities and the transparency of local administration.
43. Notes that devolution is continuing and believes the process needs to be speeded up. Points out that the standard at which tasks and services are carried out risks being reduced, if devolution of these responsibilities and tasks is not accompanied by adequate financial means. Therefore expects the financial resources needed to carry out devolved tasks to be provided.
44. Takes note of the draft law on inter-municipal cooperation and recommends it be adopted as soon as possible.
45. Believes that some progress has been achieved in the reform of public administration, and highlights the importance of setting up appropriate instruments to increase the capacities of local authorities and make the activity of local administration more transparent.
46. Notes the changes that have been made to the national system for the coordination of training, as well as the adoption of the training strategy for civil servants at local and regional level. Believes that it is important to involve ZELS (local government association) in the training system to guarantee successful and quality training of civil servants.
47. Welcomes the fact that already more than 70 municipalities have adopted codes of conduct for civil servants at local level, which represent local civil servants' commitment to high standards of work, and calls on the remaining municipalities to follow suit on this urgent issue.

TURKEY

Progress achieved by Turkey in the accession procedure

48. Welcomes the government's commitment to continue the accession process and expects effective political and constitutional reforms to be drawn up that will continue to draw Turkey closer to international and European standards. Believes that additional efforts need to be made to ensure respect for diversity and to solve problems through dialogue and compromise.
49. Notes that limited progress has been achieved in the fight against corruption and organised crime, and stresses that the adoption of basic documents and establishment of adequate institutional frameworks need to be backed up by full political support if improvements are to be achieved.

50. Underlines that, taking into account the substantial financial EU support to Turkey, in the purpose of enabling the country to cope with the enormous increase of illegal migrants flows coming through its territory to the EU, the negotiations on an EU-Turkey readmission agreement remain a priority. These should resume at the earliest in order to conclude an agreement as rapidly as possible. Also notes, that in this respect, the adequate and effective implementation of existing bilateral agreements with Member States is of particular importance.
51. Underlines that the ratification of international instruments for the protection of human rights and liberties needs to be speeded up, and expects the constitutional court to reach a decision as quickly as possible; also calls for the introduction of an Ombudsman.
52. Welcomes the efforts that are being made to protect freedom of expression better, but stresses that the implementation of these legal changes needs to be speeded up, and that all restrictions on or obstacles to press freedom and the freedom of assembly need to be removed.
53. Welcomes the start of television program broadcasting in the Kurdish language as well as the plans for broadcasting in the Armenian language; draws attention to the fact that EU standards on cultural and religious diversity and respect and protection of minorities have not been met entirely. Therefore expects appropriate legal and practical steps to be taken towards full recognition of minority rights.
54. Stresses that equality for women must be turned into a practical reality in political life, education, access to the labour market and health services, and calls for the implementation of the provisions in the law on municipalities that foresee the introduction of a specified number of shelters as a means of protecting women from domestic violence and honour killings.
55. Insists that only structures and measures compatible with a State governed by the rule of law be used to guarantee public law and order. Underlines that the monopoly on the use of force must lie with the State and that its use, which is reserved for state bodies, must not be transferred to sections of the civilian population.
56. Stresses the need for a comprehensive settlement of the Cyprus question based on UN Security Council resolutions and on the principles on which the European Union is founded; welcomes the renewed commitment of the leaders of the two communities to a negotiated solution and supports the ongoing direct negotiations by the leaders of the two communities in Cyprus.
57. Highlights in regard to relations between Greece and Turkey, that the latter has committed itself to good neighbourly relations and therefore calls on the Turkish government to make efforts to resolve any outstanding dispute peacefully and in accordance with the UN Charter, other relevant international conventions and bilateral agreements and obligations.

Boosting local authorities' capacities

58. Stresses the importance of involving local authorities in the accession process and in the planning and implementation of the required reforms and legal adjustments as early as possible, and recommends adequate information provision and coordination between the local and national levels.
59. Welcomes the adoption of amendments to the law on municipalities and hopes that it will enable municipalities to operate and organise themselves more effectively.
60. Welcomes the fact that the financial capacities of the municipalities have been enhanced with the adoption of the law increasing municipal revenues and the implementation of the laws on local administration, and expects further initiatives to be taken to boost municipalities financially; this would enable them to carry out their duties more effectively.
61. Regrets that no progress has been made on the adoption of a framework law on public administration, and draws attention to the importance of devolution in providing good government for the public.
62. Believes that further efforts need to be made to allow town and city councils to operate more effectively as platforms for public involvement in local government decision-making.
63. Underlines the importance of devolution and of strengthening local authorities' ability to carry out the duties devolved to them, as well as stepping up accountability and transparency.
64. Regrets the occurrence of violent clashes during the latest municipal elections, especially in the Kurdish regions, in which several people were killed, and calls on the responsible authorities to do everything in their power in future to ensure that elections are held democratically, transparently and peacefully.

65. Once more, highlights the need to set up a joint consultative committee of the CoR and Turkey as a key facility for the exchange of experience, knowledge and information on the involvement of local and regional authorities in the accession process.

Brussels, 17 June 2009

The President
of the Committee of the Regions

Luc Van den Brande

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

II. PROCEDURE

Title	Enlargement strategy and main challenges 2008-2009: Candidate Countries
Reference(s)	
Legal basis	Article 265(1) TEC
Procedural basis	Optional consultation
Date of Commission letter	26 February 2008
Date of President's decision	19 December 2008
Commission responsible	Commission for external relations and decentralised cooperation (RELEX)
Rapporteur	Jasmina Vidmar (SL/ALDE)
Analysis	18 December 2008
Discussed in Commission	16 February 2009
Date adopted by Commission	28 April 2009
Result of the vote in Commission	Majority
Date adopted in plenary	17 June 2009
Previous Committee opinions	<p>CdR 384/2006 fin¹, 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, COM(2006) 649 final, rapporteur: Antti Liikkanen (FI/PES), adopted at the CoR's plenary session on 6 June 2007;</p> <p>CdR 386/2006 fin², 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, COM(2006) 649 final, rapporteur: Isidoro Gottardo (IT/EPP), adopted at the CoR's plenary session on 6 June 2007;</p> <p>CdR 245/2007 fin³, opinion on the Communication from the Commission to the European Parliament and the Council - Enlargement strategy and main challenges 2007-2008, COM(2007) 663 final, rapporteur: Alin</p>

¹ OJ C 197, 24.8.2007, p. 12.

² OJ C 197, 24.8.2007, p. 7.

³ OJ C 172, 5.7.2008, p. 45.

	<p>Adrian Nica (RO/ALDE), adopted at the CoR's plenary session on 9 April 2008;</p> <p>CdR 93/2008 fin, opinion on the Added value of participation by local and regional authorities in the enlargement process, rapporteur: Helene Lund (DK/PES), adopted at the CoR's plenary session on 27 November 2008;</p> <p>CdR 143/2008 fin, opinion on the Communication from the Commission to the European Parliament and the Council - Western Balkans: Enhancing the European perspective, COM(2008) 127 final, rapporteur: František Knapík (SK/EPP), adopted at the CoR's plenary session on 27 November 2008.</p>
--	---
