

EUROPEAN UNION



Committee of the Regions

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DRAFT OPINION

Commission for Citizenship, Governance, Institutional and External Affairs

EU Enlargement Strategy 2015-2016

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This document will be discussed at the meeting of the **Commission for Citizenship, Governance, Institutional and External Affairs** to be held **from 11 a.m. to 5 p.m. on 19 April 2016**. To allow time for translation, any amendments must be submitted through the online tool for tabling amendments (available on the Members' Portal: <http://cor.europa.eu/members>) **no later than 3 p.m. (Brussels time) on 6 April 2016**. A user guide is available on <http://toad.cor.europa.eu/CORHelp.aspx>.

Reference document

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - EU Enlargement Strategy COM(2015) 611 final

**Draft opinion of the Commission for Citizenship, Governance, Institutional and External Affairs
– EU Enlargement Strategy 2015-2016**

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

Horizontal remarks

1. reaffirms its commitment to the enlargement process, which is an investment in stability and prosperity; notes that past enlargements helped to overcome historical divisions in Europe and increased prosperity;
2. notes that the European Commission expects no further enlargement during its present mandate; acknowledges that time is needed for preparations, but points out that it is essential to use this time well in order to advance the enlargement process by strict and fair conditionality and steady progress in the tasks ahead, and by a credible, realistic European perspective in order to avoid losing the engagement and motivation of enlargement countries as reforms and progress in the enlargement countries are in the interest of every EU Member State and each enlargement country;
3. believes that the enlargement package, presented by the Commission in its communication and country reports, generally presents an accurate and overall positive assessment, considering that there is visible progress in every enlargement country regarding some issues, even when significant shortcomings (or, in a few cases, backsliding) persist, and further efforts are needed to achieve sustainable results;
4. urges Member States, enlargement countries and EU institutions to ensure the success of the enlargement process; reminds enlargement countries of the ownership and commitment required in this regard;
5. stresses that the enlargement process should be an inclusive exercise involving all of society; underlines that the role of the local and regional level is essential, as it is closest to the citizens in terms of subsidiarity, communication, participatory democracy, diversity and identity; it is also key for economic development, cross-border cooperation, absorption of EU funds and implementation of EU legislation;
6. welcomes the reference by the Commission to the key role of local and regional authorities (LRAs); stresses however, that better and more detailed focus is needed in future communications and reports on local and regional governance, even when there is no separate acquis chapter or established EU model on the issue of decentralisation and multi-level governance; but considers that local and regional governance is an essential element of pre-accession preparation as implementation of reforms and a consistent, credible track record is often achieved at local level, and points to the importance of subsidiarity as a key EU principle enshrined in the treaties;

7. stresses that the involvement of LRAs is also key in communication regarding enlargement in order to ensure public support for the process by demonstrating its benefits for the general public; points to the importance of cooperation with civil society in this regard;
8. considers that the new approach involving a four-year enlargement strategy offers a more reliable perspective with consistent conditionality; welcomes the clearer methodology, the harmonised terms and better identification of tasks as an opportunity for comparability, and supports the strengthened focus on state of play;
9. believes that the fundamentals and priority areas in the Commission communication and reports are generally properly identified; points out that they mostly focus on capacity-building, on skills and resources, and on information exchange and transparency; therefore invites the Commission to consider including other relevant, similar issues important in every enlargement country among its priority areas (e.g. social policy, focus on vulnerable/disadvantaged groups and minorities);
10. underlines that efforts are necessary to match LRA responsibilities with proper resources and capacities in every enlargement country and calls for LRAs to be involved in policy making in order to ensure effective implementation;

Rule of law and fundamental rights

11. agrees that further developments regarding the rule of law and fundamental rights are indeed of paramount importance, and present a challenge for every enlargement country; this assessment also confirms the validity of the “new approach” to the enlargement, which is based on an increased focus on chapters 23 on the judiciary and fundamental rights and chapter 24 on justice, freedom and security; flags up the importance of cooperation in and with the Council of Europe (CoE), and its Congress of local and regional authorities regarding fundamental rights, the rule of law and local democracy;
12. welcomes the focus on freedom of expression, but stresses that an equally strong focus is needed on the issue of vulnerable and disadvantaged groups and minorities, which is also relevant in all enlargement countries (including national, ethnic and religious minorities and the Roma, and preventing discrimination on the basis of sexual orientation or gender, and against people with disabilities, minors and the elderly, and internally displaced persons and refugees), pointing out that awareness raising, ownership and especially proper, credible implementation and results are also needed at local and regional level;
13. calls for further efforts to depoliticise public administration in every enlargement country, as political interference hinders cooperation between government levels;
14. stresses the importance of the fight against corruption at all levels of government and society, underlining that credible results in this field usually require progress at local level as well;
15. stresses the need to counter radicalisation, extremism, terrorism and the issue of foreign fighters, including the prevention of radicalisation of young people (e.g. by offering a credible

perspective in term of employment, education, strengthening local communities, and the protection of cultural and religious heritage and identity) in order to avoid a ‘lost generation’; calls on local communities to support education on tolerance and reconciliation, and on governments to facilitate this;

16. condemns terrorist attacks and all forms of the use of violence, including threats of using violence, inter alia when it is directed at journalists and civil society activists; furthermore, points out that the use of violence is also unacceptable in political debates, as parliament should be the forum for such debates;

Economic development and connectivity

17. stresses that economic development is a key factor in ensuring stability (e.g. through job opportunities and social inclusion); welcomes the Economic Reform Programmes and the strengthening of cooperation and coordination in the form of the Economic and Financial Dialogue Meeting between the EU and the Western Balkans and Turkey;
18. calls for more effective and transparent use and allocation of EU pre-accession funds in enlargement countries, including at local level, to avoid losing out on funding due to lack of policy planning, training, coordination or local absorption capacities;
19. welcomes the focus on connectivity, and other, highly positive initiatives (Berlin Process, Western Balkans Six, etc.), stresses the need to involve more local, regional and national authorities in both enlargement countries and Member States; and encourages further investments (transport, energy, digital, education, youth, etc.);

Regional cooperation among enlargement countries

20. welcomes and encourages the overall positive developments across the enlargement countries and commends the efforts made by every country, but calls for progress on issues as yet unresolved and for sustainable results; calls on local and regional communities to contribute to this process;
21. calls on every actor involved to take this positive momentum forward, including fostering reconciliation at community and local level and support for inter-ethnic, inter-religious and intercultural dialogue;
22. encourages enlargement countries to use existing twinning or TAIEX programmes;
23. points out that the Committee of the Regions and its working groups and joint consultative committees provide a good forum for contacts and for the exchange of best practices between LRAs, and welcomes the positive outcome of recent JCC and WG meetings, including the inaugural meeting of the JCC with Serbia;

Migration

24. is pleased that the Commission highlights the issue of migration, as the unprecedented influx of migrants affects the entire region (especially Turkey, the former Yugoslav Republic of Macedonia and Serbia) and Member States, and no solution can be found without joint efforts and mutual delivery on commitments; calls for the implementation of the recommendations of the conference on the Eastern Mediterranean and Western Balkans route;
25. commends in particular both the efforts made by Turkey, Serbia and the former Yugoslav Republic of Macedonia to provide humanitarian aid and handle the crisis, and the resources provided by them, including for the largest migrant and refugee population in the world, numbering 2.2 million and currently hosted by Turkey; stresses the need for continued EU assistance and the need to boost investment in the region to create job opportunities so that the social and economic potential of migrants and refugees is not lost;
26. underlines the key role of local communities that are the first to be affected by the influx of migrants; stresses, however, that local capacities are limited and uneven, which means that there is a need for further assistance for the local level and engagement with LRAs, and points out that special attention must be paid to the needs, concerns and security of local communities affected by the migration flow. Encourages partnerships between local communities along the migration route in order to exchange information and best practice, including on integration, training, education, employment, return and asylum and the fight against smuggling;
27. stresses the need for prevention regarding the situation in crisis regions, including an effective development policy, and to focus efforts on refugees in real and legitimate need of international protection; therefore flags up the need to tackle unfounded asylum applications and facilitate effective return, and supports the proposal for an EU list of safe countries of origin;

Turkey

28. underlines the key partnership and interdependence between the EU and Turkey, and supports strengthened cooperation on the entire spectrum of shared interests; welcomes Turkey's commitment to reforms and EU accession and calls for this renewed dynamic to be maintained (high-level meetings, opening of a new negotiating chapter, progress in visa liberalisation, commitment to modernise the customs union, EU-Turkey Joint Action Plan);
29. is pleased that the accession negotiations have been given fresh momentum and encourages further progress in accordance with the negotiation framework; notes that the good level of preparation in some areas needs to be supported by overcoming shortcomings in others;
30. considers that progress in the issues related to the rule of law and fundamental rights, and thereby the opening of chapters 23 and 24 would be a key step forward; stresses that it is essential to achieve substantial results and a credible track record in this regard, and calls for strengthened efforts, commitment and ownership in alignment with the EU acquis in these issues, including at local level;

31. welcomes the adoption of the National Strategy for Regional Development, involving regional development agencies, a coordination mechanism and action plans; calls for it to be implemented and encourages improvement regarding regional disparities; in addition, calls for all parties concerned to make an effort to facilitate the peace and reconciliation process regarding the Kurdish issue;
32. stresses the need to combat terrorism, condemns recent terrorist attacks and expresses solidarity with the victims; furthermore, calls for action to tackle radicalisation, including fostering integration at local level;
33. notes that fiscal decentralisation and resources at local and regional level are still limited, and stresses the need to go beyond the amendments of the 2012 law on municipalities;
34. encourages, supports and calls for a fair, comprehensive and sustainable settlement on the Cyprus issue, including the full and non-discriminatory implementation of the Additional Protocol to the EU-Turkey association agreement towards all Member States; flags up the need to respect the sovereignty and sovereign rights of all Member States in accordance with EU principles, UN resolutions and international law; welcomes the positive steps and engagement of all parties towards a mutually acceptable solution, while calling for further progress and emphasising the need for universal and active support; notes that dialogue between local communities can foster the agreement;
35. calls for further efforts to upgrade the CoR-Turkey Working Group to a joint consultative committee;

Montenegro

36. welcomes the commitment of and progress made by Montenegro on its path to EU accession, and also the opportunity to strengthen stability inherent in the invitation to join NATO;
37. calls for all parties to strengthen cross-party political dialogue; and for all levels of government to ensure that the next elections are held according to the highest democratic standards based on the new electoral legislation;
38. stresses the need to ensure a credible track record with regard to the rule of law and fundamental rights, including at local level; in this regard, welcomes local action plans for the prevention of corruption prepared by a vast majority of municipalities, along with local social inclusion plans, and calls for them to be implemented properly and monitored appropriately;
39. welcomes the efforts made with regard to the professional development of local civil servants, yet stresses the need for further progress (e.g. training and more transparent recruitment procedures based on the merit principle); welcomes the amendments adopted to the law on the financing of local self-government, and encourages further efforts to make local self-government financially self-sufficient;

40. welcomes programmes by the Ministry of the Economy to support less developed municipalities and promote exports by local and regional companies;

Serbia

41. welcomes Serbia's commitment to EU accession which has already delivered results regarding the timely completion of the screening procedure and the opening of the first negotiation chapters, and encourages Serbia to continue these positive steps (e.g. the completion of various strategic documents) by delivering on its commitments;
42. welcomes the presentation of the action plans for chapters 23 and 24 and is pleased that the legislative environment in guaranteeing fundamental rights is in place, but stresses the need to ensure effective, consistent implementation across the country;
43. welcomes the adoption by the government of the dedicated action plan on national minorities and calls for it to be implemented properly, and points to the opinions of the CoE advisory committee in this regard; commends the high degree of protection of national and ethnic minorities in Vojvodina, and calls for these rights to be ensured at local level as well (concerning education, access to media and religious services, use of minority languages including for public administration procedures and civil register, and proportional representation in the public sector); welcomes the generally good inter-ethnic relations, and encourages further progress;
44. considers the National Minority Councils to be a good example, and stresses the need to ensure compatibility between the law on National Minority Councils and sectoral legislation, while preserving the level of already acquired rights and competences;
45. points out that local capacity is often weak and uneven, and calls for proper resources at decentralised level that are appropriate for the tasks assigned; points out that the law on Vojvodina's financing has yet to be adopted;
46. welcomes the public administration reform strategy and the training strategy on local self-government, and calls for its proper implementation and for the adoption of a civil service law for local government employees; considers the work of the National Convent on European Integration and local consultations to be positive examples;
47. calls for the implementation of the OSCE/ODIHR recommendations on municipal elections;
48. encourages the work of the National Investment Committee to create a single project pipeline and calls for the coordination of structural instruments;
49. welcomes and supports positive developments in the normalisation process and the Belgrade-Pristina dialogue, delivering results to the people, and encourages further progress by delivering on commitments and implementing agreements, thus strengthening cooperation and trust;

The former Yugoslav Republic of Macedonia

50. underlines that this country was the first to sign a Stabilisation and Association Agreement (SAA), and in light of this, expresses its concern about the stalemate in the integration process, commitments and reforms. Calls both for renewed political will by the country, and for the EU to confirm the country's credible European perspective with clear conditions so as to encourage and enable delivery on commitments;
51. calls for all parties to live up to their responsibilities in implementing the June/July 2015 political agreement fully and constructively, and for the implementation of the Urgent Reform Priorities; stresses the need to tackle backsliding in the area of freedom of expression, the judiciary and trust in the political system; and encourages further progress (built on previously achieved results regarding a relatively good level of alignment with the *acquis*) founded on a credible track record, including at local level;
52. expects, based on the above, that the Commission will be able to extend its recommendation to open accession negotiations;
53. stresses that further implementation of the decentralisation agenda is essential; in this regard, welcomes the strategic programme for 2015-2020 and calls for the implementation of the second phase of fiscal decentralisation;
54. encourages a negotiated, mutually acceptable solution to the name issue with Greece; calls for LRAs to play a constructive role in this process;

Albania

55. welcomes the proper focus and steady progress made by Albania on key reform priorities, especially regarding the judiciary; and encourages further results in order to start accession negotiations; in particular welcomes the new legislation regarding the exclusion of convicted persons from Parliament and regarding the anti-corruption strategy and action plan; urges further progress and proper implementation;
56. is pleased that the 2015 local elections were held without major incidents, but calls for greater impartiality and professionalism; furthermore, welcomes the ad hoc committee set up by Parliament concerning electoral reform and points to the OSCE/ODIHR recommendations in this regard;
57. calls for the pre-accession process to be more inclusive, and commends the work of the National Council on European Integration in this regard, as a positive example;
58. welcomes the national decentralisation strategy with its properly defined priorities, and the allocation of a transitory fund; and calls for further progress in the implementation of the reform of territorial administration; also welcomes the new organic law on local self-government clarifying responsibilities and improving inter-institutional cooperation among different levels of government;

Bosnia and Herzegovina

59. is pleased that the country is back on track in the integration process considering that a European perspective is a key incentive for the country, and encourages further delivery on the Reform Agenda, as the entry into force of the SAA shows that commitments can deliver results;
60. accordingly, is pleased that Bosnia and Herzegovina submitted an application for EU membership on 15 February 2016 that provides encouragement for both the country and the enlargement process; therefore stresses the need to keep up this momentum in order to be able to deliver the meaningful progress necessary to advance along this path;
61. calls for the SAA to be adapted fully following Croatia's accession and for steps to ensure that the Constitution complies with ECHR rulings;
62. calls for better coordination between government levels in order to eliminate obstacles to the functionality of the country, to effective implementation of the Reform Agenda, to mobility, investment and connections in various policy areas and to the creation of a single economic area. Points out that decentralisation does not mean fragmentation, and that there is also a need for coordinated framework strategies, as reforms need to advance at all levels; encourages the development of common goals that are compatible but move beyond individual interests;
63. considers that entity level legislation is largely in line with the European Charter of Local Self-Government but calls for more effective distribution of responsibilities among entities, cantons and municipalities;

Kosovo¹

64. welcomes the signing and ratification of the SAA and looks forward to its prospective entry into force on 1 April 2016, which could signal a new chapter in Kosovo's relations with the EU; encourages Kosovo to continue the implementation of EU-related reforms (e.g. adoption of the human rights law package) and other positive steps (e.g. establishment of the Specialist Chambers, normalisation process);
65. emphasises that obstructing political debate through violent means is not acceptable, and calls for all parties to return to dialogue and normal procedures;
66. welcomes the results achieved in visa liberalisation and encourages further progress;
67. stresses the need to continue efforts regarding the protection of cultural and religious heritage, especially at local level;

¹

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

68. welcomes and supports positive developments in the normalisation process and the Belgrade-Pristina dialogue, delivering results to the people, and encourages further progress by delivering on commitments and implementing agreements, thus strengthening cooperation and trust.

Brussels,

II. PROCEDURE

Title	EU Enlargement Strategy 2015-2016
Reference(s)	COM(2015) 611 final
Legal basis	Own-initiative opinion (Art. 307(1)), Rule 41b)i) RoP)
Procedural basis	Optional consultation
Date of Council/EP referral/Date of Commission letter	
Date of Bureau/President's decision	
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Rapporteur	Anna Magyar (HU/EPP)
Analysis	
Discussed in commission	5 February 2016
Date adopted by commission	Scheduled for 19 April 2016
Result of the vote in commission (majority, unanimity)	
Date adopted in plenary	Scheduled for 15-16 June 2016
Previous Committee opinions	<p>(CdR 5726/2014) Enlargement Strategy and Main Challenges 2014-2015 Rapporteur: Franz Schausberger (AT/EPP)</p> <p>(CdR 6834/2013) Enlargement Strategy and Main Challenges 2013-2014 Rapporteur: Arnoldas Abramavičius (LT/EPP)</p> <p>(CdR 2210/2012) Enlargement Strategy and Main Challenges 2012-2013 Rapporteur: Luc Van den Brande (BE/EPP)</p> <p>(CdR 365/2011) Enlargement Strategy and Main Challenges 2011-2012 Rapporteur: Stanisław Szwabski (EA/PL)</p> <p>(CdR 405/2010) Enlargement Strategy and Main Challenges 2010-2011 Rapporteur: Franz Schausberger (AT/EPP)</p>
Date of subsidiarity monitoring consultation	