



**European Committee
of the Regions**

CIVEX-VII/004

144th plenary session, 5-7 May 2021

OPINION

Enlargement Package 2020

THE EUROPEAN COMMITTEE OF THE REGIONS

- reiterates that it is in favour of all Western Balkan countries joining the EU, provided they meet all the accession criteria; underlines in this respect the importance of sending positive signals to countries of the Western Balkans;
- calls on the European Commission to remain committed to high standards of openness, inclusiveness and responsiveness when drawing up the enlargement package, and to indicate in its report how stakeholders from enlargement countries – in particular local and regional authorities – were involved in drafting this document and the progress report;
- reiterates that public administration reform in the Western Balkan countries, which the European Commission systematically monitors in line with the principles of public administration, cannot be implemented without good governance at local level, and calls on the European Commission to incorporate into its public administration reform support measures and instruments more precise performance indicators on fiscal decentralisation, the empowerment of local and regional authorities to develop and provide quality services to the general public and businesses, and the promotion of inclusive and evidence-based policy-making at local and regional levels;
- underlines that missing political plurality or suppression of positions and intimidation of elected officials belonging to opposition parties at the local level in some of the countries of the Western Balkans are major challenges to local democracies in those countries;
- welcomes the EU's comprehensive support given to the governments of the Western Balkans for addressing the challenges posed by the COVID-19 pandemic and for responding effectively to urgent health and socio-economic needs; asks the European Commission to recognise the importance of the role of local and regional authorities in dealing with the COVID-19 pandemic and to propose additional measures to support decentralised cooperation between local and regional authorities and increase their crisis management capacities;
- calls on the European Commission to put forward proposals for involving representatives of the national, regional and local levels in the Western Balkans in the work of the Conference on the Future of Europe.

Rapporteur

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References

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – 2020 Communication on EU enlargement policy

COM(2020) 660 final;

SWD(2020) 350 final; SWD(2020) 351 final; SWD(2020) 352 final; SWD(2020) 353 final;

SWD(2020) 354 final; SWD(2020) 355 final; SWD(2020) 356 final

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – An Economic and Investment Plan for the Western Balkans

COM(2020) 641 final

Opinion of the European Committee of the Regions – Enlargement Package 2020

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

General comments

1. notes with great interest the European Commission's 2020 Communication on EU Enlargement Policy, the reports on candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey, and those on potential candidates Bosnia and Herzegovina and Kosovo¹, as well as the Commission's Communication on an Economic and Investment Plan for the Western Balkans;
2. welcomes the fact that, at the EU-Western Balkans Summit in Zagreb in May 2020, the geostrategic importance of the enlargement process as an investment in peace, stability, security and economic growth across Europe was reiterated and support for a European perspective for the Western Balkans clearly emphasised; reiterates that it is in favour of all Western Balkan countries joining the EU, provided they meet all the accession criteria; underlines in this respect the importance of sending positive signals to countries of the Western Balkans to foster their engagement in the long process of becoming EU Members;
3. calls on the European Commission to remain committed to high standards of openness, inclusiveness and responsiveness when drawing up the enlargement package, and to indicate in its report how stakeholders from enlargement countries – in particular local and regional authorities – were involved in drafting this document and the progress report, as well as the extent to which the stakeholders consulted were provided with feedback on the results of the consultation;
4. reiterates that public administration reform in the Western Balkan countries, which the European Commission systematically monitors in line with the principles of public administration, cannot be implemented without good governance at local level, and calls on the European Commission to incorporate into its public administration reform support measures and instruments more precise performance indicators on fiscal decentralisation, the empowerment of local and regional authorities to develop and provide quality services to the general public and businesses, and the promotion of inclusive and evidence-based policy-making at local and regional levels;
5. notes with regret the lack of progress made by the Western Balkan countries in fundamental areas of the rule of law, the functioning of democratic institutions and the fight against corruption, as well as the still unfavourable environment for independent media and the development of civil society;

¹ This designation is without prejudice to positions on status, and in line with United Nations Security Council Resolution UNSCR 1244/1999 and the International Court of Justice Opinion on the Kosovo declaration of independence.

6. underlines that missing political plurality or suppression of positions and intimidation of elected officials belonging to opposition parties at the local level in some of the countries of the Western Balkans are major challenges to local democracies in those countries;
7. notes with concern that, due to the lack of progress in the enlargement process, all Western Balkan countries could be further exposed to greater influence from third parties who are continuously seeking to expand their influence in the region, including Russia and China;
8. supports the EU's efforts not only to boost the resilience of the Western Balkan countries, but also to foster closer cooperation on cybersecurity and strategic communications, so as to ensure that all externally funded economic activities comply with EU values, norms and standards, especially in key areas such as public procurement, the environment, energy, infrastructure and competition;
9. welcomes the EU's comprehensive support given to the governments of the Western Balkans for addressing the challenges posed by the COVID-19 pandemic and for responding effectively to urgent health and socio-economic needs; asks the European Commission to recognise the importance of the role of local and regional authorities in dealing with the COVID-19 pandemic and to propose additional measures to support decentralised cooperation between local and regional authorities and increase their crisis management capacities;
10. calls on the European Commission to put forward proposals for involving representatives of the national, regional and local levels in the Western Balkans in the work of the Conference on the Future of Europe, with a view to creating a better framework for local and regional authorities; suggests to hold a series of citizens' dialogues in the Western Balkans to give citizens the opportunity to express their concerns and raise their expectations about membership to the European Union;

Country-specific observations

11. fully supports adopting the negotiating framework and opening accession negotiations with North Macedonia and Albania as soon as possible in order to show that political support for the enlargement process is serious and that the promise to open accession negotiations with those countries that meet the necessary criteria will be kept;
12. notes with concern that Serbia and Montenegro – countries with whom accession negotiations are currently under way – need to act more decisively to improve the environment for freedom of expression and the work of independent media, as well as making progress in the area of judicial independence and the fight against corruption;
13. welcomes the overall progress made in the accession negotiations with Serbia so far, however calls for accelerated reforms in the areas of the rule of law and fundamental rights, as well as for progress in the normalisation of Serbia's relations with Kosovo, as set out in the Negotiating Framework; urges the Serbian authorities at all levels of governance to communicate unambiguously on the country's EU integration aspirations and on the relations with the EU as Serbia's main political and economic partner;

14. notes with regret the collapse of political pluralism in Serbia, the lack of an effective opposition in the Serbian parliament and the unfavourable environment for the development of local democracy, and reiterates the need to address the long-standing shortcomings of the electoral process through transparent and inclusive dialogue with political parties and other relevant stakeholders well before the next elections, taking into account the recommendations of the Organisation for Security and Cooperation in Europe's (OSCE) Office for Democratic Institutions and Human Rights;
15. calls on the Commission to encourage Montenegro to step up its efforts to ensure transparent and inclusive policy-making, including greater centralised control over the quality of public stakeholder consultations;
16. expresses its concern at the limited progress made by Bosnia and Herzegovina (BiH) on the key reforms highlighted in the European Commission's opinion on BiH's application for EU membership², specifically the functioning of democratic institutions, the rule of law, protection of fundamental rights and public administration reform, and especially regarding non-compliance with the rulings and decisions of the European Court of Human Rights and the decision of the Constitutional Court on electoral laws, the lack of equality between constituent peoples and respect for the rights of other citizens, as well as insufficient progress in combating corruption and in securing the professionalisation and depoliticisation of public administration;
17. welcomes the fact that local elections were finally held in Mostar (BiH) on 20 December 2020 after more than twelve years, which is a significant contribution to strengthening democratic processes, respecting the principles of the European Charter of Local Self-Government and the Charter of Fundamental Rights of the European Union, as well as an incentive to further strengthen Bosnia and Herzegovina on its European path;
18. is nevertheless concerned about the confirmed cases of election fraud in Mostar and the hate speech followed by incidents targeting some of the candidates running for the local elections; urges therefore the Parliament of Bosnia and Herzegovina to make the necessary amendments to the Election law ahead of the next general elections in 2022, avoiding thereby election fraud in the future; invites the Delegation of the European Union to Bosnia and Herzegovina, together with other representatives of the international community, to strongly condemn hate speech and attacks on candidates, especially female candidates as was the case ahead of the elections in Mostar.
19. calls on the Commission to persevere in finding solutions regarding the establishment of an association of Serb-majority municipalities in Kosovo (with the European Committee of the Regions offering concrete support and cooperation based on its role and expertise) and the further normalisation of relations between Serbia and Kosovo;

² SWD(2019) 222 final, COM(2019) 261 final

20. calls on the Commission, in line with its own recommendations and the positive recommendations of the European Parliament, which the CoR strongly supports, to call once more on the Council to address the issue of visa liberalisation for Kosovo;
21. reiterates the importance of legislative reforms to ensure a clear division of powers and funding between central and local governments in Kosovo;
22. calls on Albania to achieve more progress on the priorities set out by the Council in paragraph 10 of its conclusions of 25 March 2020;
23. calls on Albania to pursue and consolidate its territorial administrative reform as part of a broader programme aimed at boosting decentralisation, strengthening local fiscal autonomy and increasing the capacity of municipalities to provide high quality public services, as well as ensuring stronger political support for implementing the aims of the action plan for decentralisation and local governance by 2022; calls on the Albanian authorities to conduct a comprehensive land sector reform, consolidate property rights, and swiftly advance the process for registration and compensation; encourages Albania to swiftly adopt and implement the remaining legislation related to the 2017 Framework Law on the protection of national minorities and welcomes the adoption of the law on the population census;
24. calls for the role of the Albanian local and national self-government consultative council to be further strengthened as a good example of how the role of local authorities in policy-making can be formalised;
25. notes that in North Macedonia, and also in most of the other Western Balkans countries, there is no integrated system for planning, managing or monitoring regional development, and calls for the administrative and technical capacities of the operational structures responsible for managing EU funds to be boosted, particularly in the areas of transport and environmental protection;
26. strongly condemns the continued serious backsliding of Turkey in fundamental fields of the European acquis, including the serious and persistent decline in the functioning of local democracy in Turkey, the significant deterioration in key human rights, EU fundamental values, the rule of law, and the general weakening of effective checks and balances in the political system following the entry into force of constitutional amendments;
27. expresses concern at the continued practice of forcibly dismissing elected mayors in the south-east and replacing them with government-appointed officials, as well as the arrests of other local representatives; calls on Turkey, in line with the European Charter of Local Self-Government and the recommendations of the Venice Commission, to refrain from taking measures that hamper local democracy, and are detrimental to the general democratic climate both at local and regional levels;
28. stresses Turkey's anti-EU rhetoric, and strongly condemns Turkey's illegal and provocative behaviour against 2 EU Member States, namely Greece and Cyprus, through serious and

persistent violations of their sovereignty and sovereign rights, as well as its unprecedented aggressive rhetoric against its neighbours, fully incompatible with its candidate country status;

29. condemns Turkey's unilateral steps in Varosha and calls for full respect of UN Security Council Resolutions 550 and 789. The Committee of the Regions supports the speedy resumption of negotiations, under the auspices of the UN, and remains fully committed to a comprehensive settlement of the Cyprus problem, within the UN framework and in accordance with the relevant UN Security Council Resolutions and in line with the principles on which the EU is founded. It expects the same of Turkey;
30. reaffirms that it is in EU's strategic interest to seek to resolve differences with Turkey through dialogue and in accordance with international law and to establish a mutually beneficial cooperation; recommends that the cooperation in the area of migration and refugees, should earmark EU funding for direct actions by regional and local governments involved in the management of migrant flows, displaced persons and refugees in Turkey; The EU-Turkey Readmission Agreement should be fully and effectively implemented vis-à-vis all Member States, while noting that cooperation in the area of justice and home affairs with all EU Member States remains essential;

The role of local and regional authorities in the enlargement process and the strengthening of regional cooperation

31. stresses the importance of the role of local and regional authorities in fulfilling the criteria for EU membership and implementing the EU acquis, in particular in the areas of economic and social cohesion, agriculture and food security, environmental protection, public procurement and social policy, as well as the important contribution of local and regional self-government bodies in communicating the effects of EU accession and winning general public support for the accession process;
32. notes with regret the lack of concrete EU policy proposals on systematic and strategic support for local and regional authorities in the Western Balkans, as expressed by the CoR in its opinions on the 2018 and 2019 enlargement package;
33. welcomes the efforts of the European Commission to evaluate the financial support provided by the EU to local authorities in the enlargement countries and neighbourhood policy countries between 2010 and 2018, and calls for the invaluable evaluation results to be widely publicised;
34. calls on the European Commission to develop practical tools to support effective capacity building for local and regional authorities in the Western Balkans, including through specific thematic support programmes and regional technical assistance projects, as well as via ongoing exchanges, mentoring and networking;
35. once again urges the Commission to extend the Support for Improvement in Governance and Management (SIGMA) initiative to sub-national levels of administration in candidate and potential candidate countries, in order to define decentralised models for public administration

reforms, and to support improvements in local governance and local public management, with a view to applying the *acquis*;

36. calls again on the European Commission to put in place ad hoc operational methods so that the TAIEX and Twinning mechanisms can be used for cooperation between local and regional governments of the Member States and those of the candidate and potential candidate countries;
37. points out the importance of continuing support for local and regional authorities in the Western Balkans via the European Committee of the Regions and its relevant cooperation bodies, such as the Working Group for the Western Balkans and the Joint Consultative Committees with Montenegro, North Macedonia, and Serbia, but also points to the need to raise the profile of the activities of these bodies at national and regional level. In this context, also points to the urgency of setting up a joint consultative committee with Albania;
38. calls on the Commission to refine the indicators for measuring the progress made in public administration reforms in relation to the involvement of local and regional authorities in the planning, development, implementation and evaluation of public policies, and to take additional steps to strengthen them and to effectively consult local and regional authorities in shaping policies that affect their work and the quality of local services to the public;
39. welcomes the Commission's support to date in strengthening youth cooperation in the Western Balkans, which is of great importance in maintaining and further developing good neighbourly relations, including support for initiatives such as the Regional Youth Cooperation Office; calls on the Commission, in future initiatives to foster young people's involvement, to ensure greater involvement of local and regional authorities as key partners for local youth associations and educational institutions when carrying out youth projects that help strengthen good neighbourly relations;
40. suggests that, in future, representatives of local and regional authorities also be properly involved in the work of intergovernmental conferences on accession negotiations;

Rule of law, fundamental rights and the environment for independent media activity

41. reiterates that the rule of law and the functioning of democratic institutions are key benchmarks against which the EU assesses candidate countries' progress towards membership, and expresses concern at the limited progress and numerous challenges related to the lack of political will, the continued existence of certain elements of state capture, limited progress in the area of judicial independence, institutional resistance and the unfavourable environment for independent media activity in most candidate and potential candidate countries;
42. stresses that the existence of a supportive environment for the development and operation of independent media and civil society is a precondition for the sustainability and irreversibility of complex reforms in the EU accession process, as well as a basis for the development of local democracy;

43. recommends that the Commission consistently apply conditionality in relation to compliance with EU rules in the use of EU funds and the Economic and Investment Plan, in particular in public procurement procedures and in terms of transparency, and that it set clear indicators in this regard;
44. stresses that local and regional authorities, due to their proximity to the public, have a key role to play in promoting and respecting European values and protecting fundamental rights and can be important partners and leaders in tackling racism and hate speech, combating discrimination, promoting gender equality, protecting vulnerable groups and minorities, and fostering social cohesion;
45. is deeply convinced that local and regional authorities, due to their specific role as local policy-makers and public service providers, can play a greater role in addressing some shortcomings in the area of the rule of law and fundamental rights, but also in strengthening transparent and accountable governance of local policies and better protecting the rights of vulnerable groups;
46. calls on the Commission to continue to support local and regional authorities in the candidate countries and potential candidate countries in order to improve standards for involving interested members of the public in the design and implementation of local policies, including participatory budget planning models and local budget preparation;
47. warns of the high risk of corruption that exists in public procurement procedures at local and regional authority level in candidate and potential candidate countries, and calls on the European Commission to use specific tools to ensure more proactive transparency, improve quality control in public procurement and foster an open data policy at every stage of the public procurement procedure;
48. invites the European Commission to better assess the role of local and regional governments in addressing fundamental issues at local level, to make it easier for them to build up their capacities and skills in the areas of the rule of law and fundamental rights and to support them by providing concrete tools and instruments to carry out these tasks, while acknowledging the respective role and contributions of national and international associations of local and regional authorities;

The role of local and regional authorities in implementing the Economic and Investment Plan.

49. welcomes the launch of the Economic and Investment Plan for the Western Balkans as a key tool to support the economic recovery and development of the countries in the region in the coming period and stresses the importance of timely and appropriate involvement of local and regional self-government bodies in programming and monitoring the implementation of measures and funded projects, while respecting high standards of transparency, access to information and open data;
50. supports practical measures to extend the EU's green and digital transition initiatives to the Western Balkans, reaffirming the region's significance as a key part of Europe and the strategic

importance of investing, long before full EU membership, in social and economic development, sustainable transport infrastructure and the protection of the environment in the region;

51. stresses that large infrastructure investments planned under the Economic and Investment Plan in the areas of transport, energy, green and digital infrastructure, in addition to core networks, should always include resources for regional and local connectivity so that people in local communities can benefit from the investment, especially through the construction of new access roads for towns and villages;
52. supports the principle of making investment under the Economic and Investment Plan conditional on reforms, and calls on the European Commission to accompany each investment with an appropriate notification of expected reforms at local and regional level;
53. points out that a higher profile for EU investment at regional and local level and clearer communication of fundamental principles and values such as public procurement rules, environmental norms and fiscal sustainability standards should contribute to a greater commitment to EU accession reforms and reduce the risk of harmful influence on the part of external players in the region (e.g. Chinese loans, etc.);
54. supports the efforts made to prepare a new cycle of pre-accession assistance programmes (IPA III) and reiterates the importance of providing thematic support to boost the capacity of regional and local authorities under IPA III, in line with an earlier European Committee of the Regions' opinion³ on the subject;
55. calls on the European Commission to develop guidelines for EU support to local and regional authorities in the enlargement countries in the new financial period 2021-2027, with clear objectives, expected results and indicators to monitor progress, modelled on similar guidelines developed by the Commission to support civil society and independent media in the countries of the region;
56. in this context, calls on the European Commission to set up an independent regional committee to monitor the implementation of the IPA III programme and Economic and Investment Plan, involving representatives of local and regional authorities, civil society and the media from enlargement countries, selected on the basis of a public call for interest, in accordance with pre-established transparent criteria;

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European Committee of the Regions Opinion on the proposal for a Regulation of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (IPA III); COR 2018/04008; SL C 86, 7.3.2019.

57. stresses that proactive transparency and openness of data contributes to public confidence in the appropriateness of the use of public funds and calls on the Commission to set up an open data portal with detailed, publicly available and searchable information on all beneficiaries of the IPA III programme and Economic and Investment Plan.

Brussels, 7 May 2021.

The President
of the European Committee of the Regions

Apostolos Tzitzikostas

The Secretary-General
of the European Committee of the Regions

Petr Bližkovský

II. PROCEDURE

Title	Enlargement Package 2020. (Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – 2020 Communication on EU enlargement policy. COM(2020) 660 final) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – An Economic and Investment Plan for the Western Balkans COM (2020) 641 final
References	COM(2020) 660 final ; SWD(2020) 350 final; SWD(2020) 351 final; SWD(2020) 352 final; SWD(2020) 353 final; SWD(2020) 354 final; SWD(2020) 355 final; SWD(2020) 356 final; COM (2020) 641 final
Legal basis	Own-initiative opinion (TFEU Art. 307(1)), Rule 41(b)(i) of the CoR Rules of Procedure
Procedural basis	Optional referral
Date of Commission letter	7 October 2020
Date of President's decision	19 October 2020
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Rapporteur	Nikola Dobrosravić (HR/EPP)
Analysis	
Discussed in commission	4 December 2020
Date adopted by commission	16 February 2021
Result of the vote in commission (majority, unanimity)	Adopted by majority
Adopted in plenary	7 May 2021
Previous Committee opinions	(CdR 2727/2019) Enlargement Package 2019 Rapporteur: Jaroslav Hlinka (SK/PES) (CdR 2352/2018) Enlargement Package 2018 Rapporteur: Franco Iacop (IT/PES) (CdR 65/2018) Enlargement: inclusion of Western Balkan Local and Regional Authorities in EU's Macro-regional, Cross-border and other Transnational Cooperation Initiatives Rapporteur: Franz Schausberger (AT/EPP) (CdR 93/2017) EU Enlargement Strategy 2016-2017 Rapporteur: Rait Pihelgas (EE/ALDE)

	<p>(CdR 5896/2015) Enlargement Strategy and Main Challenges 2015-2016 Rapporteur: Anna Magyar (HU/EPP)</p> <p>(CdR 5726/2014) Enlargement Strategy and Main Challenges 2014-2015 Rapporteur: Franz Schausberger (AT/EPP)</p>
Date of subsidiarity monitoring consultation	Not applicable