

**Committee of the Regions****CIVEX-V-026****95th plenary session, 3 and 4 May 2012****OPINION
of the
Committee of the Regions****ENLARGEMENT STRATEGY AND MAIN CHALLENGES 2011-2012****THE COMMITTEE OF THE REGIONS**

- points out that all the countries¹ covered by the enlargement strategy have formally ratified the European Convention on Human Rights and the European Charter of Local Self-Government, and would encourage them to meet and implement these commitments;
- draws attention to the vital importance of the formation and development of multilevel governance, independent media and civil society in the candidate countries and urges them to support respect for civil liberties and democratic procedures in political life;
- stresses the importance of a formal consultation procedure between competent national authorities, and local and regional authorities at every stage of the EU enlargement process, which broadens public participation and helps apply the subsidiarity principle and bring citizens closer. It also facilitates the implementation of legislation and helps to make better use of IPA if local and regional representatives are well informed about the integration process;
- calls for the creation or reinforcement of organisations that group together local and regional authorities and the cooperation with their counterparts in other EU Member States, which can help to share experiences and support the integration process;
- takes a positive view of the ongoing integration process in the candidate countries, which should also be taken advantage of as one element in a decentralisation process based on transparent implementation;
- stresses the key importance of respect for the principle of good neighbourly relations among EU Member States, candidate countries and other countries and the role and importance of developing cross-border and regional cooperation between these countries.

¹

With the exception of Kosovo, in accordance with UN resolution 1244/1999.

Rapporteur

Stanisław Szwabski (EA/PL), Chairman of the municipality of Gdynia

Reference document

Communication from the Commission to the European Parliament and the Council: Enlargement Strategy and Main Challenges 2011-2012
COM(2011) 666 final

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

General recommendations

1. points out that the goal of EU enlargement is to expand the area of peaceful development and cooperation in Europe; the European Union is therefore open to any European country that wishes to join, respects and is committed to the democratic values and meets the membership criteria, points out that any enlargement is only possible when the successful integration of the accession country into the European Union is ensured;
2. would point out that all the countries² covered by the enlargement strategy have formally ratified the European Convention on Human Rights and the European Charter of Local Self-Government, and would encourage them to meet and implement these commitments;
3. welcomes the Commission's proposal to make greater use of IPA to promote and accelerate result-oriented reform efforts. Involving local and regional authorities where relevant could promote capacity building and absorption capacity in the beneficiary countries, and thus make more effective use of IPA funds;
4. stresses that the enlargement process is designed to ensure stability and increased prosperity for the citizens of the EU and the candidate countries and to ensure shared responsibility for the development of an ever greater area of peace, freedom, security and justice with an internal market and pursuing the goals of economic, social and territorial cohesion, non-discrimination, tolerance, justice, solidarity and equality between men and women;
5. points out that successful and persisting reform efforts should include all levels of society. Good governance – including modernisation of the public sector coordinated at national, regional and local level – provides better conditions for broad and stronger democracy, increased transparency and systems that are less beset by corruption and nepotism. A decentralised system increases public accountability and makes it easier for citizens to get involved in decision-making processes;
6. draws attention to the vital importance of the formation and development of multilevel governance, independent media and civil society in the candidate countries and urges them to support respect for civil liberties and democratic procedures in political life;
7. stresses the importance of a formal consultation procedure between competent national authorities, and local and regional authorities at every stage of the EU enlargement process. This broadens public participation and helps apply the subsidiarity principle and bring

² With the exception of Kosovo, in accordance with UN resolution 1244/1999.

citizens closer. It also facilitates the implementation of legislation and helps to make better use of IPA if local and regional representatives are well informed about the integration process;

8. calls for the creation or reinforcement of organisations that group together local and regional authorities, and the cooperation with their counterparts in other EU Member States, which can help to share experiences and support the integration process;
9. takes a positive view of the ongoing integration process in the candidate countries, which should also be taken advantage of as one element in a decentralisation process based on transparent implementation;
10. highlights the fact that the progress and success of the enlargement process depends largely on the candidate countries making genuine advances in implementing reforms to meet the Copenhagen criteria;
11. points to the need to speed up the European Council's endorsement of the Adriatic-Ionian macroregional strategy, which has the added value of smoothing and bolstering the accession process for SEE candidate and potential candidate countries, and also presents an opportunity to promote the consolidation of democratic processes in territories belonging to the greater Mediterranean area;
12. stresses the key importance of respect for the principle of good neighbourly relations among EU Member States, candidate countries and other countries and the role and importance of developing cross-border and regional cooperation between these countries;
13. requests that the authorities of countries applying for EU membership establish consistent regulations and national strategies in cooperation with administrative bodies at local and regional level and that the necessary means be made available to local and regional authorities to carry out strategies to integrate marginalised groups;
14. stresses the need for comprehensive and balanced information in candidate countries about the EU, its institutions, the integration process and the changes this process entails for individual countries, as well as the challenges and opportunities for citizens. Such information, large part of which needs to be provided by the authorities of the acceding countries, is essential to allow citizens to actively participate in their country's integration into the EU and to recognise the benefits of potential membership;
15. calls on all candidate countries to play a part in developing and strengthening the EU and Community institutions, depending on their formal possibilities;

16. highlights the need for, and importance of, a clear and unambiguous confirmation by the EU of its commitment to the enlargement process to take in candidate countries that meet the conditions for accession;

CROATIA

Croatia's progress in the EU accession process

17. welcomes with satisfaction the signature of the Accession Treaty with Croatia, which marks an important moment in European integration; subject to successful conclusion of the ratification procedures, the Committee of the Regions looks forward to welcoming Croatia as a new member from 1 July 2013;
18. is delighted at the progress made by Croatia in meeting the EU membership criteria, from the submission of its application in 2003 to the successful conclusion of negotiations in June 2011 and the Commission's favourable opinion on Croatian EU accession of October 2011;
19. welcomes the fact that Slovenia and Croatia have agreed to submit the open border issue to an arbitral tribunal and looks forward to the implementation of the bilateral Border Arbitration Agreement;
20. stresses Croatia's high level of preparedness for membership, while calling on that country to further consolidate and fully implement the EU *acquis*, especially as regards the judiciary, tackling corruption, implementing anti-discrimination legislation, competition policy and media freedom and pluralism;
21. welcomes the positive outcome of the referendum on Croatia's accession to the EU in January 2012;

ICELAND

The candidate country's progress

22. welcomes the progress made in the accession negotiations with Iceland; underlines the very constructive cooperation between Iceland and the EU in the framework of the EEA and the Schengen area;
23. believes that Iceland could join the EU in the near term based on the "own merits" principle and encourages timely continuation of alignment in remaining policy areas;
24. commends the fact that Iceland has, to some extent, successfully overcome its economic difficulties and has persevered with implementation of the necessary reforms;
25. is concerned about the lack of strong public support for the integration process;

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Progress of the candidate country from the Western Balkans region

26. takes a positive view of the efforts of the former Yugoslav Republic of Macedonia in the accession process;
27. welcomes the measures taken by the government of the former Yugoslav Republic of Macedonia to promote the former Yugoslav Republic of Macedonia's membership of the EU, but is concerned at the lack of effective action to find a satisfactory solution to the formal question of the country's name; it is essential that good neighbourly relations be maintained, including negotiations to find a mutually acceptable solution to the issue of the country's name, under the auspices of the United Nations;
28. takes a positive view of the ongoing steps to adapt the national legal system to EU legislation; draws attention, however, to the need for continued reform in the areas of justice, fundamental rights of women and minorities and public administration;
29. draws attention to the need for tackling high-level corruption and guaranteeing the freedom of expression in the media;
30. acknowledges the progress made in cooperation between the institutions of government, the various levels of local government and non-governmental organisations;
31. welcomes progress on implementing the law on languages, on decentralisation and on equitable representation and encourages the continuation of efforts to address ongoing challenges such as education and harmonious relations between all communities;

MONTENEGRO

Progress of the candidate country from the Western Balkans region

32. with an eye to the Council's intention to launch accession negotiations in June 2012, welcomes the measures taken to change and adapt the legislation of Montenegro in connection with reform of the public administration, keeping of national statistics, free media, as well as tackling corruption and organised crime; there has also been a certain improvement in observance of human rights, gender equality and respect for minority rights;
33. welcomes the initiatives to reduce the level of corruption and recommends more action to tackle corruption, especially in the areas of privatisation, territorial planning, education and the health service as well as in local and regional authorities;
34. highly commends the progress made in protecting the rights of the minority population and representing it in statutory and self-governing bodies;

35. welcomes the decision to set up a Joint Consultative Committee (JCC) as a forum for dialogue between the EU's Committee of the Regions and local authorities in Montenegro;

TURKEY

The candidate country's progress

36. welcomes the changes leading to the democratisation of political life and society in Turkey; notes Turkey's obligation to maintain good neighbourly relations, and calls for it to avoid any action against Member States or their sovereign rights, as defined by the Copenhagen criteria and the EU-Turkey Negotiating Framework of 3 October 2005; expresses its dissatisfaction at Turkey's declarations stating its intention to freeze relations with the EU presidency during the second half of 2012, and hopes to see the development of regional cooperation;
37. expresses disappointment at Turkey's continued failure to meet its commitments under the Additional Protocol to the EC-Turkey Association Agreement and calls on Turkey to progress towards its full implementation;
38. notes with concern Turkey's low level of enforcement of legislation, adopted in accordance with the Copenhagen criteria; finds regrettable the lack of clear progress in developing local governance and civil society but hopes nonetheless that the ongoing constitutional reform process will secure significant progress; affirms that the establishment of a joint consultative committee between the Committee of the Regions and Turkish local and regional authorities should help ensure that due account is taken of EU requirements regarding decentralisation;
39. is concerned at the inadequate progress made in freedom of speech, media freedom, religious freedom, women's rights and respect for minority rights and in finding a fair solution to the Cyprus issue; urges the Turkish government to lend active support to the continuing negotiations and to take action aimed at the full settlement of the Cypriot question;
40. is very much concerned about, and invites Turkey to improve, the observance of fundamental rights and freedoms in law and in practice; the restrictions in practice on the freedom of the media, the legal cases launched against writers, journalists, academics, elected politicians and human rights defenders, and frequent website bans all raise serious concerns that need to be addressed by the Turkish government;
41. urges Turkey to step up local administrative reform, with a view to further decentralisation and making more effective use of local and regional levels of government. Key factors include greater and fairer funding for the local sector, systems for consultation between the various levels in line with the principles of multi-level governance, and greater support for the EU integration of the local level;
42. is concerned at the sharp decline in public and media interest and credibility regarding Turkish EU membership; would therefore ask the EU to press ahead with the negotiations, not

least through a "positive agenda" that is to come into play as soon as Turkey meets the accession criteria;

43. takes a positive view of the Commission's proposal to broaden cooperation between the local and regional authorities of EU Member States and their Turkish counterparts;
44. stresses the CoR's interest in making use of existing mechanisms for cooperation between the EU and Turkey, cross-border programmes, regional cooperation and cooperation between local government institutions, with a view to developing local government and increasing the scope of application of the subsidiarity principle and democratisation;

ALBANIA

Progress of the potential candidate country

45. calls on the Albanian authorities to continue reforms, as the reforms carried out so far only to some extent bring that country closer to meeting the Copenhagen criteria;
46. draws attention to the critical importance for the integration process of implementing the principle of good neighbourly relations and regional cooperation and of developing democratic procedures, local government and civil society;
47. encourages the Albanian government and opposition to restore and maintain constructive political dialogue in order to bolster the smooth running and independence of the basic democratic institutions; urges the Albanian authorities to step up their efforts to promote and implement the reforms necessary for the pre-accession process, especially as regards human rights, gender equality, the protection of minorities as well as of property rights, tackling corruption and organised crime and the pursuit of a constructive emigration policy;
48. notes with concern the lack of decisive action to tackle the corruption encompassing a number of areas of public life; such corruption may in future pose a serious problem for the country's development;
49. urges the Albanian government to work actively with relevant stakeholders to promote decentralisation and EU integration.

BOSNIA AND HERZEGOVINA

Progress of the potential candidate country

50. welcomes the reforms being carried out by the authorities of Bosnia and Herzegovina; draws attention, however, to the scope for increasing the degree of coordination between all levels of government, including the Federation of Bosnia and Herzegovina and Republika Srpska;
51. believes that the authorities of Bosnia and Herzegovina must step up efforts to implement these reforms; draws attention to the fact that implementation of reforms in accordance with the Copenhagen criteria will be possible in the medium term only with significant involvement from the authorities, while environmental reforms will only be possible over the long term;
52. is concerned at the political stalemate in the country and the inability to get beyond the special interests of individual political groups, which is leading to significant delay in the accession process of Bosnia and Herzegovina. If stakeholders, in particular local authorities, were more widely and closely involved, IPA funds could be utilised more effectively and thus be of more obvious benefit to citizens. This would also highlight the advantages for the public of closer ties with the EU;
53. agrees with the Commission's analysis of the situation with regard to the conflict, deadlock and political paralysis in Bosnia and Herzegovina and would therefore like to highlight the comments it made in 2010³. As a divided country, Bosnia needs leadership that can reconcile conflicts and initiate collective solutions. The EU needs to make it clear that the only real option is a policy that opens the country to the four freedoms of the internal market;
54. stresses the weakness of cooperation between the country's various administrative levels, which should be rectified with the clear support of all political forces in the country;
55. notes that, in order to develop a climate of constructive cooperation in the country, it needs to have a functional administrative structure in which the various political levels complement each other and reconcile their divisions. The CoR reiterates that national government in Bosnia and Herzegovina must be strengthened in several spheres, and that support must be given to the driving forces for reform that are promoting both a stronger state and a decentralisation process with reinforced local authorities;
56. is convinced of the need to step up practical cross-border cooperation as well as cooperation between central, regional and local authorities;

³ CdR 345/2009.

KOSOVO⁴

Progress of the potential candidate country

57. welcomes Kosovo's commitment to its European trajectory in the context of the European integration process;
58. hopes that the lack of broad consensus among EU Member States on the formal status of Kosovo will not obstruct the development of relations in the form of agreements between the EU and Kosovo, and believes that, for the moment, practical, ad hoc solutions could be sought and promoted on the basis of a neutral approach as regards Kosovo's status;
59. stresses that the EU, in accordance with the principles it has adopted, is totally committed to the European perspective of the western Balkans, Kosovo included;

SERBIA

The candidate country's progress

60. welcomes the Commission's recommendation on awarding Serbia EU candidate status;
61. welcomes the European Council decision to grant Serbia status of candidate to the EU and urges Serbia to continue systemic and structural reforms; stresses the need to take steps to normalise relations with Kosovo, in accordance with the terms of the stabilisation and association process, by fully observing the principles of regional cooperation, with all stakeholders taking part; simultaneously hopes, that no steps, which could jeopardise their European perspective will be taken;
62. encourages the Serbian authorities to continue the constructive steps they have taken to promote cooperation and stability in the region;
63. commends the progress made by Serbia in the pre-accession process, covering adjustments in a series of areas including human rights, the judicial system, media freedom and the Helsinki criteria;
64. draws attention to the particular importance in the integration process of implementing the principle of good neighbourly relations and regional cooperation as well as development of democratic procedures, minority and local government rights, and development of civil society;

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Under UNSCR 1244/1999.

65. takes a positive view of the protection of the linguistic rights of the traditional minority population and the approval in September 2011 of a law on public property and the transfer of some powers to the province of Vojvodina and to local authorities.

Brussels, 3 May 2012.

The President
of the Committee of the Regions

Mercedes Bresso

The Secretary-General
of the Committee of the Regions

Gerhard Stahl

II. PROCEDURE

Title	Enlargement strategy and main challenges 2011-12
Reference(s)	COM(2011) 666
Legal basis	TFEU 307(1)
Procedural basis	Optional consultation
Date of Council referral/Date of Commission letter	9 May 2011
Date of Bureau/President's decision	27 October 2011
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs (CIVEX)
Rapporteur	Stanisław Szwabski (EA/PL), Chairman of the municipality of Gdynia
Analysis	3 November 2011
Discussed in commission	1 December 2011
Date adopted by commission	9 February 2012
Result of the vote in commission	Majority
Date adopted in plenary	3 May 2012
Previous Committee opinions	<p>CdR 405/2010 fin, Opinion of the Committee of the Regions on Enlargement Strategy and main challenges 2010-2011</p> <p>CdR 344/2009 fin, Opinion of the Committee of the Regions on Enlargement Strategy and main challenges 2009-2010 – Candidate countries</p> <p>CdR 345/2009 fin, Opinion of the Committee of the Regions on Enlargement Strategy and main challenges 2009-2010 – Potential candidate countries⁵</p> <p>CdR 383/2008 fin, Opinion of the Committee of the Regions on Enlargement Strategy and Main Challenges 2008-2009 – Potential candidate countries⁶</p> <p>CdR 382/2008, Opinion of the Committee of the Regions on Enlargement Strategy and Main Challenges 2008-2009 – Candidate countries⁷</p>

⁵ [OJ C 267, 1.10.2010, p. 12–16.](#)

⁶ [OJ C 211, 4.9.2009, p. 34–36.](#)

⁷ [OJ C 211, 4.9.2009, p. 37–42.](#)