



**European Committee
of the Regions**

CIVEX-VI/042

138th plenary session, 11-12 February 2020

OPINION

Enlargement Package 2019

THE EUROPEAN COMMITTEE OF THE REGIONS

- Supports the recognition by the Commission that enlargement of the EU is a geostrategic investment in peace, stability, security and economic growth
- Underlines that European principles of subsidiarity, proportionality, and multilevel governance should equally apply to the process of EU enlargement
- Notes with great concern that the proper functioning of democratic institutions, as well as credible progress on rule of law, still remain a key challenge in the area
- Welcomes that the proposal for the Instrument for Pre-Accession Assistance (IPA III) anticipates greater strategic and dynamic deployment of assistance; invites the Commission to facilitate building the capacities and skills of the LRAs with concrete instruments
- Supports the principles of fair and rigorous conditionality, and of "fundamentals first"
- Is concerned with the increasing hostility towards civil society, and with shrinking freedom of expression
- Is convinced that LRAs can address some of the shortcomings on rule of law and fundamental rights, and act to combat discrimination
- Welcomes the historic Prespa agreement reached by North Macedonia and Greece
- Fully supports the opening accession negotiations with North Macedonia and Albania
- Notes with concern that Serbia and Montenegro are yet to act with greater determination in crucial areas, in particular towards depolarisation of the political scene
- Reiterates its utmost concern and dismay about the fact that no local council elections have been held since 2008 in the city of Mostar (Bosnia and Herzegovina)
- Invites the Council to urgently address visa liberalisation with Kosovo
- Notes with regret that Turkey has seen a continued strong deterioration in key human rights, with serious backsliding in the areas of rule of law and fundamental rights
- Invites local and regional governments in the EU to further reinforce cooperation with their peers in candidate and potential candidate countries
- Invites the European Commission to propose concrete policies, tools and instruments to engage local and regional governments in the Western Balkans
- Invites the European Commission to develop a practical tool to support effective capacity-building for local and regional governments in the Western Balkans
- Urges the Commission to better include the countries of the Western Balkans, and notably their LRAs, in the future development of the Covenant of Mayors, and other initiatives towards the achievement of the 2030 Agenda

Rapporteur

Jaroslav Hlinka (SK/PES), Mayor of Košice-South

Reference documents

Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - 2019 Communication on EU Enlargement Policy
COM(2019) 260 final;
SWD(2019) 215 final; SWD(2019) 216 final; SWD(2019) 217 final; SWD(2019) 218 final;
SWD(2019) 219 final; SWD(2019) 220 final

Opinion of the European Committee of the Regions – Enlargement Package 2019

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

General observations

1. Notes with great interest the European Commission's 2019 Communication on EU Enlargement Policy, its country reports on candidate countries Albania, Montenegro, North Macedonia, Serbia, and Turkey, a report on Kosovo*, as well as the parallel Opinion on Bosnia and Herzegovina's application for membership of the European Union;
2. Fully supports the recognition by the European Commission that enlargement is in the EU's own political, security and economic interest, as a geostrategic investment in peace, stability, security and economic growth in the whole of Europe;
3. Welcomes the fact that the EU leaders reaffirmed their unequivocal support for the European perspective of the Western Balkans, and that the Western Balkans partners recommitted to this perspective as their firm strategic choice, at the EU-Western Balkans summit held in Sofia in May 2018;
4. Welcomes the fact that the European Commission's proposal for the Instrument for Pre-Accession Assistance (IPA III) under the 2021–2027 Multiannual Financial Framework anticipates greater strategic and dynamic deployment of assistance, focusing on key priorities;
5. Urges the European Commission, in this context, to further work with the national governments in candidate and potential candidate countries in order to develop specific instruments towards building the capacities of local and regional governments in the Western Balkans to effectively absorb the allocated funding, as well as to address the structural gap in their capacity to co-finance and pre-finance the preparation and implementation of EU-supported projects;
6. Reiterates that effective public administration reforms in the countries of the Western Balkans, including fiscal decentralisation, are essential for improving good local governance, for the empowerment of local and regional governments to develop and deliver quality services with and for their citizens, for their involvement in regional cooperation and good neighbourly relations, and for achieving ambitious European and global sustainable development and climate change agendas.

Country-specific observations

7. Welcomes the historic Prespa agreement reached by North Macedonia and Greece in June 2018 resolving a 27-year old name dispute;

* This designation is without prejudice to positions on status, and in line with UNSCR 1244/1999, and the ICJ Opinion on the Kosovo declaration of independence.

8. Welcomes the fact that the Council has agreed to respond to the progress made by Albania and North Macedonia in the areas agreed upon unanimously by the Council conclusions of June 2018, and has set out a path towards opening accession negotiations with the two countries;
9. Regrets that the June 2019 local elections in Albania were marked by opposition boycott and low voter turnout, and reiterates that the process of enlargement is merit-based and depends on the respect for the principles of democracy, and other Copenhagen criteria;
10. Expresses serious concern that further Council decisions on Albania and North Macedonia were initially postponed from June to October 2019, and is deeply disappointed by the European Council's decision in October 2019 to even further delay the start of EU accession negotiations with Albania and North Macedonia, which have both demonstrated continuity in their commitment to the European path; regrets also that this decision was not based on individual assessments of each candidate country's progress, and warns that the absence of a positive signal to the two candidate countries could also have negative repercussions at local and regional level; it further recommends to the Council that this issue be positively resolved before the EU-Western Balkans summit in Zagreb in May 2020;
11. Fully supports the European Parliament's resolution of 24 October 2019¹ on opening accession negotiations with North Macedonia and Albania and strongly urges the Council to take into consideration the fact that a credible EU enlargement strategy needs to motivate and deliver on the results attained that have previously been agreed by all parties, and provide a firm and credible perspective for all countries concerned;
12. is concerned that a lack of progress in enlargement may also directly affect the security and wellbeing of the EU, as it may gradually push all Western Balkans countries towards third parties which are already trying to increase their influence in the region, including – but not limited to – Russia and China;
13. Notes with concern that Serbia and Montenegro are yet to act with greater determination in crucial areas, in particular towards depolarisation of the political scene, including at the local level;
14. Urges all political actors and tiers of government in Serbia, Montenegro and Bosnia and Herzegovina to work closely in partnership towards the implementation of OSCE/ODIHR recommendations on improving the local electoral framework, and to engage in creating a transparent and inclusive local political environment, based on cross-party debate and free from political pressure and intimidation of political opponents;
15. Invites the European Commission to address in the accession negotiations with Serbia the allegations of intimidation of democratically elected officials belonging to opposition parties, notably in the municipalities of Paraćin, Šabac and Čajetina;

¹ EP Resolution 2019/2883(RSP)

16. Notes that Bosnia and Herzegovina does not yet sufficiently fulfil the Copenhagen criteria, and agrees that negotiations for accession should be opened once the country has achieved sufficient compliance therewith;
17. Reiterates its utmost concern and dismay about the fact that Mostar is the only municipality in Bosnia and Herzegovina in which no local council elections have been held since 2008;
18. In view of Bosnia and Herzegovina's application for membership of the EU, calls notably on local political leaders in Mostar and at the level of the Federation of Bosnia and Herzegovina to end this unprecedented violation of the principles enshrined in Article 3 of the European Charter of Local Self-Government, which is binding upon all Council of Europe member states, including Bosnia and Herzegovina;
19. Points out that leaving the Mostar election impasse unsolved effectively prevents the accession of Bosnia and Herzegovina to the EU as this would, upon accession, violate Article 40 of the Charter of Fundamental Rights of the European Union, depriving EU citizens residing in the country of the right to vote and to stand as a candidate in municipal elections;
20. Recalls that the European Commission confirmed in July 2018 that Kosovo has fulfilled all visa liberalisation benchmarks endorsed by the Council;
21. Welcomes the support of the European Parliament for the European Commission's proposal for visa liberalisation with Kosovo passport holders, expressed in September 2018 and March 2019, and reiterated under the new mandate by the Committee on Civil Liberties in September 2019;
22. Invites the Council to urgently address visa liberalisation with Kosovo, which remains the only country in the Western Balkans whose citizens still need a visa to travel to EU countries;
23. Notes with regret that Turkey has seen a continued strong deterioration in key human rights, with serious backsliding in the areas of rule of law and fundamental rights; furthermore regrets the weakening of effective checks and balances in the political system, brought forward by the entry into force of the constitutional amendments;
24. Notes the General Affairs Council conclusions of June 2018 stating that Turkey's accession negotiations have effectively come to a standstill, that no further chapters can be considered for opening or closing, and that no further work towards the modernisation of the Customs Union can be currently foreseen; regrets that Turkey still refuses to comply with the provisions of the additional protocol to the association agreement with the EU and to recognise the Republic of Cyprus; reiterates furthermore in this context its previous concerns and recommendations with respect to Cyprus expressed in detail in its Opinion on the Enlargement Package 2018; it further notes with regret that despite the European Union's repeated calls to Turkey to cease its illegal activities in the Eastern Mediterranean, Turkey continues its drilling operations within Cypriot territorial waters and reaffirms its full solidarity with Cyprus regarding its international recognition, sovereignty, and its rights under international law;

25. Recalls the importance of the status of Varosha as set out in previous United Nations Security Council resolutions, including resolution 550 (1984) and resolution 789 (1992), and reiterates that no actions should be carried out that are not in accordance with those resolutions;
26. Is seriously concerned with the legality and integrity of the Turkish electoral process, notably the decision in 2019 of Turkey's Supreme Election Council to re-run local elections in İstanbul, as well as the decision by the Turkish authorities to replace the democratically elected metropolitan mayors of Diyarbakır, Mardin and Van with appointed provincial governors as acting metropolitan mayors and firmly condemns further acts of repression against municipal council members and employees, which are acts incompatible with the spirit and the principles of the European Charter of Local Self- Government;
27. Acknowledges that Turkey remains a key partner for the EU in the area of migration and refugees, and reiterates its conviction that a proportion of funds allocated by the EU should be earmarked for local and regional governments directly involved in managing the migration flows of displaced persons and refugees; 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;
28. Invites local and regional governments in the EU to further reinforce cooperation with their peers in candidate and potential candidate countries, accompany them in their path towards deepened European integration, and strengthening their institutional and administrative capacities at regional and local levels, as well as their capacities to promote and respect European values and principles;
29. Recalls, in this respect, the irreplaceable role of national associations of local and regional governments, as well as that of the Network of Associations of Local Authorities of South East Europe (NALAS), which can support local and regional governments in implementing public administration reforms, as well as in building their capacities towards improved exercise of competences and provision of local public services.

Role of local and regional governments in the enlargement process

30. Underlines that European principles of subsidiarity, proportionality, and multilevel governance should equally apply to the process of European Union enlargement;
31. Sets forth that for the enlargement process to be inclusive and sustainable, the participation of subnational governments is essential. The success of the EU's enlargement to the Western Balkans will depend on continuing support by the citizens and the engagement of local and regional governments in order to generate the desired sustainable impact at the local level, in a joint partnership between the local, regional and central governments, as well as with the European Union;
32. Recalls that over 60% of the EU acquis are implemented at the local level, while – under the current Multiannual Financial Framework – almost a third of the EU's total budget is earmarked for cohesion policy, targeting all regions and cities in the European Union;

33. Underlines that local and regional governments have an important role to play in the enlargement process, not only as regards political criteria, but also as drivers of economic growth and sustainable development in their territory, and as providers of quality public services for their citizens;
34. Asserts, in this context, that empowering subnational governments to fulfil this role is a crucial element of sustainable implementation of the EU Enlargement Strategy for the Western Balkans, and for successful European integration in the future;
35. Welcomes the recognition by the European Commission that the role of local and regional government needs to be taken into account, and that an appropriate balance between central, regional and local government needs to be found that best supports the implementation of reforms and the delivery of services to citizens;
36. Recalls its regret over the lack of specific policy proposals regarding local and regional governments, expressed in its Opinion on the Enlargement Package 2018;
37. Invites the European Commission to propose concrete policies, tools and instruments to engage local and regional governments in the Western Balkans in order to reinforce their role as the sphere of governance closest to the citizens;
38. Invites the European Commission to develop a practical tool to support effective capacity-building for local and regional governments in the Western Balkans in view of harmonisation of their local and regional public policies with the *acquis* through dedicated training, peer-to-peer learning and exchange of best practices across the region, and with their peers in the EU, along the lines of the Local Administration Facility, the Regional Training Programme, or the Erasmus for local and regional representatives;
39. 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 the improvement of local governance and local public management, with a view to applying the *acquis*;
40. 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;
41. Voices its readiness to work closely with the new European Commission, and with the Commissioner for Neighbourhood and Enlargement in particular, on the practical implementation and use of these instruments at the local and regional levels.

Rule of law and fundamental rights

42. Reiterates that compliance with the Copenhagen criteria must continue to be the key factor for assessing the readiness of candidate countries to become EU Member States, and fully supports the principles of fair and rigorous conditionality, and of "fundamentals first";
43. Notes with great concern that the proper functioning of democratic institutions, as well as credible progress in the area of the rule of law, still remain a key challenge in most candidate and potential candidate countries;
44. Is equally concerned, in this context, with the increasingly hostile environment for civil society in the countries, as well as negative developments in the area of freedom of expression and independence of the media;
45. Highlights that local and regional governments, because of their proximity to citizens, play a crucial role in the promotion and respect of European values, and that they are on the frontline in tackling racism and hate speech, protecting vulnerable groups and minorities, as well as fostering social cohesion;
46. Is deeply convinced that local and regional governments themselves can play a stronger role in setting the local political scene and public political space, and can assume their share of responsibility in addressing some of the shortcomings in the area of rule of law and fundamental rights, as underlined by the European Commission;
47. Calls upon local and regional governments in candidate and potential candidate countries to step up their efforts to deliver tangible results in:
 - 47.1 creating a positive and enabling environment for the functioning of civil society at the local level, and in the inclusion of civil society organisations in local participative policy-making,
 - 47.2 combatting any discrimination based on any ground, in the spirit of the Charter of Fundamental Rights of the European Union, notably against persons with disabilities, vulnerable groups, and ethnic minorities, in particular the Roma,
 - 47.3 fighting exclusion, marginalisation and discrimination of lesbian, gay, bisexual, transgender and intersex persons, as well as combatting hate speech and violence against these groups,
 - 47.4 improving the representation of women in all spheres of local and regional public governance, and generally ensuring gender equality, as well as preventing and addressing discrimination and any form of violence against women;
48. Invites the European Commission to recognise the role of local and regional governments in addressing fundamental issues at the local level, to facilitate building their capacities and skills in the area of the rule of law and fundamental rights, and to support them by providing concrete tools and instruments to fulfil this role;

Role of local and regional governments in the 2030 Agenda for Sustainable Development

49. Recalls its recent Opinion on Sustainable Development Goals (SDGs) as a basis for a long-term EU strategy for a sustainable Europe by 2030, which underlines that 65% of the 169 targets of the 17 SDGs require firm engagement of regions and cities in implementing the SDGs, in order to achieve them;
50. Recalls that the objective of "leaving no-one behind" requires that all levels of government ensure cross-scale integration, and the design of mutually supportive and cohesive place-based policies;
51. Recalls as well that local and regional governments have a key role to play in achieving the goals set forth by the UN Paris Agreement on climate change, and that climate action at local level are of crucial importance for climate change mitigation and adaptation, as well as for creating local opportunities for sustainable investment and growth;
52. Is convinced, therefore, that the Covenant of Mayors for Climate and Energy, as a bottom-up movement, could be the driver for enabling cities and municipalities of the Western Balkan countries to contribute to achieving the Paris Agreement, the 2030 Agenda and the SDGs by localising them;
53. Urges the European Commission to better include the countries of the Western Balkans, and notably their local and regional governments, in the future development of the Covenant of Mayors for Climate and Energy, or equivalent national and regional initiatives involving local and regional players, and to draw on the potential of national associations of local and regional governments and the Network of Associations of Local Authorities of South East Europe (NALAS) in facilitating the definition and implementation of local climate action and energy efficiency plans, sustainable urban mobility plans, and other local and regional policy instruments towards the achievement of the 2030 Agenda.

Brussels, 12 February 2020

The President
of the European Committee of the Regions

Apostolos Tzitzikostas

The Secretary-General
of the European Committee of the Regions

Petr Blížkovský

II. PROCEDURE

Title	Enlargement Package 2019
Reference(s)	COM(2019) 260 final; SWD(2019) 215 final; SWD(2019) 216 final; SWD(2019) 217 final; SWD(2019) 218 final; SWD(2019) 219 final; SWD(2019) 220 final
Legal basis	Own-initiative opinion (Article 307(1)), Rule 41b)i) RoP
Procedural basis	Optional referral
Date of Commission letter	29 May 2019
Date of President's decision	12 June 2019
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Rapporteur	Jaroslav Hlinka (SK/PES)
Analysis	
Discussed in commission	25 June 2019
Date adopted by commission	14 November 2019
Result of the vote in commission (majority, unanimity)	Majority
Adopted at plenary	12 February 2020
Previous Committee opinions	<p>(CdR 2352/2018) Enlargement Package 2018 Rapporteur: Franco Iacop (IT/PES)</p> <p>(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)</p> <p>(CdR 93/2017) EU Enlargement Strategy 2016-2017 Rapporteur: Rait Pihelgas (EE/ALDE)</p> <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	N/A