

Brussels, 11 December 2003

OPINION

of the Committee of the Regions

of 19 November 2003

on

The role of the European Union's local and regional authorities in the democratic consolidation process in the Western Balkans

THE COMMITTEE OF THE REGIONS

HAVING REGARD TO the decision of its Bureau of 8 April 2003, under the fifth paragraph of Article 265 of the Treaty establishing the European Communities, to instruct the Commission for External Relations to draw up an opinion on *the role of the European Union's local and regional authorities in the democratic consolidation process in the Western Balkans*;

HAVING REGARD TO its resolution of 13 February 2003 on *the European Commission's work programme and the Committee of the Regions' priorities for 2003* (CdR 6/2003 fin¹);

HAVING REGARD TO its political priorities for 2002-2006, in which it welcomes the enlargement of the European Union as a unique event which will ensure peace and stability as well as strengthening the common integration process throughout Europe;

HAVING REGARD TO the Greek Presidency's priorities for the Western Balkans, set out in its work programme of 13 January 2003;

HAVING REGARD TO the conclusions of the spring Brussels European Council of 20 and 21 March 2003 regarding the Union's approach to the Western Balkans, in which it stresses that *"the future of the Western Balkans is within the EU. Strong political will and sustained*

efforts are required to secure it. The European Union pledges full support to the endeavours of the countries to consolidate democracy, stability and to promote economic development";

HAVING REGARD TO the conclusions of the Copenhagen European Council of 12 and 13 December 2002 in which the Council underlines its determination to support the efforts of the countries of the Western Balkans to move closer to the EU;

HAVING REGARD TO the Feira European Council of 19 and 20 June 2000, recognising the countries involved in the stabilisation and association process as potential candidates for EU membership;

HAVING REGARD TO the conclusions of the Lisbon European Council of 23 and 24 March 2000, confirming that the Union's overall objective remains the fullest possible integration of the countries of the Balkan region into the political and economic mainstream of Europe, and that the stabilisation and association process is the centrepiece of its policy in the Balkans;

HAVING REGARD TO the conclusions of the General Affairs Council of May 1999 affirming the readiness of the European Union to draw the countries of South-East Europe closer to the prospect of full integration into its structures;

HAVING REGARD TO the Communication from the Commission to the European Parliament and the Council on the *Annual Policy Strategy for 2004*, adopted on 5 March 2003 and presented to the European Parliament in Strasbourg by **President Prodi** on 12 March, which states that *"the Union will consolidate the Stabilisation and Association process for the Western Balkans, which may be designated as potential future members when conditions are ripe"*;

HAVING REGARD TO the Report from the Commission of 3 April 2003 on the Stabilisation and Association process for South East Europe – First Annual Report (COM(2000) 163 final);

HAVING REGARD TO the Communication from the Commission to the Council and the European Parliament of 26 May 1999 on the stabilisation and accession process for countries of South-Eastern Europe – Bosnia and Herzegovina, Croatia, Federal Republic of Yugoslavia, former Yugoslav Republic of Macedonia and Albania (COM(1999) 235 final);

HAVING REGARD TO Regulation (EC) No. 2666/2000 (CARDS Programme) of 5 December 2000 on assistance for Albania, Bosnia-Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia;

HAVING REGARD TO Articles 4 and 7 of Decision 1999/468/EC concerning the procedures for amending the multiannual indicative programmes and annual action programmes under Regulation (EC) No. 2666/2000 (CARDS Programme);

HAVING REGARD TO its draft opinion (CdR 101/2003 rev. 2) adopted on 18 July 2003 by the Commission for External Relations (rapporteur: **Mr Giancarlo Galan**, President of the Veneto Region (IT-EPP));

WHEREAS

1. in 1999 the European Union adopted a long-term approach to the development of the countries in the region, the stabilisation and association process (SAP), to support the transition to democracy under way in these countries following the decades-long absence of democracy, aggravated by the lengthy conflicts of the 1990s;

2. in accordance with the political desire to play an increasingly effective international role in foreign policy, it is a prime EU objective to bring stability to the Balkans and to put an end to the tensions that have thrown the region into turmoil in recent decades;

3. in the context of further developing the European Union's regional approach towards South-Eastern Europe, the Commission Communication of 26 May 1999 (COM(1999) 235 final) calls for greater support for democratisation and the development of trade and political dialogue, and the consolidation of democracy, the rule of law, economic development and regional cooperation;

4. the stabilisation and association process requires continued commitment on the part of both the European Union and the countries of the Western Balkans to maintain a steady course towards and make the necessary preparations for full integration of the countries of the region into the EU, as recognised in the Commission's first annual report of 3 April 2002 (COM(2002) 163 final);

5. the Communication from the Commission to the Council and the European Parliament on a *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours* (COM(2003) 104 final) states that *"the Commission will consider the possibility of creating a new Neighbourhood Instrument which builds on the positive experiences of promoting cross-border cooperation within the Phare, Tacis and INTERREG programmes. This instrument will focus on trans-border issues, promoting regional and sub-regional cooperation and sustainable development on the Eastern border"*. The communication also points out that similar considerations apply to cross-border aspects of the CARDS programme in the Western Balkans;

6. the Greek Presidency's Working Document of 13 January 2003 emphasises that *"the Balkans are a key priority for the Greek Presidency. Following the Copenhagen decisions on enlargement and considering progress made in the region, but also its fragility, it is important for the EU to keep the Balkans high on its agenda. The European prospect, eventually leading to EU membership, must be visible and credible to the peoples of the region"*. The same document also states that *"as the Western Balkans move from stabilisation and reconstruction to association and self-sustainable development, and the Union enlarges with 10 new members, a powerful message must be sent to governments and peoples in the area, reasserting EU support for their European vocation as potential candidates for membership, assisting them in their efforts, and further clarifying the path they will have to follow"*;

7. in a letter of 21 January 2003 (prot.D/1029/03 SG (2003) D/228189) addressed to the Italian Prime Minister, **Mr Silvio Berlusconi**, and the Greek Prime Minister, **Mr Costas Simitis**, the President of the European Commission, **Mr Romano Prodi**, again emphasised that the stabilisation process in the Balkan countries with a view to their accession to the European Union, making use of appropriate instruments, was the European Commission's priority. It had marked the six-month Greek Presidency, and would be a feature of the six-month Italian Presidency;

8. the assassination of 12 March 2003 of the Serbian Prime Minister, **Zoran Djindic**, was a sharp reminder of how much work remains to be done in the Western Balkans and of the urgent need to step up cooperation at all levels and accelerate the EU accession process for the countries of the Balkans region;

9. some encouraging moves, such as the official submission of Croatia's application for EU membership in Athens on 21 February 2003, and Serbia and Montenegro's accession to the Council of Europe on 3 April 2003, constitute an important step in these countries' progress towards the European Union, and merit support;

10. the European Union's direct involvement in policing operations in Bosnia-Herzegovina and military operations in the former Yugoslav Republic of Macedonia, are tangible proof of the Union's commitment to this part of Europe;

11. the spring Brussels European Council of 20 and 21 March 2003 emphasised that "the future of the Western Balkans is within the EU. Strong political will and sustained efforts are required to secure it. The European Union pledges full support to the endeavours of the countries to consolidate democracy, stability and to promote economic development";

12. the contribution of the EU's local and regional authorities to the democratisation process in the region is crucial, as it concerns the human dimension, democracy and civic participation, all *sine qua non* for consolidating the stability pact;

13. in its priorities for 2003, the Committee of the Regions highlighted the need for capacity-building at regional and local level in the candidate countries, since successful accession will largely depend on the level of preparation of local and regional authorities. This consideration could be extended to the Western Balkans and the potential role of the EU's regional and local authorities in this regard is crucial and should be highlighted;

14. the European Union's adoption of the INTERREG IIIA Italy-Western Adriatic, Italy-Albania and Greece-Albania programmes have channelled substantial financial resources to the Member States for cross-border cooperation with the Balkan countries, in contrast with the scanty Community resources allocated to those countries for their cross-border cooperation with the Member States;

15. in its recent communication (COM(2003) 393 of July 2003) on *Paving the way for a new Neighbourhood Instrument*, the Commission has mapped out a clear path for improving Community policy regarding its new external borders which will result from enlargement in 2004. This entails a significant increase in cooperation regarding the Balkan region and the Mediterranean. Between 2004 and 2006, existing cooperation instruments, such as INTERREG, Phare-CBC, CARDS and MEDA will be better coordinated by creating "neighbourhood programmes" to be launched in 2004. This approach is the most important step in ensuring effective implementation of joint projects on the EU's external borders, with the Commission planning to allocate €955 million for this purpose;

adopted the following opinion at its 52nd plenary session of 19 and 20 November 2003 (meeting of 19 November):

1. The Committee of the Regions' views

The Committee of the Regions

1. **emphasises** that the enlargement process does not of course end when the chapters on the integration phase of an initial group of applicant states are closed;
2. **recalls** the statement of the President of the European Commission, **Mr Romano Prodi**, to the CoR's plenary session of 13 February 2003, in which he said that the Balkan countries had been offered a clear European prospect and that a joint agenda was being prepared to support these countries in the demanding process of approximation. It is therefore necessary to set out to participate in the interinstitutional dialogue in order to ensure that regional and local authorities can contribute to this agenda;
3. **emphasises** that with Slovenian and Hungarian EU membership, the Union's external borders with the Balkan countries (land border with Greece and sea borders with Italy) will be lengthened;
4. **considers** it vital to underline support for the stabilisation and association process launched by the EU for the countries of the former Yugoslavia in order to ensure that the necessary preparations are made for full integration into the Union;
5. **points to** the importance of adopting and implementing legislation approaching European standards as good preparation for later integration into the Union;
6. **emphasises** that it is vital to gradually consolidate relations with the EU and that, depending on progress, EU membership should be offered via the stabilisation and association process. This may speed up the efforts of individual states to create a favourable climate for economic recovery and political stability safeguarding the values of democracy, the rule of law and protection of minorities;
7. with regard to the objective of full integration into the European Union, **considers** convergence with the Community *acquis* to be a primary aim of European programmes, even if an accession date still cannot be set for these countries;
8. **emphasises** that in order to achieve the objectives set out above, regional and local authorities must be actively involved and the instruments provided by the European Union, such as the CARDS and INTERREG III programmes must be improved;
9. **stresses** that in countries with different ethnic groups, greater efforts must be made to find innovative solutions to promote coexistence and respect for universally recognised fundamental principles;
10. **points out** that basing itself on the principles of the Belgian constitution may help Bosnia-Herzegovina to ensure its continued existence as a stable, single state;

11. **believes** that the association and stabilisation agreements drawn up with the Balkan countries need strong backing from Europe's regional and local authorities, as the development of the area must be bolstered by both dialogue and multilateral and bilateral cooperation;
12. **points out** that local and regional authorities must also play an ever greater role in the democratisation process in the Western Balkans because they will be coexisting and managing ever closer relations with the countries of the area;
13. **underlines** that according to the one of the Union's main principles – subsidiarity – which allows the most appropriate level of management to be chosen, local and regional authorities play a crucial and unique role in this context as they can ensure lasting and properly oriented relations;
14. **argues** that the EU's local and regional authorities have a strategic interest in establishing lasting relations with their counterparts in the Western Balkans, as it is at sub-national level that local and regional demands are made, and priorities and urgent situations requiring a swift response are identified, which might be handled by Community programmes;
15. **notes** the effectiveness of the bottom-up approach in encouraging the democratisation process. Undermining the autonomy of regional and local authorities through measures by central or international administrations flies in the face of this approach;
16. **highlights** the importance of developing and consolidating local democracy by means of cross-border cooperation and of making greater use of Euroregions as a way of securing peace and development;
17. **considers** that the local and regional players in the countries concerned are or will be partners with our own local and regional authorities and for that reason efforts must begin as of now to smooth the way for dialogue and cooperation procedures;
18. **notes** the difficulty experienced by the local and regional authorities of these countries in taking the necessary measures to adapt their administrative structures to European standards, in order to have a dialogue with sub-national tiers of government in the EU and to be able to manage the policies concerned: institution-building measures are consequently a priority;
19. **emphasises** that a particular effort must be made to bolster democracy at regional and local level and to support the decentralisation process, by building up the direct transfer of information to sub-national authorities and by boosting their involvement in decision-making processes.

2. The recommendations of the Committee of the Regions

The Committee of the Regions

1. **considers** that it should be borne in mind that the situation is very different in each of the five Western Balkan countries and that the EU should therefore adjust its stabilisation and democratisation instruments to the varying circumstances in the region, so as to facilitate an effective stabilisation and association process;
2. **underlines** that support from the EU regional and local authorities for their counterparts in the Balkan countries is vital if the financial programmes for the area are to be useful and effective, if reforms are to be introduced, and if the stabilisation and EU accession processes are to be speeded up;
3. **is convinced** of the crucial need to make greater use of the unique capacity of local and regional authorities for dialogue and establishing lasting relations, as they are important channels for transferring unique knowledge and experience, and must be used to create synergies between EU Member States and countries in the Balkans. Such synergies lead to bottom-up development and links between the respective economic and industrial worlds, informal informative links between sectors that wish to know each other better and to consolidate and reinforce existing links;
4. **believes** that the support instruments for the Stabilisation and Association process, such as the CARDS programme, must include action focusing on developing democracy through cooperation between sub-national authorities;
5. **recalls** that, as highlighted in the above-mentioned Greek Presidency Working Document on the Western Balkans "*EU assistance to the Western Balkans under the CARDS regulation contributes substantially to the development of the region. Strengthening the components of the programme oriented towards integration into the EU structures, including support to institution building and introducing elements for structural interventions to promote economic and social cohesion, and further supporting regional cooperation, including cross-border cooperation, could be options to be considered*";
6. **points out** that given the need to step up the involvement of local and regional authorities in cross-border cooperation, strengthen the bottom-up approach, and reinforce their programming, implementation and monitoring capacities, the programmes for the Western Balkans (CARDS) need to increase the involvement of these authorities and/or their representatives at Community level, in particular through the Network of National Associations of Local Authorities of South-East Europe (NALAS-SEE), **in both the programming and implementation phases**;
7. **emphasises** that with regard to programming, a greater role could be defined in the early stages of drawing up and reviewing the six-year plans and identifying annual activities, and with regard to implementation, through involvement in the committees;
8. **considers** that for this reason, ad hoc instruments need to be created to flesh out the CARDS programme, possibly drawing on successful examples from other Community programmes for third countries, including the Phare CBC programme;

9. **feels** that consideration should be given, for instance, to including a specific programme for cross-border cooperation in the CARDS programme, like the one Phare provides for the countries of Central and Eastern Europe bordering on Member States (establishing a specific Phare CBC instrument);
10. **proposes** that the CARDS Programme be enhanced by including a dedicated CARDS-CBC section on the development of external cross-border cooperation projects (with the Member States). This would help fill a considerable gap in this programme, which does not provide sufficient resources for developing such projects, particularly given the forthcoming accession to the EU of two more countries (Slovenia and Hungary) having external borders, in addition to the existing ones (Greece and Italy);
11. **emphasises** that ways must be found to integrate the new CARDS-CBC instrument for cross-border cooperation with the programme of funding for the INTERREG countries, in order to implement a single project which would be based on joint programming documents, greatly facilitating cooperation between the various authorities involved with a view to effective integration in the Balkans area;
12. **encourages** intensification of twinning programmes between local and regional authorities under CARDS. This programme effectively paves the way for specific direct action in the field, giving the communities the capacity and tools they need to organise and run their activities autonomously, enabling activities and competences to be developed locally;
13. **proposes** that in the 2004-2006 programming period, at least 20% of the planned resources for the CARDS Programme for 2004-2006 be earmarked for cross-border cooperation with the Member States, partly through the establishment of a dedicated CARDS-CBC instrument, in accordance with Article 3 of Regulation (EC) No. 2666/2000 (CARDS Programme), which allows the three-year programmes to be amended *"in the light of experience and progress in implementing stabilisation and association agreements, particular as regards regional cooperation"*;
14. **proposes**, also on the basis of Article 3 of Regulation (EC) No. 2666/2000 (CARDS Programme), that at least 5% of the CARDS Programme resources for 2004-2006 be reserved for "CARDS-twinning" programmes, in order to provide a solid financial base for achieving democratisation and rapid harmonisation of institutional arrangements throughout the Balkan region, with a view to accelerating the accession to the European Union of the countries involved;
15. **recommends** that the CARDS programme supports the development of local partnerships in the framework of the Local Democracy Agency programme (LDA); this project, initiated by the Council of Europe, has since 1993 been implementing concrete projects in the field of local democracy, intercultural dialogue and cross-border cooperation, based on established cooperation between local and regional authorities, notably of the EU countries and ten cities in the Western Balkans.

Brussels, 19 November 2003.

The President

of the

Committee of the Regions

The acting Secretary-General

of the

Committee of the Regions

Albert Bore

Gerhard Stahl

¹ OJ C 128 of 29.5.2003, p. 53.

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