

Opinion of the European Committee of the Regions on EU Enlargement Strategy 2016-2017

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EU Enlargement Strategy 2016-2017

POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS (CoR)

General comments

1. maintains that the enlargement strategy and the accession of new Member States acts as a guarantee of EU policy implementation and the success of Europe as a whole and affirms that enlargement is the EU's most powerful foreign policy tool;
2. notes that the way forward as seen by the current European Commission — there will be no further EU enlargement during its term of office (2014-2019), but the ongoing enlargement process will continue — has now reached the point where enlargement discussions with Turkey have been put on hold for various political reasons. At the same time, the Western Balkan countries, which are surrounded by EU Member States, have started to participate directly in European Commission policies; in addition to the enlargement process, they are also closely involved in the EU's migration policy (Western Balkans route) and related policy areas, including security;
3. points out that Western Balkan countries aspiring to join the EU have adopted a constructive approach to dealing with current challenges (incl. intensified attempts from outside to reverse the European course) in cooperation with the EU institutions, and welcomes their readiness to help solve the immigration and security problems facing the EU;
4. stresses that the new working relationship between the European Commission and Western Balkan countries requires a responsible approach to meeting commitments and conditions for EU enlargement; underlines that the negotiations need to follow an objective assessment of the preparedness and progress of the candidate countries in meeting the political and economic criteria and that the conditions must not be changed during the process to respond to the sensibilities of one or the other negotiating party;
5. believes that the results and progress achieved by candidate and potential candidate countries in the enlargement process must be seen publicly as confirmation that the European Union remains open to all those who wish to achieve the same objectives and share the same values;
6. welcomes the Commission's reference to the key role played by local and regional authorities; stresses that communications and reports need to cover local and regional governance more effectively and in more detail, even if there is no separate chapter on the subject in the acquis, nor any established EU model for decentralisation and multilevel governance;
7. against the backdrop of new global challenges and the major changes taking place across the world, particularly in the immediate vicinity of the Western Balkan countries, notes that a continuous and public discussion of EU enlargement (through meetings, conferences, etc.) is needed at regional level and across Europe to ensure that the European prospects of these countries remain on the agenda;

8. believes that, as in the case of Commission decisions with a direct EU dimension, discussions and decisions on the enlargement strategy must take specific account of young people's prospects so as to convey to future generations that our current and future home — the European Union — guarantees all young people educational, cultural and employment opportunities;

9. welcomes the decision taken at the Paris summit (4 July 2016) to set up a regional youth cooperation office and the opening of that office, and calls for youth agencies from the new and successful Member States to become involved in this initiative;

10. strongly supports the establishment of annual economic reform programmes and, drawing on the experience of this process, recommends involving local and regional authorities and the public in developing budgetary plans and projects, since it is the local and regional level which sees how they are applied and put into practice;

11. stresses the important role of local and regional authorities in the overall enlargement information strategy; broad public support for enlargement is achievable if the potential benefits of enlargement are explained to society at grassroots level;

Rule of law and fundamental rights

12. notes that the rule of law, effective fundamental rights and honest and transparent politics are key requirements for enlargement; candidate countries and potential candidate countries are expected to take significant steps to meet these goals;

13. supports the 'fundamentals first' policy of the enlargement strategy, under which all candidate countries and potential candidate countries are supposed to step up their progress towards strengthening the rule of law and justice, guaranteeing fundamental rights, freedom and security and ensuring the protection of minorities and gender equality; highlights the importance of cooperation within and with the Council of Europe and its Congress of Local and Regional Authorities on fundamental rights, the rule of law and local democracy;

14. welcomes the focus on freedom of expression, but stresses that this must be accompanied by higher standards in political culture more generally, with the good conduct of policy-makers, primarily at local and regional level, being the best guarantee for progress in this respect (refraining from confrontation and provocations with neighbours, avoiding negative statements, sensitivity to the needs of vulnerable and disadvantaged groups, taking into account the situation of minorities, etc.);

15. considers freedom of the press to be essential for ensuring pluralism in a democratic society. The ownership structure of media outlets is a serious problem. In fact, unless citizens are guaranteed the right to independent information, ensuring politically neutral and transparent governance and efforts to promote democracy generally are likely to prove problematic;

16. welcomes the establishment of the anti-corruption office in Montenegro as an example for all countries in the region and stresses the importance of tackling corruption in the public and private sectors at every level of government and society;

17. stresses that racism, xenophobia, extremism, radicalisation and terrorism must be tackled, as these phenomena undermine the values and rights of all people. It is important to carry out preventive work among young people to make them aware of the Member States' commitment to creating a secure world for young people, with good prospects for education and employment;

Economic development and connectivity

18. welcomes the support and resources offered to candidate countries and potential candidate countries, but this assistance must be sufficient and be used and administered in an efficient and transparent way;

19. welcomes the priority given to the connectivity agenda and regional initiatives (Berlin process etc.) adopted by the EU, which should be made more inclusive; stresses the need to involve local and regional authorities and national authorities in the candidate countries and potential candidate countries; call for the experiences of the new Member States to be taken into account and for EU experts, in particular, from these countries to be involved in the design and implementation of investment plans (in the areas of transport, energy, digital telecommunications, education, young people and other areas associated with digital development);

20. supports the national investment committees in the recipient countries of the Western Balkans in their efforts to create a single project pipeline, calls for better coordination of structural policy instruments and sees this as an opportunity to introduce digital development projects in the Western Balkan countries;

Regional cooperation among enlargement countries

21. welcomes and supports all positive developments in the relationships between candidate and potential candidate countries, particularly reconciliation and creating a climate of trust; however, calls for tangible progress in resolving outstanding issues and delivering long-term outcomes, while adhering to the principle of good neighbourly relations; urges local and regional authorities to better publicise their progress and initiatives in this process and welcomes the dissemination of useful practices and experiences;

22. draws attention to the potential of inter-municipal and cross-border forms of joint action, such as the 'Let's do it!' campaign to maintain a clean environment;

23. calls on the candidate and potential candidate countries to make use of the existing twinning and TAIEX programmes, to consider new forms of cooperation and to launch relevant initiatives;

24. welcomes the positive outcomes of the latest meetings of the joint consultative committees (JCCs) and working groups (WGs) of the European Committee of the Regions with these countries; praises the second enlargement day (1-2 June 2016) and recommends holding such events on a regular basis;

25. welcomes the Commission's initiative to hold 'Speak Up!' conferences and the campaign to organise conferences on the media in the region. These events are an opportunity to strengthen the media, including social media, both nationally and regionally, to compare the progress made by each country in the enlargement process and to make the best possible use of the results achieved by neighbours;

26. believes that the participation of the whole region in the same process has the potential to create momentum even in the Western Balkans, and that people can be persuaded that the success of one country means the success of all countries. So far, this has resulted in increased interest in neighbouring countries and cooperation with them, and to healthy competition and mutual support;

Migration

27. commends the Commission's decisive action on migration issues and on the decisions adopted in 2015 and 2016, because the current situation concerning refugees and economic migrants impacts the entire region, in particular the routes via the Western Balkans, which developed rapidly; no solutions can be found without joint efforts, solidarity and shared responsibility;

28. specifically welcomes the Commission's initiative to reform the Common European Asylum System (second package, 13 July 2016), which sets out detailed solutions (safe third country, country of first asylum, safe country of origin) for all groups affected by the migration crisis, including guarantees for unaccompanied minors seeking asylum and a legal aid system for asylum seekers;

29. welcomes the efforts being made by the Member States and, in particular, by the candidate countries to address the crisis and provide resources; points out that there is a need for continued support from the EU and for investment in connection with the reception and integration of migrants and refugees in the Western Balkans, in order to improve employment prospects there;

30. is grateful to all municipalities along the migration route for their invaluable help and cooperation to date, and encourages them to gather and pass on their experiences and to exchange best practices and knowledge that could be useful in the event of the unexpected arrival of vulnerable people; urges local authorities to support efforts to combat people smuggling and trafficking; at the same time stresses that the capacities of local authorities are limited and uneven, and that ways of giving them additional support need to be developed;

31. stresses that — in line with the priorities and measures set out in the Council conclusions of 2015 — there is still a need to take preventive action and to focus efforts primarily on refugees in legitimate need of international protection;

32. also expects the EU to step up participation and involvement in initiatives and policy measures that focus on migrants' countries of origin and aim to stem the flow of refugees being forced to leave their countries of origin and of economic migrants to Europe; at the same time, the peace processes in war zones need to be supported more effectively by means of diplomatic initiatives;

Turkey

33. takes note of the outcome of the 16 April referendum on changes to Turkey's constitution, and of the conclusions of the International Referendum Observation Mission according to which the two sides of the campaign did not have equal opportunities and that voters did not receive impartial information;

34. recalls the well-established international practice at local level whereby disputes over vote counting can be resolved by a partial recount, and recommends this course of action where appropriate and useful;

35. regrets that recent political developments in Turkey raise doubts about the Turkish Government's full commitment to the set of values and principles upon which the EU is founded, in particular the European Charter of Fundamental Rights, and notes that the continuation of the accession process is therefore in doubt;

36. calls on the Turkish Government to clearly and unambiguously reject the death penalty, and to give reassurances and demonstrable evidence that it is fully respecting the rule of law and the human rights of members of the Turkish opposition as well as the freedom and independence of the Turkish and international media;

37. calls on the Turkish national authorities to ensure that the implementation of any future constitutional changes does not undermine the principle of subsidiarity and the autonomy and capacity of Turkish local authorities;

38. considering Turkey's formal status as a candidate to join the EU, recalls its many invitations and encouragements to the Turkish government to establish a Joint Consultative Committee (JCC) with the CoR, in which elected representatives of local and regional government from both sides representing a balance of gender, geography and political views, can meet regularly and maintain a permanent dialogue; Believes that in a context of a continuing accession process Turkish and EU local and regional authorities would have much to gain from a formal relationship via a JCC;

39. recalls the plight of the nearly three million Syrian refugees currently in Turkey, and expresses its recognition of, and solidarity with the citizens and mayors, in particular along the Turkish border with Syria, who are having to find practical solutions to accommodate very large numbers of refugees, sometimes equivalent to the population of the municipality. Highlights that for any municipality, such challenges have a huge impact on different services such as water and waste management, schools, health services, transport and business, as well as the local infrastructure, and stresses that the situation is not sustainable;

40. takes note of the Turkish Government's complaints that the EU has not fulfilled its side of the 2016 deal reached in order to manage the flows of migrants and refugees travelling to Europe through Turkey and also notes that many provinces and municipalities have had to provide assistance to migrants and refugees without EU assistance. However, also points out that a very substantial financial assistance has been provided by the EU through humanitarian partner organisations to Syrian refugees in Turkey and that funds are disbursed on the basis of actual need and fulfilment of the engagements. Takes note of the integration challenges faced at the local level and underlines the important role that skills training can play in facilitating integration;

41. regrets that the promising talks on Cyprus appear to have stalled and believes that a successful conclusion of these talks would make an important contribution to help rebuilding some of the trust between Turkey and the EU;

42. firmly believes that an effective working relationship between local and regional authorities on both sides can also contribute — through the exchange of best practice on practical issues — to rebuilding some of the trust between Turkey and the EU;

43. confirms its intention to continue developing a dialogue with Turkish mayors within the relevant bodies of the CoR with a view to exchanging best practice and defending subsidiarity;

44. deplores the attempted coup and loss of lives and stands in solidarity with democratic institutions; expresses, however, its concern about the broad scale of measures taken since the coup attempt, such as the widespread dismissals, arrests, and detentions, especially the detentions and removal from office of elected mayors and their replacement by unelected 'mayors appointed by the central authorities' which seriously weakens pluralist democracy at the local level;

45. expects Turkey — especially as a candidate country — to respect the highest standards of democracy, rule of law and fundamental freedoms; it is particularly concerned by the continued backsliding in the independence and functioning of the judiciary, as well as in the area of freedom of expression; worries about the restrictions and measures targeting journalists, academics and human rights defenders, as well as frequent and disproportionate bans of media outlets and social media;

46. calls for the full and non-discriminatory implementation of the Additional Protocol to the EU-Turkey association agreement towards all EU Member States, including the Republic of Cyprus; calls on Turkey to commit itself unequivocally to good neighbourly relations with all its neighbours, and to the peaceful settlement of disputes in accordance with the UN Charter; in this context expresses serious concern and urges Turkey to avoid any kind of threat or action against Member States; stresses the need to respect the right of all Member States to enter into bilateral agreements and to explore and exploit natural resources in accordance with the EU acquis and international law, including the UN Convention on the Law of the Sea; stresses further the need to respect the sovereignty and sovereign rights of Member States over their EEZ, territorial sea and airspace;

47. calls on Turkey to begin withdrawing its forces from Cyprus and to transfer the sealed-off area of Famagusta to the UN in accordance with UNSC Resolution 550 (1984); stresses that such confidence-building measures would constitute a chance for economic, social and regional growth for both communities; notes that dialogue between civil society in local communities can foster the agreement;

Montenegro

48. welcomes the fact that Montenegro is committed to working towards EU accession, is making progress in this regard and has signed an accession protocol that will lead to it joining NATO in 2017; also welcomes the signature of border agreements with Bosnia and Herzegovina and Kosovo;

49. commends the active participation of voters and political parties in the parliamentary elections held in October 2016; their successful conclusion in difficult circumstances is thanks to the consistent introduction of the rule of law, and the results confirm existing domestic and foreign policies;

50. stresses that it is now important to put the rule of law and respect for fundamental rights on a firm footing at local level; expects that the establishment of an anti-corruption agency will provide impetus for the implementation of local anti-corruption action plans and that an effective monitoring system will be set up;

51. welcomes the efforts made with regard to the professional development of local civil servants, yet stresses the need for further progress (e.g. education and training and more transparent recruitment procedures based on the merit principle); welcomes the amendments adopted to the law on the financing of local self-government, and encourages further efforts to make local self-government financially self-sufficient;

Serbia

52. notes that, in 2016, Serbia held not only local and regional elections, but also snap parliamentary elections, which confirmed the increasing political diversity within society as well as the necessary majority support for the ruling party, which, having won the election, continues to treat EU accession as the top priority in a complicated foreign-policy situation;

53. encourages Serbia to press ahead with the reforms needed for accession, paying particular attention to the legal system and combating corruption; welcomes the establishment of a concrete action plan for implementing the individual chapters and the fact that Serbia is the first candidate country to introduce the EU's Gender Equality Index, which has drawn widespread attention;

54. welcomes the progress made in implementing the government's action plan for national minorities; is pleased to note that public statements made by the government's top representatives have been broadly tolerant of ethnic and other minorities;

55. welcomes the normalisation of relations between Serbia and Croatia and the Belgrade-Pristina dialogue (reopening of the Mitrovica Bridge), which is delivering tangible results for the people; calls for further progress in meeting commitments and implementing agreements, in order to strengthen cooperation and trust; urges authorities and opinion leaders to actively promote normalisation;

56. welcomes the public administration reform strategy and the training strategy for local self-government; takes a positive view of the work of the National Convention on European Integration and of the consultations undertaken at local level;

The former Yugoslav Republic of Macedonia

57. underlines that this country was the first to sign a Stabilisation and Association Agreement (SAA) and, in light of this, expresses its concern about the stalemate in the integration process, and in meeting commitments and implementing reforms. The CoR is concerned about the prolonged political crisis in the former Yugoslav Republic of Macedonia and calls for renewed political will by the country to accede to the EU, delivering on its commitments;

58. notes that, on the basis of the political agreement reached in June/July 2015 with international mediation and of the new agreements reached in July/August 2016, early parliamentary elections were held in December 2016 (with reruns in two districts that were a positive step towards re-establishing trust); it can be assumed that past policies will be continued, in particular the agreement to implement urgent policy reforms. The former Yugoslav Republic of Macedonia must fully implement the political agreement of June/July 2015 and take immediate and specific measures to promote and implement urgent priority reforms;

59. stresses that the decision on whether to recommend launching accession negotiations, in order to bring progress achieved so far to its logical conclusion, depends on the criteria set by the EU being fulfilled, in line with the conclusions of Council of the EU of December 2015 and the GAC conclusions of the Slovak Presidency (13/12/16);

60. takes note of the country's efforts to date to cope with the migration crisis, and stresses that all the associated problems should be resolved in cooperation with the EU and other international organisations; particularly emphasises that it remains crucially important to preserve good neighbourly relations, including the achievement of a mutually acceptable solution to the name issue, in the framework of talks under the auspices of the UN;

Albania

61. is pleased to note the relative progress made by Albania on key reform priorities. However, Albania must go further in implementing the reforms, particularly in sectors covered by the five key priorities, in a sustainable, comprehensive and inclusive way, focusing especially on the sector containing the rule of law and protection of human rights, including the rights of minorities. The judicial reforms unanimously adopted by Parliament on 22 July 2016 were of particular importance in this respect, as they open up new opportunities to better protect human rights (including anti-discrimination policy, the rights of minorities and economic rights throughout Albania), to clarify property rights, to improve the business and investment environment and to combat the shadow economy; also welcomes the anti-corruption strategy and action plan; calls for further progress in policy and legislative measures and proper implementation, together with measures to combat organised crime, including the production and trafficking of drugs, especially cannabis, and stresses how important it is for Albania to achieve tangible and sustainable results in these areas;

62. notes that Albania's progress in the accession process has been facilitated by its accession to NATO in May 2009, which has had a positive impact on the process of domestic reform and on improving relations between Albania and Greece;

63. notes that the local elections held in 2015 after the administrative reforms took place without major problems, but calls for greater impartiality and professionalism; furthermore, welcomes the ad hoc committee set up by Parliament concerning electoral reform; highlights the OSCE/ODIHR recommendations in this regard as well as those made by the CoE Congress/CoR Electoral Observation Mission calling for a de-politicisation of the public administration and ensuring impartiality; by the same token, trusts that the above recommendations will be put into effect in the next parliamentary elections, which must be free, fair and credible and must be conducted in accordance with international standards;

64. calls for the reform process to continue to be inclusive and to involve all political forces — including those from the minorities — and civil forces concerned, including the opposition and relevant stakeholders, and commends the work of the National Council on European Integration in this regard as a positive example;

65. also welcomes the fact that the members of the national Civil Society Council have been elected and that the council has started work;

Bosnia and Herzegovina

66. is pleased that the country is back on track in the integration process considering that a European perspective is a key incentive for the country; calls for further delivery on the Reform Agenda, as the entry into force of the SAA shows that commitments can deliver results;

67. is also pleased that Bosnia and Herzegovina submitted an application for EU membership on 15 February 2016 that provides impetus for both the country and the enlargement process; therefore stresses the need to keep up this momentum in order to be able to deliver the meaningful progress in implementing the reform agenda that will be necessary in order to advance along this path;

68. notes that the publication, on 30 June 2016, of the results of the October 2013 census helped the public to better understand the changes that the September 2016 local elections made to the political landscape, which is under constant pressure, including from outside the region;

69. urges all of Bosnia and Herzegovina's political decision makers to use the time following the elections to launch a new exchange of views with the EU and relevant international institutions, with a view to resolving historical problems and creating a new, positive atmosphere in interethnic relations; points out that, in the new political environment, the example set and initiative shown by the region's political decision makers and opinion leaders can do a great deal to promote development on the ground;

70. highlights the importance of coordination between all levels of government and administration in eliminating obstacles to the functionality of the country, to the effective implementation of the reform agenda, to mobility, investment and connections in various policy areas, and to the creation of a single economic area; points out that decentralisation does not mean fragmentation and that there is a need for coordinated framework strategies for implementing reforms at all levels; to this end, encourages the development of common goals that are compatible but move beyond individual interests;

71. is convinced that the coordination mechanism on EU issues set up in August 2016 will help to improve the cooperation of the country and its bodies with the EU and its institutions, and allow it to benefit fully from EU funding;

Kosovo ⁽¹⁾

72. welcomes the signing and ratification of the SAA and its entry into force on 1 April 2016, which signals a new chapter in Kosovo's relations with the EU; also welcomes the establishment of the Specialist Chambers; encourages Kosovo to continue the implementation of EU-related reforms (e.g. adoption of the human rights law package, entry into force of the European Reform Agenda) and other positive steps (e.g. normalisation process);

73. welcomes the results achieved in visa liberalisation, stresses the importance of meeting all relevant conditions set and encourages further progress;

74. stresses the importance for Kosovo to develop a peaceful and multilateral political dialogue in Parliament and local authorities in order to quickly improve the image of Kosovo on the international stage;

75. welcomes and supports the positive developments in the Belgrade-Pristina dialogue (reopening of the Mitrovica Bridge, telecommunications agreement), which are delivering tangible results for the people; calls for further progress in meeting commitments and implementing agreements, in order to strengthen cooperation and trust; urges authorities, political decision makers and opinion leaders to set a good example in promoting normalisation, so that the accession process can be launched smoothly.

Brussels, 12 May 2017.

*The President
of the European Committee of the Regions*
Markku MARKKULA

⁽¹⁾ This designation is without prejudice to positions on the status of Kosovo, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.