

Opinion of the Committee of the Regions on 'Western Balkans: Enhancing the European perspective'

(2009/C 76/09)

THE COMMITTEE OF THE REGIONS

- considers binding the European Union's pledge to offer a future in Europe to the whole of the Western Balkans, providing the countries in the region meet its accession criteria.
- urges the Western Balkan countries to lose no time in meeting the EU's conditions for relaxing its visa policy. The visa requirements currently imposed on those living in the Western Balkan countries make it difficult to establish social contacts with partners from the EU Member States and are a stumbling block to implementing education and development projects; calls on the EU Member States to continue to relax visa requirements for the Western Balkan countries.
- underlines the importance of the processes launched in the Western Balkan countries to decentralise and distribute state power; points out that ethnicity must not be the sole or main factor in these processes, and considers it important, in very ethnically mixed countries, to bolster the position of central institutions that are crucial if the state is to function, while at the same time accepting the autonomous decision-making of regional and local institutions and authorities.
- stresses the importance of continuing to make determined efforts to strengthen the independence of the judiciary. Efforts to combat corruption and to enhance public confidence in the judiciary must be continued.
- is in favour of local and regional authorities and institutions collaborating closely with partners in the EU Member States and calls for the creation of appropriate institutional and financial mechanisms to enable local and regional authorities to be more involved in cross-border and regional projects, alongside national associations of local self-government, including participating in initiatives within a European Grouping of Territorial Cooperation.

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References

Communication from the Commission to the Council and the European Parliament: Western Balkans: Enhancing the European perspective

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POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

A. General recommendations

Progress towards EU accession

1. considers binding the European Union's pledge to offer a future in Europe to the whole of the Western Balkans, providing the countries in the region meet its accession criteria.

2. welcomes the progress made by the countries of the Western Balkans in moving towards the European Union; considers that the signature of a Stabilisation and Association Agreement (SAA) between the EU and the Republic of Serbia as well as between the EU and Bosnia and Herzegovina is absolutely essential if the whole region is to have a future within the European Union. Another demonstration of progress on European integration is the real prospect of Montenegro and Albania, followed by the other countries in the region, acquiring candidate country status in the near future and the progress made in accession discussions with Croatia.

3. recommends that the European Commission does more to capitalise on the experience of the new Member States in both the process of both accession and transformation. The views of the new Member States should be an added benefit when it comes to drafting EU policies, especially regarding the accession ambitions of the Western Balkan countries.

4. urges the Western Balkan countries to lose no time in meeting the EU's conditions for relaxing its visa policy. The visa requirements currently imposed on those living in the Western Balkan countries make it difficult to establish social contacts with partners from the EU Member States and are a stumbling block to implementing education and development projects; calls on the EU Member States to continue to relax visa requirements for the Western Balkan countries.

5. underlines the importance of the processes launched in the Western Balkan countries to decentralise and distribute state power; points out that ethnicity must not be the sole or main factor in these processes, and considers it important, in very ethnically mixed countries, to bolster the position of central institutions that are crucial if the state is to function, while at

the same time accepting the autonomous decision-making of regional and local institutions and authorities.

6. points out that recognition and protection of national minorities is one of the Copenhagen criteria which must be met by any state wishing to join the European Union; is convinced that a central element of minority rights is to facilitate peaceful co-existence between populations which differ in race, language or religion and the majority population, so that their specific needs are met.

7. urges countries in the region to take measures to enhance women's participation in political, social and economic life and to promote gender equality. Notes that discrimination against women and domestic violence still occur and therefore calls on these countries to increase efforts to further women's rights.

8. proposes that the administrative capacity of national institutions and local authorities be reinforced in order to get the most out of funding for the Western Balkan countries from the Instrument for Pre-Accession Assistance (IPA).

9. stresses the importance of continuing to make determined efforts to strengthen the independence of the judiciary. Efforts to combat corruption and to enhance public confidence in the judiciary must be continued.

10. regrets the prevalence of corruption, which poses an obstacle to creating a transparent public service and hampers the efficient management and administration of EU funds and programmes.

11. welcomes the work being done to create a Regional School of Public Administration (RESPA) which would have all the powers expected of a vocational educational institution for public servants and should help to boost administrative capacity in the Western Balkan countries. The Committee recommends that existing public administration schools in the individual countries collaborate with this institution as much as possible. It also supports further European Commission instruments to strengthen administrative capacity, build up institutions and implement EU legislation, especially through twinning and the Technical Assistance Information Exchange (TAIEX) and Support for Improvement in Governance and Management (SIGMA) instruments.

Regional cooperation and increased cross-border cooperation

12. welcomes the successful transformation of the Stability Pact for South-Eastern Europe into the Regional Cooperation Council; considers regional cooperation to be one of the prerequisites for the Western Balkan countries to move forward in EU accession process. Improving cross-border cooperation merits particular attention here, since in many cases it is border regions that have suffered most in the wake of the armed conflicts of the 1990s. For this reason, the Committee calls for the development of cross-border infrastructure between the countries of the region.

13. believes that the way to overcome the divisions, prejudices and distrust caused by the disputes and conflicts that in the recent or less recent past have involved the countries of the Western Balkans and neighbouring countries that are now EU members is to strengthen cross-border cooperation between coastal and border areas of the countries of the Western Balkans and those of close or neighbouring EU countries.

14. welcomes the progress made in creating a free-trade zone — CEFTA — in the Western Balkans; recommends that the participant countries act more swiftly to create an area that operates effectively throughout the region, since a regional free-trade area will help individual countries prepare for joining the EU single market.

15. is in favour of local and regional authorities and institutions collaborating closely with partners in the EU Member States and calls for the creation of appropriate institutional and financial mechanisms to enable local and regional authorities to be more involved in cross-border and regional projects, alongside national associations of local self-government, including participating in initiatives within a European Grouping of Territorial Cooperation.

16. is aware of the fact that civil society organisations play an important role in promoting EU integration and supports the networking of civil society organisations in the region and the development of common projects.

Development of local and regional authorities

17. regards the smooth running of local and regional authorities as essential both for the internal consolidation of individual countries and for the process of bringing them into line with the EU; recommends that governments step up communication with local and regional authorities, promoting the idea of European integration.

18. welcomes the special mechanism to support local and regional governments in the Western Balkans which is part of the Instrument for Pre-Accession Assistance (IPA), which the European Commission announced at the conference in Brussels in April 2008; recommends that the European Commission

simplify the procedure for providing help as much as possible, especially by speeding it up and making the mechanisms for providing it more effective; believes that while aid in whatever form must be targeted, it must also be for the widest possible range of recipients.

19. is conscious of a regional imbalance — between metropolitan areas and regions more remote from urban centres — in the operations of local and regional authorities concerned with harmonious and balanced territorial development and promoting the idea of European integration; sees a need to help the sub-national authorities to operate effectively in rural regions, especially ethnically mixed areas, where the emphasis should be on implementing multiethnic projects.

20. is aware of the fact that the local and regional authorities of the countries in the Western Balkans play a fundamental role in finding the required institutional response to the rights of national minorities; therefore calls on the governments in those countries to consult local and regional authorities when new standards and legal frameworks relating to the rights of national minorities are discussed and adopted, with due consideration for the Council of Europe's Framework Convention for the Protection of National Minorities.

21. stresses the importance of local and regional authorities in overcoming prejudices and differences between ethnicities in the region and in this connection their role in communication between the various tiers of local and national government in the individual countries.

B. Specific recommendations for individual countries

Croatia

22. welcomes the substantial progress of accession negotiations with Croatia, which send a signal to the other Western Balkan countries about their own membership prospects, once they fulfil the necessary conditions, and believes that current uncertainty following the Irish referendum that the Lisbon Treaty will enter into force has no implications for the ongoing accession negotiations with Croatia.

23. welcomes the progress made in regional policy and cross-border cooperation and appreciates that Croatia is doing more to settle differences with its neighbours.

24. points out that Croatia needs to make further progress with judicial reforms, fighting corruption, rights of national minorities, refugee return and shipbuilding restructuring if it is to make major progress in its accession process.

25. points out that Croatia must quicken the pace of public administration reform and improve administrative capacity at local and regional level.

The former Yugoslav Republic of Macedonia

26. believes that further progress of the former Yugoslav Republic of Macedonia towards stepping up relations with the EU is possible providing the conditions and criteria set by the European Council in June 2008 are observed.

27. appreciates the former Yugoslav Republic of Macedonia's contribution to stability in the Western Balkans and takes into account the decision of its government regarding the recognition of Kosovo's independence.

28. welcomes the setting-up of its Joint Consultative Committee EU — the former Yugoslav Republic of Macedonia and encourages the deepening of political dialogue between sub-national authorities of the EU and its counterparts from the former Yugoslav Republic of Macedonia.

29. notes that it has finally been possible to resolve the political crisis in the former Yugoslav Republic of Macedonia. Would call for immediate measures to improve and strengthen the working of government bodies, in order to enable it to address the causes of the problems encountered in the electoral process in June 2008, and also to ensure that future elections are held in accordance with internationally agreed models. Would stress the need to step up political dialogue between political parties, in order to shape a stable political climate of consensus for carrying out the reforms that are a precondition for EU membership.

30. proposes continuing the process of decentralisation while ensuring that ethnicity is not the main criterion in forming local or regional authorities; calls for maintaining the political stability of the former Yugoslav Republic of Macedonia at national, regional and local level by stressing the need for dialogue rather than other means.

31. supports the constructive role of the Committee on Inter-Community Relations, at both national and local level, as a mediator between the various ethnic communities and parliament. The Committee also calls for the preservation of the multiethnic character of the former Yugoslav Republic of Macedonia and in particular the scrupulous observance of the population's minority rights.

32. welcomes the resumption of negotiations assisted by the UN's special envoy Matthew Nimetz and calls on the former Yugoslav Republic of Macedonia to step up its efforts to help resolve the issue of the country's name in line with UN Security Council Resolutions 817/93 and 845/93; would stress the importance of good neighbourhood relations if the former Yugoslav Republic of Macedonia is to make further progress towards EU membership.

33. recommends pressing ahead with public administration reform, including reform of local taxation, in order to give authorities greater autonomy in deciding on financial matters.

Albania

34. welcomes the implementation of measures to reform public administration and give greater powers to local authorities.

35. stresses the need to boost economic growth and economic performance. Economic prosperity and sustainable economic growth are the prerequisite of successful progress towards EU accession.

36. highlights the need for political consensus on issues related to European integration.

37. calls for political parties to abandon unconstructive positions at local level so that decisions can be reached by consensus which will address local problems and the needs of local communities.

38. calls for the implementation of effective mechanisms to wipe out corruption at both national and local level; at the same time calls for the commitment of the relevant institutions in the fight against organised crime to be made more effective.

39. welcomes the buttressing of local authority powers in the area of local taxation and spending.

40. recommends strengthening the decentralised powers of local authorities.

41. would invite Albania to enforce in full the provisions of the framework agreement of the Council of Europe for the protection of national minorities, above all when it comes to the use of minority languages.

Bosnia and Herzegovina

42. welcomes the signature of the Stabilisation and Association Agreement between the European Union and Bosnia and Herzegovina and supports closure of the Office of the High Representative (OHR) and the strengthening of the EU Special Representative Office as soon as the necessary conditions and objectives have been met.

43. values that the question of the final status of Kosovo has not major repercussions in Bosnia and Herzegovina and that the overall political and security situation has remained calm.

44. welcomes the adoption of police reform by the Bosnian parliament in view of its importance in moving forward the EU accession process. is conscious of the fact that this reform, as adopted, is the product of a consensus wrought by long and intricate negotiations between all the participating parties; nevertheless, stresses the need for further constitutional changes to make national institutions more functional and ensure that the ethnic factor ceases to be the determining factor in the running of the society in Bosnia and Herzegovina; also stresses the importance of closer cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY).

45. appreciates the holding of democratic local elections in October 2008 and values that they passed without incident; is aware of the importance of the democratic election of local councillors and their role in the process of democratising the society in Bosnia and Herzegovina and bringing it further into line with the EU.

46. supports strengthening the administrative capacity of the Directorate for European integration in the BiH Council of Ministers, as well as the capacity of other institutions and bodies working on the European integration process.. Bosnia and Herzegovina's progress in the European integration process will require further efforts in implementing EU related reforms.

47. is aware of the fact that a nationwide debate on EU accession should be backed up by a number of well targeted projects which bring in national, regional and local civil servants, academia and the non-governmental sector. The experience of the new Member States could be a source of inspiration here, especially regarding the establishing of a national convention on the EU which proved successful in Slovakia and was also launched in Serbia in 2006.

Montenegro

48. welcomes the holding of democratic and transparent elections, especially since these were the first presidential elections since Montenegro's declaration of independence in 2006.

49. welcomes Montenegro's active contribution to stabilising the region, especially its constructive approach in establishing good bilateral relations with neighbouring countries and takes into account the decision of its government regarding the recognition of Kosovo's independence..

50. welcomes the establishment of a European Commission delegation in the capital, Podgorica, and is confident that it will be a great help in facilitating and increasing communication between the European Commission and Montenegro and assisting the latter's efforts to join the EU.

51. calls for reform of the judiciary to be accelerated and the position of the public administration to be strengthened; supports further progress in administrative and judicial reform; with a view to the implementation of the Stabilisation and Association Agreement, recommends strengthening administrative, political and legal capacity.

52. calls on the appropriate authorities to do more to wipe out corruption in the central and local government institutions and to combat organised crime, especially the trafficking of drugs and other commodities.

Republic of Serbia

53. welcomes the signing of a Stabilisation and Association Agreement between the Republic of Serbia and the European Union and calls on the Serbian government to meet in full the obligations attached to its implementation.

54. welcomes the arrest of Radovan Karadžić on the territory of Serbia and appreciates the efforts of the new Serbian government in this matter; stresses the importance of continued cooperation between the Serbian government and the International Criminal Tribunal for the former Yugoslavia (ICTY).

55. invites the EU to move decisively in order to step up relations with Serbia, bringing into force the intermediate agreement and launching the process of ratifying the stabilisation and association agreement by the parliaments of the Member States; and believes that Serbia could feasibly attain candidate country status in 2009.

56. welcomes the fact that the presidential elections in January and February this year and the early parliamentary and local elections in May took place democratically and also appreciates the democratic way in which the government crisis was resolved.

57. emphasises the need for effective fiscal decentralisation and supports the adoption of a law on the local government assets in the wording proposed by the Standing Conference of Towns and Municipalities.

58. welcomes the ratification of the European Charter of Regional Self-Government by the Serbian parliament and its entry into force on 1 January 2008.

59. recommends the elaboration of a strategy for decentralisation for the purpose of transparency and predictability of the decentralisation process in Serbia; stresses the need to fortify local institutions and proposes that special attention be devoted to ensuring that the rights of national minorities and ethnic groups are fully respected.

60. calls on Belgrade to accept the European Union Rule of Law Mission in Kosovo (EULEX).

Kosovo (under UNSC Resolution 1244/99)

61. supports the continued deployment of the EULEX mission despatched to Kosovo by the European Union and welcomes the EU's commitment to shouldering much of the responsibility for future developments in Kosovo; welcomes the agreement on the transfer of powers from UNMIK to the EULEX mission.

62. welcomes the results of the donors' conference on Kosovo, organised by the European Commission on 11 July 2008 in Brussels and appreciates the EU's commitment to Kosovo and to the stability of the Western Balkans.

63. supports the participation of Kosovo in regional initiatives, especially those that relate to the prospect of a future in the EU for the Western Balkans, and points out that the accession of the Western Balkans to the European Union will not be successfully concluded unless all the players in the region are involved in the process.

64. notes that the new constitution enshrines the rights of the individual national communities.

65. welcomes the creation of the Consultative Council for Communities under the aegis of the president and the introduction of a double majority system under which issues pertaining to the vital interests of individual communities must be approved by a majority not only of legislators, but also of the representatives of the individual communities. It also recommends that the date on which this is brought into force be agreed in coordination with members of the international community.

66. hopes that the unilateral declaration of independence of Kosovo will not raise new barriers to trade or to the movement of people in the Balkans.

67. supports keeping an international community presence in Kosovo over the long term; calls on the international community to furnish substantial assistance in the implementation of the new constitution given the inadequate administrative resources of the Kosovan institutions.

68. regrets that the administrative capacities remain insufficient to ensure efficient and transparent public service and management of EU funds and programmes.

69. urges national minority communities to take part in the conduct of public affairs in Kosovo as provided for by the new constitution and notes with regret the reluctance of Serbian community representatives to take part in the shaping of public administration institutions and in the democratic process of choosing elected representatives for the Kosovo institutions.

70. calls on the Kosovo authorities to respect the different ethnic minorities and to fulfil all international requirements in this respect.

Brussels, 27 November 2008.

The President
of the Committee of the Regions
Luc VAN DEN BRANDE
