



**European Committee
of the Regions**

CIVEX-VII/021

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DRAFT OPINION

Enlargement Package 2022

Rapporteur: **Anna MAGYAR (HU/ECR)**
Member of the Assembly of Csongr ad-Csan ad County

Deadline for tabling amendments:

3 p.m. (Brussels time) **on Tuesday, 20 June 2023.** Amendments must be submitted using the online tool for tabling amendments (available through the Members' Portal at <https://memportal.cor.europa.eu/>).

Number of signatures required: 32

Reference documents

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions

2022 Communication on EU Enlargement Policy

COM(2022) 528 final, SWD(2022) 332 final, SWD(2022) 333 final, SWD(2022) 334 final, SWD(2022) 335 final, SWD(2022) 336 final, SWD(2022) 337 final, SWD(2022) 338 final

Draft opinion of the European Committee of the Regions – Enlargement Package 2022

I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

General comments

1. notes with great interest the European Commission's 2022 Communication on EU Enlargement Policy, the reports on candidate countries Albania, Montenegro, North Macedonia, Serbia and Türkiye and those on potential candidates Bosnia and Herzegovina and Kosovo*;
2. recalls the historic importance of the decision of the European Council of 23 June 2022 to grant the status of candidate country to Ukraine and Moldova. The European Council likewise recognised the European perspective of Georgia and confirmed its readiness to grant the country candidate status once the priorities specified in the Commission's opinion on its membership application have been addressed; looks forward to the Commission's 2023 Enlargement Package in which, for the first time, the new candidate countries' progress will also be reported;
3. reaffirms its commitment to a merit-based EU enlargement, which contributes to peace, democracy, prosperity, security and stability in Europe. The CoR considers at the same time that the EU must re-energise its enlargement process to retain geostrategic relevance and credibility by setting a clear roadmap and timeline, providing more meaningful incentives to spur reform and favouring gradual integration, for example, in the single market and the energy, digital and green transitions. In turn, the CoR expects candidate countries and potential candidates to take ownership and demonstrate the credibility of their commitments and political will through implementation of necessary reforms;
4. reiterates that it is in favour of all Western Balkan countries joining the EU, as outlined in the Thessaloniki Agenda for the Western Balkans back in 2003, provided they meet all the accession criteria; underlines the importance of sending positive signals to countries of the Western Balkans to foster their engagement in the regrettably long process of becoming EU Member States;
5. welcomes the fact that the enlargement process gained new impetus in 2022: Ukraine, Moldova and Bosnia and Herzegovina received candidate status and negotiations started with Albania and North Macedonia; also welcomes the Council's decision on visa liberalisation for Kosovo;
6. recalls that progress in the EU-facilitated Belgrade-Pristina dialogue is an obligation on the way to accession; calls on the parties involved to make rapid progress in the normalisation process, implement past agreements and move ahead with the legally binding comprehensive agreement;

* This designation is without prejudice to positions on status, and in line with United Nations Security Council Resolution UNSCR 1244/1999 and the International Court of Justice Opinion on the Kosovo declaration of independence.

7. reiterates that the rule of law, good functioning of democratic institutions, anti-corruption and public administration reform are key areas against which the EU assesses candidate countries' progress towards membership and expresses concern over the limited progress and numerous challenges in this area; calls on the candidate countries and potential candidates to step up their efforts to meet criteria related to fundamental rights including the protection of minorities and media pluralism;
8. welcomes the EU-Western Balkans Summit in Tirana on 6 December 2022 and the Tirana Declaration, to which all partners aligned; welcomes the Commission's Energy Support Package, worth EUR 1 billion in grants that will help the Western Balkans mitigate the impact of the energy crisis and accelerate the energy transition in the region; also welcomes that the Western Balkans is part of the common purchasing scheme of gas, LNG and hydrogen; commends that through the Energy Community, the EU is opening its electricity market to the Western Balkans;
9. stands ready to start works with Albania in a Joint Consultative Committee; calls on the Stabilisation and Association Council to adopt the relevant Declaration; stresses the need to start a similar procedure for Ukraine, Moldova and Bosnia and Herzegovina;
10. emphasises the need for more efficient communication, including at the local level, in order to highlight the benefits that EU integration offers and to counter disinformation;
11. stresses that a supportive environment for the development and operation of independent media and civil society is a precondition for the sustainability and irreversibility of complex reforms in the EU accession process, as well as a basis for the development of local democracy;
12. emphasises that progressive alignment with the EU's Common Foreign and Security Policy (CFSP) is key for candidate countries and potential candidates on their path towards EU accession as well as an obligation stemming from the negotiating frameworks;

Country-specific observations

ALBANIA

13. welcomes the holding of the first intergovernmental conference with Albania on 19 July 2022;
14. welcomes that Albania has made progress in the area of the fundamentals, and in particular in the field of rule of law, specifically by implementing comprehensive justice reform, which has advanced steadily, and by strengthening the fight against corruption and organised crime; emphasises the need for further efforts in the rule of law, the fight against corruption, the fight against organised crime, minority issues and freedom of expression;
15. welcomes that the vetting process has continued to advance steadily and produced tangible results; welcomes the restored functionality of the High Court and the Constitutional Court;

16. welcomes the adoption of secondary legislation on minorities and relating to the 2017 framework law on the protection of national minorities continues to urge Albania to swiftly adopt and implement in line with European standards the remaining three by-laws, still pending to pass, on self-identification, the use of the mother language with the local authorities and the criteria of determining new minorities;
17. welcomes Albania's continued constructive engagement in regional cooperation and advancing good neighbourly relations, which remain essential elements of the enlargement process, as well as of the Stabilisation and Association process.
18. commends Albania's full alignment with the EU CFSP and its active and positive role as a non-permanent member of the UN Security Council;

BOSNIA AND HERZEGOVINA

19. welcomes the decision of the European Council of 15 December 2022 to grant candidate status to Bosnia and Herzegovina;
20. calls on the authorities to use this new momentum and move forward towards EU accession as a matter of urgency, in particular via fulfilling all 14 key priorities identified in the Commission's Opinion, which are a requirement for opening EU accession negotiations, with a special emphasis on urgently finalising the overdue constitutional and electoral reform;
21. calls on Bosnia and Herzegovina to implement the judgments of the European Court of Human Rights and the Constitutional Court of Bosnia and Herzegovina, and to amend the electoral law so that the three constituent peoples are legitimately represented in the state institutions and that all citizens can be elected to any institution;
22. notes with concern the limited progress towards accession; however, welcomes steps such as the adoption of amendments to the public procurement law, adoption of the comprehensive strategy on public financial management by all levels of government, the appointment of four missing judges to the Constitutional Court of the Federation entity and the ratification of several agreements needed for cooperation in EU programmes;
23. urges Bosnia and Herzegovina to undertake significant steps in public administration reform at all levels of governance, to strengthen the rule of law and to consider the development of a strategy on transitional justice;
24. welcomes recent steps that the country took in the case of border control and migration and underlines the importance of safeguarding the fundamental rights of migrants and refugees; encourages Bosnia and Herzegovina to adopt the strategy and action plan on migration;

KOSOVO

25. welcomes Kosovo's application for EU membership, which reflects its clear geopolitical strategic choice;

26. welcomes the long-awaited agreement on visa liberalisation for Kosovo;
27. encourages Kosovo to make further efforts to address the challenges on its European path; underlines the fact that the pace of the accession process will depend on progress on the rule of law and fundamental rights and the normalisation of relations with Serbia;
28. underlines the importance of reaching a comprehensive, legally-binding agreement in the normalisation of relations between Serbia and Kosovo, so that both can advance on their respective European paths; calls on all parties to double their efforts to find solutions regarding the establishment of an association of Serb-majority municipalities in Kosovo;
29. commends Kosovo's ongoing alignment with the EU's foreign and security policy;

MONTENEGRO

30. welcomes the overall progress made in the accession negotiations so far, with all chapters opened and three provisionally closed; calls for fulfilling the rule of law interim benchmarks set under chapters 23 and 24 as a pre-requisite for closing any additional chapters;
31. urges all political actors in Montenegro to demonstrate responsibility and overcome polarisation and calls on them to refrain from any action that could further deepen the institutional crisis and undermine the country's democratic institutions; stresses that the functionality of the democratic institutions should be restored as a priority; is concerned about the political volatility and government instability which have caused a slowdown of the accession negotiations; calls on all political forces to engage in constructive discussions, so that key political reforms can be reached with a broad political consensus in Parliament;
32. welcomes the appointment of three new judges for the Constitutional Court, providing for a quorum, as an important step towards fully functioning constitutional oversight regarding legislative and electoral procedures;
33. appreciates Montenegro's continued constructive commitment to further developing regional cooperation and advancing good neighbourly relations;
34. commends Montenegro's continuous full alignment with the EU Common Foreign and Security Policy, including EU restrictive measures; however, is concerned about the increased foreign disinformation campaigns and hybrid threats from Russia which can endanger religious tolerance in the country and influence public opinion about joining the EU;
35. welcomes positive steps in the fight against corruption and organised crime while encouraging Montenegro to increase its efforts; urges Montenegro to step up efforts in critical areas such as freedom of expression, media freedom, the fight against corruption and organised crime;

36. commends the adoption of the Law on Local Self-Government; recommends coordinating the voting schedule in the different municipalities in order to contribute to a culture of political consensus;
37. encourages Montenegrin authorities to entrust local self-government bodies with more autonomous decisions; supports the involvement of local authorities in the design of key legislation to improve the countries' legal framework;

NORTH MACEDONIA

38. welcomes the holding of the first intergovernmental conference with North Macedonia on 19 July 2022;
39. recalls that authorities in North Macedonia still need to step up their efforts and show political will to further improve the electoral process; a comprehensive review of electoral legislation must be accomplished in line with the outstanding recommendations from the OSCE/ODIHR and the Venice Commission;
40. welcomes that some progress has been made in the area of the fundamentals and in particular in the field of rule of law, including the fight against corruption and organised crime; further efforts are needed, based on a cross-party consensus; in this regard, encourages all parties in parliament to continue to work together constructively;
41. welcomes the progress made towards the independence, professionalism and impartiality of the judicial system; encourages further sustained efforts; also welcomes the continued efforts to fight against corruption and organised crime, including for high-level cases;
42. urges authorities to implement, in good faith, bilateral agreements, including the Prespa agreement with Greece and the Treaty on Friendship, Good Neighbourliness and Cooperation with Bulgaria as good neighbourly relations and regional cooperation are at the core of the enlargement process;
43. commends North Macedonia's full alignment with the EU Common Foreign and Security Policy;

SERBIA

44. takes notes of the overall progress made in the accession negotiations so far and calls for acceleration and deepening of reforms in the areas of the rule of law and fundamental rights (including the independence of the judiciary). Urges Serbia to take decisive action in the fight against corruption and organised crime as well as in the investigation and prosecution of war crimes. The CoR also calls for increased efforts to ensure the protection of minorities, media freedom and progress on normalisation in the framework of the Belgrade-Pristina dialogue, as set out in the Negotiating Framework, which will determine the overall speed of the accession negotiations;

45. welcomes the progress achieved on the constitutional reform that reinforces the independence of the judiciary and calls on Serbia to enact all the laws and legislation that are necessary to make the reforms happen on the ground;
46. urges the Serbian authorities at all levels of governance to firmly commit to and promote EU values, create an atmosphere conducive to negotiations, and to communicate unambiguously on the country's EU integration aspirations and on relations with the EU as Serbia's main political and economic partner;
47. underlines the European Commission's assessment that no progress has been made in the reporting period on the recommendations from last year when it comes to freedom of expression; stresses that the implementation of the media strategy had significant delays and calls on Serbia to implement its media strategy in a transparent, efficient and inclusive manner; notes that additional steps should be made to further increase media freedom; welcomes the activities of the Working group for the safety of journalists, however, underlines that further efforts are needed in securing freedom of expression; stresses the importance of preventing any possible threats to journalists; notes the ongoing investigations and prosecution of such cases and urges the authorities to invest further efforts in this area; calls on Serbia to continue fighting disinformation, including manipulative anti-EU narratives;
48. regrets Serbia's non-alignment with the EU's restrictive measures against Russia and deplores the signature of agreements on joint foreign policy priorities with Russia, despite the support of Serbia for the UN General Assembly resolution on the violation of Ukraine's territorial integrity; recalls that according to the Negotiating Framework, Serbia is required to progressively align its policies towards third countries and its positions within international organisations with the policies and positions adopted by the EU and its Member States; calls on Serbia to step up efforts towards full alignment; urges Serbia to counter disinformation and anti-EU propaganda coming from Russia-favourable media environment;
49. welcomes Serbia's commitment to actively promote regional cooperation and encourages Serbia to continue its efforts to strengthen good neighbourly relations and cross-border cooperation;

TÜRKIYE

50. points out that Türkiye is a candidate country and reaffirms that it is in the EU's strategic interest to develop a mutually beneficial relationship in many areas of joint interest; regrets, however, that Türkiye continues to move further away from the European Union;
51. reiterates its strong expectation that all past agreements be respected and implemented without delay; calls on Türkiye to abstain from renewed provocations or unilateral actions in breach of international law and to avoid actions that undermine stability and rhetoric that is not conducive to dialogue;
52. calls for full respect of the sovereignty of all EU Member States; calls for a bolder involvement of the EU to achieve a comprehensive settlement of the Cyprus issue in accordance with the relevant UN Security Council Resolutions; condemns Türkiye's unilateral steps in Varosha and

invites Türkiye to make further progress towards normalisation of relations with the Republic of Cyprus and stresses the need to avoid any unilateral actions that could raise tensions and undermine the prospects for a peaceful settlement; condemns Türkiye's illegal activities in areas under EU Member States' jurisdiction as well violations of their territorial sea and airspace, including inter alia the right to explore and exploit natural resources;

53. notes with concern the further and deeply worrying backsliding of Türkiye in fundamental fields of the European acquis, the significant deterioration in the promotion and enforcement of human rights, the rule of law and fundamental freedoms, key founding values of the European Union; expresses its concern over the new Disinformation Law which could further curtail the freedom of expression and independent media in Türkiye;
54. reiterates its concern at the continued practice of forcibly dismissing elected mayors and replacing them with government-appointed officials, as well as the arrests of other local representatives; calls on Türkiye, in line with the European Charter of Local Self-Government and the recommendations of the Venice Commission, to refrain from taking measures that hamper local democracy and are detrimental to the general democratic climate both at local and regional levels; Türkiye should also step up its cooperation with the Council of Europe and its relevant bodies and institutions, address their key recommendations, fully implement the European Convention of Human Rights and other international human rights instruments to which Türkiye is a party, as well as execute all judgments of the European Court of Human Rights in line with Article 46 of the ECHR; calls on Türkiye to re-accede to the Council of Europe Convention on preventing and combating violence against women and domestic violence;
55. commends Türkiye's continued significant efforts in hosting and addressing the needs of almost four million refugees; calls on Türkiye to ensure the full and non-discriminatory implementation of the 2016 EU-Turkey Statement, including vis-à-vis the Republic of Cyprus; including its obligation to take any necessary measures to prevent new sea or land routes for illegal migration opening from Türkiye to the EU, and to cooperate with neighbouring states; further calls for the full and effective implementation of the EU-Turkey Readmission Agreement vis-à-vis all Member States; notes that it will not accept any attempt by third countries to instrumentalise migrants for political purposes;
56. while commending Türkiye for its constructive role in facilitating the export of Ukrainian grain, notes with concern that the country continues to move further away from the European Union; calls on Türkiye to align itself with the EU's CFSP positions. Underlines further the paramount importance of preventing the circumvention of EU restrictive measures adopted in response to the Russia's war of aggression against Ukraine and calls on Türkiye to implement these restrictive measures and to ensure the full respect of those measures, in particular taking into account the free circulation of products, within the EU- Türkiye Customs Union.

The role of LRAs in the enlargement process

57. recalls that 70 percent of the EU acquis is implemented at the sub-national level; encourages exploring and applying best practices in the cooperation with and involvement of LRAs in

enlargement-related matters, as they are strategic partners in the process and key actors in making the enlargement successful for citizens;

58. calls on the enlargement countries to make the best use of peer-to-peer capacity-building instruments provided by the EU, e.g. TAIEX, in order to help institutional development and capacity building at the local level and establish twinning between EU cities and cities in candidate and potential candidate countries; welcomes the readiness of the Commission to step up actively in this regard; calls on the Commission to devote the necessary funding for such capacity-building programmes; calls on the Commission to cooperate with the CoR in raising awareness about the instruments available for LRAs;
59. reiterates that public administration reform in the Western Balkan countries cannot be implemented without good governance at local level; welcomes that the Commission agrees and has taken steps to develop a policy approach that includes dimensions of multi-level governance in the public administration reform framework;
60. stresses that a supportive environment for the development and operation of independent media and an active, strong and open civil society is a precondition for the sustainability and irreversibility of complex reforms in the EU accession process, as well as a basis for the development of local democracy;
61. emphasises that the economic growth and job creation agenda in the Western Balkans cannot be fully achieved without tapping into the potential of local economic development (LED) and improving the business climate in local communities; supports initiatives to engage in more structured dialogues with municipalities and networks of municipalities of the regions through regular consultations, including in the relevant working groups;
62. stresses the importance of the role of LRAs in the EU alignment process and eventual application of EU rules; cooperation must be stepped up between the central and local level in the integration process, especially in the fields of legal harmonisation, economic and investment development, public administration reform including local public service development, agriculture and food security, climate policy and green transition, public procurement and social policy;
63. underlines the importance of political plurality in the representation in Joint Consultative Committees; calls on all candidate and potential candidate countries to engage in constructive works between the ruling and the opposition parties, to ensure a broad consensus on important reforms on the country's path towards the EU;
64. welcomes that the importance of the local dimension and people-to-people contacts is recognised in the IPA Regulation and the related programming process; invites the Commission to explore further the possibility of facilitating the cooperation of the central and local level and the cross-border cooperation at local level, including between Member States and beneficiary countries, in order to bring the most out of the available funds;

65. welcomes the practice of building a network of EU integration contact points at municipalities, with the coordination of EU Delegations in the enlargement countries; in this regard, encourages sharing best practices and lessons learnt;
66. calls on the EC to refine the indicators for measuring the progress made in public administration reforms by including local and regional authorities;
67. notes that depopulation is a major concern that has a significant effect on local and regional sustainability; calls on the Commission to use existing tools and instruments to counter this development, including funds in the IPA and regional programmes;
68. welcomes initiatives aiming at fostering youth participation and, in this regard, welcomes the opening of the CoR's Young Elected Politicians (YEP) programme to delegates from EU candidate and potential candidate countries;
69. welcomes the successful introduction of "roam like at home" within the six Western Balkan economies as of 1 July 2021; calls on the Commission and the countries concerned to step up efforts to enhance the integration of the Western Balkans with the EU internal market; the possibilities in the Common Regional Market (CRM) should be exploited; welcomes the joint declaration by EU and Western Balkan telecom operators for the reduction in roaming costs between the EU and the Western Balkans in 2023, with a view to full removal thereafter;
70. supports the implementation of the Commission's Economic and Investment Plan (EIP) for the Western Balkans, as well as the Green and Digital Agendas, which can be a major contribution to the green transition, digitalisation, transport and energy infrastructure, social development and regional development; recalls that LRAs play an important role in this regard and therefore should be involved in the implementation phase;
71. calls for close cooperation among local and regional authorities, civil society, and expert panels on protecting nature and biodiversity and accelerating the renewable energy transition, in order to fight against the climate crisis and for a green and just transition for the region;
72. stresses that LRAs, due to their proximity to the public, have a key role to play in promoting and respecting European values and protecting fundamental rights and can be important partners and leaders in tackling racism and hate speech, combating discrimination, protecting vulnerable groups and minorities and fostering social cohesion; in this regard, the protection of the rights of national minorities is of utmost importance;

Brussels,

II. PROCEDURE

Title	Enlargement Package 2022
Reference(s)	COM(2022) 528 final, SWD(2022) 332 final, SWD(2022) 333 final, SWD(2022) 334 final, SWD(2022) 335 final, SWD(2022) 336 final, SWD(2022) 337 final, SWD(2022) 338 final
Legal basis	Article 307(1) TFEU
Procedural basis	Rule 41 b) i) RoP
Date of Council/EP referral/Date of Commission letter	12 October 2022
Date of Bureau/President's decision	
Commission responsible	Commission for Citizenship, Governance, Institutional and External Affairs
Rapporteur	Anna MAGYAR (HU/ECR)
Analysis	
Discussed in commission	1 February 2023
Date adopted by commission	18 April 2023
Result of the vote in commission (majority, unanimity)	Unanimity
Date adopted in plenary	
Previous Committee opinions	Enlargement Package 2021, rapporteur: Anna Magyar (HU/ECR) Enlargement Package 2020, rapporteur: Nikola Dobroslavić (HR/EPP) Local Democracy Challenges in the Western Balkans, rapporteur: Nikola Dobroslavić (HR/EPP) Enlargement Package 2019, rapporteur: Jaroslav Hlinka (SK/PES) (CdR 2352/2018) Enlargement Package 2018, rapporteur: Franco Iacop (IT/PES) (CdR 65/2018) Enlargement: Inclusion of Western Balkan Local and Regional Authorities in the EU's Macro-regional, Cross-border and other Transnational Cooperation Initiatives, rapporteur: Franz Schausberger (AT/EPP)
Date of subsidiarity monitoring consultation	n.a.