CIVEX-VII/012

150th plenary session, 29-30 June 2022

OPINION

Enlargement Package 2021

THE EUROPEAN COMMITTEE OF THE REGIONS

- is in favour of all Western Balkans countries as well as Ukraine, Moldova and Georgia joining the EU, provided they meet all the accession criteria.
- underlines the importance of sending positive signals to them to foster their engagement in the regrettably long process of becoming EU Members.
- highlights that missing a real and trustworthy EU perspective would lead to frustrations in the partner countries and risks leading to further influence of third countries in the region.
- calls on the Council and Commission to further strengthen bonds and deepen partnership to support Ukraine.
- calls on all countries involved to demonstrate their commitment to EU values and standards.
- reiterates that the rule of law and the functioning of democratic institutions are the unegotiable foundations of the functioning of Member States of the European Union.
- recalls that 70 per cent 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 success to the citizens.
- reiterates that public administration reform in the Western Balkans countries cannot be implemented without good governance at local level, and calls on the EC to incorporate into its public administration reform support measures and instruments and more detailed performance indicators of the involvement of LRAs in the overall reform process.
- calls on the Commission to increasingly facilitate the exchange of best practices among LRAs on ways of greater involvement of citizens in preparation of local budgets and policies, through measures such as participatory budgeting and offers its full support in this regard.
Rapporteur

Anna Magyar (HU/ECR), Member of Assembly of Csongrád-Csanád County

Reference documents

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - 2021 Communication on EU Enlargement Policy - COM(2021) 644 final;
Commission Staff Working Document - Bosnia and Herzegovina 2021 Report - SWD(2021) 291 final/2;
I. POLICY RECOMMENDATIONS

THE EUROPEAN COMMITTEE OF THE REGIONS

General comments

1. notes with great interest the European Commission’s 2021 Communication on EU Enlargement Policy, the reports on candidate countries Albania, Montenegro, North Macedonia, Serbia and Turkey, and those on potential candidates Bosnia and Herzegovina and Kosovo*;

2. recalls the European aspirations and the European choice of Ukraine, as stated in the Association Agreement. On 28 February 2022, exercising the right of Ukraine to choose its own destiny, the President of Ukraine submitted the application of Ukraine to become a member of the European Union. The CoR calls on the Council and the Commission to further strengthen bonds and deepen the partnership to support Ukraine in pursuing its European path, in accordance with the relevant provisions of the Treaties;

3. welcomes the fact that the EU-Western Balkans Summit in Brdo in October 2021 confirmed that the enlargement process of the Western Balkans is a mutual strategic interest and a shared strategic choice, based on credible reforms by partners, fair and rigorous conditionality and the principle of own merits;

4. notes the formal applications of Georgia and Moldova to join the European Union and calls on the Council and the Commission to support them in their efforts to join the EU upon the fulfilment of enlargement criteria;

5. emphasises that it is in favour of all Western Balkan countries as well as Ukraine, Moldova and Georgia joining the EU, provided they meet all the accession criteria; underlines the importance of sending positive signals to them to foster their engagement in the regrettably long process of becoming EU Members; highlights that missing a real and trustworthy EU perspective would lead to frustrations in the partner countries and risks leading to further influence of third countries in the region;

6. reiterates that public administration reform in the Western Balkan countries cannot be implemented without good governance at local level, and calls on the EC to incorporate into its public administration reform support measures and instruments and more detailed performance indicators on the involvement of LRAs in the overall reform process;

7. 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

* 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.
enlargement related matters, as they are strategic partners in the process and key actors in making the enlargement success to the citizens;

8. calls on the EC to make the best use of TAIEX and Twinning in order to help institutional development and capacity building at the local level in the enlargement countries; welcomes the extension of TAIEX to local authorities;

9. welcomes that the overall balance of reforms was positive in all Western Balkans countries which makes further progress possible, and calls on all countries involved to demonstrate their commitment to EU values and standards, underlines that candidate and potential candidate countries are expected to gradually align their policies towards third countries with the policies of the European Union;

10. calls on all parties involved to engage in a constructive manner in order to be able to open the accession negotiations with Albania and North Macedonia, after the approval of their negotiating frameworks by the Council, without delay;

11. welcomes that political steer was reaffirmed in the enhanced enlargement methodology and thus political inter-governmental conferences took place on a regular basis that provided an opportunity for high level dialogue;

12. notes with concern that the slowing down of the enlargement process leads to unwelcome developments in the enlargement countries, namely the loss of trust of the citizens, continued emigration, diminished will for crucial political reforms, and further exposure to influence from third parties who are continuously seeking to expand their influence in the Western Balkan region, including Russia and China;

13. welcomes the entry into force of the IPA III Regulation that provides the funds for fundamental and sustainable reforms in the beneficiary countries; highlights the fact that the EU is the biggest donor in the Western Balkans and therefore is the most important partner for the region;

14. supports the implementation of the Economic and Investment Plan (EIP) for the Western Balkans of the EC that can be a major contribution to the green transition, digitalisation, transport and energy infrastructure, social development and regional development; in this regard recalls the importance of improving the rule of law, anti-corruption, transparency, and good governance, and to fully implement the Green Agenda for the Western Balkans; recalls that LRAs play an important role in this regard and therefore should be involved in the implementation phase;

15. calls on the Commission in cooperation with local authorities in the beneficiary countries to make best use of the IPA III and IPARD funds; reiterates the benefits of the LEADER Approach as rural development contributes excessively to economic development and sound demographic structures;

16. calls for close cooperation among local and regional authorities, civil society, and expert panels on protecting nature and biodiversity in the Western Balkans, gradually replacing coal-fired
power plants with renewables, taking into account the views of local communities providing support for the fight against the climate change and for a green and just transition for the region;

17. welcomes the entering into force of the "Roam like at home" regime in the Western Balkans on 1 July 2021; underlines that further negotiations should follow, with the aim of also reducing roaming charges between the EU and the Western Balkans;

18. emphasises that the economic growth and job creation agenda in the Western Balkans cannot be fully achieved without tapping into potentials of local economic development (LED) and improving of business climate at local communities; the CoR supports initiatives to engage in more structured dialogues with municipalities and networks of municipalities of the regions through regular consultations even beyond Enlargement Day and discussions at the relevant working groups; underlines in this respect the importance of in-person meetings to explore all potentials and build on direct contacts for common projects;

19. welcomes the EU's comprehensive support given to the governments of the Western Balkans for addressing the challenges posed by the COVID-19 pandemic and for responding effectively to urgent health and socio-economic needs; as LRAs have a central role in dealing with the pandemic, it urges enlargement countries, alongside the EC to involve them in the efficient coordination;

20. highlights the role of EU funds in countering negative demographic tendencies in most enlargement countries; stresses the need of addressing social challenges in the programming of such funds;

21. emphasises the need for a more efficient communication, also at the local level, in order to highlight the benefits that EU integration offers and countering disinformation;

22. stresses the importance of the Economic and Investment Plan, as well as the IPA funds in supporting sectors relevant to the local level, such as tourism;

23. reiterates that the rule of law and the functioning of democratic institutions are the negotiable foundations of the functioning of Member States of the European Union and are key areas against which the EU assesses candidate countries’ progress towards membership, expresses concern over the limited progress and numerous challenges in this field, the continued existence of certain elements of state capture, insufficient results in fight against organised crime and corruption, limited progress in the area of judicial reform, and the reported atrocities against some media outlets in some enlargement countries;

24. stresses that a supportive environment for the development and operation of independent media and an active, strong civil society are 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; calls for reinforced monitoring of democratic processes and media freedom, also in relation to the COVID-19 pandemic;
25. stresses that LRAs, due to their proximity to the public, have a key role to play in promoting and respecting European values, protecting fundamental rights and the protection of all minorities and can be important partners and leaders in tackling racism and hate speech, combating discrimination, promoting gender equality, protecting vulnerable groups and minorities, and fostering social cohesion; in this regard, the protection of the rights of national minorities is of utmost importance;

26. is convinced that LRAs, due to their specific role as local policy-makers and public service providers, can play a greater role in addressing some shortcomings in the area of the rule of law and fundamental rights, but also in strengthening transparent and accountable governance of local policies and better protecting the rights of vulnerable groups;

27. calls on the Commission to increasingly facilitate the exchange of best practices among LRAs on ways of greater involvement of citizens in preparation of local budgets and policies, through measures such as participatory budgeting, and offers its full support in this regard;

Country-specific observations

28. fully supports the opening of the accession negotiations with North Macedonia and Albania, after the approval of their negotiating frameworks by the Council, as soon as possible, in order to show political support for the enlargement process, restore its credibility and reaffirm the promise for fully fledged membership;

29. 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;

SERBIA

30. takes notes of the overall progress made in the accession negotiations with Serbia so far and calls for an acceleration and deepening of reforms, in the areas of the rule of law and fundamental rights (including the independence of the judiciary), the fight against corruption, media freedom, the domestic handling of war crimes and the fight against organised crime as well as for progress in the 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;

31. welcomes the opening of Cluster 4 that provides new impetus for the integration of all enlargement countries, strengthens the credibility of the accession process and puts the enhanced methodology in practice;

32. 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; calls on the Commission to monitor on-going reforms and report thoroughly in its next country report;
33. urges the Serbian authorities at all levels of governance to firmly commit to and promote EU values and to communicate unambiguously on the country's EU integration aspirations and on the relations with the EU as Serbia's main political and economic partner;

34. expresses the expectation that the dedication for reforms is maintained in Serbia which might lead to the opening of further chapters soon;

35. calls on Serbia to act more decisively to improve the environment for freedom of expression and the work of independent media, as well as making progress in the fight against corruption;

36. 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;

37. welcomes Serbia's decision to back the resolution by UN General Assembly on the violation of Ukraine's territorial integrity in response to the unjustified and unprovoked Russian military aggression; calls on Serbia to fully align with the Common Foreign and Security Policy of the European Union, including all the waves of sanctions targeting Belarus and the Russian Federation; so that Serbia reiterates its support for the principles and values of the European Union and its commitment to working together with the European partners towards peace;

MONTENEGRO

38. notes with concern the polarisation between political sides that have made progress difficult in the negotiations; the CoR urges the new government and political parties to accelerate reforms that are needed for closing chapters, especially in the rule of law area;

39. encourages Montenegro to maintain and possibly even supersede its previous level of progress in the accession negotiations with a special focus on meeting the interim benchmarks set in Chapters 23 and 24, the success of which will be key to achieve progress in the overall negotiations and the provisional closure of any further chapter;

40. stresses that the fight against corruption and political influence in public institutions must be carried out within the confines of the rule of law under the conditions of transparency and accountability in order to implement the de-politicisation of public administration at all governance levels;

41. recognises the dedicated efforts and commendable results demonstrated by Montenegro in the field of the increasingly efficient police and prosecutorial measures against organised crime; calls, however, on Montenegro to urgently address the deficiencies in its criminal justice system, including the way organised crime cases are handled in the courts;

42. calls on the EC to encourage Montenegro to step up its efforts to ensure transparent and inclusive policy-making, including greater centralised control over the quality of public stakeholder consultations;
43. calls upon the EC to pay sustained attention to the requirements of transparency in public finances, also with a view to the external financial vulnerability of Montenegro;

**ALBANIA**

44. welcomes that Albania maintained good focus on reforms required for the country’s path towards the EU, despite the challenge of addressing the negative social and economic impact of the pandemic; based on its performance, accession negotiations, after the approval of the negotiating framework by the Council, should start without delay;

45. welcomes that successful and well-organised general elections were held on 25 April 2021, based on the electoral reform in line with the OSCE/ODIHR recommendations;

46. welcomes the 100% CFSP-alignment rate which is a strong signal of the country’s commitment to its EU path; Albania has continued a constructive dialogue with neighbouring countries and maintained its engagement in a number of regional cooperation initiatives, also as the successful chair of the OSCE in 2020;

47. highlights that the implementation of the comprehensive justice reform has its first results in the Constitutional Court and the High Court; welcomes the extension of the mandate of the vetting institutions;

48. welcomes that progress was made in strengthening the fight against corruption as well as in the fight against organised crime, including by stepping up cooperation with EU Members States and Europol. However, recalls the urgency of the fight against drug trafficking networks;

49. calls on Albania to pursue and consolidate its territorial administrative reform as part of a broader programme aimed at boosting decentralisation, strengthening local fiscal autonomy and increasing the capacity of municipalities;

50. urges Albania to swiftly adopt and implement pending by-laws on minority rights, in particular on self-identification and use of minority languages in line with European standards and with the involvement of all relevant stakeholders and increase the capacities of the State Committee on National Minorities;

51. calls for the role of the Albanian local and national self-government consultative council to be further strengthened as a good example of how the role of local authorities in policy-making can be formalised;

52. welcomes the adoption of the Population Census Law and looks forward to the smooth conduct of the upcoming Population Census in full transparency with the involvement of all relevant stakeholders and in line with international standards;

53. recommends establishing a Joint Consultative Committee with Albania; therefore recommends that the Albanian Government file a request to that end and the Stabilisation and Association Council to adopt the relevant Declaration;
calls on Albania to continue the ongoing efforts to implement a comprehensive land sector reform and to consolidate property rights, in a transparent manner by holding consultations with all relevant stakeholders, including by addressing cases of falsification of documents and swiftly advancing the process for registration and compensation;

NORTH MACEDONIA

welcomes that the overall balance of reforms in the preparation of North Macedonia for EU accession is positive and makes further progress possible; based on its performance, the accession negotiations should start without further delay, after the adoption of the negotiating framework by the Council, as a lack of progress undermines the credibility of the entire enlargement policy;

welcomes that the parliamentary opposition parties have been consistently involved in parliamentary work and in some cases have helped to pass key EU-related reform legislation; calls on North Macedonia to increase its efforts to strengthen the role of Parliament as a forum for constructive political dialogue, particularly on the EU reform agenda.

expresses its concern that the coupling of North Macedonia and Albania in enlargement decisions in the Council is unfair and does not reflect the EU’s own ambition to assess the development of accession countries individually; urges the parties concerned to reach agreement that makes opening negotiations possible; the CoR strongly supports holding the first intergovernmental conferences with the two candidates as soon as possible;

calls for the administrative and technical capacities of the operational structures responsible for managing EU funds to be enhanced, both at central and local level, particularly in the areas of transport, energy and green transition;
welcomes the efforts made in the field of regional cooperation, as a result of which North Macedonia was able to maintain good relations with neighbouring countries and remained active in regional initiatives; recalls the importance of achieving tangible results and implementing in good faith the Prespa Agreement with Greece as part of the enlargement process;
welcomes the North Macedonia's 96% CFSP-alignment rate and its active participation in EU crisis management missions;

BOSNIA AND HERZEGOVINA

expresses its concern at the limited progress made by Bosnia and Herzegovina on the key reforms needed for the country to reach candidate status;
reaffirms that Bosnia and Herzegovina has a low level of preparedness to meet the obligations of EU membership, therefore it needs to speed up significantly the process of adopting the EU
acquis; recalls that the national programme for the transposition of the EU acquis has not yet been adopted;

63. is highly concerned by initiatives of the Republika Srpska that go in the direction of pulling out of Bosnia's armed forces, judiciary and tax system; expresses its strong support for the territorial integrity of the country;

64. 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;

**KOSOVO**

65. calls on the Member States, in line with the Commission recommendations and the positive recommendations of the EP, which the CoR strongly supports, to grant visa liberalisation;

66. 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 the EC to persevere in finding solutions regarding the establishment of an association of Serb-majority municipalities in Kosovo;

67. welcomes the adoption of the Rule of Law Strategy and Action Plan in August 2021 that identifies key challenges to strengthening the rule of law;

68. reiterates the importance of legislative reforms to ensure a clear division of powers and funding between central and local governments;

69. reiterates its strong expectation that all past agreements are respected and implemented without delay; both parties should also avoid actions that undermine stability and rhetoric that is not conducive to dialogue;

**TURKEY**

70. notes with regret the continued serious democratic backsliding of Turkey 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; underlines that a new human rights action plan, while a welcomed initiative in principle, did not present concrete steps to remedy the most acute problems in this area and effective efforts need to be undertaken;

71. reiterates its strong expectation that all past agreements are respected and implemented without delay; calls on Turkey to abstain from renewed provocations or unilateral actions in breach of international law, and avoid actions that undermine stability and rhetoric that is not conducive to dialogue;
72. reiterates its concern at the general weakening of effective checks and balances in the political system and condemns 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 Turkey, 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; Turkey 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 Turkey 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 Turkey to re-accede to the Council of Europe Convention on preventing and combating violence against women and domestic violence;

73. acknowledges the significant efforts of Turkey in the field of migration by hosting and addressing the needs of more than 4 million people; calls on Turkey to ensure the full and non-discriminatory implementation of the EU-Turkey Statement of 2016, 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 Turkey 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; cooperation in the areas of justice and home affairs with all EU Member States remains essential; notes that it will not accept any attempt by third countries to instrumentalise migrants for political purposes.

74. calls for full respect of the sovereignty of all EU Member States; condemns Turkey's unilateral steps in Varosha and remains committed to the comprehensive settlement of the Cyprus issue within the UN framework and in accordance with the relevant UN Security Council Resolutions; invites Turkey to make further progress towards normalisation of relations with the Republic of Cyprus;

75. takes note of the ratification of the Paris Agreement by the Turkish Parliament; stresses the importance of involving local governments in developing policies pertaining to this field; welcomes the de-escalation in the Eastern Mediterranean after Turkey suspended illegal hydrocarbons drilling activities in the maritime zones of Cyprus, stressing that it needs to be sustained; calls on Turkey to respect the sovereignty of all EU Member States, in particular in Greece and Cyprus, over their territorial sea and airspace;

76. takes note that some progress was made in accelerating the absorption of IPA II funds and in addressing some structural weaknesses, in particular in the area of resources, agriculture and cohesion (cluster 5);

77. reaffirms that it is in the EU’s strategic interest to develop a cooperative and mutually beneficial relationship with Turkey and stresses the importance of keeping channels of communication open in order to resolve differences and ease tensions through dialogue and in accordance with EU and international law;
calls on Turkey to fulfil its obligations under the Negotiating Framework, including the full, non-discriminatory implementation of the Additional Protocol to the Association Agreement towards all Member States; reiterates that recognition of all Member States is essential; reiterates EU's call on Turkey to progressively align with the EU Common Foreign and Security Policy and to reverse the increasingly negative trend as a matter of priority and recalls its position on accession of Member States to international organisations; notes with regret that Turkey continues to move further away from the European Union, and recalls the Council's previous conclusion which noted that Turkey's accession negotiations therefore effectively have come to a standstill and no further chapters can be considered for opening or closing;

The role of LRAs in the enlargement process

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, social policy;

welcomes the launch of the Economic and Investment Plan for the Western Balkans as a key tool to support the economic recovery and development of these countries; recalls that the plan presented by the EC represents one third of the GDP of the Western Balkans and therefore strengthens the top position of the EU as donor; stresses the importance of timely and appropriate involvement of LRAs in the implementation;

welcomes the entry into force of the IPA Regulation (IPA III) that provides for 9 billion euro out of the 30 billion euro investment provided by the EIP; 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;

underlines the importance of political plurality in democratic systems; stresses in this regard that missing political plurality or suppression of positions and intimidation of elected officials belonging to opposition parties at the local level in some of the enlargement countries are major challenges to local democracies and hinder the path to becoming an EU Member State;

calls on the EC to develop practical tools to support effective capacity building for LRAs in the Western Balkans, including through specific thematic support programmes and regional technical assistance projects, as well as via ongoing exchanges, mentoring and networking; also invites the EC to include a reference to such initiatives in the annual reports;

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;
85. LRAs are key in a successful integration process, therefore local public administration reform and capacity building are essential for all enlargement countries; in this context, the CoR calls on the EC to explore and possibly extend the Support for Improvement in Governance and Management (SIGMA) initiative to subnational levels of administration in enlargement countries;

86. calls on the EC to refine the indicators for measuring the progress made in public administration reforms by including local and regional authorities;

87. welcomes the EC support to date in strengthening youth cooperation in the Western Balkans, which is of great importance in maintaining and further developing good neighbourly relations, including support for initiatives such as the Regional Youth Cooperation Office; also welcomes that the IPA funds continue to contribute, as a priority, to youth participation;

88. stresses that large infrastructure investments planned under the EIP in the areas of transport, energy, green and digital infrastructure, in addition to core networks, should always include regional and local connectivity so that people in local communities can benefit from these investments.

Brussels, 29 June 2022

The President
of the European Committee of the Regions

Vasco Alves Cordeiro

The Secretary-General
of the European Committee of the Regions

Petr Blížkovský
## II. PROCEDURE

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<tr>
<td><strong>Legal basis</strong></td>
<td>TFEU Art. 307(1)</td>
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<td><strong>Procedural basis</strong></td>
<td>Rule 41(b)(i) of the CoR Rules of Procedure</td>
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<td><strong>Discussed in commission</strong></td>
<td>1 February 2022</td>
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<td>29 March 2022</td>
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<td><strong>Result of the vote in commission (majority, unanimity)</strong></td>
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<td><strong>Adopted in plenary</strong></td>
<td>29 June 2022</td>
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<td><strong>Date of subsidiarity monitoring consultation</strong></td>
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