

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

Recommendation 125 (2003)¹ on fostering transborder co-operation in the Kaliningrad region: a requirement of social cohesion

The Congress,

1. With regard to the initiative launched by the CLRAE Bureau Working Group on the Kaliningrad Region and to the exploratory mission headed by Mr Skard (president, Norway) and including Mr Grzelak (Poland), Mr Saltykov (Russian Federation) and Mr Zaveckas (Lithuania) on 2 and 3 December 2002;
2. Taking into account the opinion of the Bureau of the Congress of 7 February 2002 [and of the Committee on Social Cohesion of the Congress of 14 March 2003 (see Document CG (9) 27 Opinion)] and the advice of Hans Martin Tschudi (Switzerland), general rapporteur on transborder co-operation for the Congress;
3. Recalling Recommendation 117 (2002) on “promoting transfrontier co-operation: an important factor of democratic stability in Europe” and Hans Martin Tschudi’s report (CPR (9) 3 part II);
4. Recalling the Parliamentary Assembly’s Resolution 1298 (2002) on “ensuring a prosperous future for the Kaliningrad region: the need for European solidarity” and Recommendation 1579 (2002) on “the enlargement of the European Union and the Kaliningrad region”;
5. Noting that the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (also called Madrid Convention) has been ratified by, and entered into force in, Poland, Lithuania and the Russian Federation;
6. Noting that the Additional Protocol and Protocol No. 2 of the above-mentioned convention entered into force in February 2003 in Lithuania; however, neither Poland nor the Russian Federation have signed or ratified it;
7. Highlighting the active involvement of the Kaliningrad region in the three Euroregions Neman, Saule and Baltica, which constitutes an important contribution to the overall cross-border co-operation;
8. Emphasising the opportunities that the geographical position of the Kaliningrad region provides for fruitful co-operation between the Russian Federation and the European Union;
9. Recognising the valuable work to promote cross-border co-operation in the Baltic Sea area carried out by various

organisations such as the Council of Baltic Sea States (CBSS) and the Baltic Sea State Sub-regional Co-operation (BSSSC);

10. Stressing the fact that transborder co-operation must be considered as a real tool to enhance social cohesion, mutual understanding and local and regional sustainable development in border regions of all countries concerned and that cultural activities should be seen as an integral element in achieving such social cohesion;
11. Convinced that without an easy access to visas for citizens living in border areas, where a visa regime exists, it will not be possible to ensure freedom of movement and exchanges of goods, services, ideas and people;
12. Welcoming the agreement reached by the European Union and the Russian Federation on the question of transit of Russian citizens to mainland Russia which should lead to the establishment, by 1 July 2003, of a Facilitated Transit Document (FTD) and of a Facilitated Railway Transit Document (FRTD) scheme to apply for the transit of Russian citizens only between the Kaliningrad region and other parts of the Russian Federation by land, bearing in mind that, after the introduction of new transit rules for persons and cargo in/out of the Kaliningrad region, the present conditions of persons’ transit should not deteriorate;
13. Taking into account the study on “measures to address some of the problems of the Kaliningrad region” currently undertaken by the Directorate General of Legal Affairs of the Council of Europe;
14. Mentioning the study seminar on transfrontier co-operation in Kaliningrad (October 2001) and the joint meeting of the bilateral committees for transfrontier co-operation (October 2002) organised by the Directorate General of Legal Affairs of the Council of Europe, in Kaliningrad;
15. Bearing in mind the Conference on Euro-regions and Co-operation between Local and Regional Authorities of the Baltic Sea to be organised jointly by the Congress and the City of Saint Petersburg on 6 and 7 October 2003, which might produce additional proposals for co-operation in the Kaliningrad region;
16. Invites the Russian Federation and the European Union to undertake additional steps aimed at social and economic development of the Kaliningrad region, also using the advantages of the special economic zone status, with the view to maximising the potential of the Kaliningrad region as a showcase of Russia’s development and its fruitful co-operation with the European Union.
17. Invites the Russian Federation and Poland to sign and ratify the Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid Convention), which could provide a suitable legal framework to enhance transborder co-operation of local and regional authorities of the Kaliningrad area;

18. Invites the Russian Federation, Poland and Lithuania:

- a. to make full use of existing institutional structures for cross-border co-operation at all levels;
- b. to consider the signing of a trilateral agreement on transborder co-operation in the Kaliningrad area (as foreseen in the Additional Protocol of the above European Outline Convention, see also its general clauses for model interstate agreements) which should enable the local and regional authorities to regulate and manage, within the limits of the law, a substantial share of public affairs related to transborder issues under their own responsibility and in the interests of the local population;
- c. to increase their consular presence in each others states;
- d. to continue interaction in the interest of economic and social development in the Kaliningrad region after the European Union's enlargement;
- e. to consider the creation of an interstate co-operation body with associated elected local and regional representatives (that is to say, the oblast, voivodship, district) which could include other regions from the surrounding Baltic Sea states, noting that such a body could seek inspiration from other well elaborated co-operation structures of that kind, such as the Barents Euro-Arctic Council, the Upper Rhine Region Intergovernmental Committee/Conference or the Model Interstate Agreement on Regional Transfrontier Consultation, which is appended to the Madrid Convention;

These agreements should allow a solid co-operation and, where applicable, exchanges in the areas of:

- health;
- education and professional training;
- science;
- culture;
- youth;
- transport;
- environment;
- police and judicial matters, especially fight against corruption, organised crime, trafficking, terrorism;
- media, including cross-border broadcasts;
- tourism;
- energy;

19. Invites the Committee of Ministers:

- a. to take into account the recommendations of the Congress when replying to Recommendation 1579 (2002) of the Parliamentary Assembly;
- b. to step up its efforts to review the 1957 European Agreement on Regulations Governing the Movement

of Persons between Member States of the Council of Europe in view of a mutual abolishment, in future, of visa regulations between Russia and the European Union;

c. to pay particular attention to the development of the Kaliningrad region and in particular:

- i. to entrust the Committee of Advisors for the development of transfrontier co-operation in central and eastern Europe to provide legal assistance to enhance transborder co-operation and support activities in the field and setting-up partnerships with other Euroregions that could provide expertise and transfer of know-how;
- ii. to encourage the Steering Committee on Transborder Co-operation (LR-CT) to present and discuss the conclusions of the ongoing study “measures to address some of the problems of the Kaliningrad region” at the Saint Petersburg Conference (Session III: Kaliningrad in the European co-operation: prospects for transborder co-operation in the Kaliningrad area);
- iii. to make the best possible use of the Special Account for Regional Co-operation, created following the Committee of Ministers meeting held in Vilnius, in developing regional co-operation in the Kaliningrad area;
- iv. to encourage possible transborder projects related to the Kaliningrad region submitted to the Confidence-Building Measures programme of the Council of Europe;
- v. to invite the Youth Directorate to consider all appropriate means to promote and develop youth exchanges in the region;
- vi. to invite the Youth Directorate and the Directorate General of Political Affairs to encourage the participation of young leaders from the Kaliningrad region in the activities of the Democratic Leadership programme;
- vii. to invite the Secretary General to develop transfrontier co-operation activities in education specially designed for the Kaliningrad area;

20. Invites the European Union:

- a. to use the existing fund to promote transborder co-operation activities (Interreg) and to develop the existing proposal about establishing a “Kaliningrad fund” in co-operation with the authorities of the Russian Federation;
- b. to prioritise the upgrading of border control facilities in its assistance programmes aimed at the Kaliningrad area as well as infrastructure having a transfrontier dimension;
- c. to step up co-operation with a view to better co-ordination and adaptation of the resources of the Phare and Tacis programmes (in addition to the Interreg programme mentioned above) with a view to transfrontier co-operation in the Kaliningrad area.

1. Debated and adopted by the Standing Committee of the Congress on 21 March 2003 (see Document CG (9) 27, draft recommendation presented by Mr H. Skard, rapporteur).