

Procedure file

Basic information		
COS - Procedure on a strategy paper (historic)	2001/2046(COS)	Procedure completed
The European Union and the region of Kaliningrad		
Subject 6.40.04.02 Relations with Russian Federation 8.20.26 Enlargement's regional point of view		
Geographical area Russian Federation		

Key players			
European Parliament	Committee responsible		Rapporteur
	AFET Foreign Affairs, Human Rights, Common Security, Defense		Appointed 20/03/2001
			PSE HOFF Magdalene
	Committee for opinion		Rapporteur for opinion
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		Appointed 20/02/2002
			PPE-DE OOSTLANDER Arie M.
Council of the European Union	ITRE Industry, External Trade, Research, Energy		The committee decided not to give an opinion.
	Council configuration		Meeting
	General Affairs		2447
	General Affairs		2437
	General Affairs		2406
	General Affairs		2356
European Commission	General Affairs		2331
	Commission DG		Commissioner
	External Relations		

Key events			
17/01/2001	Non-legislative basic document published	COM(2001)0026	Summary
26/02/2001	Debate in Council	2331	Summary
15/03/2001	Committee referral announced in Parliament		
11/06/2001	Resolution/conclusions adopted by Council		Summary
	Debate in Council		Summary

28/01/2002		2406	
23/04/2002	Vote in committee		Summary
23/04/2002	Committee report tabled for plenary	A5-0156/2002	
14/05/2002	Debate in Parliament		
15/05/2002	Decision by Parliament	T5-0240/2002	Summary
15/05/2002	End of procedure in Parliament		
17/06/2002	Resolution/conclusions adopted by Council		Summary
22/07/2002	Debate in Council	2447	
31/07/2003	Final act published in Official Journal		

Technical information

Procedure reference	2001/2046(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	AFET/5/14541

Documentation gateway

Non-legislative basic document		COM(2001)0026	17/01/2001	EC	Summary
Committee report tabled for plenary, single reading		A5-0156/2002	23/04/2002	EP	
Text adopted by Parliament, single reading		T5-0240/2002 OJ C 180 31.07.2003, p. 0162-0380 E	15/05/2002	EP	Summary
Follow-up document		COM(2002)0510	18/09/2002	EC	Summary

The European Union and the region of Kaliningrad

PURPOSE: to present a Communication from the Commission to the Council on the EU and Kaliningrad. **CONTENT:** In keeping with the Commission's Enlargement Strategy paper of November 2000, the purpose of this Communication is to contribute to a debate which the EU should launch with Russia (including Kaliningrad), and with the two neighbouring future Member States, Poland and Lithuania, on issues which will affect their common future. The Communication looks at the impact of EU enlargement and distinguishes between issues which will arise for all Russian regions and those which are specific to Kaliningrad. Enlargement of the EU will be a positive development for its neighbours, contributing to stability and prosperity. Russia stands to benefit substantially from enlargement and regions such as Kaliningrad are well placed to take advantage of the new opportunities which will be created. This paper does not set out formal Commission proposals for decision, but rather outlines ideas and options for discussion between the parties. Against this background, the main suggestions contained in this Communication are the following: - the EU and Russia examine the trade impact of enlargement on Kaliningrad, in the trade and industry sub-committee of the PCA, during the first half of 2001; - the EU, Russia, Poland and Lithuania discuss the functional management of border crossings, starting with the main road and rail crossings, particularly those linking the region to the Pan-European Transport Corridors I and IX. Discussion should include customs, border guard, phytosanitary, veterinary and health aspects. Discussions could be held in working groups, with Russia under the relevant PCA sub-committees and with Lithuania and Poland within the framework of the European Agreement; - the output of the Tacis study on a multi-modal transport strategy be discussed with the IFIs and the Russian and neighbouring countries authorities, with a view to securing funding for priority projects; - a Tacis study on energy needs, energy potential and possible scenarios should be undertaken; - the practical measures to conduct proper and efficient border control be continued, facilitating the movement of persons and goods across the future external borders. The use of liaison officers could be considered; - without pre-empting accession negotiations with Poland and Lithuania, EU technical and financial assistance can contribute to the creation of a functioning border control system, including appropriate sufficiently fake-proof travel documents; - the suitability of Community rules on small border traffic and transit for the specific situation in Kaliningrad be assessed; - in the wider context of Community policies on visas and on external borders, the cost of

passports (the responsibility of Russia) could also be examined, as well as the cost of visas (responsibility of current and future EU Member States); - the EU and Russia quickly conclude a readmission agreement; - the EU should provide the administration and population of Kaliningrad and bordering regions with information on the way in which the future external border of the EU will function taking into account the need for fast and efficient border crossing for goods and people while preventing illegal activities; - the EU-Kaliningrad fisheries relations to be reviewed in light of the consequences of enlargement on fishing access and of future fisheries agreements between the EU and Russia; - the EU and Russia discuss key issues of environmental concern in Kaliningrad and finally, - issues concerning Kaliningrad be addressed in co-operation with Russia in the relevant PCA bodies and, in parallel, that the EU continue to discuss the same issues with Lithuania and Poland in the framework of the Europe Agreements. ?

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The Council welcomed the Commission communication of 17 January on the EU and Kaliningrad as providing a good basis for developing further EU co-operation with Russia and neighbouring countries in order to address specific problems related to the Kaliningrad region, regarding the movement of goods and people, energy supplies, fisheries, economic development, governance, democracy and the rule of law, environment and health. The Council therefore agreed on the following procedural aspects : - to take note of the Presidency/Commission/Secretariat initial discussions on Kaliningrad in the context of the consultation process leading up to the Foreign Ministers' conference on Northern Dimension in Luxembourg on 9 April; - to instruct Working Parties on Eastern Europe and Central Asia to assume the overall responsibility in preparing the EU positions on Kaliningrad; - to instruct the Working Party on Central Europe to examine the relevant parts of the Communication, in particular with a view to identifying possibilities for further co-operation with Poland and Lithuania, and report back in due time before the Co-operation Council with Russia on 10 April 2001; - to note that the Presidency may, if necessary, ask also other Council bodies to contribute in developing an EU position on Kaliningrad; - to look forward to discussions with Russia on the situation of Kaliningrad within the framework of the PCA, i.e. in the relevant sub-committees and at the forthcoming fourth meeting of the Co-operation Council; and to note the intention of the Presidency to revert to this issue at the level of the Council with a view to developing further EU positions. ?

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The Council took stock of work taking forward co-operation with Russia and neighbouring countries relating to the Kaliningrad region. Primary responsibility for the future development of the Kaliningrad region lies with the Russian federation. The Council noted Russia's discussions of domestic policy towards the region. It welcomed the constructive dialogue with Russia on Kaliningrad within the framework of the Partnership and Co-operation Agreement in order to identify practical solutions for the region with due respect for the Community acquis. PCA institutions were the most appropriate fora for further discussions. Whilst welcoming the dialogue with associated countries on issues related to Kaliningrad, the Council also recognised that some issues involving the candidate states, notably on the movement of people, could only be addressed in the context of enlargement and with due attention to the bilateral relations between the candidate states and Russia. The Council noted with satisfaction the assistance being provided through Phare and Tacis as well as the bilateral contributions of Member States, to address issues such as economic development, transport and energy, good governance, democracy and rule of law, justice and home affairs and environment. It welcomed the recent opening of a Tacis office in Kaliningrad and preparation of a Tacis study on the energy needs of the region to be launched in 2001. The Council outlined further action required from Coreper and the Commission. ?

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With regard to the specific situation of Kaliningrad, the Council noted progress in work underway in its preparatory bodies on issues relating to the movement of persons, goods, energy, telecommunications and fisheries, as well as on the rule of law and the health sector. It agreed to discuss relations with Russia and the situation of Kaliningrad further at the March meeting of the General Affairs Council ahead of the EU-Russia Co-operation Council on 15/16 April, the EU-Russia Ministerial meeting in the field of Justice and Home Affairs on 25/26 April and the EU-Russia Summit in Moscow on 28 May. It instructed the Permanent Representatives Committee and the Political and Security Committee to ensure that the relevant preparatory bodies follow a comprehensive and co-ordinated approach on all of these issues bearing in mind the Commission's communication of January 2001 and the Laeken European Council conclusions. ?

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The committee unanimously adopted the report by Magdalene HOFF (PES, D) on the Commission communication. It reaffirmed that the Kaliningrad area is and will remain an inseparable part of the Russian Federation and that responsibility for the region therefore lies with Russia, but said that the EU should make every effort, under the partnership and cooperation agreement, to help create favourable conditions for the region's development. It therefore endorsed the intention of the Council and the Commission to find solutions that take account of the special situation of the Kaliningrad area. The committee also made a number of practical recommendations, which included urging the Commission to work together with the authorities of Kaliningrad to improve border crossing infrastructures and speed up customs and border formalities. In particular, the Russian border and customs authorities needed to ensure that their staff had a "modern attitude geared to the needs of citizens". The committee also called for consideration to be given to the idea of opening an EU consulate in Kaliningrad and added that the idea of setting up Russo-European frontier patrols along the eastern external borders should not be ruled out. Lastly, the committee said that cooperation with regard to Kaliningrad could only succeed if certain conditions were met, in particular "good governance", i.e. efficient administration, enforcement of laws and effective measures against corruption. ?

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The European Parliament adopted a resolution drafted by Magdalene HOFF (PES, Germany) on the Commission communication on Kaliningrad. (Please refer to the document dated 23/04/02.) Three essential conditions must be fulfilled if cooperation with regard to Kaliningrad is to succeed: firstly, good governance in terms of efficient administration, properly functioning institutions and the actual enforcement of laws; secondly, structural reforms in the areas of legal certainty, a stable tax legislation, environment and acquisition of land; and thirdly, serious steps towards an economic and social renaissance of the region. Effective measures against corruption are crucial. The Russian side is encouraged to make administrative procedures applying to investors more consistent and less time-consuming by reducing the number of local contacts. Development of civil society and the alarming environmental situation are both emphasised in the resolution. Parliament feels that the Commission should play a more active financial role in Kaliningrad, coordinating TACIS, PHARE and Interreg more effectively and involving international financial institutions to a greater extent in the development of projects. Financial contribution should not be a one-sided programme of assistance, but a joint development project with Russia. The Commission should consider setting up a task force for Kaliningrad within the framework of the PCA to explore opportunities for an upturn in the area. TEMPUS activities might include institutional development projects. Finally, the Commission is asked to empower the local TACIS office to make funds available for small projects in the field, to support the multiplicity of private initiatives by EU citizens.?

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The Council adopted the following conclusions on Kaliningrad: - in the framework of the joint statement issued by the EU-Russia Summit, the Council takes note of the strengthening of our strategic association with the Russian Federation. In connection with the situation of the Russian region of Kaliningrad after the enlargement of the European Union and, more particularly, with regard to the movement and transit of persons between Kaliningrad and the rest of the Russian Federation, the Council instructs the Permanent Representatives Committee and the Commission to continue their efforts, exploring the options available under the *acquis* for arriving at a satisfactory solution. This exercise must be conducted in close collaboration with Lithuania and Poland, taking account of the legal and practical consequences of enlargement.?

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PURPOSE : to propose a set of measures to ease transit after enlargement. CONTENT : the European Commission adopted a Communication setting out a package of measures designed to ease the direct transit of people and goods between Kaliningrad oblast and the rest of Russia once the enlargement of the EU has taken place. The European Council in Seville on 21 June invited the European Commission to submit, in time for the 24-25 October European Council in Brussels, an additional study on the possibilities for an effective and flexible solution of the transit of persons and goods to and from Kaliningrad oblast, in compliance with the *acquis* and in agreement with the candidate countries concerned. The package foresees : 1) the provision of a Facilitated Transit Document: the Commission proposes the introduction of a special Facilitated Transit Document (FTD), issued to those Russian citizens who need to travel frequently to and from Kaliningrad. This securised document would be issued at low cost by candidate country consulates after examination of lists provided by the Russian authorities. It would allow individuals short periods in which to transit their territory by road or rail. For those Russian citizens who are not yet in possession of an internationally valid passport, the FTD could be considered valid when accompanied by a Russian internal travel document for a short transition period (of up to the end of 2004); 2) assessing the feasibility of non-stop high-speed trains that could provide sufficient security for visa-free travel: Russia has proposed to introduce a visa exemption for direct transit of passengers on non-stop high-speed trains, linking Kaliningrad with the rest of Russia passing through Lithuania and Belarus. The Commission considers that the technical preconditions for the safe and secure operation of visa-free travel by trains do not at this stage exist - trains and tracks would need to be upgraded and the Lithuanian authorities would need to be in a position to refuse entry and carry out controls during transit. After accession of Lithuania the EU is ready to examine the legal and technical feasibility of visa-free non-stop trains. 3) opening discussion on a long-term goal of ultimate visa-free travel between Russia and the EU : the EU should examine the Russian proposal to open discussions on defining the conditions necessary for the eventual establishment of a visa-free travel regime. This discussion offers an opportunity to discuss the measures which Russia is putting in place to strengthen the rule of law, to intensify the fight against organised crime, to ensure border security and that travel documents are secure and accurate. At the same time, the EU is keen to increase co-operation on border management, which are essential to tackling trans-border crime and illegal migration as well as preventing the free movement of criminal and terrorist elements. The EU expects Russia to agree to the early conclusion of readmission agreements with the candidate countries and the EU itself. 4) making full use of international conventions for simplified transit of goods : the TIR (road) and COTIF (rail) conventions already allow for the transit of goods with relatively little bureaucracy. The parties to the Conventions may also adopt simplified procedures for transit by rail, for example by accepting existing Russian documentation. The EU/Russia Partnership and Cooperation Agreement to which the candidate countries will accede after enlargement already ensures the free movement of goods between Russia and Kaliningrad across the Community without customs duties or any other transit duties other than charges for transport and administration. The question of cross-border traffic between Kaliningrad and neighbouring countries that does not involve onward travel to the Russian mainland (small border traffic) is being examined separately in the Council on the basis of a working paper of the Commission services, since this is a horizontal question relating to the whole of the EU's external border.?