

The European Parliament in the Enlargement Process - An Overview

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1. The European Parliament's contribution

1.1 Introduction

The fifth EU enlargement since 1972 is, in the view of the European Parliament, a unique task of an unprecedented political and historic dimension, which provides an opportunity to further the integration of the continent by peaceful means. Addressing the assembled MEPs and members of all the national parliaments of the candidate countries during the [historic enlargement debate](#) in Strasbourg in November 2002, the President of the European Parliament, [Pat Cox](#), said that "the enlargement of the European Union is our greatest political priority at this time, and a priority which has dominated much of the work of our Parliament and most of the focus of my presidency."

The [Luxembourg Summit of December 1997](#) decided to launch the enlargement process and open negotiations with six applicant countries. On 31 March 1998, accession negotiations were started with Hungary, Poland, Estonia, the Czech Republic, Slovenia and Cyprus. At the [Helsinki Summit on 12 December 1999](#), the Member States decided to open negotiations with Romania, the Slovak Republic, Latvia, Lithuania, Bulgaria and Malta. The negotiations were opened with these countries on 15th February 2000. At this meeting Turkey finally achieved "candidate" status but no date was set for opening accession negotiations. At the [Copenhagen Summit of December 2002](#), ten of the twelve negotiating candidate countries completed accession negotiations with the EU and are set to become Member States on 1 May 2004.

Even though it is not a party to the negotiations and its main official role is to give its assent before the Treaty is signed, the European Parliament has contributed extensively to the enlargement process. As early as December 1997, in its [Resolution on the Communication from the Commission "Agenda 2000 - for a stronger and a wider Union"](#) and in its [Resolution on the Conclusions of the Luxembourg European Council](#) the European Parliament insisted on an inclusive enlargement strategy, implying the involvement of all applicants in the accession process, which was essential to avoid negative side-effects in certain applicant countries. It took the view that each country should be judged according to the progress of its negotiations, and that a flexible process of enlargement would be possible, progressing with negotiations at a pace which is appropriate for each country.

It was the European Parliament that urged Council in its [Resolution on the preparation of the meeting of the European Council in Helsinki on 10 and 11 December 1999](#) to adopt the Commission's proposals that accession negotiations should start in the year 2000 with all remaining candidate countries that fulfil the Copenhagen political criteria. It urged the European Council "to put an end to the invidious divide between two classes of applicant countries and to adopt the recommendations made on 13 October 1999 by the Commission, bringing its policy into line with Parliament's 'regatta' model, opening the prospect of a fully flexible, multi-speed accession process, based exclusively on merit".

It was also the European Parliament which, in its [Resolution on enlargement of 4 October 2000](#), proposed "that the EU Institutions, the Member States and the candidate countries with which negotiations have been started, do everything in their power to ensure that the EP can give its assent to the first accession treaties before the European Parliament elections in 2004, in order that these countries might have the prospect of participating in those elections". Since October 2000, Parliament has held an annual debate on enlargement on the basis of reports prepared by its Foreign Affairs Committee and the opinions of the specialist committees. It has regularly

adopted resolutions on the progress of the candidate countries and on the meetings of the European Council.

1.2 European Parliament bodies dealing with enlargement

Throughout the negotiations and right up to the accession of new Member States, the European Parliament has an important monitoring role to play. In the European Parliament, it is *the [Committee on Foreign Affairs](#)*, which is responsible for coordinating the work on enlargement and ensuring consistency between the positions adopted by the Parliament and the activities of its [specialist committees](#), as well as those of the [joint parliamentary committees](#).

Parliament's most significant power in respect of enlargement is to *give its assent* (Article 49 TEU) before any country joins the EU. This power is exercised only at the final stage, once the negotiations have been completed. However, in view of Parliament's key role, it has been in the interest of the other institutions to ensure its participation from the beginning. Parliament also has a significant role to play with regard to the financial aspects of accession in its capacity as one of the two arms of the budgetary authority of the EU.

Apart from adopting resolutions on the enlargement process, the progress of the candidates and the preparation and conclusions of the European Council, the European Parliament has been involved in the enlargement process through the following:

- the bi-annual conferences of the President of the European Parliament with the Presidents of the parliaments of the candidate states; other activities of the President in the context of enlargement;
- the work of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy;
- the work of the Joint Parliamentary Committees established by the European Parliament with all candidate countries;
- the work of the specialist committees;
- in the framework of relations with national parliaments, regular co-operation with the parliaments of the candidate states.

1.2.1 The Meetings of the President of the European Parliament with the Presidents of the parliaments of the countries participating in the enlargement process

have been taking place twice a year since 1995. The 14th meeting was held in Brussels on [26 November 2002](#). The participants agreed that enlargement is the principal political challenge facing the institutions of the EU, the Member States and the candidate countries. They affirmed their belief that enlargement will represent a real and symbolic contribution to world peace, security and prosperity at a time of great international tension. Noting the arrangements whereby observers from the acceding countries would be welcomed into the EP after the signature of the Accession Treaty, they welcomed this next step as confirmation of the central role of parliaments in relation to public opinion in the final, decisive stage of the enlargement process.

Other activities of the President of the European Parliament

As well as receiving visiting Parliamentary Speakers and Committee Chairs, Ministers, Prime Ministers and Heads of State of the candidate countries in Brussels and Strasbourg, the [President](#) has also undertaken an extensive programme of official visits to the candidate countries in 2002.

1.2.2 The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

is the committee politically responsible for the institution's work on enlargement. The [Foreign Affairs Committee](#) appoints a general rapporteur and a rapporteur for each of the thirteen candidate countries. In 2002, the Committee followed the previous year's precedent by holding exchanges of view with the Chief Negotiators of the candidate countries and the European Commission in preparation for the reports on the enlargement negotiations adopted at the June and November 2002 plenary sessions. It was also briefed regularly on progress by the Commissioner responsible for enlargement, Mr Verheugen.

1.2.3 Joint Parliamentary Committees:

Members of the European Parliament meet on a regular basis with their counterparts from the candidate countries within the Joint Parliamentary Committees. The relevant country rapporteurs of the Foreign Affairs Committee attend the meetings and, from 2000, this possibility was extended to the draftsmen of opinions of the specialist committees. The JPC meetings take place twice a year in order to exercise parliamentary oversight of all aspects of bilateral relations and to examine in detail the progress in the accession preparations and negotiations. Each JPC meeting is concluded by joint [Declarations and Recommendations](#) which reflect the progress achieved and the commitments for future work.

1.2.4 The specialist committees

have nominated individual members to follow sector-specific enlargement issues. Their *opinions* have been incorporated into the *enlargement resolutions*. As the negotiations moved towards tackling the most difficult negotiating chapters, the various [specialist committees](#) of the European Parliament became increasingly involved in monitoring the process of negotiations in the policy areas for which they are responsible and the administrative capacity of the candidates to implement the *acquis*. Many committees have sent delegations on fact-finding missions to a number of the candidate countries and have organised hearings on specific issues.

1.2.5 Co-operation with National Parliaments

Within the secretariat of the European Parliament, the Division responsible for the work with national parliaments co-operates regularly with its counterparts in the candidate states. Its activities include, in particular:

- *preparation and follow-up to the two annual COSAC meetings, the preparatory Troika meetings and possibly future COSAC Working Group meetings, as well as assistance to the EP delegation (consisting of 6 Members of the European Parliament including 2 Vice-presidents and at least one committee chair);*
- *preparation and follow-up of meetings of Secretaries General of the European Parliament and national parliaments of both member states and candidate countries;*
- *liaison with the secretariats of the parliaments of [member states](#) and [candidate countries](#), including annual integrated seminar programmes for members and officials of parliaments of the candidate countries.*

1.3 The European Parliament's activities in 2001-2002

The European Parliament's activities in the area of enlargement moved into a new phase from 2000 onwards as the negotiations gathered pace. The primary focus became the close monitoring of the negotiation process. The first of the annual enlargement debates took place in October 2000, following which resolutions were adopted on enlargement and the progress of the

candidate countries. The second such debate took place in September 2001. Reflecting the accelerating pace of events as the negotiations entered their final phase, Parliament's activities in the first half of 2002 culminated in the comprehensive enlargement debate held during the June plenary, at which a series of resolutions was adopted on the basis of the reports prepared by the Foreign Affairs Committee and the specialist committees on the [state of the enlargement negotiations](#), the [financial impact of enlargement](#), [border regions](#), the [ISPA](#) and [SAPARD](#) instruments and [agriculture](#).

In its latest [resolution on the progress made by the candidate countries towards accession](#), adopted on 20 November 2002, following the historic debate with members of the national parliaments of the candidate countries, Parliament welcomed the progress made in the negotiations with all ten countries on accession and supported all efforts to conclude the remaining and most difficult chapters with all ten countries as soon as possible. It also welcomed the prospect of increasing pre-accession aid for the candidate countries not able to join in the first wave.

In its [resolution of 19 December 2002 on the outcome of the Copenhagen European Council](#), Parliament welcomed the historic milestone represented by the conclusion of the accession negotiations with ten countries. It considered this a victory for the forces of democracy, freedom and peace in these countries. However, it also recalled that the implementation of certain aspects of the *acquis* and of the commitments undertaken by the future new Member States still needs improvement and that Parliament will have to give its assent to the accession of each of the candidate countries. Looking ahead, Parliament underlined the need to avoid new dividing lines in Europe and to promote peace and stability beyond as well as within the new borders of the Union. In this context, it welcomed the support for the efforts by the countries of the Western Balkans to move closer to the Union with an ultimate view to accession.

2. The Process of Enlargement

2.1 Key decisions

The fifth enlargement will change the face of Europe and will affect all European Union institutions and areas of policy. In order to maintain the stability and prosperity of the entire European continent, an efficient and credible enlargement process must be sustained. Therefore the substantive preparedness of the candidates has been the overriding principle in deciding on the dates of the entry. The candidate states must share the values and objectives of the European Union as set out in the Treaties. Compliance with political criteria laid down at the [Copenhagen European Council of December 1993](#), the so called "Copenhagen Criteria", is the starting point for accession to the Union. The conditions governing accession must also be met: institutional stability and respect for human rights, the existence of a functioning market economy, the capacity to cope with competitive pressures of market forces and the ability to take on all the obligations of Economic and Monetary Union in connection with compliance with the *acquis communautaire*.

[The Luxembourg European Council of December 1997](#) established the accession and negotiation process. Negotiations with the Czech Republic, Cyprus, Estonia, Hungary, Poland and Slovenia were opened on 31 March 1998. The Berlin European Council of March 1999 set out a clear framework for the financial aspects of enlargement up to 2006 ([link](#)).

The [Berlin European Council of March 1999](#) set the framework for the financial perspective covering the period 2000-2006 on the working assumption of the accession of new Member States starting from 2002.

[The Helsinki European Council of December 1999](#) decided to open negotiations also with Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia in February 2000. The principle of differentiation among the candidates and the catch-up principle were agreed. The status of Turkey as a candidate country with all rights and duties and its full participation in the accession process were recognised, although there was no decision on opening negotiations.

The importance of monitoring the commitments entered into by the candidate countries was underlined by [The Feira European Council of June 2000](#).

[The Nice European Council of December 2000](#) endorsed the strategy proposed by the Commission in its 2000 [Strategy Paper](#) and the target date for membership of the most advanced candidate countries in 2004. It insisted that no further obstacle should now be put in face of the enlargement process. It further endorsed the differentiation amongst the candidates and confirmed the catch-up principle. *The Road Map* proposed by the Commission was reaffirmed for the next 18 months, which in Council's view would ease the way for further negotiations, bearing in mind that those countries which are the best prepared would continue to be able to progress more quickly. It specifically reconfirmed the European Parliament's view that the best prepared candidate countries should be able to participate in the 2004 European Parliament elections. The framework for the institutional reform necessary for enlargement was also defined.

The [Laeken European Council of December 2001](#) confirmed that the accession process was now irreversible. Reaffirming the Union's determination to bring the negotiations to a successful conclusion by the end of 2002 with those candidates that are ready, it also called on the candidate countries to continue their efforts energetically, particularly to bring administrative and judicial capacity up to the required level.

The [Seville European Council of June 2002](#) reaffirmed the EU's determination to complete the negotiations with ten candidates by the end of 2002, if the countries concerned were ready, in expectation of signing the Accession Treaty in spring 2003. The [Copenhagen European Council of December 2002](#) brought the negotiations with ten candidate countries to a close and decided on increased assistance to help the other candidate countries in their efforts.

2.2 The Actors in the Accession Process

2.2.1. The 15 Member States

They are the parties to the accession negotiations on the EU side. The Presidency of the Council of Ministers puts forward the negotiating positions agreed by the member states and chairs negotiating sessions at the level of ministers or their deputies.

2.2.2. The Candidates

Each applicant country with whom the negotiations have begun draws up its position on each of the 31 chapters of the EU *acquis* and engages in negotiations with the Member States. Each applicant has appointed a Chief Negotiator, with a supporting team of experts.

2.2.3. The European Commission

The European Commission carries out the screening exercise with the applicants, conducts the negotiations and draws up draft negotiating positions for the Member States. The Commission also monitors the progress made by candidate countries and checks whether the commitments they made during negotiations have been followed in practice. The Council has requested the Commission to provide detailed annual assessments of the candidate states' progress towards fulfilling the accession criteria, the 'Regular Reports'.

2.2.4. The European Parliament

Parliament has an important role to play in the enlargement process in that it must give its assent to the final terms of accession before the Treaty can be signed and ratified. It has therefore closely monitored the negotiations, and the Commission keeps Parliament informed at all key stages of the accession negotiations. The constitutional basis for the cooperation between the European Parliament and the Commission is the [Framework Agreement on relations between the European Parliament and the Commission](#), which was signed by the Presidents of the two institutions on 5 July 2000. The European Parliament also has an important role to play in the financial aspects of enlargement in its capacity as one of the two arms of the budgetary authority. In particular, it has stressed the fact that agreement on a new financial perspective for the period beyond 2006 requires its approval.

2.2.5. The national parliaments

The national parliaments of the Member States and those of the candidate countries will have to ratify the Accession Treaty with the future member states once it has been signed following the assent of the EP and approval by the Council.

2.3 The process of accession

2.3.1. The Pre-accession strategy

The pre-accession strategy targets support towards the specific needs of each candidate country as it prepares for accession. In this way, the EU focuses support towards the precise priorities identified by the Commission and the candidates. The key instruments of the pre-accession strategy are: the Europe Agreements, the Accession Partnerships, the National Programmes for the Adoption of the Acquis and the pre-accession assistance instruments (PHARE, ISPA and SAPARD, as well as the PHARE funded action plans designed to help create sufficient administrative and judicial capacity at central and local level). In addition, the candidate countries already participate in several European Union programmes.

2.3.2. Screening

This exercise, conducted by the Commission, precedes the negotiations themselves. It enables, firstly, the *acquis* (the body of the EU legislation) to be explained to applicant countries through a series of multilateral and then bilateral meetings, and, secondly, checks to be made on whether the applicants accept the *acquis* and are able to apply it. It also allows any problems that may arise during the negotiations to be identified.

2.3.3. The negotiations

Once the screening is completed, the candidate countries submit their **negotiating positions**. The Commission then prepares a draft **common position** and submits it to the Council, which unanimously adopts a common position and decides, unanimously, to open the negotiation chapter. The common positions may be altered in the course of negotiations if the applicants

submit fresh information or agree to withdraw a request for a transitional period. The decision to close a chapter provisionally is also taken unanimously. The European Union may return to a "provisionally closed" chapter in the light of new *acquis* screened and included in the accession negotiations. Another case when the EU may return to a "provisionally closed" chapter is when a candidate country has not been living up to the commitments undertaken in that particular field.

The negotiations, which take place in the context of an intergovernmental conference, focus on the terms under which the candidates will adopt, implement and enforce the *acquis*, and, notably, the granting of possible transitional arrangements, which must be limited in scope and duration. In the negotiations, each candidate country is judged according to the principle of differentiation on its own merits. This principle applies both to the opening of the various chapters and to the conduct of the negotiations. Candidate states that have been brought into the negotiating process later have the possibility of catching up with those already in negotiations, if they have made sufficient progress in their preparations.

[Progress in the negotiations](#) goes hand in hand with progress in incorporating the *acquis* into national legislation and actually implementing and enforcing it. The pace of each negotiation depends on the degree of preparation by each candidate country and the complexity of the issues to be resolved. The insistence by the Commission on the creation of the appropriate administrative capacity by the candidates, as well as on their ability to carry out a realistic legislative programme and enforce it, is the best and only way to speed up the negotiations without undermining the quality of the enlargement process. In order to reinforce this aspect, the Commission announced in its [2001 Strategy Paper](#) that it would launch an action plan to strengthen administrative and judicial capacity in each of the negotiating countries and mobilise up to € 250 million in extra assistance over and above the annual PHARE allocation. The Commission reported on the action plans and the enhanced monitoring process to the Seville European Council ([COM\(2002\) 256 final](#)). It will also submit a detailed monitoring report to Council and Parliament six months before the proposed date of accession of new Member States.

2.3.4. Transition periods

The general position, which the Union presented to the candidates at the outset of the negotiations, stated that transitional measures should be limited in time and scope, and accompanied by a plan with clearly defined stages for the application of the *acquis*. The Commission's view was that the EU must above all ensure that the candidates fully accept the EU *acquis* relating to the internal market. At the same time, transition periods should be possible in some difficult areas, such as environment, where large investments are needed before the candidates can fully adopt and implement the *acquis*.

The Commission bases its assessment of the candidate's requests on these criteria, analysing each on a case-by-case basis, taking into account the country's interests and the likely impact of the request on the functioning of the Union and the interests of the other applicant states.

2.4 Recent progress and outlook

The [European Council of Nice](#) held in December 2000 defined the framework for the institutional reform necessary for enlargement and endorsed the 'road map' which has guided the process over the last two years. In 2002, following the progress achieved during the [Swedish Presidency](#) and [Belgian Presidency](#), the negotiations moved towards tackling the most difficult

chapters - agriculture and finance. By the end of the [Spanish Presidency](#) in June 2002, 30 chapters had been opened with all the negotiating countries except Romania, and up to 28 had already been provisionally closed with some.

During the [Danish Presidency](#) (July - December 2002), the negotiations with ten countries entered their final phase. In accordance with the Nice 'road map', common positions had been adopted on the agriculture, regional policy, budgetary and institutions chapters. The Member States had still to agree on the final financing package and other issues not covered in the other chapters. In October 2002, the Commission published its Regular Reports, concluding that ten countries - Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia - fulfil the political criteria and would be able to fulfil the economic criteria and assume the obligations of membership from the beginning of 2004. This enabled the [Brussels European Council](#) of October 2002 to confirm the determination of the Union to conclude the negotiations with these countries at the [Copenhagen European Council](#) in December 2002 and sign the Accession Treaty in Athens in April 2003. Agreement was also reached by the Member States on the financial framework for agricultural support and structural fund operations. The approval of the Nice Treaty in the second Irish referendum in October 2002 cleared the way for ratification to be completed and the Treaty to enter into force on 1 February 2003.

The negotiations with the ten were duly concluded at Copenhagen in December 2002. On 19 February 2003, the Commission adopted a favourable [opinion](#) on the applications for accession of the ten countries acceding in 2004 and transmitted the draft Treaty to Parliament. The Accession Treaty is to be signed on 16 April 2003, subject to the European Parliament's assent. Thereafter, the current and acceding Member States must complete the ratification procedures. Most of the acceding countries have already fixed the dates of their respective referenda. Once ratification is complete, the treaty will enter into force on 1 May 2004, allowing the new Member States to participate in the next European Parliament elections and in the next Intergovernmental Conference (IGC). In preparation for the IGC, the governments and parliaments of the candidate countries have been participating in the work of the [European Convention](#) set up following the [Laeken Declaration on the Future of the EU](#), adopted by the European Council in December 2001. Once the Accession Treaty is signed, the acceding states will be given the status of active observers in the legislative work of the Council and delegations of Members of their national parliaments will participate as observers in the work of the European Parliament.

The negotiations with Bulgaria and Romania continue with a view to their accession in 2007. [Revised roadmaps](#) have been presented by the Commission and additional pre-accession aid is foreseen. They are to participate in the next Intergovernmental Conference as observers.

[The Copenhagen European Council](#) of December 2002 encouraged Turkey to pursue energetically its reform process. It also decided that, if the European Council in December 2004, on the basis of a report and a recommendation of the Commission, decides that Turkey fulfils the Copenhagen political criteria, the EU will open accession negotiations with Turkey without delay. Cyprus will be admitted as a new Member State on 1 May 2004. Nevertheless, the European Council confirmed its strong preference for accession by a united Cyprus. However, the latest round of negotiations brokered by UN Secretary-General Kofi Annan failed to produce an agreement at the final session on 10 March 2003 so that application of the Treaty provisions to the northern part of the island will be provisionally suspended.

On 9 January 2003, negotiations opened under the [Greek Presidency](#) with a view to the accession of the ten future new Member States to the **European Economic Area** (currently the EU-15 plus Liechtenstein, Norway and Iceland). The aim is to conclude the negotiations in time for the relevant Treaty to be signed on 16 April 2003 at the same time as the EU accession Treaty.

The Greek Presidency has included in its enlargement programme intensified cooperation with the countries of the **Western Balkans** "to promote their fullest possible integration into the political and economic mainstream of Europe, in view of the status of these countries as potential candidates for EU membership". A special 'Stabilisation and Association Process' summit on the Balkans is planned for 21 June 2003 in Salonika. On 21 February 2003, Croatia submitted its formal application to join the European Union and would like to start negotiations by the end of 2004 with the aim of joining the EU at the same time as Bulgaria and Romania, probably in 2007. Croatia has already concluded a Stabilisation and Association Agreement (SAA) with the EU as has Macedonia (FYROM) and Albania hopes to open negotiations in the near future with a view to concluding an SAA.

On 11 March 2003, the Commission published a [Communication](#) on 'Wider Europe - Neighbourhood: A new Framework for Relations with our Eastern and Southern Neighbours' which examines the possibilities for an enlarged EU to enhance its relations with its eastern and southern neighbours.