2004 enlargement: state of preparedness for Union membership of the 10 new countries. Comprehensive monitoring report

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PURPOSE : to present the comprehensive monitoring report of the 10 accession countries and to assess the state of play in terms of the preparations made by the acceding countries in the period leading up to their accession. CONTENT : the report highlights that in the vast majority of areas of EU legislation, the ten acceding countries are expected to be ready for accession on 1 May 2004, according to the monitoring reports which the European Commission adopted today. A limited number of issues still raise serious concerns and require immediate and decisive action from the countries in question to fulfil their obligations and enjoy the full benefits of EU membership. The Commission is confident that these remaining gaps can be closed by the time of accession, provided the necessary efforts are made, and is ready to support the acceding countries with targeted assistance that can be mobilised quickly. The Commission will not hesitate to take remedial action in cases where this is required to ensure proper implementation of the Union's rules and policies. 1) The road ahead for the accession countries : the Commission has continuously monitored the progress made by the acceding countries to meet the requirements of membership over a number of years. Two monitoring exercises were presented to the Council in February and May 2003. The Commission concludes this process with a set of Comprehensive Monitoring Reports for each of the acceding countries, looking in particular at their ability to meet the obligation of applying the full acquis from the first day of membership. These reports have to be considered as a guidance for the acceding countries in their further preparation for accession, allowing them to identify the remaining gaps and to mobilise the resources and the energy that are required to fill them before accession. The reports assess for each of the 29 chapters of EU legislation how prepared the respective acceding countries are both in terms of transposition of laws and from the perspective of implementing structures, administrative capacity and enforcement. As a rule, only legislation actually adopted and measures actually implemented are taken into account for the assessment. In its assessment, the Commission makes a distinction between three categories of issues: - the first category embraces those issues where a country is ready or where minor issues remain to be addressed; - the second category includes remaining issues requiring enhanced efforts and an increased pace of progress to ensure that they are resolved by the time of accession; - the third category addresses issues of serious concern where immediate and decisive actions need to be taken for the country to be ready by the date of accession. If the problem is not tackled, some of these issues may lead to a situation where a new Member State will not have the full benefit of membership. 2) Satisfactory preparation : overall, preparation is satisfactory. These reports confirm that acceding countries have made special efforts over the last year to complete their long-standing preparations for membership, demonstrating their commitment to apply the acquis from 1 May 2004. They have reached a very high degree of alignment, and generally deserve to becommended for these achievements. The monitoring exercise has proven to be an effective tool in this context and has contributed to an acceleration of preparations. In this comprehensive exercise, the Commission has not been confronted with any major surprises or last minute discoveries. The monitoring exercise confirms previous analyses and records the overall progress made since the last Regular Reports published in October 2002. In the light of the detailed findings described in this report, it can be concluded that, on the whole, the acceding countries are expected to be ready for accession in a large majority of areas, even if minor adjustments are still needed in some cases. At the same time, a number of issues remain to be tackled which require enhanced efforts between now and accession. 3) Some issues of serious concern : there are a limited number of issues of serious concern. Following this report the Commission will individually alert each of the acceding countries to the specific concerns identified by issuing warning letters and organising the appropriate consultations. Without immediate and decisive action the countries in question will most likely not be able to fulfil their obligations of membership in

those specific areas and their citizens and economic operators will not enjoy the full benefits of EU membership. Such specific issues have been found in all acceding countries, affecting between 1 and 4 "acquis" chapters depending on the countries. Overall, these issues represent a mere 3 % of all the topics examined. 4) Preparations for accession continue : all efforts must now focus on resolving the outstanding issues in the transposition and implementation of the acquis, so that all remaining gaps may be closed by the time of accession. This can be achieved. Where appropriate, the Commission is ready to support the acceding countries' administrations with targeted assistance that can be mobilised quickly. Together with the acceding countries, the Commission will continue to monitor the remaining issues in the months leading up to accession. Where it is found that outstanding tasks are not completed as necessary before accession, the Commission is determined to take the necessary measures, before accession, to deal with such situations. The preparation of the acceding countries has reached an advanced state. The Commission is confident that enlargement will take place on 1 May 2004 under good conditions. It will, however, not hesitate to use all means it has at its disposal to ensure the proper implementation of the Union's rules and policies in its role as Guardian of the Treaty to the benefit of all Member States of the Union.