Bulgaria: membership application and partnership, 14 December 1995

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The Commission has prepared this fourth series of Regular Reports with a view to the Laeken European Council in December 2001. The structure followed by this Regular Report is the same as that used for the 2000 Regular Report. It takes into consideration progress since the 2000 Report. It looks at whether intended reforms referred to in the 2000 Regular Report have been carried out, and examines new initiatives. In addition, this Report provides an overall assessment of the global situation for each of the aspects under consideration, setting out for each of them the main steps which remain to be taken by Bulgaria in preparing for accession. In accordance with this approach, the assessment of progress in meeting the political and acquis criteria focuses on what has been accomplished since the last Regular Report. The Report contains a separate section examining the extent to which Bulgaria has addressed the Accession Partnership priorities. Firstly, with regard to the pre-accession instruments, for the years 2000-2002 total indicative financial allocations to Bulgaria amount annually to EUR 100 million from Phare, EUR 53 million from SAPARD and between EUR 83 and EUR 125 million from ISPA. In addition to its annual Phare allocation, Bulgaria receives additional Phare funding in the context of the understanding reached in November 1999 on early closure dates for units 1-4 of the Kozloduy nuclear power plant. The agreement foresaw additional Phare funding of EUR 200 million over the period 2000-2007 subject to certain conditions being met. With regard to the Copenhagen criteria for membership: 1) Political Criteria : Bulgaria continues to fulfil the Copenhagen political criteria. It has made progress in adopting the secondary legislation necessary to implement the Civil Service Law and also to implement this. The adoption of the Child Protection Act in June 2000, which creates a State Agency for Child Protection, is another positive step. However, little has been done to upgrade the judiciary, which remain weak. Also corruption continues to be a very serious problem and a global, transparent anti-corruption strategy with overt backing from government and parliament would be of benefit. Since the adoption of the framework programme for the integration of Roma last year, some progress has been made but the administrative capacity of the National Council on Ethnic and Demographic Issues to implement the programme remains low, and the limited financial means allocated for implementation make effective performance of its task difficult. 2) Economic Criteria : Bulgaria has clearly made further progress towards becoming a functioning market economy. It is not yet able to cope with competitive pressure and market forces within the Union in the medium term. Economic growth has accelerated largely as a result of past economic reforms supported by an improved external environment. Macroeconomic stability has been preserved. However, inflation rose substantially, mainly due to one off factors, while unemployment slightly moved down from its high level. Private investment has remained low but rising slowly, while foreign direct greenfield investments are high and rising. 3) Legislative alignment of the acquis : Bulgaria has continued a good pace of alignment of legislation with the acquis but stillneeds to pay more attention to how this will be implemented and enforced. Progress on public administration reform has continued and is a positive sign; - internal Market : concerning public procurement, Bulgaria has taken some steps towards ensuring transparent public procurement procedures at central and regional level. For Intellectual and industrial property rights, further efforts are needed to complete alignment and implement industrial property rights (trade marks, geographical destinations and industrial designs), and in particular to introduce effective border control measures. On data protection, legislation has still not been adopted therefore cannot be implemented; on Free movement of goods, further work on transposition is needed before work can start on implementation of new approach legislation. More work is needed to pursue alignment of traditional technical legislation. Major efforts are needed to implement market surveillance system. This priority has been partially met; - agriculture : detailed feasibility studies on Common Agricultural Policy management mechanisms under some of the key common market regulations (milk and dairy, fruit and vegetables and grain) are underway or complete. Bulgaria has continued to restructure the agri-food sector and close enterprises that do not meet the hygiene requirements. Monitoring

programmes to check the residues of harmful substances are in place. This priority has been partially met; - Energy : nothing has yet been done to align oil stock requirements and insufficient importance is given to improving energy efficiency. To prepare for the internal energy market, notably the electricity and gas directives (including adaptation of energy prices to cost levels), Bulgaria should speed up substantially the path of adopting legal amendments and to develop an appropriate and efficient regulatory mechanism able to carry out the functions defined in the internal energy market directives. It is too early to assess whether Bulgaria will implement commitments on the phased closure and decommissioning of units 1, 2, 3 and 4 of Kozloduy NPP and to maintain a high level of nuclear safety for Kozloduy units 5-6; - transport : a start has been made to align road transport (market access, road safety and taxation), railways; maritime transport, inland waterways (technical requirements for vessels) and air transport (in particular air safety and air traffic management), but there is still much more to do; - employment and social affairs : concerning equal treatment for women and men, Bulgaria needs for further changes in legislation and the legal framework for enforcement of equal treatment, including proper complaint procedure, monitoring and control mechanisms. Transposition in other areas has begun (occupational health and safety, labour law); - environment : significant further efforts will be needed to complete transposition and implementation of framework and sectoral legislation according to pre-defined timetable; and to integrate sustainable development principles into the definition and implementation of all other sectoral policies. This priority has not yet been met; - justice and home affairs : work needs to be pursued to further up-grade facilities for asylum seekers and refugees, and to further intensify international co-operation in the field of combating trans-border crime; 4) Administrative Capacity : while some progress can be noted on establishment of the institutions necessary to implement the acquis and on public administration reform, the capacity of the Bulgarian administration remains limited. Further efforts are required in establishing the necessary administrative capacity to ensure sound, efficient and controllable management of EC funds. 5) Accession Partnership : Bulgaria has fulfilled partially and made progress since last year on all of the short-term Accession Partnership priorities relating to the acquis. Concerning the administrative capacity, Bulgaria has moved forward on priorities, with the exception of that of strengthening the judiciary, where little progress has been made. The implementation of the recently adopted strategy for judicial reform should make a difference.