Republic of Bulgaria: application for accession to the European Union

2005/0901(AVC) - 22/02/2005

On 22 February 2005, the European Commission adopted a favourable opinion addressed to the Council of the European Union regarding the application of accession to the EU by Bulgaria .

The European Council meeting in Copenhagen in June 1993 laid down for the first time the political, economic and acquis criteria for membership, that have guided the accession process and the Commission' s regular assessments of the readiness of Bulgaria. The political criteria require it to ensure the stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities; these requirements are enshrined as constitutional principles in the Treaty on European Union and have been emphasised in the Charter of Fundamental Rights of the European Union. The economic criteria require the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union . The acquis criterion refers to the ability to take on the obligations of membership arising from the Union's legislation, the acquiscommunautaire, including adherence to the aims of political, economic and monetary Union .

In its Strategy Paper on progress in the enlargement process adopted on October 2004, the Commission considered that the Bulgaria fulfilled the political aspects of the Copenhagen criteria. Bearing in mind the progress achieved, and its track record in implementing its commitments, and taking into account its preparatory work in progress, it expected Bulgaria to fulfill the economic and acquis criteria and to be ready for membership by January 2007. On this basis, the Commission stated that it would make every effort in order to meet the European Council's objective to bring the negotiations with to a successful conclusion in 2004, with a view to signing the Treaty of Accession as early as possible in 2005.

These negotiations were completed in December 2004, and it is apparent that the provisions so agreed are fair and proper; this being so, the enlargement of the European Union, while preserving its internal cohesion and dynamism, will enable it to take a fuller part in the development of international relations.

The Commission calls on Bulgaria to pursue vigorously the improvements that still need to be made in the context of the political and economic criteria for membership and in relation to the adoption, implementation and enforcement of the acquis. The Commission will continue to closely monitor the implementation of the commitments and obligations it has taken on, and will assist it with the available instruments. Based on this continuous monitoring, the Commission reserves its rights, as set out in the Accession Treaty, in particular in Article 38 of the Accession Protocol, to present a proposal recommending to postpone accession by one year to 1 January 2008, should it consider that there is clear evidence that the state of preparations for adoption and implementation of the acquis is such that there is a serious risk of it being manifestly unprepared to meet the requirements of membership by the date of accession of 1 January 2007. As a result of this monitoring, the Commission also reserves its rights to invoke the various safeguard clauses foreseen in the Accession Treaty for Bulgaria .

The Commission calls on the Bulgarian authorities to complete the translation and revision of the acquis before the date of accession in order to ensure legal certainty in the implementation of the legislation.