Report on the strategy paper on progress in the enlargement process

2005/2206(INI) - 09/11/2005 - Document attached to the procedure

COMMISSION'S IMPACT ASSESSMENT

For further information regarding the context of this issue, please refer to the summary of the Commission's Report on the strategy paper on progress in the enlargement process - COM(2005)0561.

1- POLICY OPTIONS AND IMPACTS: Enlargement policy is outside the realm of the Commission's right of initiative and therefore not a policy which the Commission can, strictly speaking, propose on the basis of policy options and impact assessments. The Treaty on European Union and the Copenhagen criteria set the framework for the entire enlargement process and narrow down the assessment criteria that can be used to assess the present or future impacts of implementation of this policy.

On the other hand, important impact assessment elements have been built into the enlargement process since its inception. In particular, the Commission Opinion on a country's application explores, within the framework of the applicable criteria, the likely and foreseeable impacts for the country and the Union. The Opinion is then followed up by progress reports which are normally published by the Commission on an annual basis.

Therefore, the accession process is underpinned by a **permanent impact assessment loop**, whereby the Commission identifies gaps, and evaluates commitments made and measures taken by the country to fill them. This starts very early on in the process, including for countries with which accession negotiations have not been opened but which have been given the perspective of membership (potential candidate countries) and with which the EU develops an association. Towards the end, in the run-up to the signing of an Accession Treaty, this process culminates in the final Commission opinion, European Parliament assent and Council decision on the country's readiness for accession, including a date for accession and any transitional measures and safeguard clauses.

The Commission's policy options are circumscribed by the detailed guidance on EU policy towards the candidate countries and potential candidate countries which is regularly issued by the European Council. One established aspect of EU policy is that the Commission needs to continue to monitor progress by those countries in order to provide the Commission and the Union as a whole with the necessary knowledge of the current situation and outlook. The Commission publishes its findings and recommendations in a communication to the European Parliament and the Council.

Based on its findings, the Commission can recommend the European Parliament and to the Council how the Union's established policy objectives can best be achieved. This could include, for example, indications on the appropriate pace of ongoing accession negotiations; proposals for a roadmap for developing relations with certain countries; the adaptation of existing policy instruments or the creation of new ones.

IMPACTS: The conclusions and recommendations set out in the communication will have a considerable **political** impact. They will determine the content and focus of the Commission's and the EU's dialogue with the countries concerned over the coming year and can be expected to have a considerable mobilising effect on political, legislative and administrative activity in those countries in areas relevant to the EU. The communication will also determine the focus of the Commission's further monitoring of progress in those countries and guide the advice and assistance programmes.

The communication could have an **indirect economic impact** to the extent that the advancement of relations and/or accession negotiations might encourage or discourage economic activity, trade and investment. However, this impact should be small considering that the EU's commitment to the ultimate perspective of membership is known and remains firm. If the Commission concludes that a country should increase its efforts, that country can be expected to speed up its legislative work and to strengthen its administrative capacity, which in turn should have a positive impact on the economic environment.

From a **legal and operational perspective**, the communication is a policy document and has no direct effects. In most cases, the Commission's ideas would need to be followed up by the Council and/or separate legal instruments would need to be worked out. The conclusions and recommendations set out in the communication could have an impact on the Commission's Work and Legislative Programme as it could lead to or announce other measures. In order to achieve its policy objectives, the Commission needs to target its advice and assistance to the countries concerned on addressing the gaps and shortcomings identified by the monitoring. This could affect, for example, the programming of relevant EU assistance programmes managed by the Commission.

2- FOLLOW-UP: The precise follow-up depends on the conclusions and recommendations set out in the communication. However, the Commission is in any case committed to continuing close monitoring of the situation and outlook in the countries concerned and of the possible impact on the Union of the further development of relations, including progress towards accession. The Commission will regularly publish reports on its monitoring findings. The further monitoring will also evaluate the impact of the communication of 9 November 2005 as part of the permanent impact assessment loop referred to in point I (Policy options and impacts).