Basic information

2004/2184(INI) INI - Own-initiative procedure	Procedure completed
Romania's progress towards accession. Strategy paper and 2004 report **Subject** 8.20.01 Candidate countries **Geographical area** Romania	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	MOSCOVICI Pierre (PSE)	13/09/2004

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	
INTA International Trade	The committee decided not to give an opinion.	
BUDG Budgets	DÜHRKOP DÜHRKOP Bárbara (PSE)	26/10/2004
CONT Budgetary Control	The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	27/10/2004

IMCO	Internal Market and Consumer Protection	The committee decided not to give an opinion.	
TRAN	Transport and Tourism	The committee decided not to give an opinion.	
REGI	Regional Development	The committee decided not to give an opinion.	
AGRI	Agriculture and Rural Development	The committee decided not to give an opinion.	
PECH	Fisheries	The committee decided not to give an opinion.	
CULT	Culture and Education	The committee decided not to give an opinion.	
JURI	Legal Affairs	The committee decided not to give an opinion.	
LIBE	Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
AFCO	Constitutional Affairs	The committee decided not to give an opinion.	
FEMM	Women's Rights and Gender Equality	The committee decided not to give an opinion.	
PETI	Petitions	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Neighbourhood and Enlargement Negotiations	

Key events

Date	Event	Reference	Summary
06/10/2004	Non-legislative basic document published	SEC(2004)1200	Summary
18/11/2004	Committee referral announced in Parliament		

30/11/2004	Vote in committee		Summary
03/12/2004	Committee report tabled for plenary	A6-0061/2004	
15/12/2004	Debate in Parliament		
16/12/2004	Decision by Parliament	T6-0111/2004	Summary
16/12/2004	Results of vote in Parliament		
16/12/2004	End of procedure in Parliament		

Technical information

Procedure reference	2004/2184(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	AFET/6/23950

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	BUDG	PE349.903	25/11/2004	
Committee report tabled for plenary, single reading		A6-0061/2004	03/12/2004	
Text adopted by Parliament, single reading		T6-0111/2004 OJ C 226 15.09.2005, p. 0245-0353 E	16/12/2004	Summary

European Commission

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	COM(2004)0657	06/10/2004	Summary
Non-legislative basic document	SEC(2004)1200	06/10/2004	Summary
Document attached to the procedure	COM(2005)0534	25/10/2005	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
		CDR0496/2004		

CofR	Committee of the Regions: opinion	OJ C 031 07.02.2006, p. 0015-0018	06/07/2005	

Romania's progress towards accession. Strategy paper and 2004 report

2004/2184(INI) - 06/10/2004 - Non-legislative basic document

PURPOSE : to present the 2004 Regular Report on Romania's progress towards accession.

CONTENT : this Report provides an overall assessment of the situation for each of the aspects under consideration, setting out for each of them the main steps still to be taken by Romania in preparing for accession.

- Political criteria : since the Commission concluded in its 1997 Opinion that Romania fulfilled the political criteria, the country has further consolidated and deepened the stability of its institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. This trend has accelerated over the past year. Romania continues to fulfil the political criteria.

Progress was made to address the need for administrative and judicial reforms. A public administration reform strategy was launched in May 2004, covering the area of civil service reform, decentralisation and deconcentration, and policy co-ordination. A positive start was made to the reform of the civil service. Further efforts are also needed to strengthen local and regional governance with a view to ensuring proper implementation of the acquis at those levels. Moreover, the management of court cases and the quality of judgments needs to improve. Corruption in Romania continues to be serious and widespread. Romania's anti-corruption legislation is generally well developed, but its ability to curb corruption will depend on the effective implementation of the law. In particular, additional efforts are required to ensure the independence, effectiveness and accountability of the National Anti-Corruption Prosecution Office. It should concentrate its resources on investigating high-level corruption.

Romania continues to respect human rights and fundamental freedoms and has made further progress in several areas. The introduction of national standards for child protection services and of strict rules on inter-country adoption, which appear to be in line with the UN Convention on the rights of the child, should further improve the protection of children's rights. As regards freedom of expression, the legal situation of journalists has improved but the economic situation of many mass media organisations remains precarious and further efforts are necessary to guarantee media independence.

The Roma Strategy, which is explicitly aimed at addressing discrimination, is being implemented but de facto discrimination against the Roma minority remains widespread. The support for an inclusive approach to education is a positive development. The same encouraging trend has been noted in health care and employment.

- Economic criteria : the 1997 Opinion already acknowledged the substantial reform efforts undertaken by the Romanian authorities to transform their economy. Since the Opinion economic structure and performance have significantly improved. Macroeconomic stability has been achieved, profound economic reforms have been carried out while the Romanian authorities' commitment to the economic requirements of EU accession has been sustained. Hence, it is concluded that Romania complies with the criterion of being a functioning market economy. Vigorous implementation of its structural reform programme should enable Romania to cope with competitive pressure and market forces within the Union.

Improvements can be made in sustaining macroeconomic stability and in deepening structural reforms. Priority should be given to preserve the momentum in disinflation and safeguard the sustainability of the external position by maintaining a prudent policy mix and by further reducing the deficit of the broader public sector. Fiscal sustainability needs to be strengthened by advancing expenditure reform and further improving tax compliance. The privatisation process should be accomplished, post-privatisation disputes be settled and non-viable enterprises more actively dismantled.

In key sectors, such as energy, mining and transport, perseverance in restructuring and a more manifest strive for privatisation should go hand in hand.

- Implementation of the acquis : Romania has made good progress in adopting the acquis and more recently, has also made progress in gradually building up the administrative capacity to implement and effectively enforce the acquis. Over the past year, Romania has made further progress in the vast majority of the chapters of the acquis and is on track to complete the required legislative transposition before the planned date of accession if the current pace of progress is maintained. Overall, alignment with the acquis has reached a fair level in the large majority of areas. The administrative capacity has been strengthened in the majority of areas but there is still room for improvement since not all the necessary institutions are yet in place. In order to cover the remaining gaps, due attention should be given to the full and timely implementation of the strategies and action plans for the reinforcement of administrative capacity already approved in these areas:

- internal market, (transposition of the public procurement legislation must be completed. In addition, practices which put Romania's commitment to open and transparent procurement procedures into question should be discontinued);

- free movement of capital(outstanding restrictions to capital movements and payments should be removed and the enforcement record of the National Office for the Prevention and Control of Money Laundering needs to be improved);

- agricultural, veterinary and phytosanitary acquis (particular attention should be paid to reinforcing the SAPARD Agency and to establishing the necessary elements of a functioning IACS) ;

social policy and employment (efforts should now focus on completing legislative alignment in the area of labour law and on strengthening the Labour Inspectorate to ensure proper implementation in the area of health and safety at work);

- industrial policy (the key challenge here is its implementation as structural weaknesses limit the capacity for enforcement. Transparency of the privatisation process should be fully ensured);

- regional policy and co-ordination of structural instruments (efforts need to be continued to bring the administrative capacity up to the level required in order for Romania to reap full benefits of the structural instruments);

- consumer and health protection is well on track and Romania has made good progress as regards improvement of administrative capacity and the general co-ordination of market surveillance activities. These efforts should be maintained and consumer movement should be strengthened.

- justice and home affairs (implementation capacity should be significantly strengthened in almost all areas, as should inter-agency co-operation). As regards the fight against corruption, implementation capacity should also be significantly strengthened and the existing legislation should be rigorously enforced:

- customs.

In a number of important sectors, the overall capacity of the public administration to implement and enforce the newly adopted legislation should be enhanced. Furthermore, there are a number of areas where further efforts will be needed to complete the work, in particular as regards company law, competition policy, environment and justice and home affairs, customs and financial control.

In the accession negotiations, 27 chapters have been provisionally closed. Romania is generally meeting the commitments that it has made during the negotiations, although delays have been noted in specific areas.

In conclusion, the Commission expects Romania to assume the obligations of membership in accordance with the envisaged timeframe. In the period leading up to accession, Romania needs to continue its preparations, in line with the commitments it has made in the accession negotiations.

Romania's progress towards accession. Strategy paper and 2004 report

2004/2184(INI) - 06/10/2004 - Supplementary non-legislative basic document

PURPOSE : to present the Strategy Paper of the European Commission on progress in the enlargement process - revision of the a pre-accession strategy for Croatia.

CONTENT : the enlargement of the EU to ten new Member States on 1 May 2004 has further strengthened the unity of the European continent. The historical and political arguments in favour of this enlargement are compelling: it enhances peace, prosperity, stability and security and has also produced substantial economic benefits.

The Commission proposes this new strategy paper for the actual candidates as well as Croatia whose candidature was accepted in June 2004. It also presents the content of a pre-accession strategy for Croatia including financial instruments.

Bulgaria and Romania are an integral part of this enlargement process which was launched in 1997. Both countries are close to completing the negotiations. The EU's objective is to welcome both countries in January 2007 as members, if they are ready.

The Regular Reports point to a number of areas where further improvements need to be made in the context of the political and economic criteria and in relationship to the adoption, implementation and enforcement of the acquis. These should be vigorously pursued in order to remedy before accession the shortcomings identified. In order to analyse progress and to facilitate successful membership of the European Union, the Commission will conduct an enhanced monitoring and regularly report to the Council. The Commission will issue as from November 2005 yearly comprehensive monitoring reports for the Council and the Parliament. The Commission considers that a specific safeguard needs to be introduced in the Accession Treaty which would allow the Commission to recommend to the Council to postpone the date of accession of either Bulgaria or Romania by one year to January 2008 if there is clear evidence that there is a serious risk that Bulgaria or Romania will be manifestly unprepared to meet the requirements of membership by 1 January 2007 in a number of important areas. The Commission recommends extending to Croatia the reinforced pre-accession strategy for candidate countries decided by the European Council in Luxembourg in December 1997.

CROATIA : the Brussels European Council in June 2004 concluded that Croatia is a candidate country

with which accession negotiations will start in early 2005 and requested the Commission to prepare a pre-accession strategy for Croatia. The Commission considers that the reinforced pre-accession strategy for candidate countries decided by the European Council in Luxembourg in December 1997 should be extended to Croatia. The elements of this strategy are outlined below.

The review procedure aimed at assessing candidate countries' progress towards membership will start to be applied to Croatia as of 2005. This will mean that the Commission will start issuing Regular Reports on Croatia as from autumn 2005. In the context of the Stabilisation and Association Process, the Commission has already proposed a European Partnership, based on the findings of its Opinion on Croatia's application for membership. This document will guide Croatia's accession preparations.

Croatia as a candidate country should benefit from all three pre-accession financial instruments: Phare for institution-building and economic and social cohesion, ISPA for environment and transport, and SAPARD for rural development. The Commission will propose amendments to the regulations for these three pre-accession instruments in order to extend their scope to Croatia as of 1 January 2005. Taking into account the needs for an adequate preparation of Croatia for accession, the Commission recommends that EUR 105 million (EUR 80 million for Phare and EUR 25 million for ISPA) are allocated to Croatia in 2005 and EUR 140 million in 2006 (EUR 80 million for Phare, EUR 35 million for ISPA, and EUR 25 million for SAPARD). These amounts will be financed out of the pre-accession funds available under heading 7 of the current financial perspectives. The Commission has proposed to Council to create a new pre-accession instrument (IPA), from which Croatia would benefit from 2007 onwards, building on the present pre-accession instruments Phare, ISPA and SAPARD. The amounts to

be allocated to Croatia from 2007 onwards will be decided in the context of the next financial perspective.

The Stabilisation and Association Agreement (SAA) signed with Croatia in October 2001 has now been ratified. In order to implement the trade-related aspects of the SAA, an Interim Agreement entered into force in March 2002. A Stabilisation and Association Council, Committee and Sub-Committees will be set up. The Commission proposes that the structures of the SAA be used not only to cover issues related to the implementation of the agreement, but also to serve as forums for the explanation of the acquis and review progress made by Croatia in the alignment of the acquis in line with commitments taken in the negotiations. The framework agreement allowing Croatia's participation in Community programmes and agencies should come into force in the first half of 2005, after ratification by the EU

institutions and Croatia. Croatia's financial contribution to each programme can be partly funded by Phare. In addition to the above mentioned elements for a reinforced pre-accession strategy, the

Commission considers that an enhanced political dialogue with Croatia should continue in order to tackle the issues highlighted in the Opinion. Such issues include the relations with the International Criminal Tribunal for the former Yugoslavia, minority rights, return of refugees, judiciary reform, regional co-operation and the fight against corruption. In particular, Croatia needs to remain committed to regional cooperation within the framework of the Stabilisation and Association Process for the Western Balkans. The Commission will closely monitor these issues in regular meetings with the Croatian authorities and will keep the Council informed.

The Brussels European Council in June 2004 decided that in advance of negotiations with Croatia, the Council will agree a general negotiating framework, taking full account of the experience of the fifth enlargement process. The Commission suggests that the framework should build on certain principles: - - the negotiations with Croatia should be guided by the conditions for accession as defined at the Copenhagen European Council in 1993. These conditions are adequate tools for measuring a candidate country's preparedness for meeting the obligations of membership, and provide for clear guidance in the reform process;

- progress in the negotiations will be fully dependent on the sustainability of political reforms and Croatia's fulfillment of its obligations in respect of regional cooperation with the other countries of former Yugoslavia and other related international obligations such as cooperation with ICTY;

- lastly, in line with the Treaty on European Union and the Constitution for Europe, the Commission will recommend the suspension of negotiations in the case of a serious and persistent breach of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded. The Council should be able to decide on such recommendation by a qualified majority of Member States.

Romania's progress towards accession. Strategy paper and 2004 report

2004/2184(INI) - 16/12/2004 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report by Pierre MOSCOVICI (PES, FR) stating that Romania fulfils the political and economic criteria for accession, but that it still has to make important efforts to fulfil its obligations on time. (Please see the summary of 30 /11/2004.)

Parliament discussed, in particular, the areas of justice and home affairs as regards combating corruption and organised crime and as regards border checks; the area of competition as regards state aid, and also in the field of the environment as regards the implementation of legislation in all sectors and the alignment of horizontal legislation.

On the political situation and criteria, Parliament expressed concern about the following matters:

- the Commission's finding referring to official surveys which confirm that the executive continues to influence the outcome of judicial proceedings, and renewed its call for the judicial system to be made more independent and professional;

- the registration of alternative political organizations representing national minorities has encountered considerable administrative obstacles, preventing them from participating in elections;

- corruption remained a matter of serious concern;

- the fact that people with mental disabilities are subjected to arbitrary detention in mental hospitals and at the inadequacy of conditions and lack of appropriate care in many mental hospitals and other residential institutions for people with mental disabilities;

- the Commission's view that violence and de facto discrimination against the Roma minority, even in official institutions, are still very widespread.

On economic criteria, Parliament called on Romania to:

- make the improvements required to bolster macroeconomic stability and consolidate the structural reforms; it pointed out that, in order to continue reducing the public sector deficit, it is necessary to ensure financial discipline, continuously adjusting energy prices so as to enable costs to be covered and improving the financial performance of public enterprises;

On the acquis, Parliament felt that Romania has achieved a satisfactory degree of alignment in the vast majority of areas and that, if it continues to advance at the current rate and honours its undertakings, it will have every prospect of completing the requisite legislative transposition before the scheduled accession date. Romania must do much more to implement the legislation in all sectors related to the environment. It must also improve the alignment of horizontal environmental legislation, especially in the sectors of air quality, waste management, water quality and nature conservation, and in a number of other sectors.

Romania's progress towards accession. Strategy paper and 2004 report

2004/2184(INI) - 25/10/2005

In presenting this Report the Commission fulfils the commitment made in its 2004 Strategy Paper *(please refer to the summary of the non-legislative base document of 06/10/2004*) and responds to a request expressed by the European Council in December 2004 to continue to submit annual reports on Bulgaria and Romania's progress towards accession, together with recommendations if appropriate. This Report assesses the countries' preparedness for membership, identifies remaining gaps and presents steps to be taken for dealing with these (sometimes serious) gaps. It reflects the situation at the end of September 2005.

Main points of the Commission's analysis: for further details regarding the Commission's conclusions on the level of preparedness for EU membership of Bulgaria and Romania, please refer to the summaries of the specific regular reports – SEC(2005)1352 and SEC(2005)1354:

1) The Commission confirms that Bulgaria and Romania meet the political criteria for membership. Nevertheless, further efforts are needed in particular to strengthen the rule of law, by improving public administration and the justice system and by fighting corruption effectively.

2) Bulgaria and Romania fulfil the requirement of being a functioning market economy. Bulgaria's continuation of the current pace of its reform path and Romania's vigorous implementation of its structural reform programme should enable them to withstand competitive pressure and market forces within the EU.

3) Both countries have continued to make progress in adopting and implementing EU legislation. In most areas they are well advanced. However, the Commission has also identified a number of areas where increased efforts are required. The authorities in both countries should vigorously pursue their preparations in order to ensure the full benefit of membership for their citizens.

Areas of concern: There are a limited number of specific gaps in both countries' preparations which give cause for serious concern. Without immediate action Bulgaria and Romania will most likely not be able to fulfil their obligations in those specific areas by 1 January 2007. Both countries will need to pay attention to reinforcing their administrative and judicial capacity in order to adequately implement and enforce the required legislation. Vigorous steps will need to be taken in the fight against corruption and in the reforms of the justice system and the public administration in order to ensure the proper functioning of the rule of law. This will involve, at all government levels, precise activity planning, setting priorities, adopting measures and ensuring an adequate allocation of the necessary financial and human resources. The Commission will continue its various monitoring activities until accession.

Financial assistance: The EU will continue to provide substantial financial assistance to both countries in order to help them prepare for membership. In 2006 approximately EUR 1 155 million will be reserved for Romania and approximately EUR 545 million for Bulgaria.

Depending on the nature of the problem, EU support could take the form of peer assistance, training seminars, advice missions, twinning (light) projects or similar instruments, which can be mobilized quickly and can be focused on well-targeted issues. Equally, a number of existing EU programmes (such as Customs 2007, Fiscalis, and other programmes) can be used to address gaps in both countries.

Next steps: The main remaining problems will be followed up in warning letters. On-site peer reviews and specific consultations will be held to ascertain the steps taken by Bulgaria and Romania; where needed, the Union will rapidly mobilise targeted assistance. The results of this follow-up will feed into a monitoring report which the Commission intends to present to the Council and Parliament in April/May 2006. At that moment, the Commission may recommend that the Council postpone the accession of Bulgaria or Romania until 1 January 2008 if there is a serious risk of any of those states being manifestly unprepared to meet the requirements of membership by January 2007 in a number of important areas. The Commission expects Bulgaria and Romania to take all necessary corrective actions until then so as to avoid having to issue such a recommendation.

Conclusion: The Report shows that both countries have made good progress in their preparations. They should be able to meet the requirements of EU membership at the envisaged date of accession on 1 January 2007 provided they concentrate all efforts on the reforms, with particular attention to their actual implementation.