




# Procedure file

Basic information	
COS - Procedure on a strategy paper (historic)	1997/2179(COS)
Bulgaria: membership application and partnership, 14 December 1995	
Subject 8.20.01 Candidate countries	
Geographical area Bulgaria	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>AFET</b> Foreign Affairs, Human Rights, Common Security, Defense	PPE-DE <a href="#">VAN ORDEN Geoffrey</a>	07/11/2000
	Former committee responsible		
	<b>AFET</b> Foreign Affairs, Security and Defense Policy	PPE-DE <a href="#">VAN ORDEN Geoffrey</a>	23/09/1999
	<b>AFET</b> Foreign Affairs, Security and Defense Policy	V <a href="#">AELVOET Magda G.H.</a>	23/06/1997
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets	PPE-DE <a href="#">BÖGE Reimer</a>	24/04/2001
	<b>CONT</b> Budgetary Control	PSE <a href="#">BÖSCH Herbert</a>	29/05/2001
	<b>LIBE</b> Citizens' Freedoms and Rights, Justice and Home Affairs	PPE-DE <a href="#">OOSTLANDER Arie M.</a>	29/05/2001
	<b>ITRE</b> Industry, External Trade, Research, Energy	PSE <a href="#">BERGER Maria</a>	21/03/2001
	<b>EMPL</b> Employment and Social Affairs	PSE <a href="#">GLANTE Norbert</a>	12/04/2000
	<b>AGRI</b> Agriculture and Rural Development	PSE <a href="#">ETTL Harald</a>	27/03/2001
	<b>CULT</b> Culture, Youth, Education, Media and Sport	PSE <a href="#">GÖRLACH Willi</a>	11/04/2001
		ELDR <a href="#">ANDREASEN Ole</a>	

	<b>AFCO</b> Constitutional Affairs		24/01/2001
		PPE-DE <a href="#">RACK Reinhard</a>	
	<b>FEMM</b> Women's Rights and Equal Opportunities		20/03/2001
		V/ALE <a href="#">SÖRENSEN Patsy</a>	
<b>Council of the European Union</b>	Council configuration	Meeting	Date
	Culture	<a href="#">2427</a>	23/05/2002
	<a href="#">General Affairs</a>	<a href="#">2078</a>	30/03/1998
	<a href="#">General Affairs</a>	<a href="#">1902</a>	29/01/1996
<b>European Commission</b>	Commission DG	Commissioner	
	<a href="#">Neighbourhood and Enlargement Negotiations</a>		

## Key events

29/01/1996	Debate in Council	<a href="#">1902</a>	Summary
15/07/1997	Non-legislative basic document published	COM(1997)2008	Summary
18/07/1997	Committee referral announced in Parliament		
18/11/1998	Vote in committee		Summary
18/11/1998	Committee interim report tabled for plenary	<a href="#">A4-0429/1998</a>	
02/12/1998	Debate in Parliament		
03/12/1998	Decision by Parliament	T4-0715/1998	Summary
23/05/2000	Additional information		Summary
14/09/2000	Vote in committee		Summary
14/09/2000	Committee interim report tabled for plenary	<a href="#">A5-0241/2000</a>	
03/10/2000	Debate in Parliament		
04/10/2000	Decision by Parliament	<a href="#">T5-0425/2000</a>	Summary
09/07/2001	Vote in committee		Summary
09/07/2001	Committee interim report tabled for plenary	<a href="#">A5-0258/2001</a>	
04/09/2001	Debate in Parliament		
05/09/2001	Decision by Parliament	<a href="#">T5-0434/2001</a>	Summary
05/09/2001	End of procedure in Parliament		
21/03/2002	Final act published in Official Journal		

## Technical information

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Procedure reference	1997/2179(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	AFET/5/13764; AFET/4/10605; AFET/4/09125

## Documentation gateway

Non-legislative basic document	<a href="#">COM(1997)2008</a>	15/07/1997	EC	Summary
Committee interim report tabled for plenary	<a href="#">A4-0429/1998</a> <a href="#">OJ C 398 21.12.1998, p. 0003</a>	18/11/1998	EP	
Interim resolution adopted by Parliament	T4-0715/1998 <a href="#">OJ C 398 21.12.1998, p. 0020-0055</a>	03/12/1998	EP	Summary
Document attached to the procedure	<a href="#">COM(1998)0707</a>	17/12/1998	EC	Summary
Document attached to the procedure	<a href="#">COM(1998)0712</a>	17/12/1998	EC	Summary
Non-legislative basic document	<a href="#">COM(1999)0500</a>	13/10/1999	EC	Summary
Supplementary non-legislative basic document	<a href="#">COM(1999)0501</a>	13/10/1999	EC	Summary
Document attached to the procedure	<a href="#">31999D0857</a> <a href="#">OJ L 335 28.12.1999, p. 0048</a>	06/12/1999	EU	Summary
Committee interim report tabled for plenary	<a href="#">A5-0241/2000</a> <a href="#">OJ C 178 22.06.2001, p. 0007</a>	14/09/2000	EP	
Interim resolution adopted by Parliament	<a href="#">T5-0425/2000</a> <a href="#">OJ C 178 22.06.2001, p. 0072-0149</a>	04/10/2000	EP	Summary
Supplementary non-legislative basic document	<a href="#">COM(2000)0701</a>	08/11/2000	EC	Summary
Document attached to the procedure	<a href="#">COM(2000)0700</a>	08/11/2000	EC	Summary
Committee interim report tabled for plenary	<a href="#">A5-0258/2001</a>	09/07/2001	EP	
Economic and Social Committee: opinion, report	<a href="#">CES0931/2001</a> <a href="#">OJ C 260 17.09.2001, p. 0062</a>	11/07/2001	ESC	
Interim resolution adopted by Parliament	<a href="#">T5-0434/2001</a> OJ C 072 21.03.2002, p. 0083-0194 E	05/09/2001	EP	Summary
Non-legislative basic document	<a href="#">COM(2001)0700</a>	13/11/2001	EC	
Supplementary non-legislative basic document	<a href="#">SEC(2001)1744</a>	13/11/2001	EC	Summary
Document attached to the procedure	<a href="#">COM(2001)0651</a>	13/11/2001	EC	Summary
Document attached to the procedure	<a href="#">32002D0083</a> <a href="#">OJ L 044 14.02.2002, p. 0001-0011</a>	28/01/2002	EU	
Non-legislative basic document	<a href="#">COM(2002)0700</a>	09/10/2002	EC	
Document attached to the procedure	<a href="#">SEC(2002)1400</a>	09/10/2002	EC	
Document attached to the procedure	<a href="#">COM(2002)0624</a>	13/11/2002	EC	Summary

## Bulgaria: membership application and partnership, 14 December 1995

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Following the application to join the European Union submitted by Bulgaria (14 December 1995), the Council decided to implement the procedure provided for in the Treaty and ask the Commission to draw up its opinion on this application. The President of the Council will write to the authorities of Bulgaria to inform them of this decision.?

## Bulgaria: membership application and partnership, 14 December 1995

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PURPOSE: AGENDA 2000: presentation of the Commission's opinion on Bulgaria's request for membership (14 December 1995). CONTENT: All the requests for membership were assessed using a single method based on the criteria established at the Copenhagen European Council (June 1993). These criteria are as follows : - political criteria: the candidate countries must have stability of institutions guaranteeing democracy, human rights and respect for minorities, - economic criteria: these countries must have a functioning market economy, as well as the ability to cope with competitive pressures and market forces within the Union, - criteria relating to the ability of the countries to take on the obligations of membership (in particular integration of the acquis, to a greater or lesser extent, and respect for the criteria concerning economic and monetary union). With regard to these criteria, it is emerges that: 1) in political terms, the situation has been stable since the establishment of the new government (including respect for the rights of minorities); 2) in economic terms, Bulgaria's progress in the creation of a market economy has been limited by the absence of a commitment to market-oriented economic policies. The Commission does not consider that this country will be able to cope with competitive pressure and market forces within the Union; 3) with regard to the capacity to take on the obligations of membership and despite the progress made towards implementation of the acquis, Bulgaria has neither transposed nor taken on the essential elements of the Community legislation on the single market. It is uncertain whether this country will be in a position to implement the acquis in the medium term. In addition, considerable efforts will be needed in the areas of investment, environment, transport, energy, justice and home affairs and agriculture. More generally, substantial reform will be indispensable if this country is to have the structures (administrative and institutional) to apply and enforce the acquis effectively. In conclusion, the Commission considers that negotiations for accession cannot be opened with Bulgaria until it has made sufficient progress in the economic field and in respect for the legislative acquis. The first objective should therefore be to reinforce the pre-accession strategy.?

## Bulgaria: membership application and partnership, 14 December 1995

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By adopting the report of Mrs. Magda AELVOET (Greens, B), the committee r committee welcomed the efforts made by Bulgaria to meet the Copenhagen criteria in the political and economic fields and the integration of the Community acquis. The Commission's progress report is seen as broadly positive, with the result that the pre-accession strategy may be regarded as having been successfully implemented. However, the committee stresses the importance of the work that still remains to be done in certain key areas. It attaches particular importance to the field of energy and strongly insists that the Bulgarian Government fulfils its undertakings regarding the closure of the Kozoloduy power plant. The committee stresses the need for a dynamic accession process, covering all the countries with which the EU has signed a Europe Agreement and not to a priori exclude any candidate. As a consequence, each candidate country has the right to be judged on the same basic criteria and on its own achievements. Lastly, the committee reiterates that it is only in making full use of the existing instruments (Europe Agreements, accession partnerships) that mutual cooperation can develop between the EU and Bulgaria.?

## Bulgaria: membership application and partnership, 14 December 1995

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In adopting the report by Mrs Magda AELVOET (Green, B) on Bulgaria's application for membership Parliament reaffirmed a position already expressed in its resolution of 4 December 1997 according to which all countries should be placed on the same footing even if it was logical to open negotiations with the most advanced countries. It stressed the need for the advancing accession process to cover all the countries with which the European Union had signed a European Agreement and underlined again its firm conviction that there should be no closed groups of accession candidates. It also stressed that the opportunity for a smooth transition to the phase of intensive negotiations should remain open at all times. Considering, in general terms, that the integration of the candidate countries into the Union would substantially contribute to security in Europe, Parliament welcomed the efforts made by Bulgaria to meet the Copenhagen criteria. The Commission's November progress report was on the whole positive, such that the implementation of the pre-accession strategy could be considered to have been successful. Parliament therefore considered that in view of its general economic and political progress Bulgaria was capable of membership of the Union. However, in expressing the hope that this country would be able to keep up the momentum of the reform process and increase its capacity to implement and enforce the acquis, Parliament stressed the need to continue reforms helping to improve the conditions of work and life of its population and to bring about a transparent, efficient and independent public administration in order to ensure a democratic society. It hoped that the government would quickly implement the administrative reform as soon as the parliament adopted the law. Bulgaria was also called on to complete the media reform, to speed up the privatisation process, structural adjustment and reforms in the agricultural sector. With a view to the equal treatment of the candidate countries, Parliament also called for the removal of the visa requirements for Bulgarian nationals travelling to European Union countries. It also attached particular importance to the energy sector and urged the Sofia government to abide by its commitments for the closure of the Kozoloduy nuclear power plant. Lastly, Parliament stressed the need to strengthen all forms of regional and interregional cooperation to make good the damage suffered as a result of the war in former Yugoslavia but also to make full use of existing instruments such as the European Agreement and the Pre- accession Partnership. The European Conference should be the forum in which the Union and Bulgaria could together discuss common pre-accession problems.?

## Bulgaria: membership application and partnership, 14 December 1995

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This composite paper presents an outline of the progress made towards accession by all of the candidate countries in relation to the Copenhagen criteria since the publication of the Commission's opinions in June of 1997. These regular reports for each of the candidate countries concentrate on all aspects of the adoption of the Community acquis and establish a precise assessment of the capacity of each of the candidates to fulfil the political and economic criteria required for accession. In its general conclusion, the composite paper indicates that, whatever the place of the candidate countries in the accession process and in the negotiations, much remains to be done in order to fully conform to the Community acquis. In this respect, whether considering the "in" countries (those who will qualify for accession in the next wave) or the "pre-in" countries (those who have not been selected, of which Bulgaria is one), the difference is not very important. Overall, the Commission's analysis of the progress achieved by each of the candidate countries since June 1997 has not persuaded it to amend its general assessment of the candidacies. Therefore, it does not consider it necessary, on the basis of the reports being presented, to make new recommendations "on the conduct or extension of the negotiations", as envisaged by the European Council. Nonetheless, the Commission stresses the increasing importance of revising the national programmes for adoption of the acquis in order to further accelerate the process of alignment with European legislation and strengthen the administrative capacity of the candidate countries, with a view to efficiently implementing all the regulations necessary for admission to the Union. The document ends by specifying that the preparatory measures undertaken must determine for now, the assistance of the Union to these countries and, subsequently, the timetable for the first accessions. For this reason, the Commission intends to submit further progress reports to the Council at the end of 1999 to allow it, if appropriate, to take decisions on the conduct or extension of the negotiations.?

## Bulgaria: membership application and partnership, 14 December 1995

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**PURPOSE :** To present the 1999 Regular Report on Bulgaria's progress towards accession. **CONTENT :** The report describes the relations between Bulgaria and the Union. It analyses the situation in respect of the Copenhagen criteria and assesses Bulgaria's capacity to take on the obligations of membership. It also covers judicial and administrative capacity as requested by the Madrid European Council. **Relations with the Union:** the report looks at developments under the Europe Agreement and the Phare programme. It describes the twinning projects undertaken. In the years 2000-2002, indicative figures for total financial assistance available will amount to around 300M EUR for Phare (including CBC), 156.3M EUR for Sapard and 249M EUR to 375M EUR for ISPA. **Copenhagen political criteria:** the report notes that Bulgaria's commitment to integration was underlined during the Kosovo conflict. Bulgaria projected the image of a stable country respecting the principles of democracy and the market economy, and was firmly supportive of EU actions. Bulgaria fulfils the Copenhagen political criteria. Further efforts are needed to protect human and minority rights, particularly of the Roma population, which makes up about 5% of the total. The government has adopted decisions which reflect a political commitment to combating discrimination, but these need to be followed by measures with sufficient resources behind them. The judicial system and the fight against corruption must also be reinforced. **Copenhagen economic criteria:** Bulgaria has continued to make progress in establishing a functioning market economy but further steps are needed and it is not yet in a position to cope with competitive pressures and market forces within the Union in the medium term. Macroeconomic stability has been maintained thanks to implementation of sound fiscal and incomes policies. Priority should now be given to completing privatisation and speeding up restructuring of the enterprises and banking sectors. A transparent legal framework is needed for business. **Ability to assume the obligations of membership:** Bulgaria has made efforts in the past year to put in place the key elements of internal market legislation, such as legislation on public procurement and standardisation. State aid continues to be a problem area. There are problems on the implementation of agricultural alignment, partly due to lack of funding. There has been little progress in the social sector where there is widespread poverty and cause for concern in terms of public health. There is no progress on the closure of units at Kozloduy nuclear power plant, despite the fact that this was a short-term priority of the Accession Partnership. **Administrative capacity to apply the acquis:** Bulgaria has adopted a Civil Service law and made progress in setting up a legal framework for institutions responsible for the application of the acquis. A shortage of resources, both human and financial, has prevented these institutions from implementing legislation. Financial control mechanisms and transparent public procurement systems need to be established, particularly in order to absorb increased EU financial resources. Border management must be improved.?

## Bulgaria: membership application and partnership, 14 December 1995

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**PURPOSE:** presentation of the second 'accession partnership' for Bulgaria. **CONTENT :** Like its previous version, this partnership for the accession of Bulgaria resembles a work programme proposing priorities and objectives to be attained by the country in the short and the medium-term in order to become a member of the Union. These objectives take into account the regular report on Bulgaria (1999). The short-term priorities (end of 2000) concern political criteria (introduction of a framework programme for the Roma people), economic criteria (restructuring of companies, improvement of bankruptcy procedures and the restructuring of the steel sector) ; the internal market (basically continuing the harmonisation process) ; agriculture, transport, energy (closure of units 1 to 4 of the Kozloduy plant), environment, social affairs and employment, justice and home affairs (implementation of the Schengen agreement) and the strengthening of administrative and judiciary capacity (in particular the management and control of EU funds). In the medium term, the measures will concern the implementation of the framework programme to resolve the Roma question and maintaining overall macro-financial stability. In the area of the single market, the complete liberalisation of public procurement is essential, as are alignment and the strengthening of customs controls. Further measures are envisaged in the area of agriculture, fishing, energy (in particular, the nuclear sector), transport and the environment, and the improved operation of the legal system. With regard to the programming of financial resources, the partnership confirms aid granted in line with AGENDA 2000 and the various instruments provided therein (Phare, SAPARD and ISPA) in accordance with the rules already foreseen. It should be noted that assistance is only granted if the country respects the provisions of the EC-Bulgaria Association Agreement, makes progress towards satisfying the Copenhagen criteria and assures in the year 2000 the achievement of the specific priorities of this accession partnership.?

## Bulgaria: membership application and partnership, 14 December 1995

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On the proposal of the Chairman of the Committee for External Relations, Mr. Elmar BROK (EPP, D) and of Mr. Patrick COX (President of the ELDR group), the conference of the presidents of the political groups in the European Parliament decided to have annual debates on enlargement as of the first plenary session of October 2000. This decision was adopted against the view of the Socialist Group, which opposed

the setting of a specific calendar laying down from the present the work allocation of the various parliament committees. The decision of the Conference of presidents grants an exclusive competence to the External Relations Committee to take responsibility for the preparation of the 13 reports that will be discussed in October 2000: one report for each of the 12 candidate countries and a general report that cover all the horizontal questions. This composite report will be prepared on the basis of contributions from the other parliamentary committees on: - convergence and stability in the candidate countries; - the rule of law in the candidate countries and their adaptation to the single market; - employment and social aspects; - the environmental aspects of enlargement; - health and consumer protection; - agricultural aspects; - regional policy; - transport and tourism policy; - equal opportunities and enlargement. The other annual debates would also involve 12 reports drawn up on the basis of the regular reports of the European Commission on the progress of the candidate countries towards enlargement. As the next set of regular reports will be published by the Commission in November 2000, the second annual debate may take place before the end of the first semester of 2001.?

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## Bulgaria: membership application and partnership, 14 December 1995

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The committee adopted the report by Geoffrey VAN ORDEN (EPP-ED, UK) on Bulgaria's application for membership of the EU and the state of the negotiations. The report stressed the importance of Bulgaria as a force for stability in the Balkans, and recognised the efforts made by its government in moving towards membership. It emphasised the need for the country to develop a functioning market economy, to tackle the legacy of environmental degradation (in particular the Kozloduy nuclear plant), to clamp down on corruption, and to develop an effective political and social infrastructure. It felt that Bulgaria needed to make further efforts to strengthen the rule of law and to improve the situation of minorities, in particular the Roma population. In conclusion, the report strongly recommended that the EU assist Bulgaria to make rapid progress towards accession, while recognising the difficulties of an evolving "acquis communautaire". ?

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## Bulgaria: membership application and partnership, 14 December 1995

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The European Parliament adopted the report drafted by Mr Geoffrey VAN ORDEN (EPP/ED, UK). The Parliament considers that Bulgaria is an important element in regional stability and recognises its efforts to establish itself as a pillar of security and cooperation in south eastern Europe. Furthermore, the Parliament calls upon the Bulgarian authorities to closely involve the Roma communities and local authorities in the design of national integration programmes. It should be noted that Bulgaria has continued to make progress towards establishing a viable social market economy but further steps are needed to put Bulgaria in a strong position to cope with competitive pressure and market forces within the EU while enhancing social and economic cohesion. Although Bulgaria still faces numerous environmental challenges, in particular with regard to air, water and soil pollution, it has recently signed an agreement with the Commission to progressively shut down certain units at the Kozloduy nuclear plant. Finally, Bulgaria should clamp down on corruption, organised crime and discrimination against minorities.?

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## Bulgaria: membership application and partnership, 14 December 1995

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The Regular Report for 2000 on Bulgaria follows the same structure as the Commission's 1997 Opinion and of the subsequent regular reports; however, it differs from that used in the previous years on three major points . Firstly, the part of the present report assessing Bulgaria's ability to assume the obligations of membership has been structured to follow the list of 29 negotiating chapters covering the acquis. Secondly, this part has been broadened to cover also Bulgaria's administrative capacity to apply the acquis under each of the negotiating chapters (previously discussed in a separate section of the report). Thirdly, the report includes, for the first time, a section assessing the progress made by Bulgaria in translating the acquis into its official language. This report takes into consideration progress since the 1999 Regular Report and looks at whether intended reforms referred to in the 1999 regular report have been carried out and it also examines new initiatives. With regard to the relations between the EC and Bulgaria, in July 2000, the Council mandated the Commission to open negotiations with the associated countries with a view to new reciprocal concessions in the field of fish and fisheries products. In the steel sector an anti-dumping complaint against Bulgaria (amongst others), relating to imports of hot-rolled coils, which was lodged in December 1998, the investigation was concluded and a price undertaking reached earlier this year. It should also be noted that in November 1999, agreement was reached on the early closure of Units 1-4 of the Kozloduy Nuclear Power Plant. Under the Understanding signed between the Bulgarian Government and the European Commission, the former committed to the definitive closure of Units 1 and 2 before 2003, and to early closure of units 3 and 4; the precise closure date for the latter two units, which the Commission understands will be 2006 at the latest, will be decided in 2002 in agreement with the Commission. The Commission for its part offered a substantial multi-annual aid package to Bulgaria's energy sector, including grants and a Euratom loan. As far as Community aid is concerned, there are, since January 2000, three pre-accession instruments financed by the European Community to assist the applicant countries of Central Europe in their pre-accession preparations: the Phare programme; ISPA finances large-scale infrastructure projects in the fields of environment and transport; SAPARD supports agricultural and rural development. In the years 2000-2002, the indicative annual financial allocations for Bulgaria are EUR 100 million from Phare, EUR 52 million from SAPARD, and between EUR 83 and 125 million from ISPA. The Report states that Bulgaria has made progress in adopting 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 forward. However, little has been done to upgrade the judiciary, which remains 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. Moreover, although Bulgaria has clearly made 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. Although Bulgaria has made progress in privatisation, especially regarding banks, and a major reform of health and pension systems has begun, structural reforms still need to be taken further. In addition, measures to address the weaknesses in the implementation and enforcement of the legal and regulatory framework need to be taken to improve the business climate. Since the last Regular Report, Bulgaria has maintained a good pace of alignment of legislation with the acquis but needs to pay more attention to how this will be implemented and enforced. Regarding the internal market, Bulgaria has made further progress in most areas. In particular in the free movement of goods, progress has been made in standardisation to introduce the New and Global Approach principles. It has also made good progress in liberalisation of movement of capital with the adoption of laws on foreign exchange and securities. Progress has also been made in the following areas: the legal alignment of industrial property rights, consumer protection, transport, energy, environment, the audio-visual, justice and home affairs. On the other hand, further progress needs to be made in the following areas: data protection, veterinary inspection. In general, the capacity of the Bulgarian administration and judicial systems to ensure application of the acquis is still very limited. Efforts are focused on preparation and adoption of

legislation with insufficient attention on how this will be implemented and enforced. Bulgaria has fulfilled partially the large majority of short-term Accession Partnership priorities relating to the *acquis*. Concerning administrative capacity, Bulgaria has advanced on priorities with the exception of those on building the capacity to assess the financial and institutional impact of new legislation and on strengthening the judiciary, where little progress has been made. ?

## Bulgaria: membership application and partnership, 14 December 1995

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The committee adopted the report by Geoffrey VAN ORDEN (EPP-ED, UK) which, echoing the views of Commissioner Verheugen, said that the target date of 2004 set by the Bulgarians for completing negotiations to join the EU was "ambitious but not unrealistic". The committee noted that Bulgaria was moving in the right direction in its preparation for accession. It stressed the strategic importance of Sofia in the region and applauded its active participation in the Stability Pact. The Bulgarian political system had shown itself to be remarkably stable in recent years, and the committee expressed the hope that the new government would continue along this path. However Bulgaria must maintain efforts to tackle corruption and strengthen the legislative framework. The Roma and the Turkish minority should also be fully integrated into society, and there should be no discrimination against homosexuals. The report also welcomed Bulgaria's good macro-economic performance, while recognising that there was still some way to go in improving standards of living and reducing the unemployment which had led to widespread discontent. The government was therefore urged to step up measures to tackle the problems of poverty and social marginalisation, as well as developing a competitive market economy. The committee also stressed the importance of enabling legislation to implement the reforms needed to conform with EU legislation. Environmental concerns were also raised, including the importance of closing the Kozloduy nuclear plant. Finally, the Bulgarian authorities were urged to provide further information relating to the murder of Georgi Markov in London in 1978. ?

## Bulgaria: membership application and partnership, 14 December 1995

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The European Parliament adopted the report by Mr Geoffrey VAN ORDEN (EPP-ED, UK) on Bulgaria's application for membership of the European Union. (Please refer to the previous text). In addition, the Parliament calls upon the Bulgarian government to eliminate provisions in the penal code that discriminate against homosexual men and lesbian women, notably Article 157, a provision that has been declared contrary to the European Convention of Human Rights by the European Commission of Human Rights. It stresses that retention of this Article in the penal code would mean a failure to comply with with the political Copenhagen criteria.?

## Bulgaria: membership application and partnership, 14 December 1995

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In line with the previous strategy papers from the Commission which aim to set out the steps to be followed for the next enlargement, the Commission has published a new general document which sets out the progress made by all of the candidate countries with regard to accession to the European Union. If, on the one hand, certain countries have made substantial progress, considerable efforts still have to be made in order to ensure the effective application of EU legislation and standards ("*acquis communautaire*") before their accession. This is why the Commission announces that it shall present an important action plan in order to help the candidate countries strengthen their institution building capacities. The negotiations are conducted on the basis of the existing *acquis*, applying the principles of own merits and catching-up. It shall continue to follow the road map (please refer to the previous Commission working document for the year 2000) and the calendar approved by the European Council, which foresees the conclusion of the negotiations with the better prepared candidate countries before the end of 2002. In this context, the Union does not create new conditions for accession, which signifies that for all the subjects to come (in particular those which bare important financial implications such as agriculture, regional policy and the budget, shall be dealt with throughout the first semester of 2002), the Commission shall present negotiation proposals based on the *acquis* and the existing budgetary framework. The Commission considers that this framework provides a sufficient basis for the accession of up to 10 new Member States in 2004. The accession negotiations can be concluded independently of decisions for financing the EU after 2006. Given the present pace of negotiations and the progress made so far, the Commission should be able to make recommendations on those candidate countries ready for accession on the basis of its 2002 Regular Reports. It should also be noted that the countries which should be ready for accession on this date may be able to participate as Members of the Union in the 2004 European Parliament elections. In addition, it should be noted that the Commission's important action plan aiming to reinforce institution building should mobilise EUR 1 billion for the year 2002 alone (drawn mostly from the PHARE programme). In conclusion, the Commission announced that from November 2002, the Regular Reports that it presents shall identify which candidate countries are ready to become full Members of the European Union. The countries which do not conclude the negotiations in 2002 shall become subject to a new updated road map and eventually, a revised pre-accession strategy.?

## 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 still needs 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.?

## Bulgaria: membership application and partnership, 14 December 1995

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PURPOSE : to present the roadmaps to help Bulgaria and Romania on their way to EU membership. CONTENT : as it had proposed on 9 October in its Strategy Paper and as requested by the European Council in Brussels on 24-25 October, the European Commission today presented roadmaps for Bulgaria and Romania to support the efforts of these two candidate countries to achieve their objective of joining the European Union in 2007. The purpose of the roadmaps is to indicate the main steps that they need to take to be ready for membership. They identify in detail the tasks ahead, with a particular emphasis on administrative and judicial capacity necessary to implement the acquis and on economic reform. To support these efforts, the Commission is also proposing a considerable progressive increase in the European Union's financial assistance. The roadmaps will be submitted to the Council of Ministers and to the European Council in Copenhagen on 12-13 December. In the Strategy Paper 'Towards the Enlarged Union', of 9 October 2002, the Commission announced that it would propose, on the basis of the analysis in the 2002 Regular Reports, detailed roadmaps for Bulgaria and Romania before the Copenhagen European Council. In the Conclusions of the Brussels European Council of 24-25 October 2002, the Member States agreed with the Commission's evaluation of the progress achieved by Bulgaria and Romania. In the light of the inclusive and irreversible nature of the enlargement process, the Council and the Commission were invited to prepare, in close consultations with Bulgaria and Romania, the necessary decisions at the European Council in Copenhagen concerning detailed roadmaps and increased pre-accession assistance in order to advance the accession process with these countries. The European Council expressed its support for Bulgaria and Romania in their efforts to achieve the objective of membership in 2007. - A useful guide on the way to accession : The roadmaps for Bulgaria and Romania cover the period up to accession. Their purpose is to indicate in detail the main steps that they need to take to be ready for membership. They are based on the commitments made in the negotiations and on what needs to be done to fulfil the criteria for membership. They also follow the principles that have guided the accession process from the outset, namely equality of treatment, own merits and differentiation, without introducing any new criteria or conditions. The roadmaps put a particular emphasis on administrative and judicial capacity necessary to implement the acquis and on economic reform. Short and medium term issues are identified in the roadmaps and will be further developed next year. The roadmaps will be updated periodically in view of developments in the countries and progress in negotiations. - Financial assistance : The Commission proposes a considerable and progressive increase in financial assistance for Bulgaria and Romania from the date of the first round of accessions. This increase will amount to an additional 20% in 2004, 30% in 2005 and 40% in 2006 compared to the average assistance received by the two countries in the period 2001-2003. Additional assistance will be conditional on making progress in line with the roadmaps and on improving significantly capacity to manage and use funds effectively. Bulgaria and Romania have begun to develop capacities to make improved use of existing funds. If preparations are continued and intensified they should be ready to receive and use additional funds effectively from 2004 onwards. - Observer status : Bulgaria and Romania already participate in a number of Community committees and agencies. As regards the situation after the signature of the Accession Treaty, the Commission proposes the same treatment for Bulgaria and Romania as for the other



negotiating states. After the signature of the Accession Treaty, Bulgaria and Romania should therefore be given the possibility to further participate, wherever legally possible, as observers in all committees set up by the comitology procedure and all other committees. They should also be able to participate at least as observers in the relevant structures of all Community agencies. The general principles and details of this participation will be defined at a later stage. - Monitoring : Bulgaria and Romania have provisionally closed a considerable number of chapters on the basis of their own indicative date for membership of 1 January 2007. It is particularly important for the candidate countries and the EU to monitor closely the implementation of these commitments. The Europe Agreement structures, which are used to review progress on all priorities and on the Action Plans on administrative and judicial capacity, should be used systematically for this purpose. Peer reviews have proved a useful mechanism in some areas and could be further developed. The Commission will continue to issue Regular Reports, until Bulgaria and Romania have fulfilled the criteria for accession. Future Regular Reports will include an assessment of the implementation of the roadmaps.?

## Bulgaria: membership application and partnership, 14 December 1995

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PURPOSE : to propose a revised Accession Partnership with Bulgaria. CONTENT : to recall, the Accession Partnerships are policy documents adopted by the Council of the European Union, on a proposal by the Commission, which identify priorities on which the candidate countries should focus their efforts in order to comply with the EU accession criteria. The pre-accession financial assistance provided by the EU supports the efforts of the candidates to meet these objectives. The first Accession Partnership for Bulgaria was decided in March 1998 with updates approved in December 1999 and January 2002. On announcing the Roadmap for Bulgaria's accession to the EU at the end of 2002, the Commission stated that it would propose a revised Accession Partnership in light of the findings of the 2002 Regular Report and the contents of the Roadmap. The revised Accession Partnership develops in more detail the short and medium term issues identified in the Roadmap. The main priorities it highlights include continuing reform of the judicial system and public administration, and pursuit of economic reform. The priorities as identified are developed within the Accession Partnership and short and medium term issues are detailed in order to provide a revised basis for the programming of pre-accession assistance to Bulgaria. ?