



Procedure file

| Basic information | | |
|--|--------------------------------|---------------------|
| NLE - Non-legislative enactments | 2011/0805(NLE) | Procedure completed |
| Accession Treaty: accession of Croatia | | |
| Subject 8.10 Revision of the Treaties, intergovernmental conferences 8.20.01 Candidate countries | | |
| Geographical area Croatia | | |

| Key players | | | |
|--|--|---|---|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | AFET Foreign Affairs | | 16/09/2009 |
| | | S&D SWOBODA Hannes | |
| | | Shadow rapporteur | |
| | | PPE POSSELT Bernd | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | BUDG Budgets | | 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. | |
| AFCO Constitutional Affairs | | The committee decided not to give an opinion. | |
| Council of the European Union | Council configuration | Meeting | Date |
| | General Affairs | 3132 | 05/12/2011 |
| European Commission | Commission DG | Commissioner | |
| | Neighbourhood and Enlargement Negotiations | FÜLE Štefan | |

| Key events | | | |
|------------|---|---|---------|
| 07/11/2011 | Legislative proposal published | 14409/2011 | |
| 16/11/2011 | Committee referral announced in Parliament | | |
| 17/11/2011 | Vote in committee | | Summary |
| 22/11/2011 | Committee report tabled for plenary, 1st reading/single reading | A7-0390/2011 | |
| 30/11/2011 | Debate in Parliament |  | |
| 01/12/2011 | Results of vote in Parliament |  | |
| 01/12/2011 | Decision by Parliament | T7-0538/2011 | Summary |
| 05/12/2011 | Act adopted by Council after consultation of Parliament | | |

| | | | |
|------------|---|--|--|
| 05/12/2011 | End of procedure in Parliament | | |
| 24/04/2012 | Final act published in Official Journal | | |

Technical information

| | |
|----------------------------|----------------------------------|
| Procedure reference | 2011/0805(NLE) |
| Procedure type | NLE - Non-legislative enactments |
| Procedure subtype | Consent by Parliament |
| Legal basis | Treaty on European Union TEU 49 |
| Other legal basis | Rules of Procedure EP 159 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | AFET/7/06969 |

Documentation gateway

| | | | | |
|---|-------------------------------|------------|-----|---------|
| Supplementary legislative basic document | 00030/2011 | 13/09/2011 | CSL | |
| Supplementary legislative basic document | 00031/2011 | 13/09/2011 | CSL | |
| Committee draft report | PE472.368 | 27/09/2011 | EP | |
| Supplementary legislative basic document | N7-0082/2011 | 04/10/2011 | CSL | |
| Document attached to the procedure | COM(2011)0667 | 12/10/2011 | EC | Summary |
| Legislative proposal | 14409/2011 | 07/11/2011 | CSL | |
| Committee report tabled for plenary, 1st reading/single reading | A7-0390/2011 | 22/11/2011 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T7-0538/2011 | 01/12/2011 | EP | Summary |

Final act

[Decision 2012/424](#)
[OJ L 112 24.04.2012, p. 0006](#) Summary

Accession Treaty: accession of Croatia

COMMISSION OPINION on the application for accession to the European Union by the Republic of Croatia.

Having regard to Article 49 of the TFEU, the Commission addresses an opinion to the Council on the application for accession of Croatia to the EU.

The Commission recalls that in its Opinion of 20 April 2004 on Croatia, the Commission has already expressed its views on certain essential aspects of the issues arising in connection with this application.

Accession criteria: the Commission recalls that the European Council meeting in Copenhagen in June 1993 laid down the conditions for eligibility that guide the accession process and the Commission's regular assessments of Croatia's readiness for membership. The political criteria require Croatia to ensure the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; these requirements are now enshrined in the Treaty on European Union and 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 Treaties and the Union's legislation, the *acquis*, including adherence to the aims of political, economic and monetary union. The Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate country.

In parallel, the opinion highlights that Stabilisation and Association Process conditionality for the Western Balkan countries was defined by the Council on 31 May 1999 and includes cooperation with the International Criminal Tribunal for the Former Yugoslavia, and regional cooperation

Negotiations: the conditions of admission and the adjustments to the Treaties were negotiated in a Conference between the Member States and Croatia. These negotiations were conducted in line with the negotiating framework, which provides for strict conditionality at the stage of opening and closing chapters. The negotiations were completed on 30 June 2011, and the agreed provisions are fair and proper.

The Commission considers that Croatia meets the political criteria and expects Croatia to meet the economic and acquis criteria and to be ready for membership by 1 July 2013. Membership requires the continued respect of the values on which the Union is founded as well as the commitment to promoting them.

Reforms: Croatia has reached a high level of preparedness for membership. The Commission calls on Croatia to maintain its efforts to align with the acquis and further strengthen its administrative capacity, including through sustainable progress of its public administration reform. The Commission will continue to monitor closely Croatia's fulfilment of all the commitments undertaken in the accession negotiations, including those which must be achieved before the date of accession, and its continued preparations to assume the responsibilities of membership upon accession. Monitoring will focus in particular on commitments undertaken by Croatia in the area of:

- the judiciary,
- the fight against corruption,
- fundamental rights,
- justice, freedom, and security, including border management,
- competition policy.

If issues of concern are identified during the monitoring process and are not remedied by Croatia, the Commission will, when necessary, address early warning letters to the Croatian authorities and may propose to the Council to take all appropriate measures already prior to accession. The Commission also reserves the right to invoke the various safeguard clauses set out in the Accession Treaty as well as the specific mechanism for State aid to the Croatian shipbuilding and steel industries.

The enlargement of the European Union, through the accession of Croatia, will contribute to strengthening stability, freedom and prosperity in Europe. Croatia is expected to continue to play an active role in regional cooperation in the Western Balkans. The Commission welcomes Croatia's declaration on promoting European values in South-East Europe and in particular Croatia's commitment that bilateral issues should not obstruct the accession process of candidate countries. Croatia's accession confirms the EU's commitment to the European perspective of all the Western Balkan countries.

It is for this reason that the Commission delivers a favourable opinion on the accession to the European Union of the Republic of Croatia.

Accession Treaty: accession of Croatia

The Committee on Foreign Affairs adopted the recommendation drafted by Hannes SWOBODA (S&D, AT) on the draft Decision of the Council of the European Union on the admission of the Republic of Croatia to the European Union. Members recall that the conditions for the admission of the applicant country and the modifications which its accession entails are set out in the draft Treaty concerning the Accession of the Republic of Croatia to the European Union and that Parliament should be consulted on any substantial modifications to the draft Treaty. Members state that the Commission must monitor further preparations for accession with rigour and objectivity and help the Croatian authorities to fulfil their commitments and obligations as entered into in the negotiations. It must keep Parliament regularly informed of the extent to which the Croatian authorities honour their commitments in order to fully assume their membership obligations upon accession on 1 July 2013. In this context, Members call on the European Parliament to give its consent to the accession to the European Union of the Republic of Croatia and notably the Council decision accepting the application for accession.

Accession Treaty: accession of Croatia

The European Parliament adopted by 564 votes to 38, with 32 abstentions, a legislative resolution approving the draft Council Decision on the accession to the European Union of the Republic of Croatia.

The resolution recalls that the conditions for the admission of the applicant country and the modifications which its accession entails are set out in the draft Treaty concerning the Accession of the Republic of Croatia to the European Union, and whereas Parliament should be consulted on any substantial modifications to the draft Treaty. Moreover, the Commission must monitor further preparations for accession with rigour and objectivity and help the Croatian authorities to fulfil their commitments and obligations as entered into in the negotiations. The Commission must keep Parliament regularly informed of the extent to which the Croatian authorities honour their commitments in order to fully assume their membership obligations upon accession on 1 July 2013.

In this regard, the European Parliament consents to the European Union of the Republic of Croatia.

Accession Treaty: accession of Croatia

PURPOSE: Accession Treaty of Croatia to the European Union.

ACT: Council Decision of the European Union of 5 December 2011 on the admission of the Republic of Croatia to the European Union.

CONTENT: in accordance with Article 49 of the Treaty on European Union, and given that the conditions of admission and the adjustments to the Treaties have been met, the Council accepts Croatia's application for accession to the European Union following a favourable opinion from the Commission and consent from the European Parliament.

Croatia also becomes:

- a Member of the European Union and the European Atomic Energy Community,
- Party to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community, as amended or supplemented by treaties or other acts which entered into force before the accession of the Republic of Croatia.

The Treaty contains several appendixes including provisions relating to the rights and obligations of Member States as well as provisions on the powers and responsibilities of the institutions of the Union shall also apply to Croatia.

Croatia undertakes to accede to:

the principles underlying the European Union, including the provisions of the Schengen acquis, relevant provisions of the Economic and Monetary Union, all agreements between the EU and third countries and major international organisations, including to which the EU is a party and to which Croatia shall also become a Party;

- technical adjustments to the Treaties (particularly institutional matters to take into account the arrival of Croatia in the various EU institutions);
- a series of temporary and transitory measures;
- financial provisions (to determine the financial contribution of Croatia to certain EU bodies such as the EIB or other specific funds, ...);
- provisions on the monitoring of the reforms undertaken by Croatia (including the commitments made by Croatia in the area of ??judiciary and fundamental rights, impartial handling of war crime cases and the fight against corruption ...).

If Croatia fails to fulfil commitments undertaken in the context of the accession negotiations, including commitments in any sectoral policy which concerns economic activities with a cross-border effect, thereby causing a serious breach of the functioning of the internal market or a threat to the Union's financial interests or an imminent risk of such a breach or threat, the Commission may, until the end of a period of up to three years after accession, upon reasoned request of a Member State or on its own initiative, take appropriate measures.

These measures shall be proportionate and priority shall be given to measures which least disturb the functioning of the internal market and, where appropriate, to the application of the existing sectoral safeguard mechanisms.

ENTRY INTO FORCE: this treaty shall enter into force on 1 July 2013, provided that all the ratification instruments have been deposited before this date. Derogations have been provided for in some areas which are detailed in the Accession Treaty.

From the date of accession, all acts deemed applicable to the existing Member States are deemed to apply to Croatia, unless specific exemptions apply.