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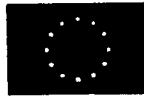
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Til underretning for Folketingets Europaudvalg vedlægges i forbindelse med  
Det Europæiske Råd i Sevilla den 21.-22. juni 2002 formandskabets note om  
udvidelsen, 9765/02.

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**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 20 June 2002**

**9765/02**

**LIMITE**

**ELARG 213**

**TRANSMISSION NOTE**

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**from :            Presidency**  
**to :                European Council (Seville, 21/22 June 2002)**  
**Subject :        Enlargement**

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Member States will find attached the Presidency Note on Enlargement.

**EU ENLARGEMENT: PRESIDENCY'S NOTE FOR THE SEVILLE  
EUROPEAN COUNCIL**

Important progress has been reached in the enlargement negotiations during the Spanish Presidency, building on the achievements of previous Presidencies. Substantial efforts to that end have been undertaken by the Member States, the Commission and the candidate countries, in particular in view of the increasing complexity of the issues at stake.

Some important remaining issues have been satisfactorily solved with a number of candidate countries in key chapters that have been provisionally closed, such as Free Movement of Capital, Taxation, Transport Policy, Energy and Justice and Home Affairs.

The targets set by the road map established in Nice have been met. In line with the road map, the Union has defined common positions on all 30 chapters, including in those with important financial implications.

Thus, the enlargement negotiations now enter their final and decisive stage.

Considerable progress has already been achieved regarding most of the questions in the context of formulating the EU common positions in the chapters Agriculture, Regional Policy and coordination of Structural Instruments, as well as Financial and Budgetary Provisions.

The Financial Perspectives agreed in Berlin for the period 2000-2006 did not cover direct payments in agriculture to the new Member States. However, direct support schemes listed in Council Regulations (EC) no 1259/1999 and its annex are part of the *acquis*. A Commission declaration on this issue is annexed.

Taking into account that the *acquis* must be applied to all Member States, with transitional modalities to be adopted with the candidates in the Treaty of Accession, a decision on the issue of direct payments must still be taken in order to complete the common position on agriculture.

In accordance with the timeframe agreed in Göteborg and Laeken, this decision will be taken in due time to comply with the steps and timetable to be agreed in the Seville European Council in relation with the final phase of the enlargement negotiations, and without prejudging the forthcoming internal discussions on community policies.

In line with the conclusions of the European Council in Laeken, the drafting of the Accession Treaty has started in March. Taking into account the number of candidates and the complexity of the *acquis* in relation to previous enlargements, its structure should be simpler, more transparent and with a higher internal coherence. The current work should be pursued in order to have it completed as soon as possible after the conclusion of the accession negotiations.

If present progress in the negotiations and in the transposition and effective implementation of the *acquis* by the candidate countries is maintained, Cyprus, Malta, Hungary, Poland, the Slovak Republic, Latvia, Estonia, Lithuania, the Czech Republic and Slovenia could be ready to conclude negotiations by the end of 2002. In view of the above, preparations are well within the timeframe and the European Union is determined to complete the accession negotiations by the end of the year with the above mentioned candidates, provided that they are ready, in accordance with the conclusions of previous European Councils. The objective remains that in 2004 they should participate in the European Parliament elections as full members. It also seems reasonable to expect signing the Accession Treaty in March 2003, thus making possible its entry into force by January 2004.

But achieving the common objective of successfully concluding the negotiations within the envisaged timeframe will ultimately depend upon each candidate country. They should safeguard the negotiating results achieved so far within each Accession Conference. Furthermore, at the concluding phase of the accession negotiations they are also expected to adopt a realistic and constructive approach, taking into consideration the EU's need to respect the financial framework decided in Berlin.

The principle of differentiation should continue to be fully respected until the end of the negotiations. Each candidate will progress towards accession at its own pace and will be judged on its own merits.

The Commission should provide a detailed assessment of each country's effective progress towards meeting all accession criteria in its 2002 Regular Reports. On the basis of the Commission's recommendations as a result of the Regular Reports, the next European Council in Brussels will decide which countries will be ready to conclude negotiations by the end of 2002.

It should be stressed that progress in the accession negotiations and their conclusion depends upon good preparation on the ground by each candidate country that guarantees the fulfilment of all conditions for accession. The candidate countries are expected to take all necessary measures to bring their administrative and judicial capacity to an adequate level.

Moreover, the increasing importance of continuous monitoring of the fulfilment of commitments undertaken by the candidate countries should be highlighted in the context of the negotiations, in particular those parts of the acquis requiring an institutional capacity. Monitoring of implementation of the acquis in Justice and Home Affairs will concentrate, as a matter of priority, on control of external borders and illegal immigration, on combating organised crime, money laundering and corruption, as well as on the effectiveness of the judicial system. Monitoring of implementation of the veterinary and phytosanitary acquis will focus, as a matter of priority, on prevention and control of transmissible subacute spongiform encephalopathies, on external border inspections and on bringing livestock production and processing establishments up to EU standards. To that end, the negotiations on the agriculture chapter will take monitoring, duly into account, including inspections visits by the Food and Veterinary Office (FVO). Monitoring will continue until accession.

In this respect, the process of developing comprehensive Action Plans for administrative and judicial capacity with each of the negotiating countries has allowed us to identify the next steps to be taken by the candidate countries in order to achieve adequate institutional capacity by the time of accession. This will be further facilitated through the 250 million € additional financial assistance from the Phare funds. The Commission should also continue drawing on Member States' expertise in conducting evaluation visits, which will continue until the time of accession. In this respect, the Commission should keep submitting regular reports to the Council on findings of the monitoring procedures. The Commission should also continue the monitoring process through the structures established under the Association Agreements.

The accession negotiations with Bulgaria and Romania have progressed significantly since Laeken. Bulgaria has already opened all negotiating chapters and Romania is not far from reaching the objective of opening all 30 negotiating chapters before the end of this year, thus entering into a qualitatively new phase of the accession negotiations. Their efforts in preparation for membership should be fully encouraged and supported, keeping in mind the inclusiveness of this enlargement process. In this line, an increased preaccession financial assistance could be considered. Progress towards the conclusion of the accession negotiations is also subject to the development of Bulgaria and Romania's administrative capacity to effectively implement and enforce the acquis.

Before the end of this year, the European Union should adopt an updated road map, with a more precise timeframe, and a revised and enhanced pre-accession strategy for all countries that will not conclude the negotiations by the end of 2002. Moreover, once their Accession Treaty has been signed, they should be invited to participate as observers in the European Parliament.

In respect of the accession of Cyprus, the Helsinki European Council's conclusions remain the reference for the EU. The EU fully supports the UN Secretary-General's efforts to bring about a comprehensive settlement. The leaders of the Greek and Turkish Cypriot communities should be encouraged to intensify and accelerate their work, in order to seize this unique window of opportunity for a comprehensive settlement, hopefully before the conclusion of the negotiations. The terms of a comprehensive settlement would be accommodated into the Treaty of Accession of Cyprus, in line with the principles on which the European Union is founded. As an EU member State, Cyprus will need to speak with a single voice and to take a clear position in EU institutions, to carry out its obligations under the Treaties and ensure a proper enforcement of EU law. Without prejudice to the Helsinki European Union's conclusions, the European Union's preference is to admit a reunited island. The European Union would provide substantial financial contribution in order to support the development of the northern part of a reunited island.

Progress made by Turkey towards the Copenhagen criteria should be welcomed. Further efforts by the Turkish authorities to fulfil the priorities defined in its Accession Partnership should also be encouraged and fully supported. The required political and economic reforms will bring forward the prospect of its accession according to the same principles and criteria applied to the other candidate countries. A new stage in the preaccession strategy for Turkey is currently being implemented, as decided in Laeken. New decisions could be taken on a next stage of Turkey's candidature in light of developments between Seville and Copenhagen and on the basis of the Commission's October regular report.

The Commission's report on the implementation of its communication strategy on enlargement is a good basis to continue its work in this regards. Both Member States and candidate countries should also join their efforts alongside the Commission's, to undertake all necessary measures in order to improve the information of their public opinion on enlargement.

## **COMMISSION DECLARATION:**

The Commission recalls that its proposal for the progressive phasing in of direct payments remains valid and the Commission will reintroduce this approach in the Draft Common Positions it intends to put forward in the autumn.

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