

Commission press release on the post-Helsinki enlargement negotiations (Brussels, 8 February 2000)

Caption: On 8 February 2000, a few days before the official opening of accession negotiations with six new applicant countries (Helsinki Group), the European Commission issues a press release recalling the various stages of the accession procedure.

Source: RAPID. The Press and Communication Service of the European Commission. [ON-LINE]. [Brussels]: European Commission, [15.07.2005]. MEMO/00/6. Available on <http://europa.eu.int/rapid/pressReleasesAction.do?reference=MEMO/00/6&format=HTML&aged=1&language=EN&guiLanguage=en>.

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http://www.cvce.eu/obj/commission_press_release_on_the_post_helsinki_enlargement_negotiations_brussels_8_february_2000-en-e3b5946b-1238-4555-970d-7abecba7209.html

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The enlargement negotiations after Helsinki (Brussels, 8 February 2000)

With the official launch on 15 February 2000 in Brussels of the accession negotiations with six new applicant countries - Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia - the enlargement of the European Union is entering a new phase. Not only are the negotiations going to encompass no fewer than twelve countries, as against six at present, but they will in future take a new approach, that of "differentiation": the progress of discussions will depend not only on commitments entered into at meetings by each applicant country but also and especially on its efforts to transpose the "acquis communautaire" into its national law and then implement it. How and when will all this take place? Answers below.

The decisions taken at Helsinki

The European Council, meeting on 10 and 11 December 1999 in Helsinki, decided in particular to:

1. launch official negotiations in February 2000 with Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia;
2. consider each applicant on its own merits during the negotiations. This principle will apply both to the opening and the conduct of negotiations;
3. allow applicant countries that have just started the negotiating process to join the countries already in negotiations within a reasonable time, provided they have made sufficient progress with their preparations;
4. ensure that progress in negotiations goes hand in hand with progress in incorporating the *acquis* into legislation and implementing it in practice;
5. avoid cumbersome procedures in order to maintain momentum in the negotiations.

Screening

This exercise conducted by the Commission precedes the negotiations themselves. Formally, it differentiates between countries with which it has been decided to launch negotiations and the others. It enables, first, the *acquis* to be explained to applicant countries through a series of multilateral and then bilateral meetings, and, second, to check whether the applicants accept the *acquis* and are able to apply it. It also allows any problems which may arise during the negotiations to be identified.

The most recent screening exercise with the twelve applicant countries covered the entire *acquis* adopted at 31 December 1998. Thus the next step is to examine the *acquis* adopted in 1999. For practical reasons and because of the limited amount of *acquis* adopted in 1999, the screening is chiefly carried out by a simple exchange of correspondence.

Negotiations with Cyprus, the Czech Republic, Estonia, Hungary, Poland and Slovenia (the "old ins")

1. Status

The number of negotiation chapters provisionally closed as regards countries with which the European Union has been in negotiation since 1998 ("old ins") is as follows: Cyprus 11, Hungary 9, Estonia 8, Czech Republic 10, Slovenia 9, Poland 9 (see attached table). Negotiations will continue under the Portuguese Presidency on all chapters opened under the preceding Presidencies and not yet closed.

The Portuguese Presidency intends to open all remaining chapters (with the exception of the "institutions" and "miscellaneous" chapters), i.e. agriculture, justice and home affairs, regional policy, free movement of persons, financial control and budget. This will be done at two "Deputy" level meetings (Permanent Representatives of the 15 Member States, Director-General of the Commission and negotiators from the

applicant countries) to be held during the Portuguese Presidency.

By the end of the Portuguese Presidency all the chapters will thus have been opened with the "old ins", giving a detailed picture of the position, especially of difficulties during the negotiations and the transition periods requested.

2. Monitoring

All chapters opened and those provisionally closed will be revisited for an up-date screening in order to incorporate new *acquis* adopted in 1999. This exercise (already under way) will also enable the Commission to verify whether the applicants have fulfilled the commitments entered into during the negotiations and, if so, how. **This is the monitoring exercise.**

Negotiation chapters may be reopened if an applicant has not fulfilled its commitments. This procedure should, however, be triggered only in exceptional cases, i.e. when there is a significant gap between the commitments and the actual progress made by the applicant country with transposing and applying the *acquis* in the relevant chapter.

Opening of negotiations with Bulgaria, Latvia, Lithuania, Malta, Romania and Slovakia (the "new ins")

1. Timetable

The official launch of negotiations with each "new in" will take place in Brussels on 15 February. No chapters will be opened on that occasion.

On 8 March the Commission will present to the Permanent Representatives Committee of the Member States (Coreper) its recommendations on the chapters to be opened. The Member States will then decide unanimously within Coreper which chapters to open and with whom. The formal opening will take place at "Deputy" level at the intergovernmental conferences (accession conferences) scheduled for 28 March.

2. Number of chapters to be opened

According to the principle of differentiation, the number of chapters opened will vary depending on the applicant country. A common core of several chapters (regarded as the easiest) has been earmarked for all the countries, to which possibly one or several chapters will be added according to the preparedness of the country and its chances of rapidly concluding negotiations in the area concerned.

Preparedness means the applicant country's progress in meeting the Copenhagen criteria, including transposing the *acquis* and setting up the bodies needed to apply the *acquis*. Although negotiations have not yet started officially with the "new ins", they are in practice expected to have started integrating the *acquis*.

A chapter will be closed only if the undertakings given by the applicant during the negotiations are followed up in practice. Naturally, this principle also applies to the "old ins".

The Commission is aware through its contacts with the "new ins" that they are very anxious to open as many chapters as possible at once, in order to catch up with the "old ins". The Commission's response is that it is not in their interests to open a large number of chapters which might subsequently be difficult to close. It is the number of chapters closed rather than the number opened that is important. It is politically of far greater value for the two parties to open a reasonable number of "ready" chapters and be in a position to close them rapidly than to open too many now and close only a few in the short term.

Procedure

Once the screening has been completed, the applicant countries with which it has been decided to launch

negotiations will submit their negotiating positions (one negotiating position by chapter). The Commission (the Enlargement DG after consulting the "sectoral" DGs concerned) will then prepare a draft common position (one per chapter) and submit it to the Council, meeting as an "intergovernmental conference". The Council unanimously adopts a common position and decides, unanimously again, to open the negotiation chapter.

The common positions may be altered in the course of negotiations if the applicants submit fresh information or agree to withdraw a request for a transitional period.

The decision to provisionally close a chapter is also taken unanimously by the intergovernmental conference. Chapters are definitely closed only if all negotiations with the candidate country are concluded.

The Copenhagen criteria

In June 1993 the European Council meeting in Copenhagen defined the criteria to be satisfied by an country wishing to join the Union as follows: *"membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union, and [has] the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union."*

Annex: Chapters closed with the "old ins" at 8 February 2000

[...]