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**ENLARGEMENT-RELATED ACTIVITIES  
OF THE EUROPEAN PARLIAMENT  
COMMITTEE ON FOREIGN AFFAIRS:  
1997-1999**

\* *The views expressed in this document are not necessarily those held by the European Parliament as an institution.*

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*The topical notes drawn up by the Task Force of the General Secretariat of the European Parliament are specific information notes on various enlargement-related issues. They complement the briefing notes of the Task Force, while at the same time being much more analytical and forward -looking.*

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**TOPICAL NOTE  
ON  
THE ENLARGEMENT-RELATED ACTIVITIES OF THE EUROPEAN PARLIAMENT  
COMMITTEE ON FOREIGN AFFAIRS: 1997-1999**

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## INTRODUCTION

The European Parliament is involved in the EU enlargement procedure in many different ways. Be it via political initiatives, based on the provisions of its Rules of Procedure, or the consultation provided for in various articles of the Treaty, its role in this area is fundamental.

Since the publication of Agenda 2000 in July 1997, Parliament has therefore played a very important role in providing impetus and supervision vis-à-vis the other institutions and the applicant countries. By making skilful use of the legal and regulatory instruments at its disposal and by creating new and unique procedures, it has strengthened its position and become an important player in the entire process of enlargement, which will almost certainly stretch throughout the 1999-2004 parliamentary term and probably through part of the following one.

This note is divided into two sections: the first reviews interinstitutional developments and Parliament's long-standing or newly-acquired prerogatives in such matters; it aims to highlight the powers Parliament has at its disposal for the 1999-2004 term for exercising its influence, guidance and control over enlargement. The second part, meanwhile, rather than providing a detailed analysis, merely lists the main resolutions adopted by Parliament, on the basis of proposals from its Committee on Foreign Affairs - the body responsible for issues relating to the admission of new members into the EU.

The purpose is thus to provide the reader with a user-friendly key to a full understanding of the role hitherto played by the European Parliament, and of the instruments with which it may implement its enlargement-related strategies.

## I. THE LEGAL BASIS OF THE EUROPEAN PARLIAMENT'S ROLE

According to Article 49(1) of the Treaty on European Union, 'Any European State which respects the principles set out in Article 6(1) may apply to become a member of the Union. It shall address its application to the Council, which shall act unanimously after consulting the Commission and *after receiving the assent of the European Parliament, which shall act by an absolute majority of its component members*'<sup>1</sup>.

This provision, already in force when Austria, Finland and Sweden joined the EU, confers upon Parliament the power of ratifying the outcome of the negotiations, a power which could be equated to that enjoyed by national parliaments. Essentially, **unless the European Parliament gives its assent**, no new applicants may join the EU.

This power, however, is exercised only at the final stage of negotiations. It is common practice, in fact, for Parliament to deliver its opinion on the outcome of the negotiations and not on the principle of whether or not a new applicant country may join. Nevertheless, in view of the key role played by Parliament, it is also in the interest of the other institutions to guarantee its full involvement in the procedure from the outset. For this reason, before withholding or granting its assent, Parliament has in the past adopted a series of 'guideline' resolutions - and intends to continue doing so - with a view to making known its position on the general and sectoral aspects of enlargement.

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<sup>1</sup>Our italics

The enlargement process is not merely a question of negotiating with applicant countries, but of adopting a series of legislative acts (especially regulations and decisions) for the purpose of establishing, *inter alia*, Accession Partnerships, or adopting financial instruments to assist applicant countries (pre-accession structural instrument etc.). Here, too, Parliament participates in the adoption procedure for such acts, although its powers are more limited. It is consulted largely on the basis of Article 308 (ex Article 235), according to which 'If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and *after consulting the European Parliament*<sup>1</sup>, take the appropriate measures'.

In this case, Parliament is merely consulted, though on a **mandatory** basis: the Council is not obliged to take Parliament's opinion into consideration, but it must await the outcome of the consultation.

By skilfully exploiting the powers arising from this article, Parliament has managed to further strengthen its position by establishing new procedures which, though not necessarily envisaged in the Treaty, could, broadly speaking, be construed as interinstitutional agreements between Parliament, the Commission and the Council. These procedures not only allow Parliament to effectively exercise its prerogatives in this area, but also broaden the scope of such prerogatives.

On 11 March 1998, for example, the adoption of the two Oostlander reports on assistance to the applicant countries in central and eastern Europe and Accession Partnerships with the applicant countries<sup>3</sup> provided the opportunity to reach a more general agreement which exceeded the scope of the decisions in question. Thanks to Parliament's more or less explicit threat to delay the adoption of its (compulsory) opinion, which would have prevented the adoption of the regulation just a few days before the opening of the European Conference, the Council and the Commission pledged the following:

a) with regard to the actual negotiations, the Commission would inform the relevant bodies of the European Parliament as thoroughly, fully and swiftly as possible, of the progress achieved and of the stage reached in the negotiations. This commitment has already been put into practice with the participation of the head of the Commission's task force on enlargement in the meetings of Parliament's Committee on Foreign Affairs. In addition, regular meetings have been held between the Commission negotiators and the rapporteurs for each country, appointed by Parliament; the rapporteurs have also been sent important documents, such as those portraying the negotiating stance of Member States and applicant countries.

b) any proposals to amend the priorities, principles and terms of the partnership agreements will henceforth be forwarded simultaneously to the Council and to Parliament. The Council will take Parliament's position into account before adopting the final decision, even when the legal basis in question does not officially provide for consultation of the European Parliament.

A further step in the right direction was taken during talks on the rules on pre-accession aid (general coordinating regulation, structural instrument and agricultural instrument). In so far as the three proposals were an important aspect of the *Agenda 2000 package*, Parliament asserted its view that the raft of proposals (Structural Funds, CAP, fisheries and pre-accession) should be examined via a dual-reading procedure, **even when the legal basis in question did not allow for it**. The Council, while formally rejecting such an approach, agreed with it in essence. The two readings on the three

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<sup>1</sup>See footnote (1)

<sup>3</sup>See points 3 and 4 below

aforementioned proposals for regulations were achieved by combining different regulatory instruments: adopting the amendments and adjourning the vote on the legislative resolution (November 1998), referring the matter back to the committee (January 1999) and drawing up a second report with further vote in plenary (May 1999). During this period three informal conciliation procedures took place, involving a parliamentary delegation led by a vice-president, the chairmen and rapporteurs of the relative committees, the Council and the Commission. Concrete negotiations were conducted during the meetings, allowing agreement to be reached on a number of issues raised by Parliament. The procedure was significant not only on account of the results achieved (explicit amendment of the PHARE regulation, Commission's obligation to submit an *annual* report to Parliament), but above all, because it was an institutional innovation: for the first time, the Council had agreed to negotiate on proposals for regulations on which Parliament was merely supposed to be consulted. This sets an important precedent which can be built on in the future, when other enlargement-related legislative instruments have to be adopted on a consultation-only basis.

## **II. THE TEXTS ADOPTED BY PARLIAMENT**

During the 1994-1999 term, Parliament adopted a certain number of texts, both on the general and the sectoral (environment, agriculture, institutions etc.) aspects of enlargement, as well as on the applicant countries. Most of these texts were drawn up by the Committee on Foreign Affairs, Security and Defence Policy.

Indeed, enlargement has played a major part in the committee's work throughout the current parliamentary term: starting with the consideration of the Commission opinion on the applications by Malta and Cyprus (1995), continuing with the publication of *Agenda 2000* and the opinions on the applications for accession by the central and eastern European countries and, finally, the examination of the legislative proposals on pre-accession aid.

The following list is divided into two sections: general aspects of enlargement and country reports (only those involved in the enlargement process); each report cited is followed by a brief comment summarising its content and legal context<sup>4</sup>.

### **1. General aspects of enlargement**

- 1) Oostlander report of 17 April 1996 (A4-101/96)  
on the Commission White Paper on Preparation of the Associated Countries of Central and Eastern Europe for Integration into the Internal Market of the Union (own-initiative)

This report reviews the Commission proposals on structured dialogue with the applicant countries of central and eastern Europe (superseded by the strategy set out in *Agenda 2000* with a view to establishing Accession Partnerships); Parliament welcomes the opening of negotiations.

- 2) Baron/Oostlander report of 4 December 1997 (A4-0368/97)  
on the Communication from the Commission 'Agenda 2000 - for a stronger and wider Union'

This report is the cornerstone of Parliament's views on enlargement. While recognising the different degree of economic and social development of the applicant countries, Parliament argues in favour of an 'inclusive' approach, i.e. it opposes the division of applicants into different groups.

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<sup>4</sup>For a more in-depth analysis of each report, see the relevant briefing paper and the European Parliament's OEIL database, which can be consulted on the following website:  
<http://www.europarl.ep.ec/enlargement>

- 3) Oostlander report of 11 March 1998 (A4-0081/98)  
on assistance to central and eastern European countries - Accession Partnerships - Proposal for a Council Regulation (EC, EAEC) on assistance to the applicant countries in Central and Eastern Europe in the framework of the pre-accession strategy (consultation procedure)

Parliament approves the provision of assistance to the applicant countries of central and eastern Europe.

- 4) Oostlander Resolution of 11 March 1998 (A4-0087/98)  
on the Commission proposals for Council Decisions on the principles, priorities, intermediate objectives, and conditions contained in the accession partnerships with the applicant countries (own-initiative)

Parliament expresses its views on individual partnership-related decisions on the basis of '*self-consultation*'.

- 5) Baron Crespo report of 19 November 1998 (A4-0397/98)  
on the amended proposal for a Council Regulation on coordinating aid to the applicant countries in the framework of the pre-accession strategy (consultation procedure)

Parliament calls for a number of modifications to pre-accession aid and refrains from voting for the legislative resolution pending replies from the Council.

- 6) Second Baron Crespo report of 6 May 1999 (A4-0191/99)  
on the proposal for a Council Regulation (EC) on coordinating aid to the applicant countries in the framework of the pre-accession strategy (consultation procedure)

Parliament votes on the final opinion on the pre-accession pillar of Agenda 2000.

## **2. Country reports**

### Cyprus

- 7) Bertens report of 12 July 1995 (A4-0156/95)  
on Cyprus's application for membership (own-initiative)

Parliament approves this country's application for membership of the Union.

- 8) Bertens report of 15 April 1999 (A4-0159/99)  
on the Regular Report from the Commission on Cyprus' progress towards accession [(COM(98)0710 - C4-0108/99) [own-initiative report]

Parliament expresses its views on the progress of the first few months of negotiations on Cyprus's accession to the Union.

## Malta

- 9) Malone report of 12 July 1995 (A4-0159/95)  
on Malta's application for membership (own-initiative)

Parliament approves this country's application for membership of the Union.

- 10) Malone report of 15 April 1999 (A4-165/99)  
on the report updating the Commission opinion on Malta's application for membership of the European Union (own-initiative)

Parliament welcomes the opening of negotiations with Malta.

## Poland

- 11) Hoff report of 15 April 1999 (A4-0148/99)  
on the Regular Report from the Commission on Poland's progress towards accession (own-initiative)

Parliament expresses its views on the progress of the first few months of negotiations on Poland's accession to the Union.

## Hungary

- 12) Habsburg report of 15 April 1999 (A4-0154/99)  
on the Regular Report from the Commission on Hungary's progress towards accession (own-initiative)

Parliament expresses its views on the progress of the first few months of negotiations on Hungary's accession to the Union.

## Czech Republic

- 13) Carnero report of 15 April 1999 (A4-0157/99)  
on the Regular Report from the Commission on the Czech Republic's progress towards accession (own-initiative)

Parliament expresses its views on the progress of the first few months of negotiations on the Czech Republic's accession to the Union.

## Slovenia

- 14) Special Report of 15 April 1999 (A4-0151/99)  
on the Regular Report from the Commission on Slovenia's progress towards accession (own-initiative)

Parliament expresses its views on the progress of the first few months of negotiations on Slovenia's accession to the Union.



## Estonia

- 15) Donner report of 15 April 1999 (A4-0149/99)  
on the Regular Report from the Commission on Estonia's progress towards accession (own-initiative)

Parliament expresses its views on the progress of the first few months of negotiations on Estonia's accession to the Union.

## Romania

- 16) Bernard-Reymond report of 3 December 1998 (A4-0428/98)  
on Romania's Application for Membership of the European Union, with a view to the European Council to be held in Vienna on 11 and 12 December 1998 (own-initiative)

Parliament expresses its opinion on the progress achieved by Romania with a view to the official opening of negotiations.

## Bulgaria

- 17) Aelvoet report of 3 December 1998 (A4-0429/98)  
on Bulgaria's Application for Membership of the European Union, with a view to the European Council to be held in Vienna on 11 and 12 December 1998 (own-initiative)

Parliament expresses its opinion on the progress achieved by Bulgaria with a view to the official opening of negotiations.

## Slovakia

- 18) Wiersma report of 3 December 1998 (A4-0427/98)  
on Slovakia's application for membership of the European Union, with a view to the European Council to be held in Vienna on 11 and 12 December 1998 (own-initiative)

Parliament expresses its opinion on the progress achieved by Slovakia with a view to the official opening of negotiations.

## Latvia

- 19) Caccavale report of 3 December 1998 (A4-0430/98)  
on Latvia's application for accession to the European Union with a view to the European Council to be held in Vienna on 11 and 12 December 1998 (own-initiative)

Parliament expresses its opinion on the progress achieved by Latvia with a view to the official opening of negotiations.

## Lithuania

20) Kristoffersen report of 3 December 1998 (A4-431/98)  
on Lithuania's application for accession to the European Union with a view to the European Council to be held in Vienna on 11 and 12 December 1998 (own-initiative)

Parliament expresses its opinion on the progress achieved by Lithuania with a view to the official opening of negotiations.

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