

THE QUESTIONS RAISED BY THE COMMITTEE ON FOREIGN AFFAIRS IN THE EP CONCERNING THE ACCESSION OF BULGARIA AND ROMANIA TO THE EUROPEAN UNION

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Article 39 of the Treaty of Accession of Bulgaria and Romania to the European Union provides that in the event of a serious risk of a state being manifestly unprepared to meet the requirements of membership by 1 January 2007, the Council may postpone the date of accession by one year. It is for the Commission to propose such a step for consideration by the Council.

In the plenary debate on 12 April 2005, preceding Parliament's assent to the Treaty of Accession, the Council Presidency confirmed that full account will be taken of Parliament's position on the possible invoking of safeguard measures.

President Barroso confirmed to President Borrell in his letter of 7 April 2005 that 'the Commission would seriously consider the views of the Parliament on the possible use of the postponement clause before issuing any recommendation in this regard, in order to fully associate the European Parliament to any possible decision to postpone accession'.

In view of the progress made by Bulgaria and Romania towards fulfilling the commitments required by the Treaty of Accession, can the Commission confirm that the overall content, direction, and rhythm of reform in the two countries is such that they will be ready for accession by 31 December 2006, notwithstanding some particular areas of concern which may require special measures?

Would the Commission agree that, in particular, the reform of the judiciary and the fight against corruption and organised crime are areas of concern needing more decisive efforts and results from Bulgaria and Romania?

Can the Commission provide a clarification of the possibilities in regard to safeguard clauses and other possible measures and what they mean in practical terms, especially in the area of justice and home affairs?

Would the Commission consider introducing a 'close monitoring system' throughout the first three years after accession during which safeguard clauses could be invoked?

Could the Commission indicate the pros and cons for making a recommendation respectively in May or in the autumn:

- a) in regard to the timing of accession by Bulgaria and Romania and
- b) in regard to safeguard clauses and any other measures that might possibly be necessary?

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EU Enlargement Commissioner Olli Rehn harshly criticized Bulgaria before the European Parliament on Wednesday.

During an extra session of the Parliament, held to discuss the progress that Bulgaria and Romania have made towards EU accession, Rehn chewed up the lack of reforms in the judiciary, and in fighting organized crime and money laundering.

Bulgaria and Romania have shown a decisive will to reform the combat with organized crime, but the independence of Bulgaria's courts is still questionable, Rehn said. The Commissioner did not comment whether Bulgaria would join the EU on January 1, 2007 or whether the European Commission would want a delay of the entry. He said that he still hasn't decided what he would officially recommend in the monitoring report that is due May 16.

"My goal is that both countries join the EU in 2007, but my obligation is to vouch that they completely cover the European criteria at the time of their accession," Rehn said.

The commissioner was not supposed to appear in front of the EU Parliament before the publication of the comprehensive reports on both countries that the EU Commission prepares for 16 May. The European Christian democrats (EPP) and part of the socialists MEPs however invited Olli Rehn on 26 April in Brussels for a debate about Romania and Bulgaria EU accession.

European Parliament's Rapporteur for Bulgaria Geoffrey van Orden told the MEPs that a possible delay in Bulgaria's entry would have the effect of a "slap", instead of encouragement. He once again recalled that Bulgaria has adopted a new Penal Code, appointed a new top prosecutor and adopted Constitutional amendments.

Van Orden pointed out that crime rate in Bulgaria is lower than that in Germany and the crime solving level is bigger. Bulgaria has been seriously criticized by the EU for its impotence to cope with organized crime.

Immediately after the session Bulgarian EP Observer Atanas Paparizov and chair of the parliamentary commission on Euro integration commented for local Darik radio that Rehn has hinted that the report would recommend Bulgaria's entry on January v1, 2007.

Rehn said earlier in April that Bulgaria needs to show results in tackling crime and corruption if it is to join the European Union in 2007. The EU enlargement commission is concerned about the high rate of street killings in Bulgaria, which has seen not a single person convicted for the murders. If Bulgaria fails to get results, EU entry could be delayed until 2008.