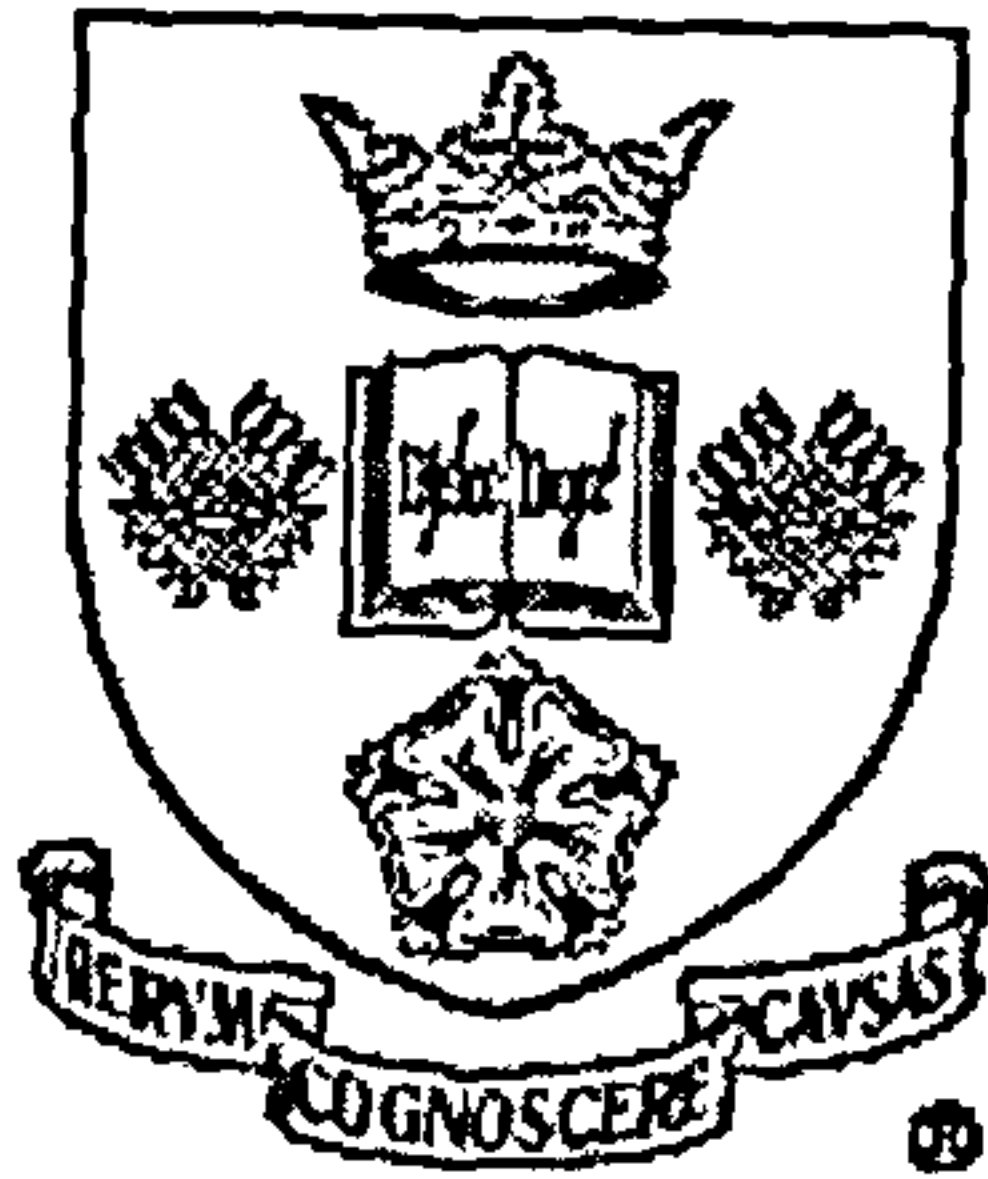


EU Eastern Enlargement in Theory and Practice: A policy of administrative conditionality?



— VOLUME II —

A thesis submitted for the degree of Doctor of Philosophy

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Bibliography

1 Glossary of terms

Absorption capacity	The ability of a national administration to plan for and implement external assistance.
Adetef	Assistance au développement des échanges en technologies économiques et financiers, a French development co-operation agency.
Accession Partnership (AP)	Document agreed by the Council setting out the Union's view of priorities in accession preparations in the short and medium term for candidate countries.
<i>Acquis communautaire</i>	The term <i>acquis communautaire</i> is a French term widely used as a reference to the body of laws, policies and guidelines which have evolved since the creation of the EC/EU.
AO	The administrative office (AO) is a body within the administration of the beneficiary country, which has been designated to retain the overall procedural, financial and contractual management of the Twinning projects. The actual scope of its responsibilities varies depending upon the applicable management system.
Avis	The Commission's opinion on an applicant states membership application, published in 1997 along with Agenda 2000.
Backlog	The aggregate commitments under Phare or for an individual country not yet contracted.
BC	Beneficiary Country (beneficiary of PHARE/Transition Facility assistance).
CC	Candidate Country(ies). Until 1st May 2004, these countries are: Cyprus, Malta, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovenia, Slovakia and Turkey. From 1st May 2004, these will be Bulgaria, Romania and Turkey.

CFCU	Central Financing and Contracting Unit: Structure within the Beneficiary Country's Ministry of Finance, responsible for contracting and disbursing Community funds. Applicable for decentralised programmes.
CMEA	The Council for Mutual Economic Assistance (CMEA)
G-24, Group of 24	A group of 24 OECD countries, also frequently called G-24. These included all OECD member states apart from Mexico at the time. The members were therefore the <ul style="list-style-type: none"> • The Group of Seven (United States, Canada, Japan, France, Germany, Italy, United Kingdom), • The other Member States of the European Community, • the six EFTA member countries (Austria, Switzerland, Finland, Iceland, Norway and Sweden), • Australia, New Zealand and Turkey.
Decentralisation	The process by which management of EU funds is devolved to candidate country administrations. This is presently governed by the Decentralised Implementation System (DIS). It is now envisaged to replace Commission ex-ante control with ex-post control under certain conditions (extended decentralisation).
Deconcentration	De-concentration is the transfer of powers and responsibilities to, and the subsequent strengthening of EC Delegations, expressed in the Communication of the European Commission on the Reform of the Management of external assistance as "Anything that can be better managed and decided on the spot, close to what is happening on the ground, should not be managed or decided in Brussels".
EDIS	Extended Decentralised Implementation System. As of the date of accession, implementing agencies in the new Member States will assume management authority for contracting, implementation and payments in the framework of Twinning under Transition Facility.
EFTA enlargement	Enlargement towards Austria, Finland and Sweden in 1995.
Ex-Post Evaluation	The evaluation of impact of an activity after completion.
GTZ	Gesellschaft für Technische Zusammenarbeit, a German development co-operation agency that largely works on contract by the Ministry of Development.
Implementing Agency	The agency in the candidate country responsible for tendering, contracting, and payment for projects assigned to it. The CFCU is the Implementing agency for Institution Building projects.
ISPA	The pre-accession structural instrument which finances <i>environment</i> and <i>transport projects</i> .
Joint Monitoring Committee (JMC)	The committee set up in all candidate countries to co-ordinate monitoring and assessment of pre-accession aid.
Monitoring & Assessment	The process of gathering data on project progress, assessing the likelihood of objectives being met, and recommending changes in approach if necessary.

MS	Member State(s) of the European Union. From 1st May 2004, the European Union will consist of 25 Member States, including ten of the current Candidate Countries.
Multi Annual financial table	Under multi-annual programming, a document which will set out an agreed level of Phare support for selected sectors and economic and social cohesion measures for several years ahead
National Aid Coordinator	In candidate country administrations, ensures a close link between the general accession process and the use of Community financial assistance.
National Development Plan (NDP)	The candidate country's action programme for regional development and Objective 1-type measures.
National Fund	The central treasury entity through which the Community funds are channelled into the candidate country.
National Programme for the Adoption of the Acquis (NPAA)	The candidate country's document on a timed and financed action programme for accession preparation.
National Aid Coordinator	In candidate country administrations, ensures a close link between the general accession process and the use of Community financial assistance.
NCP	National Contact Point for Institution Building. A designated public official in each of the MS and beneficiary countries is the institutional contact point for all Twinning activities.
PAA	Pre-Accession Adviser: Individual (usually a civil servant) from a MS administration who works in the CC on a full-time basis for at least one year.
PHARE	Community Programme that provides assistance to new Member States and/or countries which strive to become Member states of the European Union in enforcing the EU acquis. It is based on Council Regulation (EEC) N° 3906/89 of 18 December 1989 and subsequent amendments. Countries concerned are: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovenia and Slovakia. As from 01 May 2004, PHARE assistance will cover only Bulgaria and Romania. Cyprus, Malta and Turkey benefit from special financing instruments. For more information, see http://europa.eu.int/comm/enlargement/pas/phare/focus.htm#2.1.1%20Twinning
PL	Project Leader: a high-ranking official in MS and BC respectively. Directs the implementation of the Twinning project.
Practical Guide to Phare, ISPA and SAPARD (PRAG)	This document is in force since 1/1/2001 and can be down-loaded from the EuropeAid Co-operation Office's web site. (Available: http://europe.eu.int/comm/europeaid/tender/gestion/index_en.htm)

Accessed 22. April 2004). It lays down the rules for procurement of goods and services funded by the pre-accession instruments. They apply also to commercial inputs in Twinning projects, unless otherwise specified

Project Authorising Officer	Head of an Implementing Agency.
Regular Report	The annual report by the Commission on the state of preparedness of each candidate country.
RTA	Resident Twinning Adviser: A civil servant from a Member State administration who works in the BC on a full-time basis for at least one year in the framework of a Twinning project.
SAPARD	The Special Action Programme for <i>Agriculture and Rural Development</i> ; SAPARD is the pre-accession instrument for this sector.
SC	Steering Committee: Committee made up of Commission services which gives final approval to Twinning covenants.
SIDA	Swedish International Development Co-operation Agency. The Swedish bilateral co-operation agency, which implements the country's development programmes.
Small Project Facility	Part of the Cross Border Co-operation (CBC) programme which allows projects below a given threshold to be identified as the programme progresses
Southern enlargement	Enlargement of the EU in 1986 towards Spain and Portugal
SPP	The <i>Special Programme for Preparation to EU Structural Policy (SPP)</i> was established in 1999 as a means to develop a comprehensive framework of preparation for all structural policies.
TAIEX	Following the proposal of the White paper "Preparation of the Associated Countries of Central and Eastern Europe for Integration into the Internal Market of the Union" in 1995, the <i>Technical Assistance Information Exchange Office (TAIEX)</i> , was set up in January 1996 to provide the Associated Countries of Central and Eastern Europe with technical assistance on approximation of legislation.
Transition Facility	Article 34 of the Act of Accession sets up a Transition Facility, whose aim is to provide continued support for the reinforcement of administrative and judicial capacity in the new Member States during the period of 2004-2006. Concerned countries are: Cyprus, Malta, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovenia, Slovakia.
Twinning	An agreement between a candidate country and one or more member state administrations to transfer acquis-related skills and knowledge with a specific result (progress towards adoption of part of the acquis).
Twins	Refers to the lead member state and the candidate country's institutions, which sign the Twinning Covenant.

Source: partially taken from the EU's Phare homepage, Available:

<http://europa.eu.int/comm/enlargement/pas/phare/glossary.htm> [Accessed: 20. February 2003]

2 Interviews

Elite interviewing began essentially with the questions outlined in Annex 6. The first round of interviews was conducted in Berlin (March 2002), London (Apr-May 2002) and Brussels (Sept 2002). This round of interviews already allowed the identification of sponsors who became instrumental for the identification of further interview partners. In March 2004, a set of interviews in Brussels and Paris was conducted and a number of interviews in Budapest followed in June of the same year. This later visit in Brussels also allowed the retrieval of documents from DG Enlargement's twinning archive, which could be accessed as well during the author's five-month training period that started in October of that year. This period also allowed the author to attend a training session for PAAs and an NCP meeting.

77 Interviews were conducted with officials in Berlin, Brussels, Budapest, London and Paris. Some of the interviews ranked high within the relevant departments; Commission officials included Directors of DG Enlargement, Heads of Units within DG Enlargement, as well as individuals who had moved onto DG Development and DG Agriculture and the Deputy Director of the EuropeAid Cooperation Office (AidCo). A core group of interviews focused on people that were directly involved in introducing the reinforced pre-accession strategy, the twinning exercise and other element of the reform in 1997. All of the interviewees in this group worked from within DG1A. These interviews carry the following numbers in the thesis: *Intw 17, Intw 18, Intw 30, Intw 32, Intw 41, Intw 60 and Intw 75*. Only one individual that was named by other interviewees as being part of the group surrounding François Lamoureux could not be interviewed. Another group of interviewees included former staff of the Commission's Delegations in the candidate countries that was involved in implementing twinning and had subsequently moved on to work in Commission Headquarters in Brussels. This also included individuals that were part of the NCP meetings which were set up to introduce twinning: *Intw 13, Intw 59, Intw 66, and Intw 68*. All other CEC officials cited in the thesis are individuals that either worked in the country units within DG1A/DG Enlargement or were involved in implementing Phare, ISPA and SAPARD.

Some individuals were also involved in introducing twinning into CARDS and MEDA. Interviews could also be arranged with key individuals at the national level who either were the NCP of a candidate or member state, or took regularly part in the Phare Management Committee. In some cases, however, the research process had to rely on the institutional memory of the national administrations taken into consideration.

The research process was facilitated by two trips to Brussels both lasting for a month in September 2002 and March 2003, two visits to Berlin, a trip to Paris, several short trips to London and a visit to Budapest. Towards the end of the research process discussions within

the relevant departments of the British government were set up in order to facilitate cross-feeding of information and generation of more insights into the implementation of the *twinning exercise*. The author also kept in touch with a number of key interviewees via email and telephone. The names are given here without the numbers that are cited in the thesis in order to preserve confidentiality.

Ruth Andreyeva, Department for International Development, member in the Phare Management Committee

Laura Atienza Urcelay, European Commission, EuropeAid Cooperation Office, B5. Multisector thematic

Graham Avery, European Commission, DG Enlargement, Chief Advisor to Commissioner Verheugen

Axel Badrichani, European Commission, DG Regional Policy, Desk Officer/ Hungary (dealing with ISPA)

Sanjib Baisya, Department for International Development, working on the implementation of twinning and Phare programmes in Social and Economic Cohesion

Mike Bartels, Projektmanager Verbraucherschutz und Landwirtschaft, Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), Twinning-Büro Berlin im Bundesministerium der Finanzen

Peter Bartha, Foreign Ministry, State Secretariat for Integration, EU Department, Budapest

John Bedingfield, PAA for "HU/2001/SPP/01" Establishing the Managing Authorities for Structural Funds

Gesa Böckermann, European Commission, DG Employment and Social Affairs, Enlargement and International Co-operation

Egidio Canciani, European Commission, DG Enlargement, Directorate B – Hungary Team, Phare Co-ordinator for Hungary

Ms George Canton-Bacara, NCP France

Etienne Claeys, European Commission, DG Enlargement, Directorate A – Poland Team, Deputy Head of Unit and Phare Coordinator for Poland

Claude Cornuau (Honorary Councillor at the French National Audit Office, currently World Bank, formerly involved in introducing twinning and brokering the agreement between the governments)

Michael Coyle, European Commission, DG Enlargement, E3. Evaluation Unit

Christian Danielsson, Swedish Permanent Representation to the EU, Member of the Council's Group on Enlargement, Brussels

Catherine Day, European Commission, DG Environment, Director General (formerly Director DG1a-B and Assistant to the Deputy-Director General François Lamoureux during the reform of Phare)

Marie Digne, European Commission, DG Regional Policy (formerly involved as PAA on project No. HU98/IB-SPP-01/02) in Hungary during the first twinning round. The project was programmed in 1998 and started in 1999 dealing with the 'Establishment of a coherent framework for regional development' and the 'Preparation of operation of pre-accession aid (ISPA; SAPARD)'

- Peter Dröll, European Commission, DG Enlargement, Assistant to the Director General (formerly part of the Poland Team and horizontal expert on environmental policy)
- Jacques Fanouillaire, former NCP France
- Marc Franco, Europe Aid Cooperation Office, Deputy Director-General
- Domenico Gigliotti, European Commission, DG Enlargement, Directorate B – Slovakia Team, Phare Co-ordinator for Slovakia, Coordination of Structural Instruments
- Petra Gombalova, Mission of the Czech Republic to the European Union, Brussels (responsible for horizontal questions)
- Maurice Guyader, European Commission, DG Enlargement, Directorate D – Negotiations & Pre-Accession Coordination
- Peter Heil, Office for the National Development Plan and EU Support Office of the Prime Minister
- Jean-Luc Héris, PAA for the SPP2 project "HU01-SPP-03: Strengthening Public Internal Financial Control, Audit and Payment functions for EU Structural and Cohesion funds"
- Pierre Henry de Villeneuve, PAA for „HU/02/IB/EN/01“ Accidental water pollution-Subproject 1, EU Institution Building Programme on Water Framework Directive
- Reiner Hoffmann, formerly Director of the European Trade Union Institute (now Deputy Director General of the ETUC)
- Morten Jung-Olsen, European Commission, Head of Unit and Negotiator for Bulgaria
- Chris Kirby, PAA for the SPP/II Project “SPP II/02 – Cohesion Fund“
- Dora Krumova, EC Delegation in Sofia, Twinning Task Manager
- Carolyn Leffler-Roth, European Commission, DG Enlargement, Twinning Task Manager from 1998-2002 (key participant in early NCP meetings)
- Dr Barbara Lippert, Director of the Institut für Europäische Politik (IEP Berlin) and Lecturer at the Humboldt University Berlin
- Peter Maher, European Commission, DG Enlargement, Directorate D – Financial Instruments, Coordination of Pre-Accession Instruments (Phare, ISPA and SAPARD) (formerly Commission Delegation to Poland, participant of early NCP meetings)
- Réka Matheidesz, Office for the National Development Plan and EU Support of the Prime Minister Works alongside the NCP in Hungary,
- Dóra Mecseky, Assistant to the PAA for the SPP/II Project “SPP II/02 – Cohesion Fund“
- Michael Merker, European Commission, E3. Evaluation Unit (formerly responsible for Justice and Home Affairs in the EU’s delegation to the Czech Republic, has been involved in drawing up of project fiches and financing proposals, now moved on to DG Justice and Home Affairs)
- Anna Michael, NCP, Foreign and Commonwealth Office (replaced Graham Styles in May 2003)
- Dario Mihelin, Republic of Croatia, Ministry for European Integration, Adviser on Legal Issues of Association and Accession of the Republic of Croatia to the European Union
- Pierre Mirel, European Commission, DG Enlargement, Director for Directorate B - Czech Republic, Hungary, Slovakia and Slovenia, Chief Negotiator for Hungary.

- Margit Mischkulnig, European Commission, DG Enlargement, Phare Co-ordinator for the Czech Republic
- Susanne Moeller Nielsen, PAA for the project "HU01-SO-02 Tackling the Gender Gap"
- Ingrid Mohn, Ministerialdirektorin, Bundesministerium für Finanzen, Europa-Abteilung, Referat EB-04, Germany
- Matthias Möller, Bundesministerium für Finanzen, Europa-Abteilung, Referat EB-04, Germany, Member in the Phare Management Committee
- Ms Möllner, Bundesministerium für Finanzen, Europa-Abteilung, Referat EB-04, Germany
- Jean-Marie Moreau, European Commission, E3. Evaluation Unit (formerly Delegation of the European Commission to Hungary, has been involved in early NCP meetings)
- Marcello Mori, European Commission, EuropeAid Cooperation Office, B5. Multisector thematic
- Kaj Mortensen, European Commission, DG Agriculture, Sapard
- Seppo Nurmi, European Commission, DG Enlargement, Directorate D – Coordination of Financial Instruments, Phare Co-ordinator (overall responsibility)
- Patrick Paquet, European Commission, DG External Relations, Stability Pact Correspondent, Sector coordinator for Institutional reform, Regional infrastructures, Environment, RTD
- Éva Perger, State Secretariat for Public Administration and Regional Policy, Prime Minister's Office, Hungary
- Claus-Dieter Quassowski, Europa-Abteilung, Regierungsdirektor, Referat EU-Strukturpolitik
- Norbert Radermacher, NCP Germany (started about a month before the meeting), Ministerialrat, Bundesministerium für Finanzen
- Dr. Janos Rápcsák, NCP Hungary
- Caroline Rees, Foreign and Commonwealth Office, European Union Department, Head of the Enlargement Section
- David Ringrose, European Commission, DG Enlargement, Phare and Tacis Information Centre (formerly Delegation of the European Commission to the Czech Republic, participant in early NCP meetings)
- Steve Rogers, European Commission, DG Education and Culture, 1. Interinstitutional relations: Coordination – Evaluation (was previously employed by DG Enlargement in the Evaluation Unit)
- Michael Rupp, European Parliament, Directorate-General 2 – Committees and Delegations, Directorate A – External Relations, Committee on Foreign Affairs (now moved on to another unit that works on human rights)
- Matthias Rüte, European Commission, DG Enlargement, Director of Directorate D – Financial Instruments, Co-ordination of Negotiations and Pre-accession
- Gerhard Schlaudraff, Auswärtiges Amt (Foreign Office), Germany
- Göran Segerlund, European Commission, E3. Evaluation Unit, Head of Unit
- Melinda Silló, Assistant to the PAA for the SPP/II Project "SPP II/02 – Cohesion Fund"
- Aneil Singh, European Commission, DG Enlargement, Directorate A – Estonia Team, on secondment by the British Government (Department for International Development) (formerly DG 1A, participant of early NCP meetings)

- Khaldoun Sinno, European Commission, DG EuropeAid Cooperation Office, A3 Social Development, Institutional Support (2 interviews)
- Jan Slijpen, PAA for the project "HU02-SO-01: Human resources development in occupational safety and health"
- Hans-Christian Stausböll, Europe Aid Cooperation Office, Assistant to the Deputy Director-General Marc Franco
- Yvonne Stausböll, DG Development (formerly DG External Relations in DGIA)
- Graham Styles, Foreign and Commonwealth Office, Europe Department, National Contact Point for the Twinning Exercise
- Claus Teilmann Petersen, PAA for "HU01-SO-01: Social Dialogue"
- Alain van Hamme, European Commission, DG Enlargement, Directorate D – Negotiations & Pre-Accession Coordination, Administrator in charge of the Twinning Team (2 interviews)
- Olivér Várhelyi, Mission of the Republic of Hungary to the European Communities
- Daniel Vaughan-Whitehead, European Commission, DG Employment and Social Affairs, Enlargement and International Co-operation
- Myriam Verger, DG Enlargement, Assistant to the Director General (formerly Phare Country Coordinator)
- Günther Verheugen, Member of the European Commission, Enlargement (informal chat during the Christmas reception of DG Enlargement)
- Gael Veyssiere, French Permanent Representation to the EU
- Ruprecht von Arnim, Bundesministerium für Finanzen, Europa-Abteilung, Referat EB-04, National Contact Point for the Twinning Exercise, Germany
- Rainer Willert, Friedrich Naumann Stiftung (FES)
- Rutger Wissels, Director of the Wider Europe Task Force (formerly DG Enlargement, Head of Unit Czech Republic)

3 Conferences, Meetings and Discussions

Meetings

- | | |
|----------------------------|--|
| <i>4-5 December 2004</i> | <i>NCP-Meeting, European Commission, DG Enlargement, Twinning Team</i> |
| <i>9 December 2003</i> | <i>HoPIs and FOs Meeting, European Commission, DG Enlargement – D3. Coordination of Financial Instruments</i> |
| <i>11-12 December 2003</i> | <i>18th RTA Training, DG Enlargement, Twinning Team</i> |
| <i>06 February 2004</i> | <i>EAG Meeting, DG Enlargement – E3. Evaluation Unit, Meeting of the Evaluation Advisory Group (including all sub-groups)</i> |
| <i>18 February 2004</i> | <i>Debriefing of Thematic Reports I, DG Enlargement – E3. Evaluation Unit and the EMS Consortium, Reports on Agriculture, Environment, CBC, Grant scheme</i> |

- 26 February 2004* *Debriefing of Thematic Reports II*, DG Enlargement – E3. Evaluation Unit and the EMS Consortium, Reports on ECOSOC, Transport, Community programmes
- 08 March 2004* *Internal conference on the management level*, DG Enlargement – E3. Evaluation Team and the EMS Consortium, Consolidated Report on the Phare programme
- 24 March 2004* *Debriefing of Thematic Reports III*, DG Enlargement – E3. Evaluation Unit and the EMS Consortium, Reports on PAJC, Twinning, Minorities

Papers given at Conferences (lists only main events)

- (2001). *EU Conditionality: the EU's Pre-Accession Strategy towards Eastwards Enlargement*. Paper given at the Summer School "Governance and Legitimacy in the European Union", 26 August – 08 September 2001, Brussels
- (2002). *Accession or Transition? The EU's Aid Policy Agenda towards Central and Eastern Europe*. Paper given at the 32nd Annual Conference and 7th Research Conference of UACES: The Future of Europe, Queen's University Belfast, 2-4 September 2002.
- (2003). *Planning and implementing aid policy programmes in Hungary*. Paper given at the CEEISA/ISA International Convention, Budapest - 26-28 June 2003.
- (2003). *Institutional Cloning? The Twinning exercise and the EU's fifth enlargement process*. Paper given at The UACES conference "From Copenhagen to Copenhagen", 4-5 April 2003.

Conferences (lists only main events)

- Summer School "Governance and Legitimacy in the European Union", 26 August – 08 September 2001, Brussels
- 32nd Annual Conference and 7th Research Conference of UACES: The Future of Europe, Queen's University Belfast, 2-4 September 2002
- UACES conference "From Copenhagen to Copenhagen", 4-5 April 2003
- CEEISA/ISA International Convention, Budapest - 26-28 June 2003
- Club Romania, "Will Romania close all negotiation chapters in 2004?", Mission of Romania to the EU, 26 February 2004
- Conference du Midi, "Roumanie: Entre atlantisme et intégration européenne", Professeur Cristian Preda, Vice-Doyen de la Faculté de Sciences Politiques, Université de Bucarest, 11 November 2003
- Conference du Midi, "The Eastern Balkans: Prospects for Stability in Bulgaria, Romania and the Former Yugoslav Republic of Macedonia", Professor Richard Crampton, University of Oxford, Professor of East European History, 14 November 2003
- Conference du Midi, "Six Months to go: Is the Commission ready for enlargement? An assessment of the Commission's Internal Preparations for the Accession of 10 new Member States", Hans-Georg Gerstenlauer – DG ADMIN, Head of Unit ADMIN-B5 "Social Dialogue, Relations with national administrations and Horizontal issues related to Enlargement", 17 November 2003

Discussions

09 May 2003: Discussion and Presentation

Location: Department for International Development (DfID), London

- *Brian McLeish*, Department for International Development (DfID), Assistant Programme Manager (EU and Regional), Europe and Central Asia Department
- *Benedict Latto*, Department for International Development (DfID), Governance Advisor, Central & South Eastern Europe Department (currently working on Twinning in CARDS and an evaluation of existing twinning exercises)
- *Elsa Tulmets*, PhD student at the Science Pos at the University of Paris and Research Fellow at the Centre Marc Bloch, Berlin
- *Lindy Cameron*, Governance Advisor, Europe and Central Asia Department (general oversight over EU aid policies and related bilateral programmes)
- *Rebecca Terzeon*, Department for International Development (DfID), EU Co-ordinator, Europe and Central Asia Department (currently working on CARDS countries and Twinning in CARDS)
- *Warren Leigh*, Foreign and Commonwealth Office, European Union Department (External) (assistant to the old and the new National Contact Point of the British government for twinning exercises in Britain)
- *other members of DfID.*

4 Publications

(forthcoming). Estonia. In: Cobane, C. (Ed.) NATO: An Encyclopedia of International Security. Santa Babara, Cal.: ABC-CLIO, INC., (3,500 word entry).

(forthcoming). Lithuania. In: Cobane, C. (Ed.) NATO: An Encyclopedia of International Security. Santa Babara, Cal.: ABC-CLIO, INC., (3,500 word entry).

(forthcoming). France. In: Cobane, C. (Ed.) NATO: An Encyclopedia of International Security. Santa Babara, Cal.: ABC-CLIO, INC., (4,000 word entry).

(1999). 'Cooperative Shaping of Change'. Conference Proceedings. Transfer: European Review of Labour and Research. Vol. 5(3). Brussels: European Trade Union Institute. Brussels. 438-440.

Refereed journal articles

(2003). 'La Réforme de la Stratégie d'Élargissement de l'Union Européene de 1997: Instrument des Jumelages, Apprentissages et Transferts Politiques'. Revue d'Études Comparatives Est-Ouest, 34(3). 37-64.

5 Information sources

The list of consulted information sources below is only a snapshot of the *newspapers*, *bulletins*, and *magazines*, which have been consulted while writing up this thesis. There are numerous other sources, which became useful during the course of this research, but these are the most relevant ones.

5.1 Media sources

Newspapers

These newspapers were consulted in detail partly through CD-Rom search engines and through internet databases.

- Central European Review, <http://www.ce-review.org>
- Financial Times, <http://www.ft.com>
- Frankfurter Allgemeine Zeitung, <http://www.faz.de>
- Le Monde, <http://www.lemonde.fr>
- Transitions online, <http://www.tol.cz>
- Die Zeit, <http://www.zeit.de>

Magazines

- The Economist, <http://www.economist.com>
- *European Dialogue*:
This two monthly magazine used to be provided by the European Commission DG External Relations (DG10), http://europa.eu.int/comm/dg10/eur_dial.
- Der Spiegel, <http://www.spiegel.de>
- Der Stern, <http://www.stern.de>

5.2 Official sources and expertise

Official sources

- **Bulletin of the European Union**
The Bulletin of the European Union covers all major and also minor decisions taken by the European Union. It gives a purely factual account of decisions taken, <http://europa.eu.int/abc/doc/off/bull/en>.
- **Enlargement Newsletter**
This is a weekly newsletter provided by DG Enlargement has covered all issues arising throughout the enlargement process. It is effectively the continuation of Together in Europe and European Dialogue, http://europa.eu.int/comm/enlargement/docs/newsletter/weekly_arch.htm.
- **Presidency Conclusions**
The Presidency Conclusions of the European Council meetings are still the main source of information on the agreements concerning the macro-political framework of enlargement, <http://europa.eu.int/council/off/conclu>. However, this service dates from 1994 only. Conclusions of European Councils before that date can be found on the European Commission's press database, following these steps:
<http://europa.eu.int/rapid/start>
Select "DOC - Presidency press release" under Document type
Select "Search all database" under Search by date
Complete the "Keywords" box with "EUROCONS".
- **Press Releases**
The Rapid database collects press releases from all institutions of the European Union. This thesis has mainly made use of press releases by the European Commission, the

Council and partly from the European Parliament,
<http://europa.eu.int/rapid/start/welcome.htm>.

– **Speeches**

Rapid also provides all official speeches by individual Commissioners,
<http://europa.eu.int/rapid/start/welcome.htm>.

– **Together in Europe**

This bimonthly newsletter provided by Agence Europe was contracted out by DG10 during 1995 until 1997. It is partly available from
<http://europa.eu.int/en/comm/dg10/infcom/newspage>.

Bulletins

– **Aussenpolitik**

This periodical presents short articles with factual accounts of foreign policy issues. It proved to be a very useful source of information. I have accessed this in the British Library of Political Science, London (<http://www.lse.ac.uk/library/>).

– **Courrier de Pays de l'Est**

A French bulletin on issues of transition and accession. This had various issues on bilateral and supranational aid policy programmes.

– **Europe**

This daily bulletin provided by Agence Europe gives a uniquely useful account of daily meetings and decisions, <http://www.agenceurope.com>.

– **European Report**

This is the bi-weekly key title of the 'European Information Service' which provides detailed coverage of developments in all the main EU Institutions. This bulletin is not available online, but it is usually available at least at one of the main universities in the member states. In Britain, the LSE library (<http://www.lse.ac.uk/library>) has it on stock. Upon entering the library, you will have to present a recent letter which certifies your status as research student or academic, otherwise you will not get access.

– **ICEU Weekly Newsletter**

Weekly Newsletter of the European Union Information Centre of the Delegation of the European Commission to the Czech Republic, <http://www.evropska-unie.cz>.

– **Report on Eastern Europe**

This report is provided by Radio Free Europe, <http://www.rferl.org>. It covers many issues and has been a wealthy source for research on aid policy initiatives in Eastern Europe.

– **RFE/RL Newslite,**

This is a daily information newsletter on Eastern Europe which has partly covered the enlargement process as well, <http://www.rferl.org/newslite>.

– **Uniting Europe**

This is a good resource for more recent news and information on the enlargement process. It is also not available online, but usually you should be able to find a university which stocks this bulletin. In Britain: Birmingham University (<http://library.bham.ac.uk/>), at the European Resource Centre based in the newly established European Research Institute (ERI, <http://www.eri.bham.ac.uk/>). This weekly newsletter is also published Agence Europe (<http://www.agenceurope.com/>), the news agency from Brussels.

5.3 Research Centres

The list below catalogues research centres and news sources which have been comparatively active in covering the enlargement process within their projects. At present, the European Commission also publishes an interesting research digest on its website (http://europa.eu.int/comm/enlargement/docs/research/current_issue.htm). This includes also archived versions of former issues. Further reports were taken into account. These are listed in the references.

Austrian Institute of Economic Research (Vienna), <http://www.wifo.ac.at>

Bertelsmann Stiftung, <http://www.bertelsmann-stiftung.de>

The Centre for European Policy Studies (CEPS), <http://www.ceps.be>

Centre of European Reform, <http://www.cer.org.uk>

Deutsche Bank Research, <http://www.dbresearch.com>

Deutsches Institut für Wirtschaftsforschung (DIW), <http://www.diw.de>

The European Policy Centre, <http://www.theepc.be>

Friedrich Ebert Stiftung, <http://www.fes.de>

Institut für Europäische Politik, <http://www.iep-berlin.de>

Radio Free Europe, <http://www.rferl.org>

Vienna Institute for International Economic Studies (WIIW), <http://www.wiiw.at>

6 Documents

This section of the bibliography presents a list of documents which have been consulted during the research process. It only lists a selection of documents that have been analysed. All cited documents can be found in the references with the actual in-text numbering.¹

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Appendix 1

Chronology of events and key statistics

8 Chronology of events and actions

The table below depicts the main events of enlargement and all central actions taken regarding Phare. It draws on several secondary sources (IEP 2003: 6-7; EBRD 2000; IEP 1999b: 9-10; IEP 1999a: 7-8; IEP 2000: 6-7; IEP 2001: 5; IEP 2002: 7-8; Henderson 1999: xvi-xvii; Avery and Cameron 1999: 180-181; Baun 2000: x-xiii) and primary sources such as Council Regulations and Commission Decisions.

1951

18 April 1951	The Six (Belgium, Germany, Italy, Luxembourg, and the Netherlands) sign the Treaty of Paris establishing the European Coal and Steel Community (ECSC).
---------------	--

1957

25 March 1957	The treaties establishing the European Economic Community (EEC) and the European Atomic Energy Community (Euratom) are signed by the Six (Belgium, France, Germany, Italy, Luxembourg and Netherlands) in Rome as of today they will be referred to as the "Treaties of Rome".
---------------	--

1973

January 1973	Denmark, Ireland and the United Kingdom join the EC (1 st enlargement).
--------------	--

1981

January 1981 Greece joins the EC (2nd enlargement).

1985

20 March 1985 Mikhail Gorbachev is appointed Secretary General of the Communist Party of the Soviet Union.

1986

January 1986 Portugal and Spain join the EC (3rd enlargement).

1987

June 1987 Turkey applies for membership of the EC.

1988

September 1988 EC signs a general cooperation agreement with Hungary, sweeping away all quantitative restrictions in trade in industrial goods. Further trade liberalisation foreseen over a ten-year period. A Joint Committee is set up. Hungary becomes the first Eastern European country to sign such an agreement.

1989

02 May 1989 Hungary cuts the first hole in the Iron Curtain. By 11 September all borders will be open. Mass exodus of citizens from the GDR starts.

14-15 July 1989 G7 meeting in Paris asks Commission to coordinate multilateral aid to Poland and Hungary

01 August 1989 G24 meeting confirms that the Commission's coordination function should include all 24 of the invited OECD countries. These were all OECD member states excluding Mexico at the time. The members are therefore all twelve EC member states, the six EFTA states, the US, Japan, Canada, New Zealand, Australia, and Turkey.

17 July 1989 Austria applies for membership of the EC.

24 August 1989 Following Solidarity's victory in the 04 June elections in Poland, Tadeusz Mazowiecki becomes the first non-Communist prime minister in the Eastern bloc.

Sept–Dec 1989 Central and Eastern European communist governments collapse.

September 1989 Poland signs a trade and cooperation agreement with the EC.

09 November 1989 Fall of the Berlin Wall.

- 29 November 1989 'Velvet revolution' in Czechoslovakia.
- 18 December 1989 The Phare programme is introduced by the European Council (Council Regulation No. 3906/89). It provides aid for Poland and Hungary, the two most progressive of the former Eastern bloc states.
- 09 December 1989 The European Council in Strasbourg endorses proposal to create the EBRD.
- 22 December 1989 The Romanian army joins the demonstrating opposition and overthrows Nicolae Ceaucescu, who is executed three days later.

1990

- January 1990 Negotiations on establishing the EBRD begin in Paris.
- 11 March 1990 Lithuania declares full independence.
- 30 March 1990 Estonia declares full independence.
- May 1990 Bulgaria and Czechoslovakia sign a trade and cooperation agreement with the EC.
- 29 May 1990 Forty states and two European organizations sign articles of the agreement to establish the European Bank for Reconstruction and Development (EBRD), whose declared purpose is "to foster the transition towards open market-oriented economies and to promote private and entrepreneurial initiative in the Central and Eastern European Countries committed to and applying the principles of multiparty democracy, pluralism, and market economies.
- 01 July 1990 German economic and monetary union—de facto reunification.
- 04 July 1990 Cyprus applies for membership of EC; Malta applies a few days later on 16 July.
- 04 July 1990 The Group of 24 decides to extend economic aid to Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and Yugoslavia.
- 06 July 1990 NATO leaders release the London Declaration that the two blocs no longer consider each other adversaries and that NATO will revise its strategy.
- 28 July 1990 Latvia declares full independence.
- 17 September 1990 The scope of the Phare programme is extended to five more countries (Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and Yugoslavia), Council Regulation No. 2698/90. This follows an agreement among the Group of 24 to extend aid to these countries (4 July 1990).
- October 1990 Romania signs a trade and cooperation agreement with the EC.
- 03 October 1990 Formal reunification of Germany.
- November 1990 Hungary becomes the first CEEC to join the Council of Europe.

December 1990 Commission receives mandate to negotiate Europe Agreements with Hungary, Poland, and Czechoslovakia.

1991

- February 1991 The Warsaw Pact decides to dissolve itself.
- February 1991 Visegrad Declaration signed by Czechoslovakia, Hungary and Poland
- 01 July 1991 Sweden applies for membership of EC.
- 19 August 1991 Coup attempt by Soviet hardliners fails. Gorbachev returns to Moscow, where Russian President Boris Yeltsin is his new challenger aiming at dismantling the Soviet Union.
- September 1991 The Group of 24 decides to extend economic aid to Albania, Estonia, Lithuania and Latvia.
- 10 December 1991 European Council at Maastricht agrees the Maastricht Treaty that lays down the timetable for economic and monetary union, provides for a new security and defence dimension to EC cooperation, and *creates the European Union*.
- 23 December 1991 Extension of the Phare programme to Albania, Estonia, Lithuania and Latvia (Council Regulation No. 3800/91). This follows an agreement among the Group of 24 to extend aid to these countries (September 1991).
- 31 December 1991 Following Ukraine's declaration of independence and the Minsk agreement, the Soviet union ceases to exist. The flag of the Russian Federation is raised over the Kremlin.
- 16 December 1991 Europe Agreements signed with Hungary, Poland, and Czechoslovakia.

1992

- 18 March 1992 Finland applies for membership of EU.
- April 1992 Bosnia and Herzegovina declares independence. The most ethnically diverse of the Yugoslav republics, Bosnia is 43% Muslim, 31% Serbian, and 17% Croatian (according to the 1991 Yugoslavian census). Ethnic tensions strain to the breaking point, and Bosnia erupts into war. Thousands die and more than a million are displaced. By the time a tenuous peace is achieved in 1995, the country has been partitioned into three areas, with each region governed by one of the three ethnic groups. Each enclave is now made up of roughly 90% of its own ethnic group.
- April 1992 Serbia and Montenegro form the Federal Republic of Yugoslavia (FRY), with Slobodan Milosevic as its leader. This new government, however, is not recognized by the United States as the successor state to the former Yugoslavia.
- May 1992 Estonia, Latvia and Lithuania sign a trade and cooperation agreement with the EC.
- May 1992 The SIGMA programme (Support for Implementation in Government and

- Management in Central and Eastern European Countries) was started. The programme is administered by the EU in cooperation with the OECD. It supports the development of the public administration in these countries.
- 26-27 June 1992 Lisbon European Council discusses prospects for EU enlargement.
- 07 August 1992 Change of the Phare regulation in order to include Slovenia (formerly belonged to Yugoslavia) with Council Regulation No. 2334/92.
- 25 November 1992 Norway applies for membership of EU.
- 12 December 1992 European Council at Edinburgh welcomes the Commissions report "*Towards a Closer Association with the Countries of Central and Eastern Europe*", focused on enhanced political dialogue and increased market access.

1993

- 01 January 1993 Czechoslovakia splits into two independent states—the Czech Republic and Slovakia.
- March 1993 Europe agreements signed with Bulgaria
- April 1993 Slovenia signs a trade and cooperation agreement with the EC.⁺
⁺ A Trade and Economic cooperation agreement between the EC and the former Yugoslavia had existed from 1980.
- 22 June 1993 European Council at Copenhagen decides that the associated CEECs which so wish could become members of the European Union as soon as they were able to fulfil the relevant criteria.
- 30 June 1993 Change of the Phare regulation in order to include the Czech Republic and Slovakia (after Czechoslovakia dissolved at the beginning of 1993).
- October 1993 Europe Agreements signed with Czech Republic and Slovakia
- 01 November 1993 The Maastricht Treaty comes into force. From hereon, the EC was known as the European Union (EU).
- 11 December 1993 European Council at Brussels supports the idea of the Stability Pact for Central and Eastern Europe, aiming at averting tension and conflicts, consolidating borders and resolving problems of national minorities—also called the *Balladur Plan*.

1994

- January 1994 NATO Summit at Brussels invites all democratic countries in Europe to join Partnership for Peace (PfP).
- 01 February 1994 Europe Agreements with Poland and Hungary come into force.
- March 1994 Hungary applies for membership of the EU.
- April 1994 Poland applies for membership of the EU.

- May 1994 SIGMA 2, the second part of the Community's programme for institution-building support is launched under the roof of the OECD.
- 25 June 1994 European Council in Corfu: Signature of Treaty of Accession with Austria, Sweden, Finland and Norway. Notes 'that the next phase of enlargement will involve Cyprus and Malta'.
- 04 July 1994 Following an intervention of the European Parliament, the Commission introduces a programme for cross-border cooperation between CEECs and member states of the Community within the framework of the Phare Programme (Commission Regulation No. 1628/94, Cross-border Cooperation)
- 10 December 1994 European Council in Essen agrees comprehensive pre-accession strategy proposed by the Commission. Also requests Commission to prepare further reports on the impact of enlargement on the Union, and to submit a White Paper on the CEECs and the internal market. Also agrees 'that the institutional conditions for ensuring the proper functioning of the Union must be created at the 1996 intergovernmental Conference, which for that reason must take place before accession negotiations begin.'

1995

- 01 January 1995 Austria, Finland and Sweden join the EU (4th enlargement).
- 01 February 1995 Europe Agreements with Bulgaria, Romania, the Czech Republic and Slovakia come into force.
- 21 March 1995 The Stability Pact is signed in Paris. The signatories entrust to the CSCE the monitoring of bilateral agreements, and set up projects for regional boundary cooperation, minority issues, cultural cooperation and environmental problems.
- June 1995 Europe agreements signed with Estonia, Latvia and Lithuania
- June 1995 Romania and Slovakia apply for membership of the EU.
- 12 June 1995 Extension of the Phare programme to Croatia (Council Regulation No. 1366/95).
- 27 June 1995 European Council in Cannes invites CEECs heads of government to participate in part of the meeting. Reaffirmed that negotiations with Cyprus and Malta would begin six months after the conclusion of the IGC.
- September 1995 NATO publishes the Enlargement Study, which puts enlargement back on track.
- October 1995 Latvia applies for membership of the EU.
- November 1995 Estonia applies for membership of the EU.
- November 1995 Bosnia, Serbia, and Croatia sign the Dayton Peace Accord to end the war in Bosnia.
- December 1995 Bulgaria and Lithuania apply for membership of the EU.

- 16 December 1995 European Council in Madrid requests Commission 'to expedite preparation of its opinions on the applications made so that they can be forwarded to the Council as soon as possible after the conclusion of the Intergovernmental Conference. The European Council hopes that the preliminary stage of negotiations will coincide with the start of negotiations with Cyprus and Malta.'
- 16 December 1995 The conclusions of the Madrid European Council state that membership also requires that candidate countries have created the conditions for their integration through the adjustment of appropriate administrative and judicial structures to enable the effective implementation of the legislation.

1996

- January 1996 The Czech Republic applies for membership of the EU.
- January 1996 Introduction of TAIEX
Following the proposal of the White paper "Preparation of the Associated Countries of Central and Eastern Europe for Integration into the Internal Market of the Union", in 1995, the "Technical Assistance Information Exchange Office", (TAIEX), was set up in January 1996 to provide the Associated Countries of Central and Eastern Europe with technical assistance on approximation of legislation.
- 31 March 1996 Opening of the Intergovernmental Conference (IGC) in Turin.
- 22 April 1996 Extension of the Phare programme to Bosnia and Herzegovina (Council Regulation No. 463/96).
- June 1996 Europe Agreements signed with Slovenia
- June 1996 Slovenia applies for membership of the EU.
- 22 June 1996 The European Council in Florence simply reiterates the conclusions of Madrid concerning enlargement.
- October 1996 Malta freezes its application for membership.
- 14 December 1996 The European Council in Dublin welcomes the Commission's intentions to present proposals for an overall reinforcement of the pre-accession strategy together with its opinions and other reports.

1997

- 22 May 1997 NATO and Russia sign the Founding Act on Mutual Relations, which launches the Permanent Joint Council.
- 17 June 1997 European Council at Amsterdam agrees the Amsterdam Treaty. Accession negotiations should start with individual countries 'according to the stage which is reached in satisfying the basic conditions of membership and in preparing for accession'.
- 07 July 1997 NATO Summit in Madrid invites Poland, the Czech Republic and Hungary to begin accession talks aiming at membership in 1999.

- 16 July 1997 Commission publishes 'Agenda 2000' including plans for future financing of the EU after 1999, reforms of agricultural policy and structural funds, and a strategy for enlargement of the EU, together with the ten Opinions on the applicants for membership of the EU.
- 13 December 1997 European Council in Luxembourg endorses Commission recommendations to open accession negotiations with the five CEECs and Cyprus; agrees to establish accession partnerships with all 11 candidates.

1998

- February 1998 Europe Agreements with Estonia, Latvia and Lithuania come into force.
- March 1998 Milosevic sends troops to Kosovo to quash unrest in the province. A guerrilla war breaks out.
- March 1998 First European Conference in London; boycotted by Turkey.
- March 1998 First Accession Partnerships for each of the CEECs adopted. Accession formally launched; accession negotiations with Hungary, Poland, the Czech Republic, Estonia, Slovenia, and Cyprus officially begun.
- 19 March 1998 Commission adopts its proposals on ISPA [98/0091(CNS)], SAPARD [98/0100(CNS)] and coordinating aid [98/0094(CNS)].
- 30 March 1998 Adoption of the revised Accession Partnerships by the Council of Ministers.
- 13 October 1998 First Accession Partnerships are issued by the Commission (a revised version is later adopted by the European Council on the 30 March 1998).
- September 1998 Malta reactivates its membership application.
- November 1998 Commission's First Regular Progress Reports released. Substantive negotiations with the six first-group applicants are begun.
- 18 December 1998 Revision of the Commission regulation on cross-border cooperation in order to clarify implementation of the programme (Council Regulation No. 2760/98).

1999

- 01 January 1999 Start of the common currency EURO. Beginning of the German presidency of the European Union.
- 01 February 1999 Europe Agreement with Slovenia comes into force.
- 24 March 1999 Start of NATO air strikes on Federal Republic of Yugoslavia (FRY). The War in Kosovo starts.
- 16 March 1999 Commission resigns following report of independent investigating committee.
- 23-25 March 1999 Berlin European Council reaches agreement on "Agenda 2000" reforms and financial perspective for 2000-2006. It also proposes the nomination of

- former Italian Premier Minister Romano Prodi for the presidency of the European Commission.
- 26 May 1999 The European Commission adopts a report on relations with South Eastern Europe and proposes "Stability and Association Agreements" in order to bring them "closer to the perspective of full integration into the EU structures".
- 03-04 June 1999 Adoption of a common strategy of the European Union on Russia, Cologne European Council.
- 10 June 1999 G8 summit in Cologne agrees on "Stability Pact for South Eastern Europe".
- 21 June 1999 Endorsement of the reforms partly described within this thesis. Council Regulations on coordinating aid (No. 1266/1999), on establishing an Instrument for Structural Policies for Pre-Accession (No. 1267/1999) and on Community support for pre-accession measures for agriculture and rural development (No. 1268/1999) are adopted.
- July 1999 Second European Conference. Turkey boycotts the conference again.
- 01 July 1999 The EU's Partnership and Co-operation Agreements with Armenia, Azerbaijan, Georgia and Uzbekistan enter into force.
- 23 July 1999 The European Commission decides on indicative breakdown of structural aid for agriculture and rural development between accession candidates.
- 29-30 July 1999 The first Stability Pact Summit takes place in Sarajevo.
- 4-5 Sept 1999 Informal meeting of the EU Foreign Ministers in Saariselka, Finland. No agreement on the setting of deadlines for EU-membership negotiations is found.
- 13 October 1999 Commission's Second Regular Progress Reports issued. The Commission recommends that the "group approach" to accession negotiations should be abandoned in favour of a "regatta approach". Accession negotiations should be opened to the remaining applicants.
- 15-16 Oct 1999 Special Meeting of the European Council in Tampere, Finland. The Heads of State and Government reach a general agreement to start negotiations on membership with Bulgaria, Slovakia, Lithuania, Romania, Latvia and Malta at the beginning of 2000. Concerning Turkey, they strive for an official candidate status at the Helsinki Summit.
- 13 October 1999 Accession Partnerships are issued (later adopted by the Council on the 06 December 1999).
- 18 October 1999 Jean-Luc Dehaene, Richard von Weizsäcker and Lord David Simon present their report "The institutional implications of Enlargement (the "Dehaene Report"). They recommend a comprehensive reform of the Unions' institution in order to remain operational while integrating new members.
- 06 December 1999 Adoption of the Accession Partnerships by the Council of Ministers.
- December 1999 Helsinki European Council decides to open accession negotiations with all (twelve) applicant countries in early 2000. The EU prepares to be ready for enlargement until 2002. Turkey is granted an "official candidate status" but

is asked to resolve certain problems before accession negotiations can start (e.g. Cyprus issue). The meeting also approves a narrow agenda for the 2000 IGC with a possibility of later expansion.

2000

February 2000	IGC on institutional reform begins.
15 February 2000	Opening of the accession negotiations with Slovakia, Latvia, Lithuania, Bulgaria, Romania, and Malta.
12 May 2000	German Foreign Minister Joschka Fischer holds a speech at the Humboldt University in Berlin: "From Confederation to Federation. Thoughts on the finality of European Integration", in which he calls for a European Federation based on a constitution and with a full-fledged executive and a two-chamber legislative.
27 June 2000	French President Jacques Chirac holds a speech at the German Bundestag: on French European policy goals in which he calls for a "Group of Pioneers" within the EU.
03 October 2000	The President of the European Commission Romano Prodi delivers a speech at the European Parliament in which he warns of an increasing trend towards intergovernmentalism in the process of European integration.
06 October 2000	The British Prime Minister Tony Blair holds a speech at the Polish stock exchange in Warsaw: "Europe's Political Future", in which he presents his vision of a larger, stronger, and democratic Europe and his proposals for political reform of the EU.
08 November 2000	The European Commission publishes its regular progress reports on the applicant countries and presents a Strategy Paper on the further enlargement process.
23-24 Nov 2000	<i>A European Union/Balkans Summit</i> is held in Zagreb, Croatia.
05 December 2000	The introduction of the CARDS programme gathers assistance for Albania, Bosnia Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia (Regulation No. 2666/2000). The regulation came into force on the 7 th of December 2000, from this date onwards none of these countries was eligible for Phare funding any longer.
07-11 Dec 2000	The European Council meeting is held in Nice, France. The Heads of State and Government of the 15 member states conclude the Intergovernmental Conference on institutional reform by reaching an agreement on the draft of a new treaty, eliminating the institutional obstacles for enlargement. The European Council adopts the Commission's strategy plan for enlargement as a framework for concluding negotiations. It further proclaims the Charter of Fundamental Rights.

2001

26 February 2001	Following the December 2000 European Council meeting held in Nice, a new Treaty amending the Treaty on European Union and the Treaties establishing the European Communities, is signed (Treaty of Nice).
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- 02 January 2001 Greece becomes the 12th member of the Euro zone.
- 03 April 2001 In a speech in Berlin, enlargement Commissioner Günther Verheugen mentions for the first time in an explicit manner that first accessions could possibly be expected in 2003/2004.
- 11 April 2001 The European Commission adopts its long-awaited draft common position on the free movement of labour after enlargement.
- 25 April 2001 The European Commission publishes its economic forecasts for the candidate countries.
- 28 May 2001 The Committee of permanent representatives (Coreper) adopts its compromise on the free movement of persons after enlargement.
- June 2001 The Irish population declines the *Treaty of Nice* in a referendum.
- 15-16 June 2001 The European Council comes together in Gothenburg. The EU Heads of State and Government finally agree to offer the candidate countries the long-requested “target-date” for the completion of the accession negotiations. Accession negotiations thus shall be completed with the most advanced countries by the end of 2002 and the first countries of CEE shall accede in 2004 elections of the European Parliament.
- 01 July 2001 According to its work programme the Belgian Presidency will mainly focus on the following issues: “Declaration of Laeken” on the future of Europe, smooth introduction of the Euro as well as defending and developing the “European social model”. As to the issue of enlargement, it can hardly be considered a top priority of the Belgian Presidency, which declared that it firstly will adhere to the agreed road map for accession talks and secondly wants to ensure the “quality of enlargement, which means a main focus on the candidates’ administrative and judicial structures that can guarantee the effective application of the *acquis*.”
- July 2001 First results of the Spring 2001 Eurobarometer confirm the weak EU citizen’s enthusiasm for enlargement. Whereas citizens from the Mediterranean and the Nordic countries are most likely to favour EU enlargement (especially Greece with 70% of support), Austrians, Germans, French and Brits are among the least supportive.
- 05 September 2001 The European Parliament adopts in Strasbourg a general and comprehensive resolution on EU enlargement. The same day, individual country reports on all 12 negotiating candidate countries are approved by the MEPs. In its resolution, the EP expects that the candidate countries will have an advisory role until accession in the preparations for the next intergovernmental conference.
- 23 September 2001 General elections in Poland with an unexpected high support for openly anti-European parties.
- 13 November 2001 The European Commission publishes its regular reports on the progress made by each of the 13 candidate countries on the way to accession and presents a Strategy paper on the further enlargement process.
- 14-15 Dec 2001 A European Council meeting is held in Laeken. The Heads of State and Government adopt a “Declaration of Laeken” setting up a convention that, from March 2002 on, is to prepare the next intergovernmental Conference and which will suggest alternative options as to the future reform of the

European Union.

2002

-
- 30 January 2002 The European Commission presents an information note titled “Common Financial Framework 2004-2006 for the Accession Negotiations”, which is meant to serve as a basis to agree on the financial implications of the “difficult chapters” agriculture, regional policy, and budget. The Commission proposes a phasing-in of direct payments for farmers in the new member states until 2013. The proposal respects the expenditure ceilings of the Agenda 2000 with regard to the total amount of approximately 40 billion € (appropriations) for 10 acceding countries over a three year period.
- 12 February 2002 Meeting of EU finance ministers (EcoFin -Council). The EU net payers Germany, UK, Austria, Sweden and the Netherlands oppose the financial package proposed by the Commission as too costly. They want to phase out direct payments after 2006 for all members.
- 28 February 2002 Opening of the Convention on the Future of the European Union in Brussels. The Convention consists of 105 Members including representatives of the heads of state or government of the member states, of the national parliaments, of the European Parliament, of the European Commission, of the governments and national parliaments of the 13 candidate countries.
- 01-08 March 2002 The Commission completes bilateral arrangements with each of the twelve negotiating candidates aimed at implementing a new 250 million Euro “Action Programme” to help the future entrants set up the required administrative, institutional and judicial capabilities for implementing EU legislation after accession.
- 11 April 2002 In a joint statement Commissioner Verheugen and the Czech Prime Minister, Milos Zeman, reassure that a series of post-World War II decrees depriving mainly Czechoslovak Germans (Sudetendeutsche) of their citizenship and property (the so-called Benes Decrees) belong to the past, and will not affect the Czech Republic's EU accession.
- 21-22 June 2002 European Council in Seville. The European Council reaffirms that, if the present rate of progress in negotiations and reforms is maintained, the EU is determined to conclude the negotiations with Cyprus, Malta, Hungary, Poland, the Slovak Republic, Lithuania, Latvia, Estonia, the Czech Republic and Slovenia by the end of 2002. The principle of differentiation must be fully complied with until the end of the negotiations. It emphasises that the first Treaties of Accession could be signed in spring 2003. The objective remains that these countries should participate in the elections to the European Parliament in 2004 as full members.
- 01 July 2002 Beginning of the Danish Presidency. Denmark aims to conclude negotiations with up to ten candidate countries at the European Council in Copenhagen in December. To complete the enlargement circle “from Copenhagen to Copenhagen” is the priority of the Danish Presidency.
- 05 September 2002 The prime ministers of the “Visegrad countries” Poland, the Czech Republic, Slovakia, and Hungary reiterate at a meeting in Krynica Gorska their determination to continue and strengthen their regional co-operation,

not only in the last phase of EU accession but also in their position as future EU members – following the example of the Benelux countries and countries from the Nordic Council. The four premiers agree that the most likely period for holding referendums on joining the EU in their countries is from April to June 2003.

19 October 2002 The second Irish referendum on the Nice Treaty ends up with a Yes vote at 62.89 per cent and a No vote at 37.11 per cent. Thus, the EU has now “paved the way for the European Council in Copenhagen to conclude the accession negotiations and welcome the first new Member States”, according to Anders Fogh Rasmussen, chairman of the Danish EU presidency.

24-25 Oct 2002 European Council in Brussels. The heads of state and government agree that direct payments equivalent to 25 per cent of the present system would be introduced in new member states from 2003 onwards. The EU grants that after accession no candidate will be situated financially worse than in the last year before EU-entry. The cohesion funds will be endowed with 23 billion. Euro between 2004 and 2006 (approximately 2.5 billion € less than proposed by the Commission). Based on this agreement, Common Negotiating Positions on all open chapters can be transmitted to the applicants in early November and the negotiations be completed at the Copenhagen Summit in December 2002.

9 Map



Source: Nugent 2004, p. xvi

Figure 16: Map of the EU and Neighbouring European States

10 Information on association, enlargement and membership applications

10.1 Association, Enlargement and Post -Accession

Country	Applied	Result
Norway	April 1962	Draft accession treaty rejected by referendum, September 1972.
Turkey	April 1987, 14.04.1987	Unfavourable Commission Opinion, December 1989 but accepted as applicant by Helsinki European Council, 1999.
Morocco	July 1987	Rejected by the Council as a non-European state.
Cyprus	July 1990, 03.07.1990	Favourable Commission Opinions, June 1993. Negotiations concluded in 2002.
Malta	July 1990, 16.07.1990 (withdrawn October 1996 but later renewed)	
Switzerland	June 1992	Inactive, but remains 'on the table'.
Norway	December 1992 (second application)	Draft accession treaty rejected by referendum, November 1994.
Hungary	March 1994, 31.03.1994	In June 1993 the European Council recognized membership as a long-term goal for all former Eastern bloc countries willing and able to join the European Union. The Commission's Opinions were published in July 1997 parallel to Agenda 2000. Negotiations concluded with all countries except Bulgaria and Romania in 2002.
Poland	April 1994, 05.04.1994	
Romania	June 1995, 22.06.1995	
Slovakia	June 1995, 27.06.1995	
Latvia	October 1995, 13.10.1995	
Estonia	December 1995, 24.11.1995	
Bulgaria	December 1995, 14.12.1995	
Lithuania	December 1995, 08.12.1995	
Czech Republic	January 1996, 17.01.1996	
Slovenia	June 1996, 10.06.1996	

Source: Own compilation.

Table 23: Applicants for membership, 1962-1996

Country	Association Agreement signed	Association Agreement came into force	Official application for EU Membership
Turkey	September 1963	December 1964	14 April 1987
Malta	December 1970	April 1971	16 July 1990
Cyprus	December 1972	June 1973	3 July 1990

Source: CEC, DG Enlargement, Available: http://europa.eu.int/comm/enlargement/pas/europe_agr.htm [Accessed: 11. January 2002].

Table 24: Association Agreements

10.2 EU Membership: All steps from application to accession

1. A European country submits an application for membership to the Council of the European Union.
2. The Council asks the Commission to deliver an Opinion on the application.
3. The Commission delivers its Opinion on the application to the Council.
4. The Council decides (unanimously) to open negotiations for accession.
5. Negotiations are opened between the Member States on the one hand, and each applicant individually on the other hand.
6. The Commission proposes, and the Council adopts (unanimously), positions to be taken by the Union vis-à-vis the applicants in accession negotiations.
7. Agreement reached between the Union and applicant on a Draft Treaty of Accession.
8. Accession Treaty submitted to the Council and the European Parliament.
9. The Commission delivers another Opinion, on the Accession Treaty.
10. European Parliament delivers its assent to the Treaty (by an absolute majority).
11. The Council approves the Accession Treaty (unanimously).
12. Member States and applicants formally sign the Accession Treaty.
13. Member States and applicants ratify the Accession Treaty.
14. After ratification, the Treaty comes into effect on the day of accession: the applicants become Member States.

Source: Avery and Cameron 1999, p. 24.

Table 25: EU Membership — From application to accession

11 Copenhagen 2002: Agreed financial package and financial framework

Copenhagen agreed financial package – maximum enlargement-related commitments, 2004-2006 for 10 new member states (€ millions, 1999 prices)

	2004	2005	2006
Heading (1) Agriculture	3,747	3,747	4,147
<i>of which</i>			
1a. CAP	327	2,032	2,322
1b. Rural development	1,570	1,715	1,825
Heading (2) Structural actions after capping	6,070	6,907	8,770
<i>of which</i>			
Structural Fund	3,453	4,755	5,948
Cohesion fund	2,617	2,152	2,822
Heading (3) Internal policies and additional transitional expenditure	1,457	1,412	1,387
<i>of which</i>			
Existing internal policies	846	881	916
Nuclear safety	125	125	125
Institution building	200	120	60
Schengen facility	286	286	286
Heading (5) Administration	503	558	612
Total (Headings 1,2,3 and 5)	9,927	12,624	14,916

	2004	2005	2006
Special cash flow facility	1,011	744	644
Temporary budgetary compensation	262	429	296
Total	1,273	1,173	940

Source: CEC, 2004.

Table 26: Copenhagen: Agreed financial package, in million EURO (1999 prices)

€ millions, 1999 prices	CY	CZ	EE	HU	PL	SI	LT	LV	SK	MT	Total
Agriculture											
<i>Common agricultural Policy</i>											4,682
Rural development	66	482	134	534	2,543	250	434	291	352	24	5,110
Structural actions	101	2,328	618	2,847	11,369	405	1,366	1,036	1,560	79	21,746²⁾
Internal policies											4,255
of which:											
Existing policies											2,642
Institution building											380
Schengen facility	0	0	69	148	280	107	136	71	48		858
Nuclear safety	0	0	0	0	0		285		90		375
Administration											1,673
Special cash-flow facility	38	358	22	211	1,443	101	47	26	86	66	2,398
Temporary budgetary compensation	300	389				131				166	986
Total Commitments											40,852

1) Where appropriate, allocations by country are shown. For the Schengen facility, nuclear safety, special cash-flow facility and temporary budgetary compensation, these amounts are fixed. For structural actions and rural development, these amounts are indicative. Allocations by country for agricultural market measures, direct payments, existing internal policies, institution building cannot be definitively fixed at this stage.

2) Includes € 38 m of non-allocated technical assistance.

Source: CEC, Available: <http://europa.eu.int/comm/enlargement/negotiations/chapters/index.htm> [Accessed: 20. January 2002].

Table 27: Copenhagen agreed financial framework for enlargement, Total commitment appropriations 2004-2006

11.1 Impact of enlargement

Number of member states	Increase in area (%)	Increase in population (%)	Increase in total GDP (%) ¹	Change in per capita GDP (%)	Average per capita GDP (EUR 6 = 100)
From 6 to 9	31	32	29	-3	97
From 9 to 12	48	22	15	-6	91
From 12 to 15 ²	43	11	8	-3	89
From 15 to 26 ³	34	29	9	-16	75

¹ Adjusted for purchasing power standards.

² Including former East Germany.

³ i.e. the Union plus all applicants except Malta and Turkey.

Source: European Commission.

Table 28: Impact of enlargement, data from 1995

11.2 Key Statistics on the candidate countries, 2000

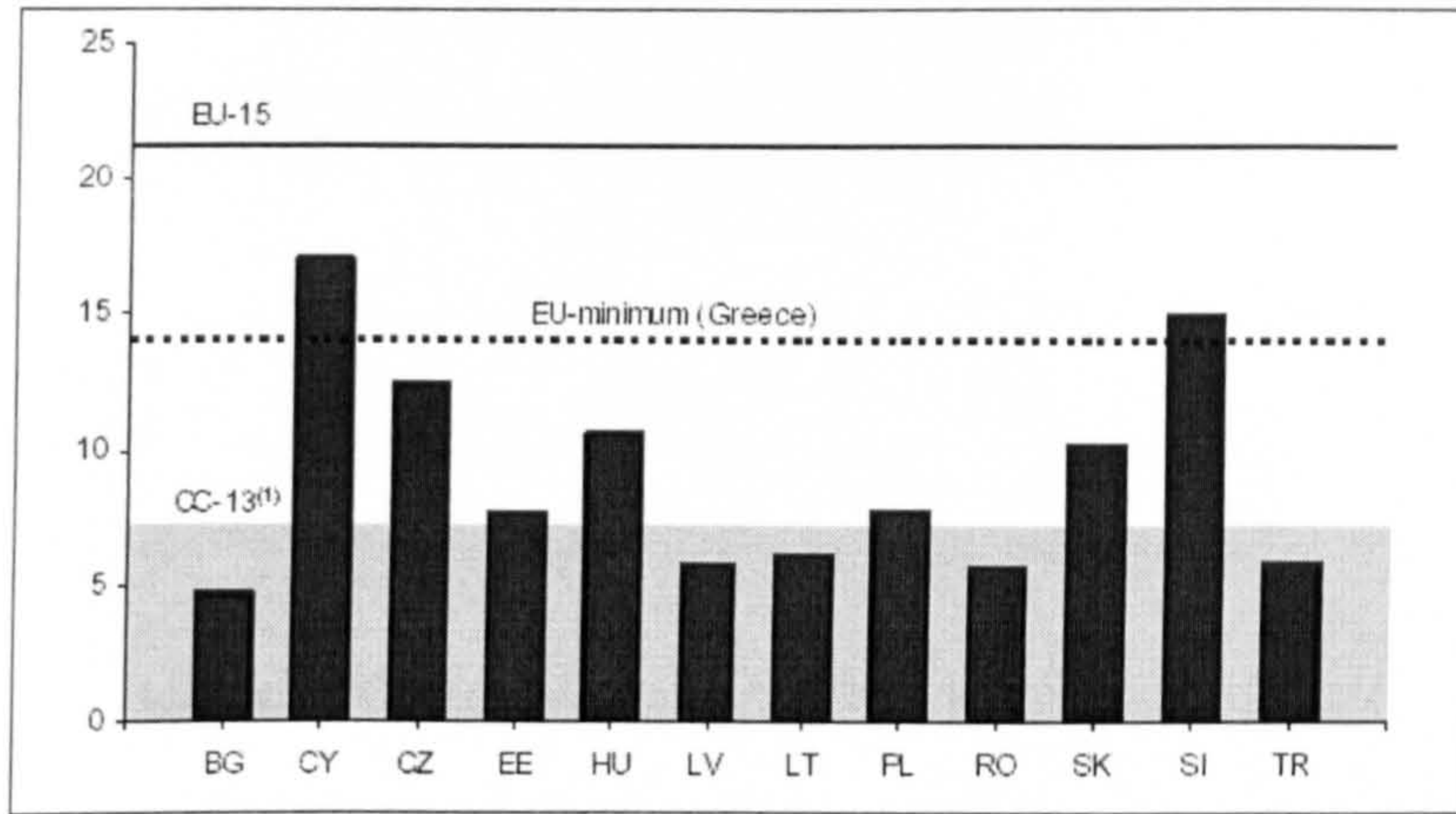
Candidate countries represent 45% of the EU population and 7% of its GDP. GDP per capita varies between 24% of the EU average in Bulgaria and 82% in Cyprus.

	Population million	Area 000 km ²	GDP € billion	GDP € per head	GDP Change %	Inflation %
Bulgaria	8.2	111	13.0	5,400	5.8	10.3
Czech Republic	10.3	79	55.0	13,500	2.9	3.9
Estonia	1.4	45	5.5	8,500	6.9	3.9
Hungary	10	93	49.5	11,700	5.2	10
Latvia	2.4	65	7.7	6,600	6.6	2.6
Lithuania	3.7	65	12.2	6,600	3.3	0.9
Poland	38.6	313	171.0	8,700	4.0	10.1
Romania	22.4	238	40.0	6,000	1.6	45.7
Slovak Republic	5.4	49	20.9	10,800	2.2	12.1
Slovenia	2	20	19.5	16,100	4.6	8.9
Cyprus	0.8	9	9.5	18,500	4.8	4.9
Malta	0.4	0.3	3.9	11,900	5.0	2.4
Turkey	65.3	775	217.4	6,400	7.2	54.9
Total¹⁾				Average		
Med-3	66.5	784.3	230.8	12,267	5.7	20.7
CEECs-10	104.4	1,078	394.3	9,390	4.3	10.8
CEECs-8	73.8	729	341.3	10,313	4.5	6.6
Applicants-13	170.9	1,862.3	625.1	10,828	5.0	15.8
EU-15	378.3	3,191	8,526	22,500	3.4	2.1
Total	549.2	5053.3	230.8	10,054	4.6	13.1

¹⁾ Med-10 = Cyprus, Malta and Turkey, CEECs-10 = all Central and Eastern European candidates, CEECs-8 = CEECs-10 without Bulgaria and Romania, EU-15 = member states of the European Union

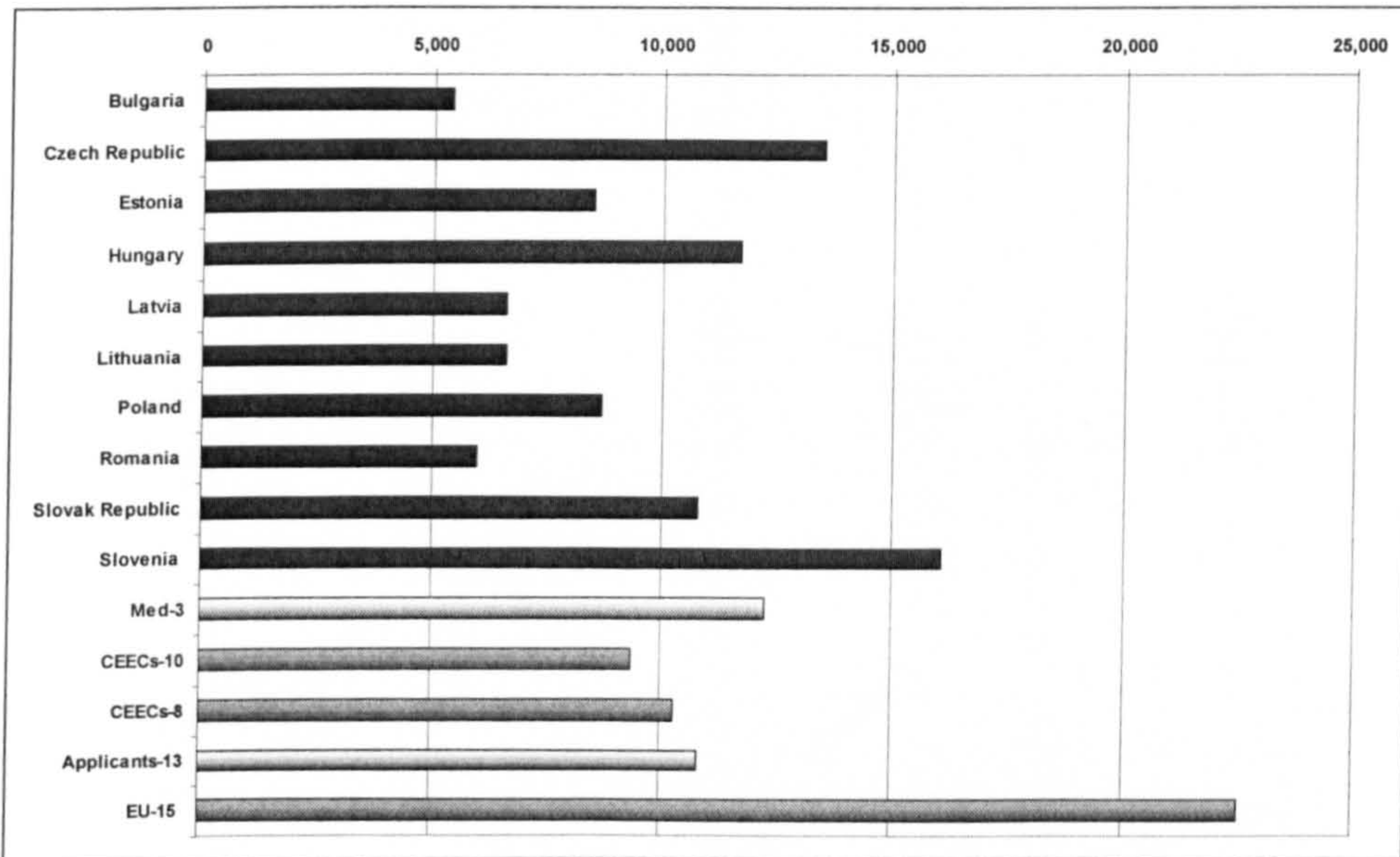
Data Source: Eurostat. News Release No. 129/2001, 13 December 2001, p.1.

Table 29: Key Statistics on the Candidate States, 2000



Source: Eurostat 2000, p. 2.

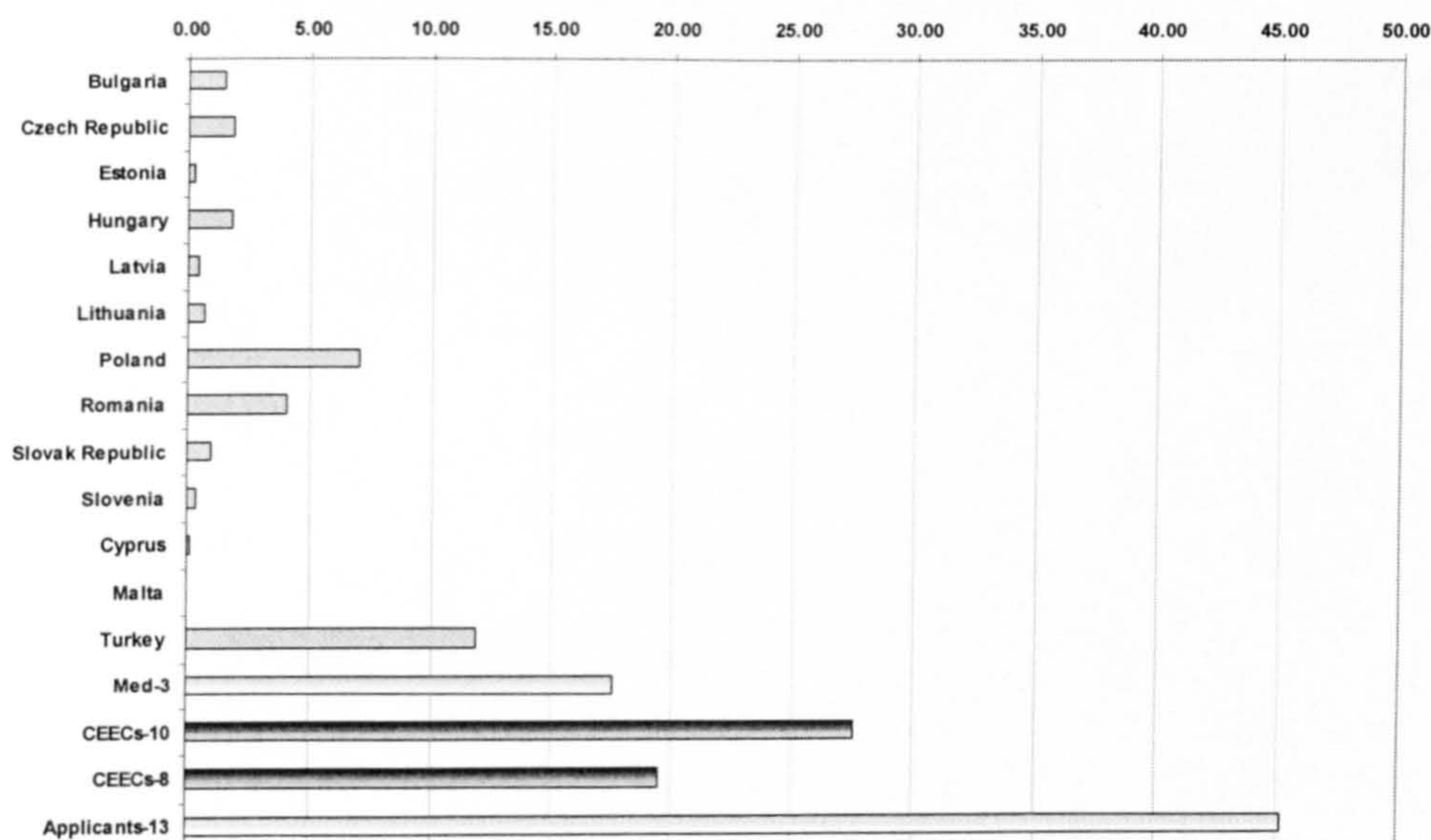
Figure 17: GDP per head in thousands of PPS, 1999



Source: Eurostat, from national source (year 2000).

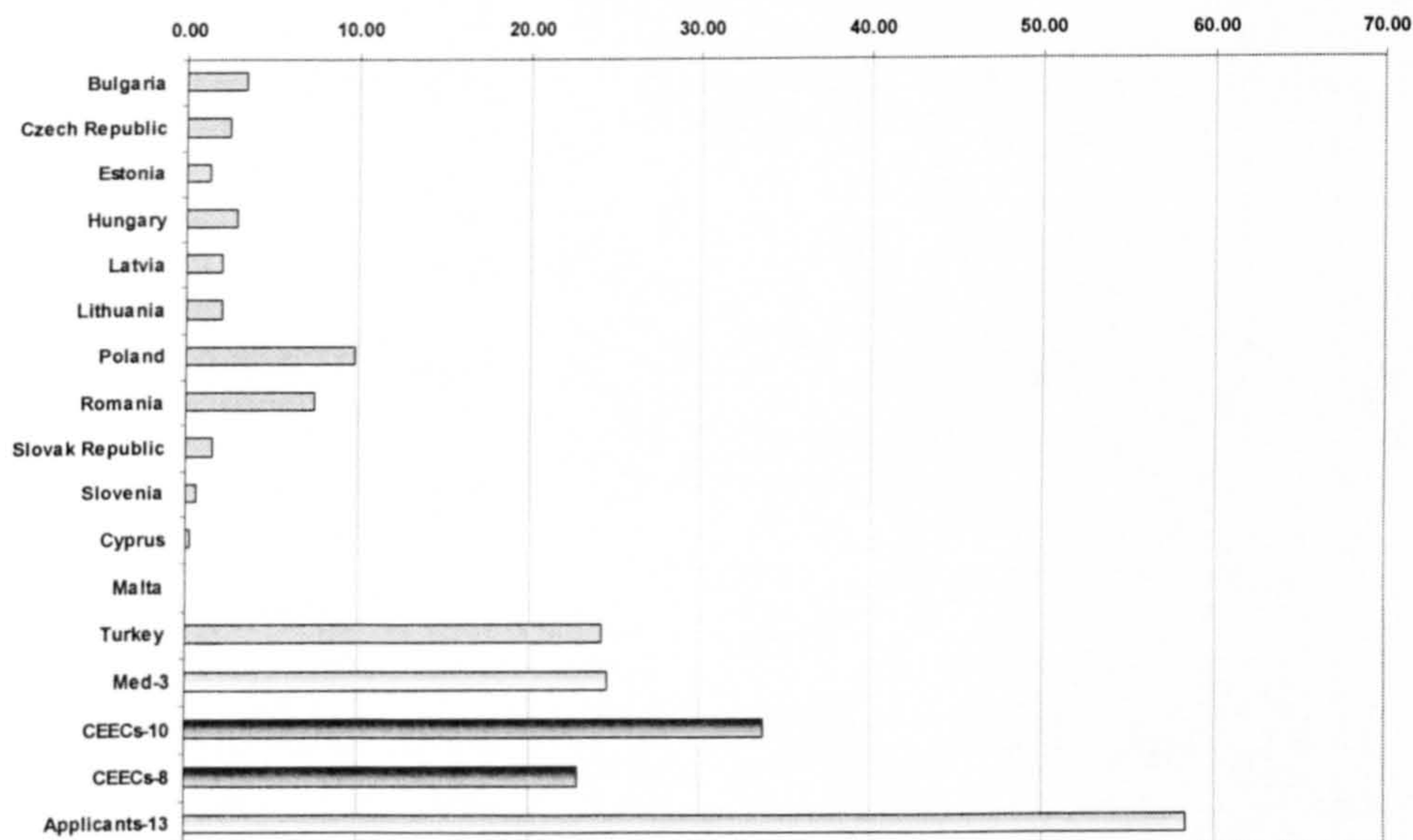
Figure 18: GDP per capita in 2000, in €

‘Candidate countries represent 45% of the EU population and 7% of its GDP. GDP per capita varies between 24% of the EU average in Bulgaria and 82% in Cyprus.’ (Eurostat 2001: 1).



Source: Eurostat, from national source (year 2000).

Figure 19: Population in % of total EU-15 population



Source: Eurostat, from national source (year 2000).

Figure 20: Area in % of total EU-15 area

Appendix 2

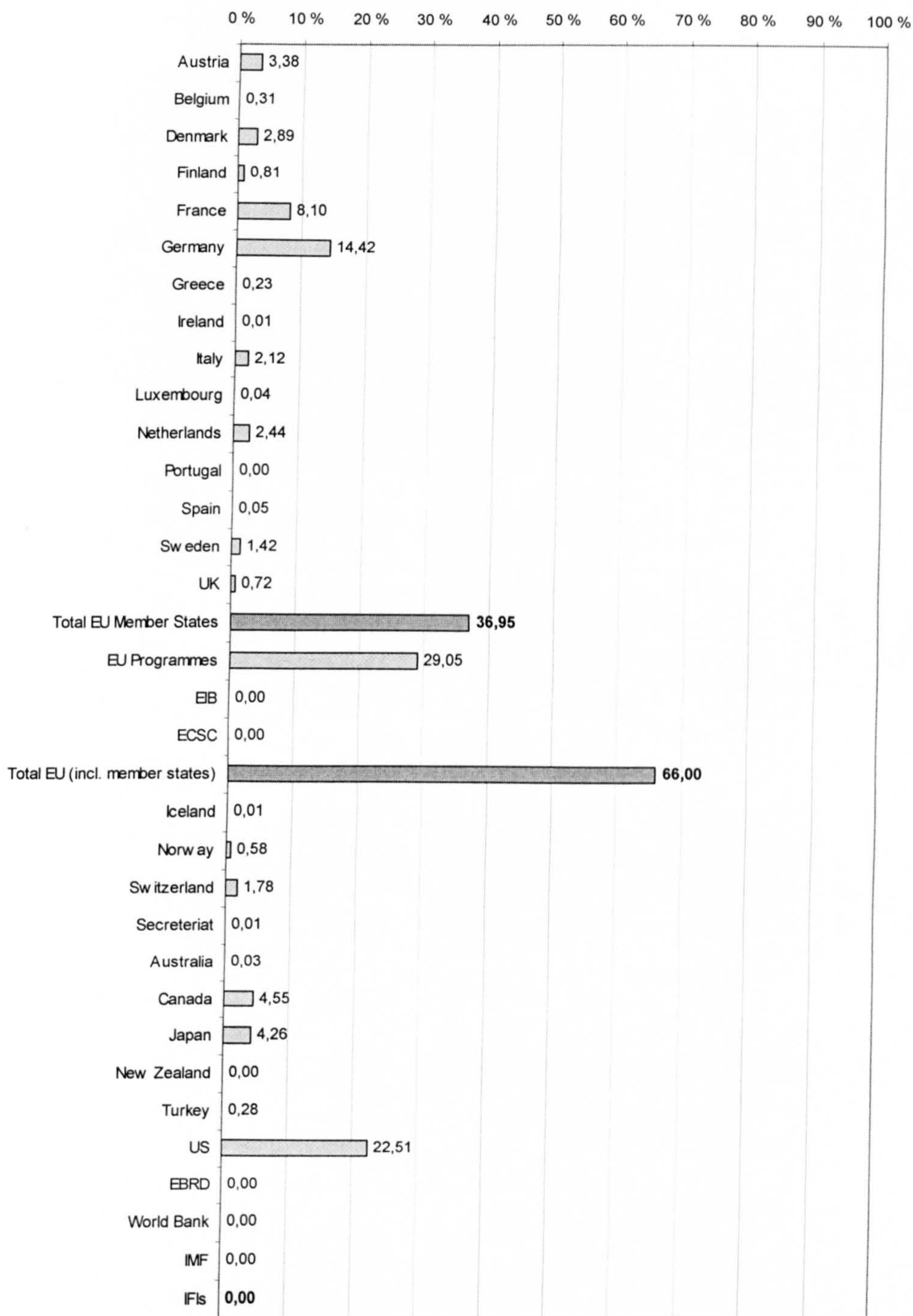
Phare funding and other sources of financial transfers

12 G24 Assistance, 1990-1996

	Assistance committed (ECU million)	Donors' percentage of total aid (in %)	of which grants (ECU million)	Donors' percentage of grant aid (in %)
Austria	3,975.31	4.05	965.33	3.38
Belgium	271.27	0.28	89.27	0.31
Denmark	1,470.43	1.50	823.93	2.89
Finland	758.63	0.77	232.29	0.81
France	6,565.46	6.69	2,311.57	8.10
Germany	17,436.73	17.77	4,115.38	14.42
Greece	87.22	0.09	66.49	0.23
Ireland	3.38	0.00	2.04	0.01
Italy	1,601.42	1.63	605.49	2.12
Luxembourg	32.79	0.03	10.29	0.04
Netherlands	1,371.84	1.40	695.53	2.44
Portugal	3.95	0.00	0.01	0.00
Spain	713.22	0.73	13.23	0.05
Sweden	1,557.39	1.59	405.45	1.42
UK	884.11	0.90	206.73	0.72
Total EU Member States	36,733.16	37.44	10,543.04	36.95
EU Programmes	11,051.43	11.26	8,288.63	29.05
EIB	4,761.00	4.85	-	0.00
ECSC	200.00	0.20	-	0.00
EU Total (including member states)	52,745.59	53.76	18,831.67	66.00
Iceland	5.62	0.01	4.09	0.01
Norway	581.62	0.59	164.26	0.58
Switzerland	1,017.87	1.04	508.16	1.78
EFTA		0.00		0.00
Secreteriat	1.68	0.00	1.68	0.01
Australia	131.68	0.13	8.77	0.03
Canada	1,828.42	1.86	1,297.32	4.55
Japan	5,270.31	5.37	1,215.01	4.26
New Zealand	232.76	0.24	1.00	0.00
Turkey	471.23	0.48	80.21	0.28
US	11,126.39	11.34	6,422.53	22.51
EBRD	5,016.99	5.11	-	0.00
World Bank	9,356.90	9.54	-	0.00
IMF	10,322.27	10.52	-	0.00
Grand Total	98,109.34	100.00	28,534.70	100.00

Source: G-24 Scoreboard, CEC.

Table 30: G-24 Assistance Commitments, 1990-96 (to all recipients)



Data Source: G24 Scoreboard, CEC.

Figure 21: G24 Assistance, % of total grant assistance (1990-1996)

13 The three pre-accession instruments

	Phare	ISPA	SAPARD
Parallel EU instrument	Structural Funds (ERDF ² and ESF ³)	Cohesion Fund	EAGGF ⁴ and Rural Development Plans
Year of introduction	1989 (regularly revised since then)	1999 (started 1 April 2000)	1999 (came into effect 2000)
Value per year (2000 prices)	€1,587 million	€1,058 million	€529 million
Responsible EC DG	DG Enlargement	DG Regio	DG Agriculture
Aim	In Agenda 2000, Phare was refocused to concentrate its support on two priorities in the adoption of the <i>acquis communautaire</i> , institution-building and investment support.	Contribution to the objectives in the Accession Partnership and to supporting national transport and environmental infrastructure programmes.	To help Candidate Countries to implement the <i>acquis communautaire</i> as it relates to the common agricultural policy, and to facilitate sustainable agricultural and rural structural adjustment.
Scope	A range of national, multi-national and cross-border programmes. Two foci: (i) institution-building within the CCs to implement and enforce Community legislation; and (ii) investment support to enable them to adapt enterprises and infrastructure to EU norms	<i>Environment</i> : facilitating compliance with EC environmental legislation and principles. <i>Transport</i> : rehabilitating and constructing new transport, linking with Trans-European Networks. <i>Technical Assistance</i> : technical assistance for project quality and robust management.	Wide range of eligible measures to support agriculture and rural development, including: improving food processing and marketing; rural diversification; land improvement; vocational training; and water resource management.
Funding	An agreed funding allocation to be co-financed by CC's or international financial institutions.	CC's are allocated a range of funding rather than a specific sum, to provide an incentive and respond to change. Projects need national contribution (including loan repayments).	As with Phare, an agreed sum of funding by the EU, co-financed from partner countries and international financial institutions.
Comparison with parallel EU instrument	As with Structural Funds, programme-based. The investment component supports economic development interventions similar to those under the Structural Funds. Significant institution-building element is distinctive	Unlike the Cohesion Fund, it operates on a project, not a programme basis. The EC makes an indicative allocation of resources between eligible countries. It only focuses on environment and transport, but has similar monitoring and evaluation requirements.	It operates on programme basis and programmes must be consistent with CAP objectives. Overall, it is designed to have a significant similarities with the Rural Development Programmes delivered through the EAGGF.

Source: Bachtler 2002 et al., p. 8.

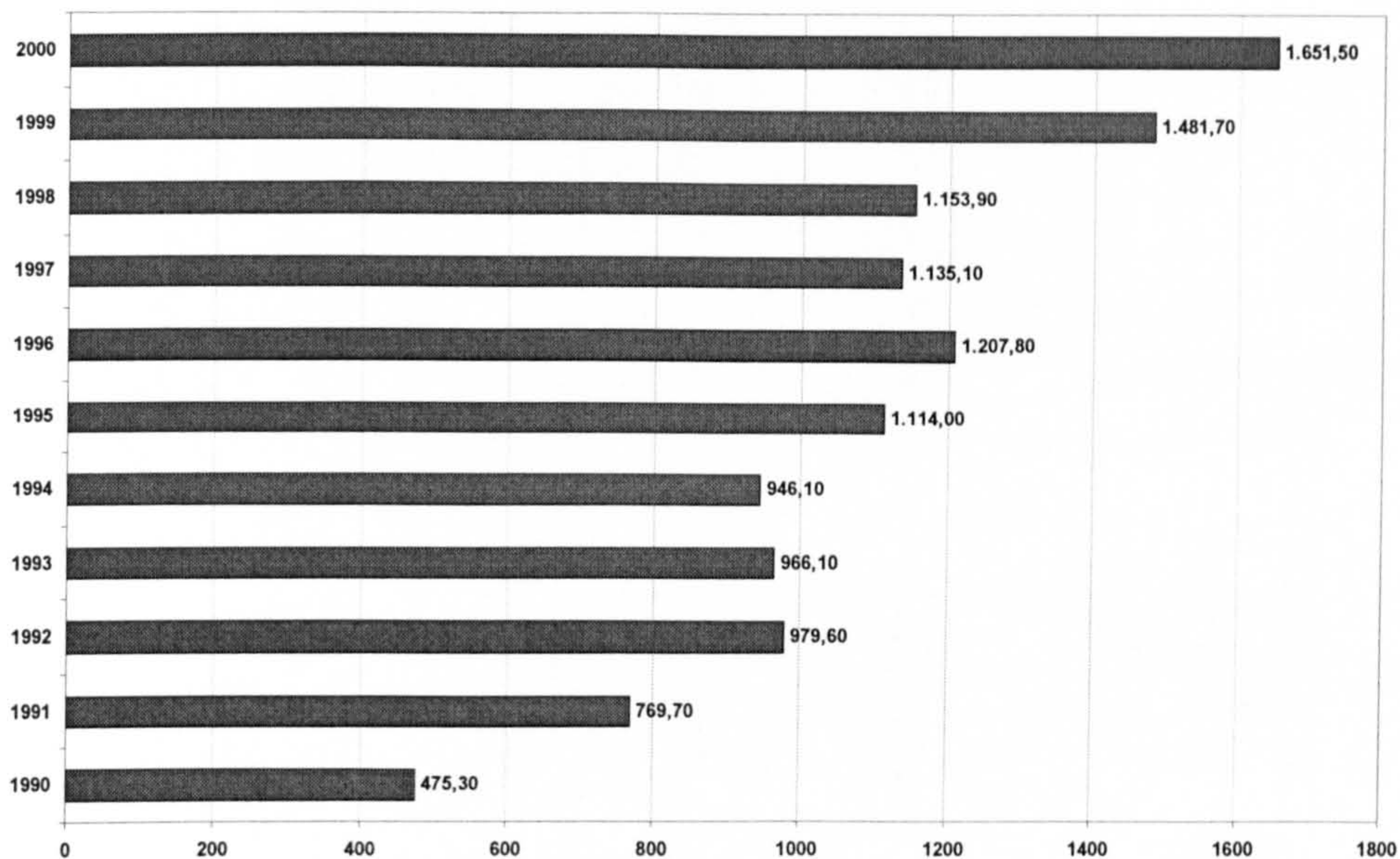
Table 31: Key dimensions of the pre-accession strategy

² European Regional Development Fund.

³ European Social Fund.

⁴ European Agriculture Guidance and Guarantee Fund

14 Phare funding per year, 1990-2000



Data Source: CEC 2001, p. 24.

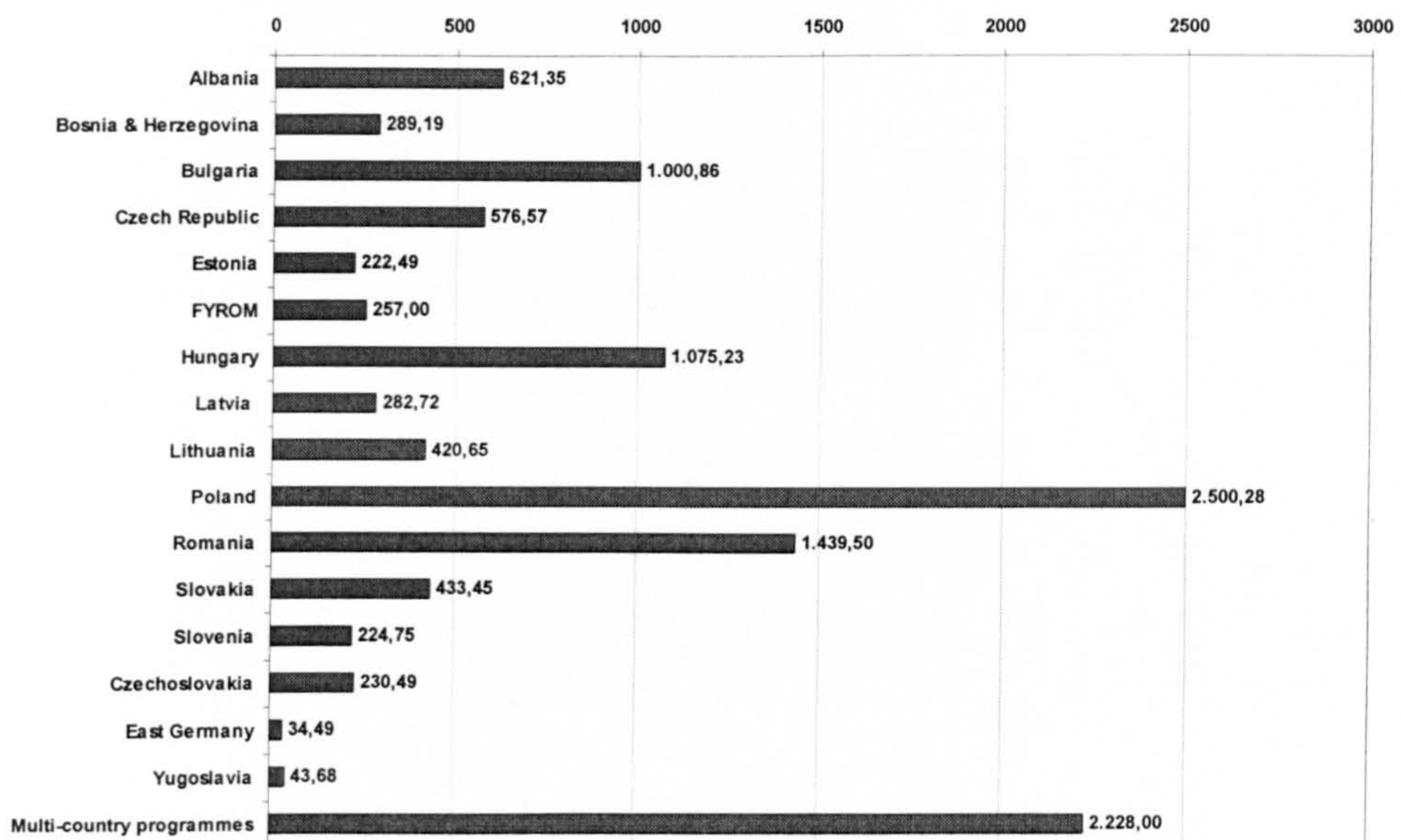
Figure 22: Commitments per year, 1990-2000 (in million EUR)

15 Phare funding by country, 1990-2000

Partner country	Commitments	Contracts	Payments	% of Commitments
Albania	621.35	497.52	409.37	5.23
Bosnia & Herzegovina	289.19	283.82	241.49	2.43
Bulgaria	1,000.86	729.79	603.14	8.42
Czech Republic	576.57	394.97	355.23	4.85
Estonia	222.49	171.23	152.71	1.87
FYROM	257.00	200.05	156.94	2.16
Hungary	1,075.23	845.29	730.95	9.05
Latvia	282.72	217.88	179.09	2.38
Lithuania	420.65	275.01	227.57	3.54
Poland	2,500.28	1,739.94	1,609.88	21.04
Romania	1,439.50	916.85	784.76	12.12
Slovakia	433.45	251.98	205.59	3.65
Slovenia	224.75	144.03	122.58	1.89
Czechoslovakia	230.49	231.82	228.88	1.94
East Germany	34.49	28.86	28.61	0.29
Yugoslavia	43.68	43.68	43.68	0.37
Multi-country programmes	2,228.00	1,930.07	1,566.78	18.75
Total	11,880.70	6,972.72	7,647.25	100.00

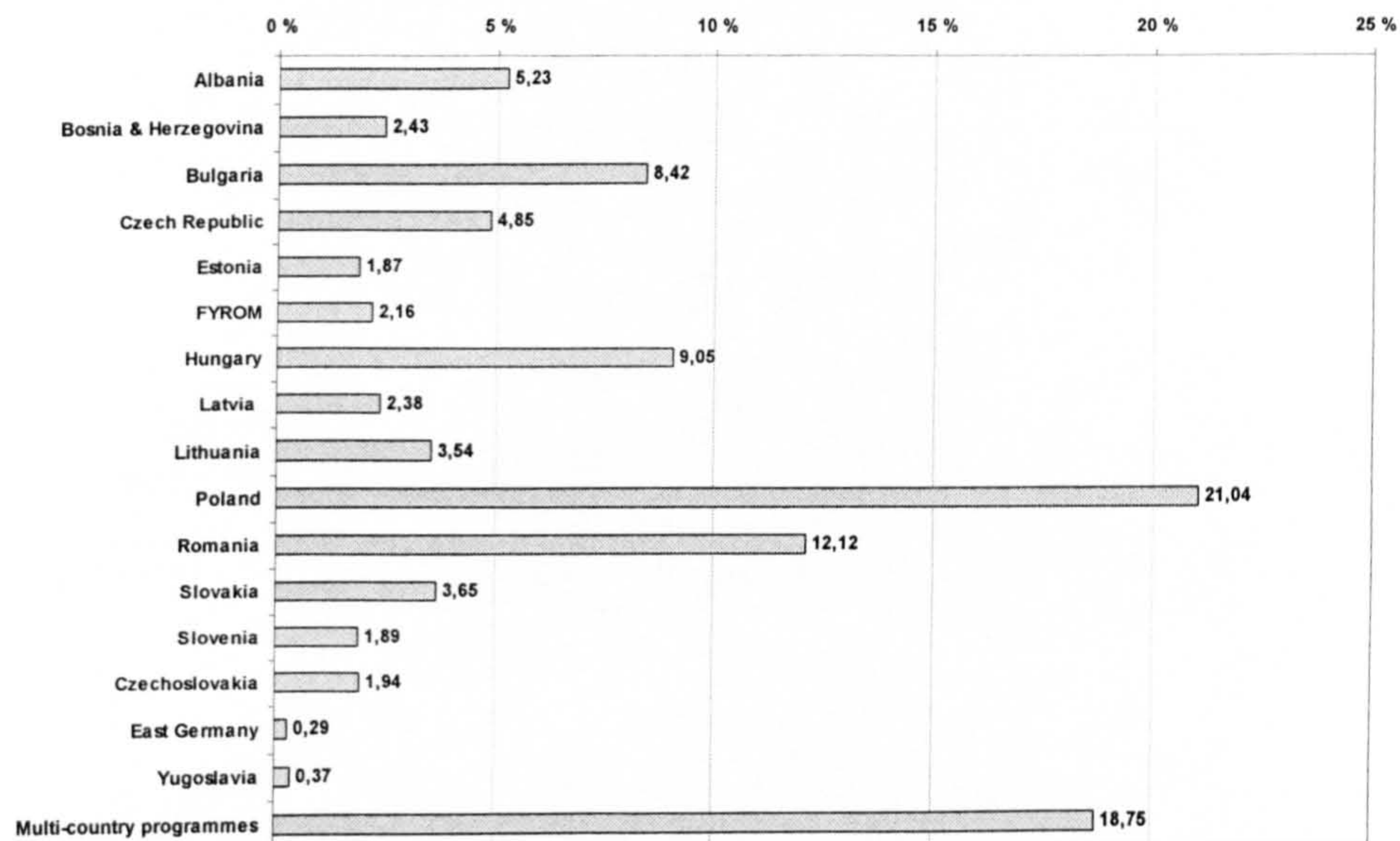
Data Source: CEC 2001, p. 117.

Table 32: Total Phare commitments, contracts and payments, 1990-2000, in million EUR



Data Source: CEC 2001, p. 117.

Figure 23: Commitments by country, 1990-2000 in million EUR



Data Source: CEC 2001, p. 117.

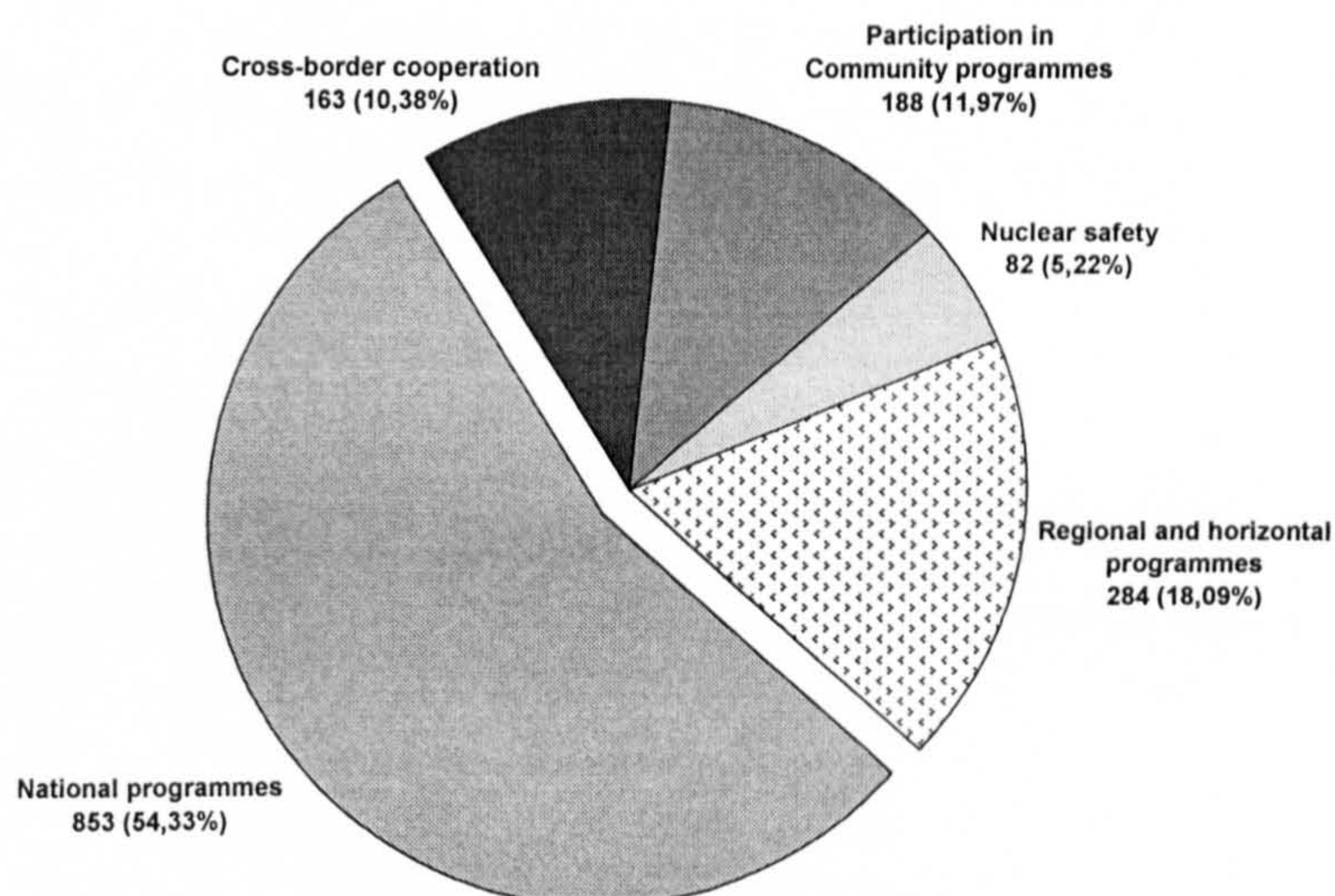
Figure 24: Commitments by country, 1990-2000 in % of total

16 Phare funding by programme type and country, 2000

Programme type	Commitments	% of Commitments
National programme	853	54.33
Bulgaria	66	4.20
Czech Republic	59	3.76
Estonia	24	1.53
Hungary	70	4.46
Latvia	25	1.59
Lithuania	38	2.42
Poland	313	19.94
Romania	215	13.69
Slovakia	28	1.78
Slovenia	16	1.02
Cross-border cooperation	163	10.38
Participation in Community programmes	188	11.97
Nuclear safety	82	5.22
Regional and horizontal programmes	284	18.09
Total	1,570	100.00

Data Source: CEC 2001, pp. 7-8.

Table 33: Phare commitments by programme types in 2000, in million EUR



Data Source: CEC 2001, pp. 7-8.

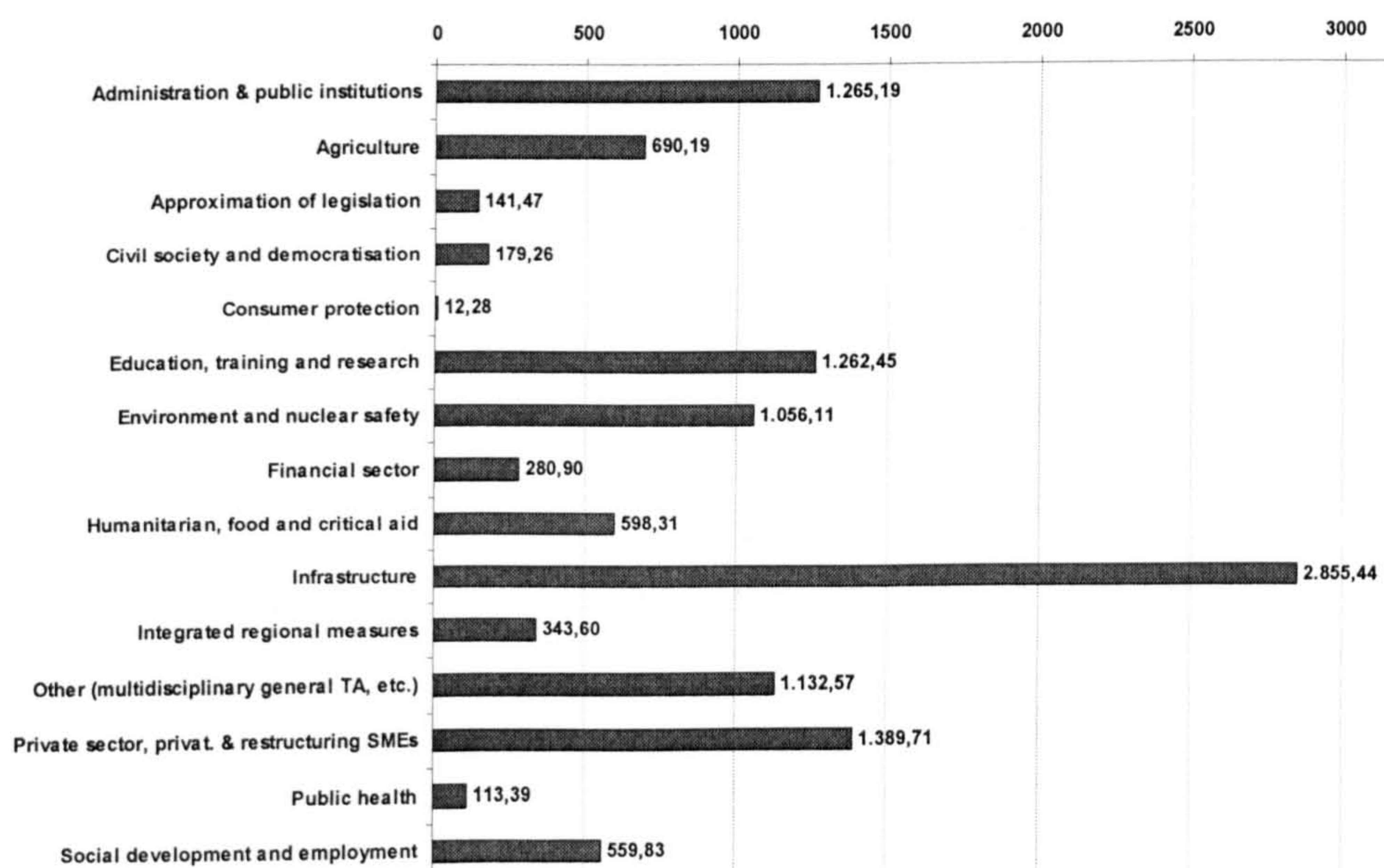
Figure 25: Commitments by programme type, in EUR million and in % of total, in 2000

17 Phare funding by sector, 1990-2000

Sector	Commitments	Contracts	Payments	% of Commitments
Administration & public institutions	1,265.19	759.48	547.00	10.65
Agriculture	690.19	547.58	488.28	5.81
Approximation of legislation	141.47	111.49	92.35	1.19
Civil society and democratisation	179.26	120.20	86.70	1.51
Consumer protection	12.28	12.28	11.25	0.10
Education, training and research	1,262.45	1,125.56	1,101.51	10.63
Environment and nuclear safety	1,056.11	725.01	593.81	8.89
Financial sector	280.90	265.54	259.28	2.36
Humanitarian, food and critical aid	598.31	615.87	573.63	5.04
Infrastructure	2,855.44	1,995.27	1,664.44	24.03
Integrated regional measures	343.60	289.03	193.05	2.89
Other (multidisciplinary general TA, etc.)	1,132.57	806.99	693.51	9.53
Private sector, privat. & restructuring SMEs	1,389.71	1,157.89	994.21	11.70
Public health	113.39	103.33	98.72	0.95
Social development and employment	559.83	267.28	249.52	4.71
Total	11,880.70	8,902.80	7,647.26	100.00

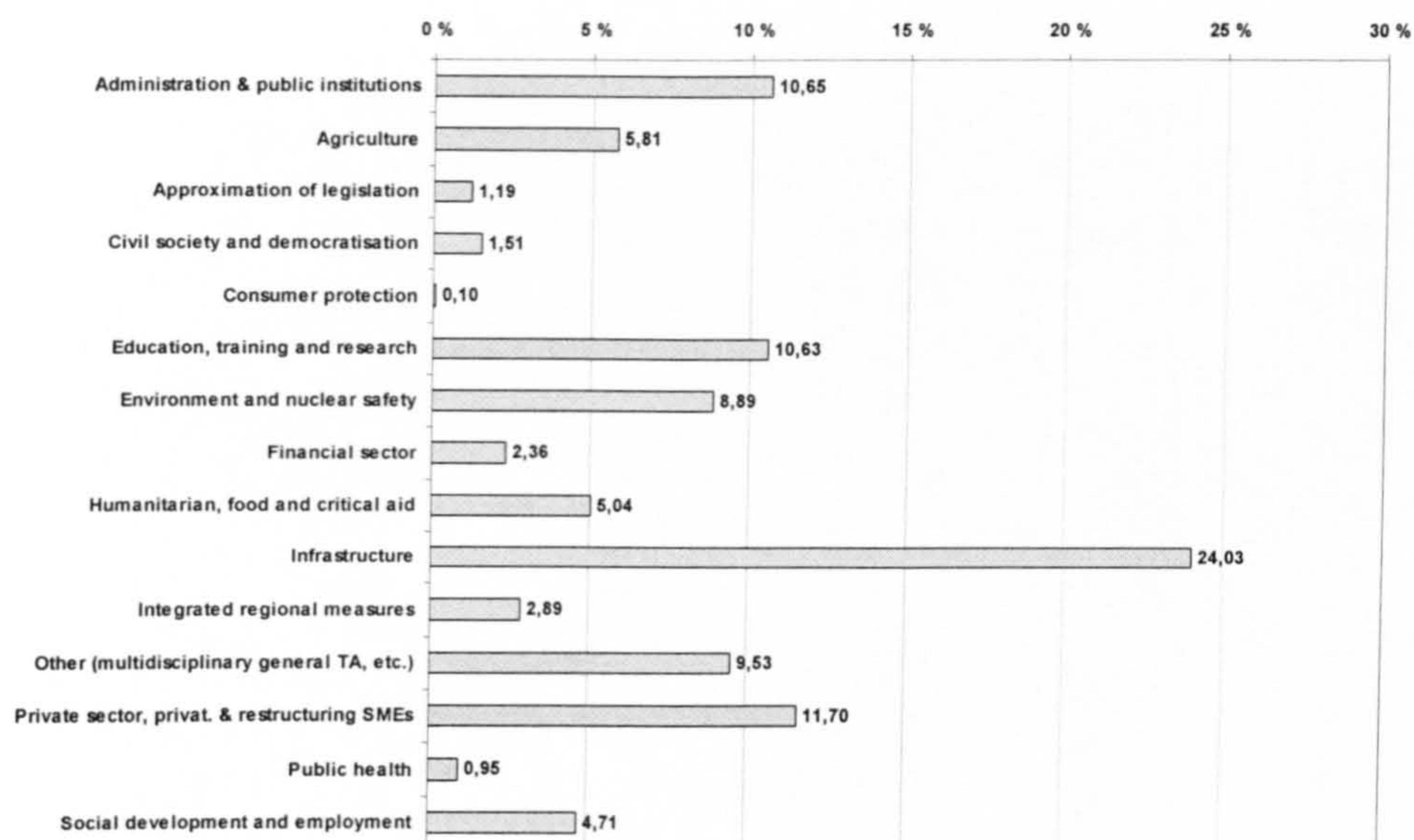
Data Source: CEC 2001, p. 118.

Table 34: Total Phare commitments, contracts and payments, 1990-2000, in million EUR



Data Source: CEC 2001, p. 118.

Figure 26: Phare commitments by sector, 1990-2000 in million EUR



Data Source: CEC 2001, p. 118.

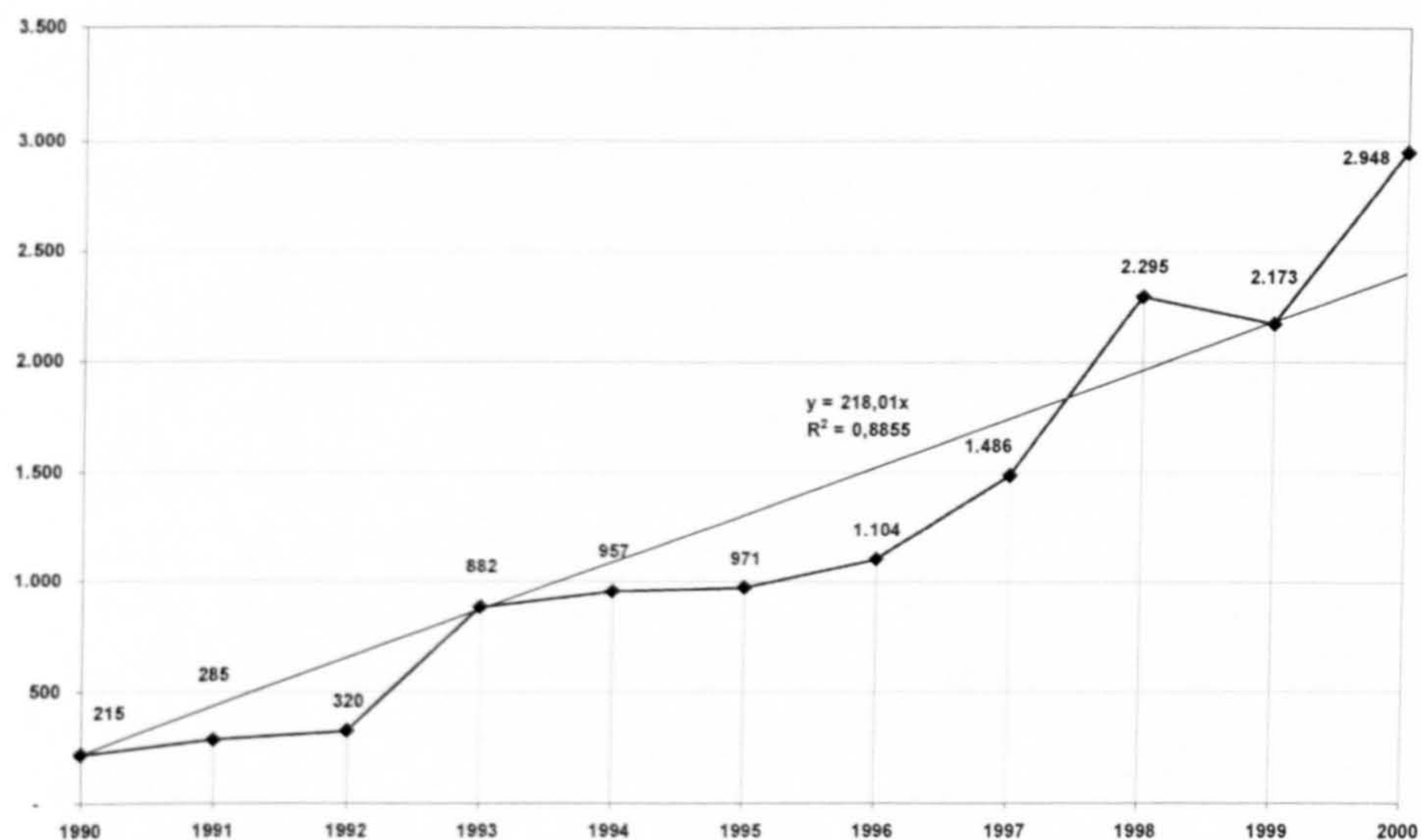
Figure 27: Commitments per sector, 1990-2000 in % of total

18 EIB Loans by year and country, 1990-2000

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
Amount	215	285	320	882	957	971	1,104	1,486	2,295	2,173	2,948

Data Source: EIB 2001, p. 5.

Table 35: EIB loans per year, 1990-2000 (in million EUR)



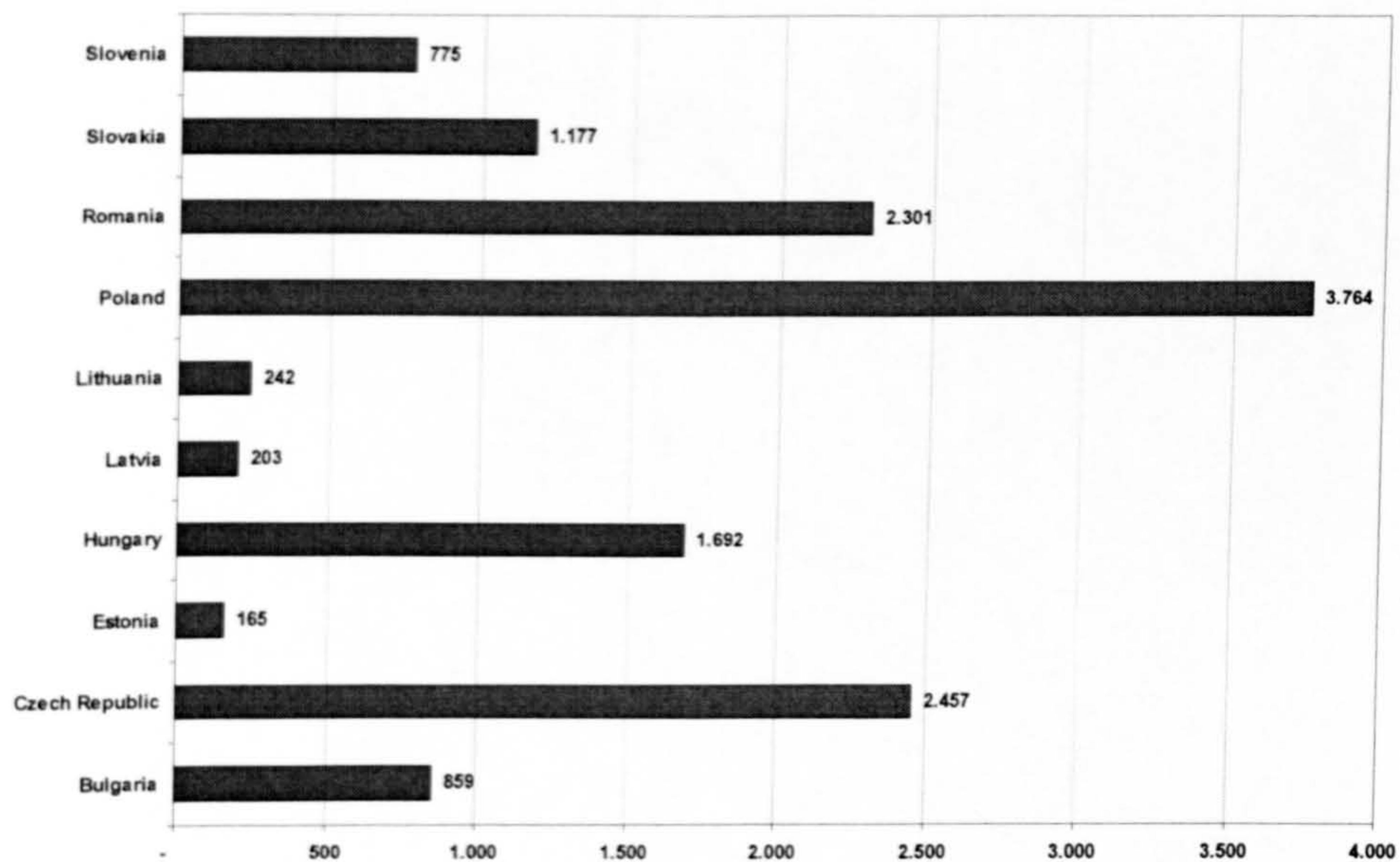
Data Source: EIB 2001, p. 5.

Figure 28: EIB loans per year, 1990-2000 (in million EUR)

Country	Amount (in million EUR)	in per cent (%)
Bulgaria	859	6.30
Czech Republic	2,457	18.02
Estonia	165	1.21
Hungary	1,692	12.41
Latvia	203	1.49
Lithuania	242	1.77
Poland	3,764	27.61
Romania	2,301	16.88
Slovakia	1,177	8.63
Slovenia	775	5.68
Total	13,635	100.00

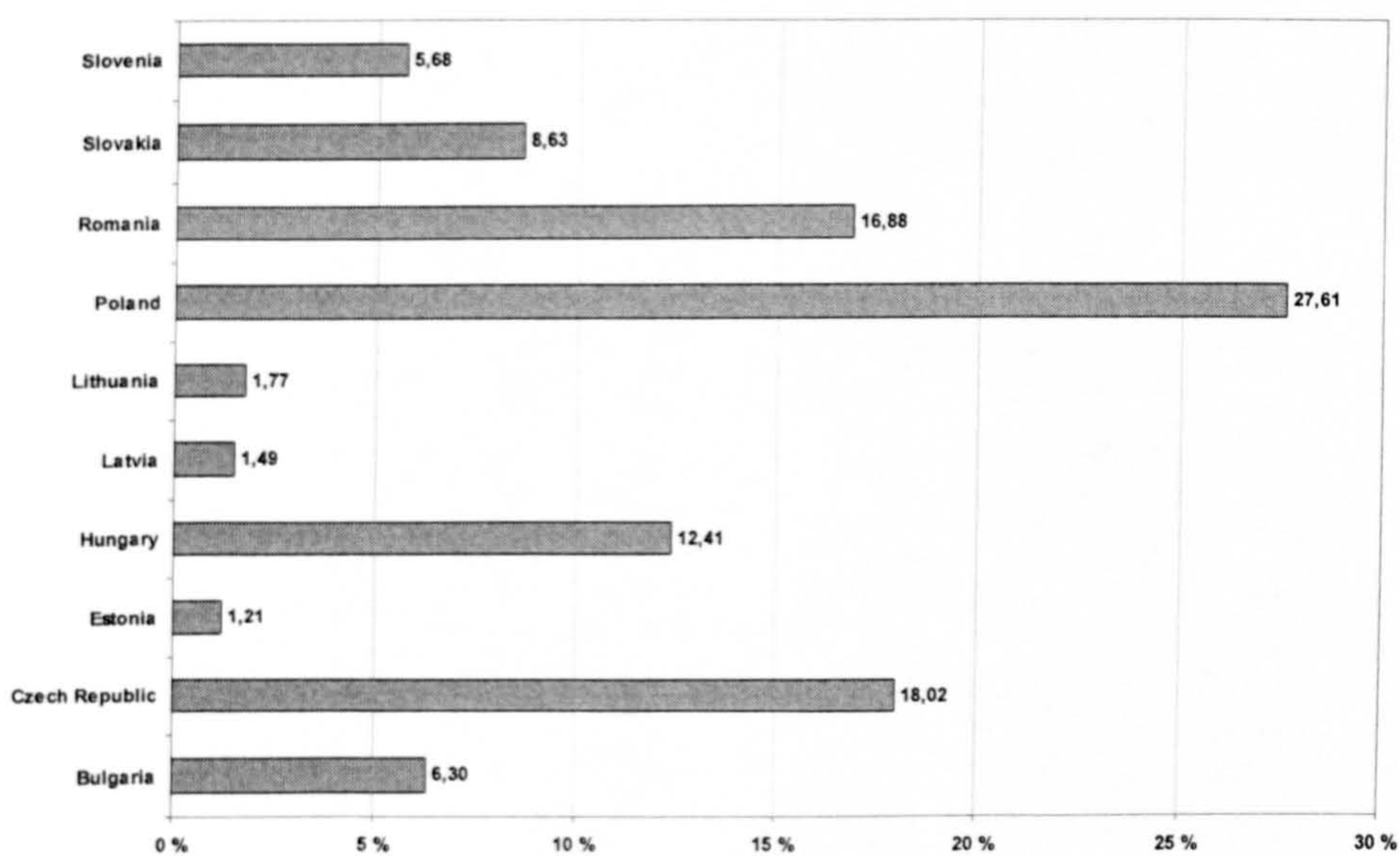
Data Source: EIB 2001, p. 5.

Table 36: EIB loans per country, 1990-2000 (in million EUR)



Data Source: EIB 2001, p. 5.

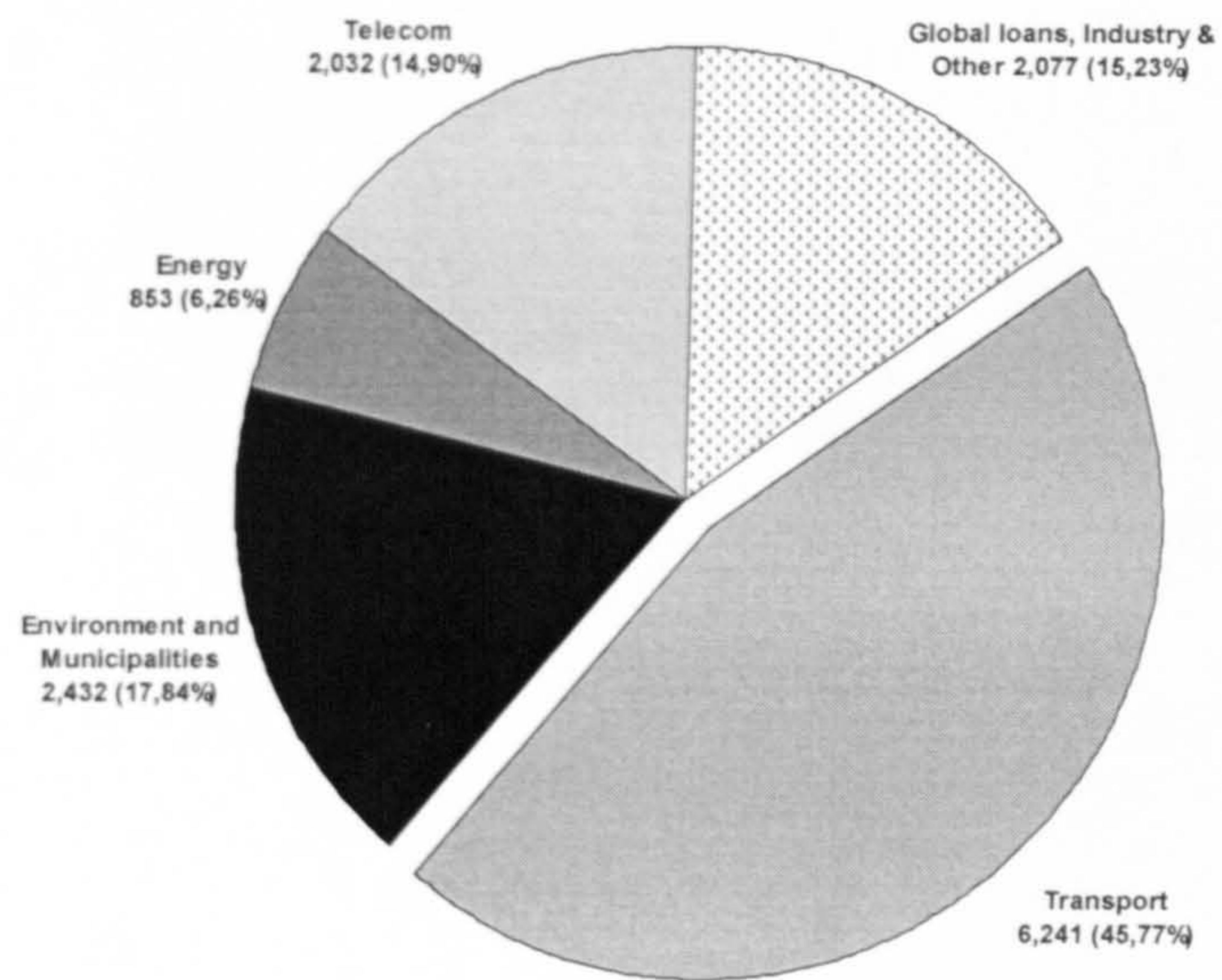
Figure 29: EIB loans per country, 1990-2000 (in million EUR)



Data Source: EIB 2001, p. 5.

Figure 30: EIB loans per country, 1990-2000 (in per cent of total)

19 EIB Loans per sector, 1990-2000



Data Source: EIB 2001, p. 6.

Figure 31: EIB loans per sector, 1990-2000 (in million EUR and in per cent of total)

20 Macro-financial assistance, 1990-2000

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	Totals	% of Totals
EU candidate Countries	870	1220	410		255			250		300		3305	61.28
Western Balkans			70		35			40		160	55	360	6.68
NIS					130	255	15	265	150		125	940	17.43
Mediterranean		588			200							788	14.61
Total amounts authorised	870	1808	480	0	620	255	15	555	150	460	180	5393	100
<i>of which grants</i>		28	70		35			95		70	90	388	

Data Source: CEC 2001i, p. 11.

Table 37: Macro-financial Assistance, 1990-2000 (in EUR million)

Overviews of Macro-financial assistance programmes are available via the European Union's EUR-Lex service. These documents offer a much more detailed overview of the individual assistance programmes in the individual countries. The Reports are published under the heading 'Report on the implementation of macro-financial assistance to third countries' with the following COM numbers:

COM(92)400 of 16 September 1992,

COM(94)229 of 7 June 1994,

COM(95)572 of 27 November 1995,

COM(96)695 of 8 January 1997,

COM(98)3 of 13 January 1998,

COM(1999)580 of 15 November 1999,

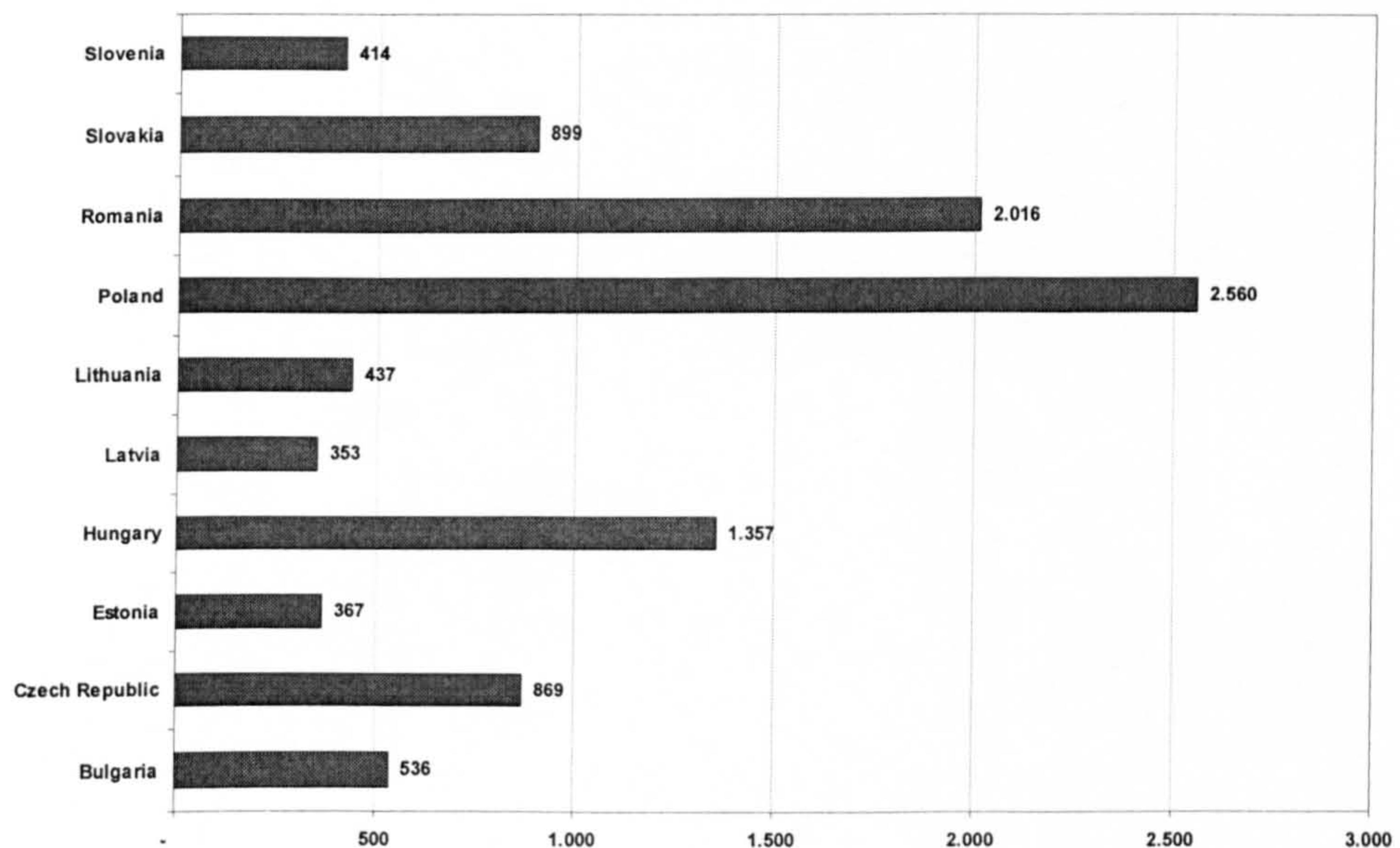
COM(2000)682 of 27 October 2000.

21 EBRD Loans, 1991-2001

	Project value	Debt	Equity	EBRD finance
Bulgaria	2,255	448	88	536
Czech Republic	4,032	487	381	869
Estonia	813	312	55	367
Hungary	5,662	959	398	1,357
Latvia	1,231	297	56	353
Lithuania	1,380	309	128	437
Poland	11,825	1,677	883	2,560
Romania	7,349	1,798	218	2,016
Slovakia	3,149	678	221	899
Slovenia	1,152	351	63	414
Total	38,847	7,317	2,491	9,808

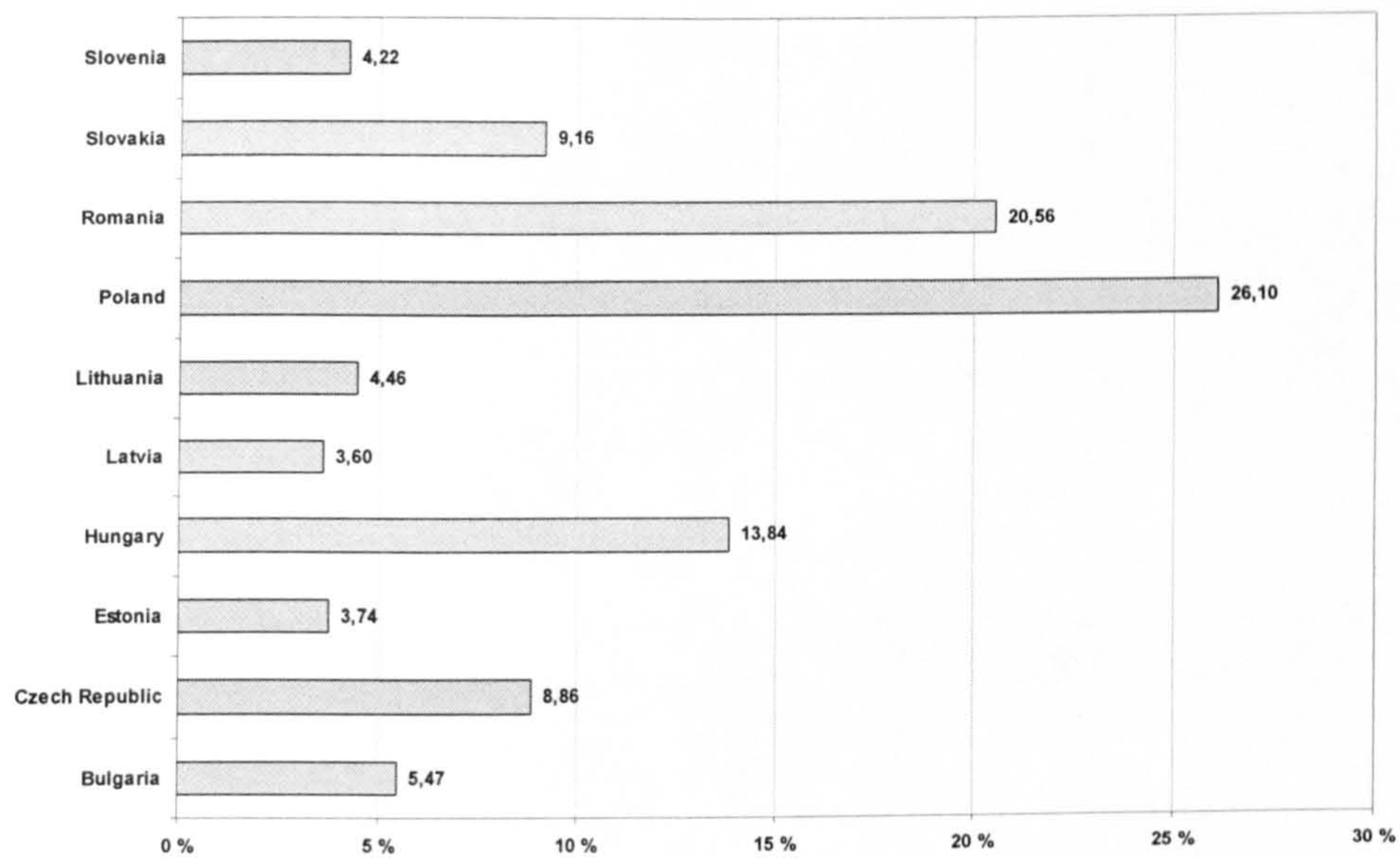
Data Source: EBRD 2002, p. 16.

Table 38: EBRD, Cumulative net commitments by country, 1991-2001 (in EUR million)



Data Source: EBRD 2002, p. 16.

Figure 32: EBRD loans per country, 1991-2001 (in million EUR)



Data Source: EBRD 2002, p. 16.

Figure 33: EBRD loans per sector, 1990-2000 (in per cent of total)

Appendix 3

The twinning exercise - Facts and statistics

1 Statistics on the implementation of twinning projects

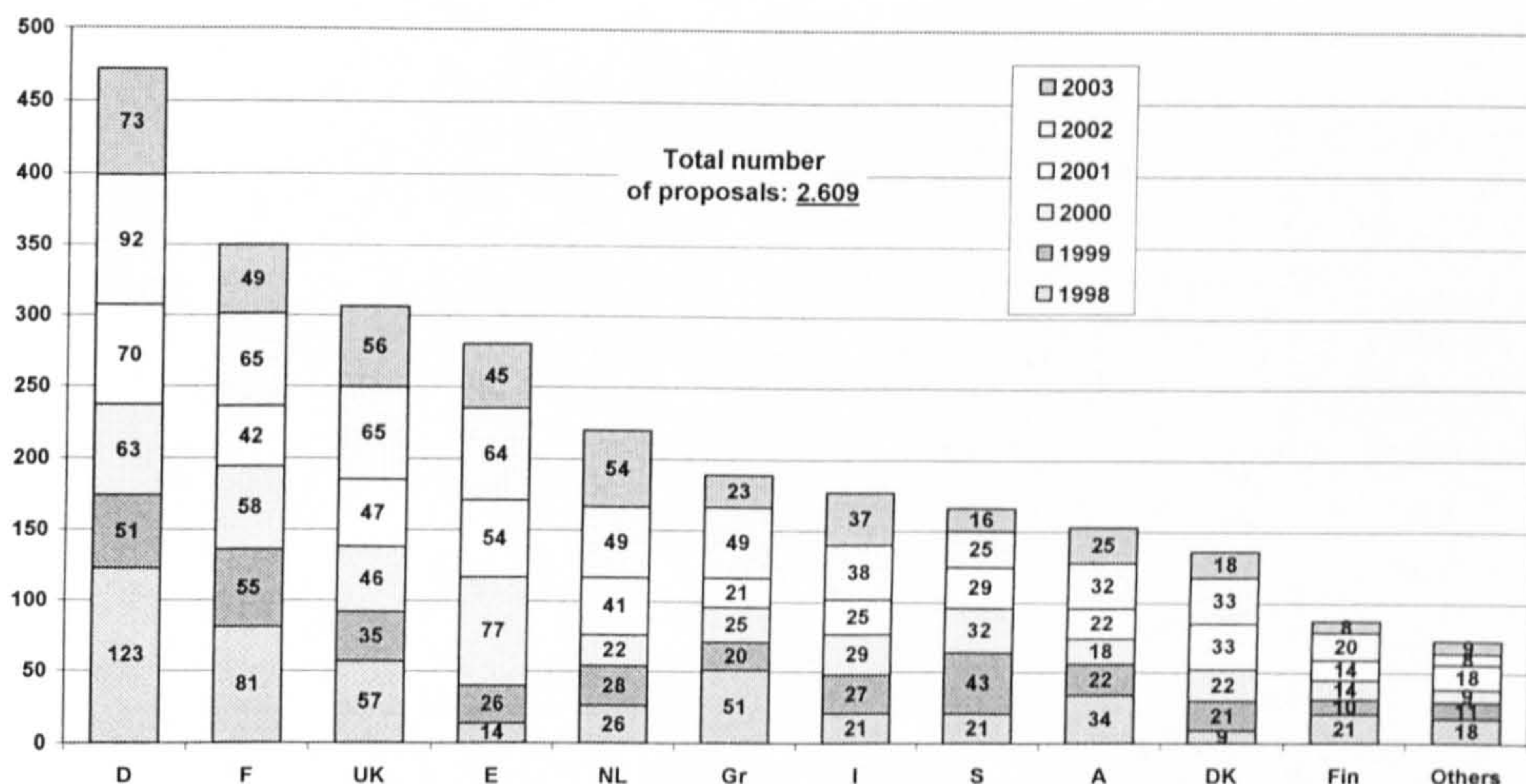
1.1 Member states proposals, 1998-2003

	1998	1999	2000	2001*	2002	2003	Total	per MS (%)
A	34	22	18	22	32	25	153	5,9
B	2	4	3	5	2	1	17	0,7
D	123	51	63	70	92	73	472	18,1
DK	9	21	22	33	33	18	136	5,2
E	14	26	77	54	64	45	280	10,7
F	81	55	58	42	65	49	350	13,4
Fin	21	10	14	14	20	8	87	3,3
GR	51	20	25	21	49	23	189	7,2
I	21	27	29	25	38	37	177	6,8
Irl	10	4	4	9	4	7	38	1,5
Lux	0	0	0	0	0	0	0	-
NL	26	28	22	41	49	54	220	8,4
P	6	3	2	4	2	1	18	0,7
S	21	43	32	29	25	16	166	6,4
UK	57	35	46	47	65	56	306	11,7
Total	476	349	415	416	540	413	2609	100

Data Source: Twinning Team – DG Enlargement.⁵

Table 39: Member states proposals, 1998-2003

⁵ A = Austria, D = Germany, DK = Denmark, E = Spain, F = France, Fin = Finland, I = Italy, NL = The Netherlands, S = Sweden, UK = United Kingdom, GR = Greece, Others = Belgium, Ireland, Luxembourg, Portugal. These are my own figures based on a list of projects provided by DG Enlargement - twinning team.



Data Source: Twinning Team – DG Enlargement.

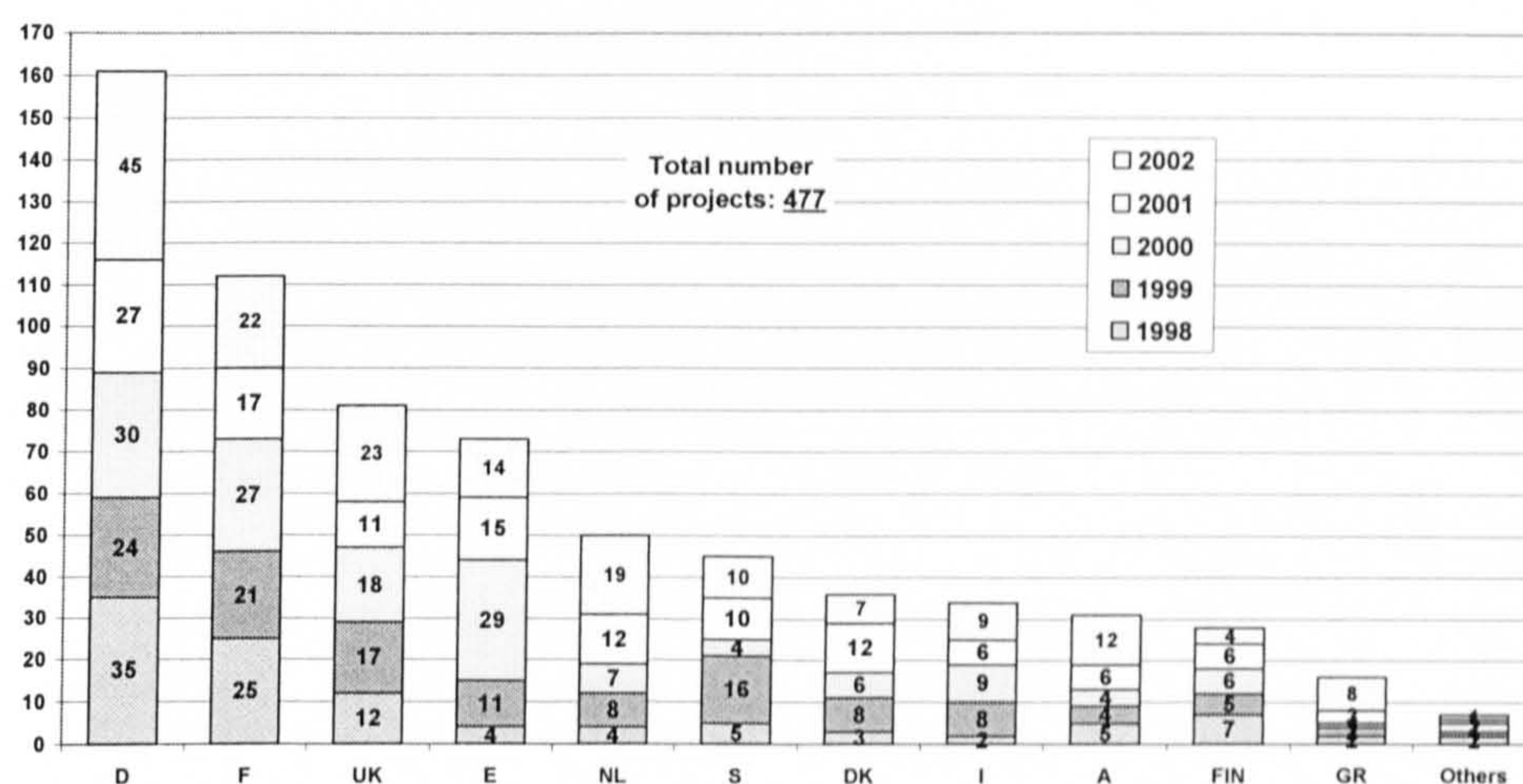
Figure 34: Twinning proposals per member states, 1998-2001

1.2 Member states (as project leaders) of twinning projects, 1998-2002

	1998	1999	2000	2001	2002	Total	%
A	5	4	4	6	12	31	4,6
B	0	0	1	0	0	1	0,1
D	35	24	30	27	45	161	23,9
DK	3	8	6	12	7	36	5,3
E	4	11	29	15	14	73	10,8
F	25	21	27	17	22	112	16,6
FIN	7	5	6	6	4	28	4,2
GR	2	2	1	3	8	16	2,4
I	2	8	9	6	9	34	5,0
IRL	2	1	1	1	1	6	0,9
Lux	0	0	0	0	0	0	0,0
NL	4	8	7	12	19	50	7,4
P	0	0	0	0	0	0	0,0
S	5	16	4	10	10	45	6,7
UK	12	17	18	11	23	81	12,0
Total	106	125	143	126	174	674	100

Data Source: Twinning Team – DG Enlargement.

Table 40: Twinning under Phare (MS as project leaders per year), 1998-2002



Data Source: Twinning Team – DG Enlargement.

Figure 35: Member states (as project leaders), 1998-2002

1.3 Member states and candidate countries (MS as project leaders), 1998-2002

	A	B	D	DK	E	F	FIN	GR	I	Irl	Lux	NL	P	S	UK	Total	%
BG	6	0	20	1	10	10	0	5	1	1	0	5	0	0	10	69	10
CZ	4	0	22	2	9	5	1	1	3	2	0	9	0	1	18	77	11
E	0	0	7	3	1	4	10	1	0	2	0	4	0	5	3	40	6
HU	1	1	15	3	7	11	3	2	2	0	0	6	0	5	6	62	9
LV	1	0	8	4	3	1	5	0	1	0	0	2	0	8	3	36	5
LT	3	0	10	10	3	6	4	0	2	0	0	2	0	7	5	52	8
PL	4	0	31	8	15	33	3	0	6	0	0	10	0	5	22	137	20
RO	3	0	20	2	10	28	0	6	10	0	0	4	0	6	9	98	15
SK	5	0	15	3	10	11	2	1	7	0	0	5	0	2	1	62	9
SL	4	0	13	0	5	3	0	0	2	1	0	3	0	6	4	41	6
Total	31	1	161	36	73	112	28	16	34	6	0	50	0	45	81	674	100
%	5	0	24	5	11	17	4	2	5	1	0	7	0	7	12	100	

Data Source: Twinning Team – DG Enlargement.

Table 41: Member states and candidate countries (MS as project leaders), 1998-2002

1.4 Member states in twinning projects (as junior partners), 1998-2002

		Project Leaders																
		A	B	D	DK	E	F	FIN	GR	I	IRL	Lux	NL	P	S	UK	Total	%
A		0	0	20	1	2	9	2	0	1	0	0	1	0	2	6	44	11
B		0	0	0	0	0	2	0	0	0	0	0	0	0	1	0	3	1
D		4	0	0	3	3	22	3	2	2	2	0	4	0	6	8	59	15
DK		1	0	8	0	1	2	0	0	0	0	0	3	0	4	2	21	5
E		0	0	6	1	0	5	1	0	1	0	0	2	0	1	9	26	7
F		2	0	20	3	6	0	1	1	1	2	0	1	0	3	9	49	12
FIN		0	0	1	3	0	4	0	0	0	1	0	1	0	3	2	15	4
GR		0	0	5	1	2	1	0	0	2	0	0	4	0	2	6	23	6
I		2	0	4	2	1	5	1	0	0	0	0	0	0	2	1	18	5
IRL		0	0	1	0	0	1	1	0	0	0	0	1	0	0	8	12	3
Lux		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NL		2	0	12	1	1	10	0	1	1	0	0	0	0	2	6	36	9
P		0	0	1	0	0	2	0	0	0	0	0	0	0	0	0	3	1
S		0	0	9	2	4	6	3	0	2	0	0	1	0	0	5	32	8
UK		1	1	11	1	5	10	1	1	1	3	0	14	0	4	0	53	13
Total		12	1	98	18	25	79	13	5	11	8	0	32	0	30	62	394	100

Junior Partners

Data Source: Twinning Team – DG Enlargement.

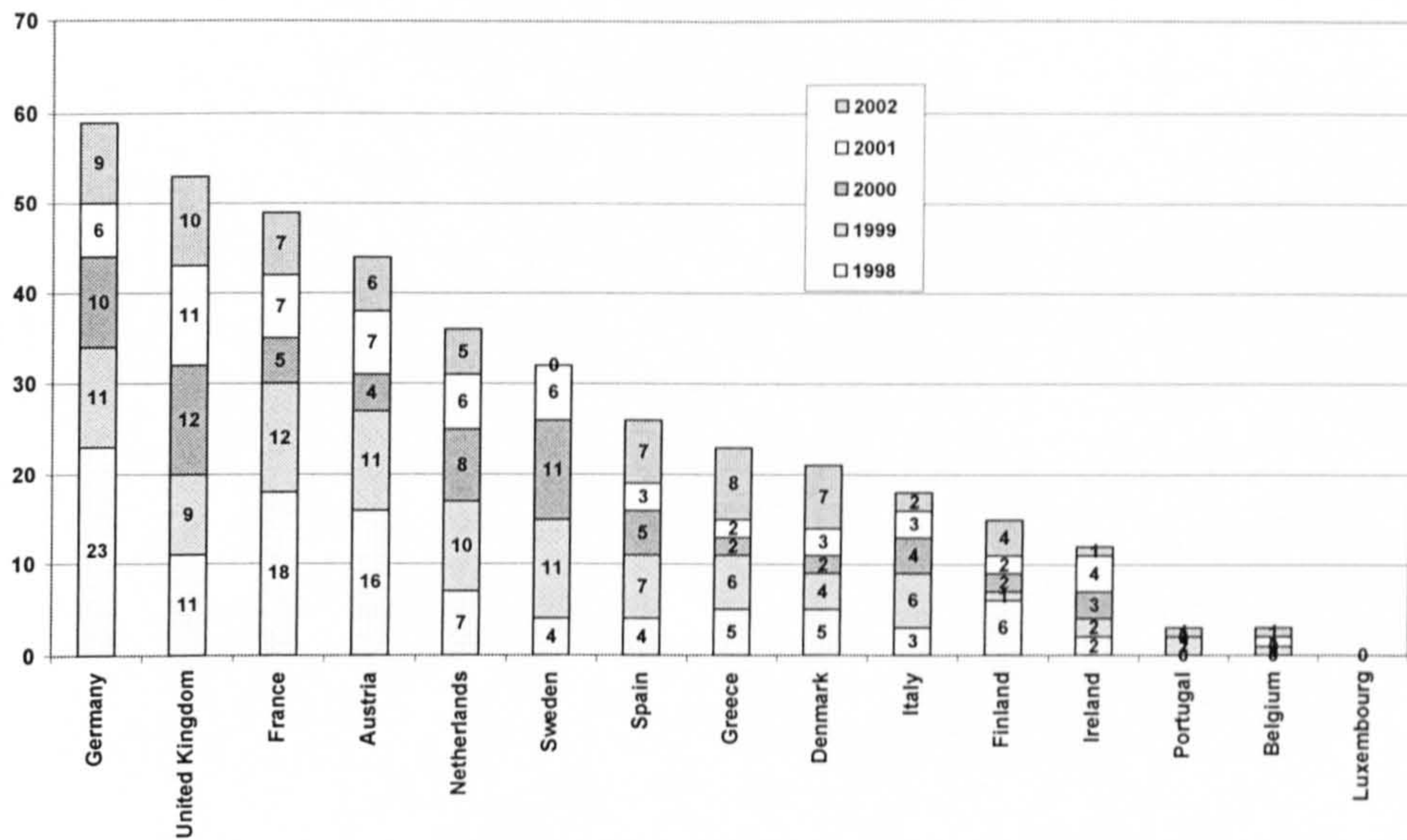
Table 42: Project project leaders and junior partners, 1998-2002

		Years						
		1998	1999	2000	2001	2002	Total	%
A		16	11	4	7	6	59	18
B		0	1	0	1	1	53	16
D		23	11	10	6	9	49	15
DK		5	4	2	3	7	44	13
E		4	7	5	3	7	36	11
F		18	12	5	7	7	32	10
FIN		6	1	2	2	4	26	8
GR		5	6	2	2	8	23	7
I		3	6	4	3	2	21	6
IRL		2	2	3	4	1	18	5
Lux		0	0	0	0	0	15	4
NL		7	10	8	6	5	12	4
P		0	2	0	0	1	3	1
S		4	11	11	6	0	3	1
UK		11	9	12	11	10	0	0
Total		104	93	68	61	68	335	100

Junior Partners

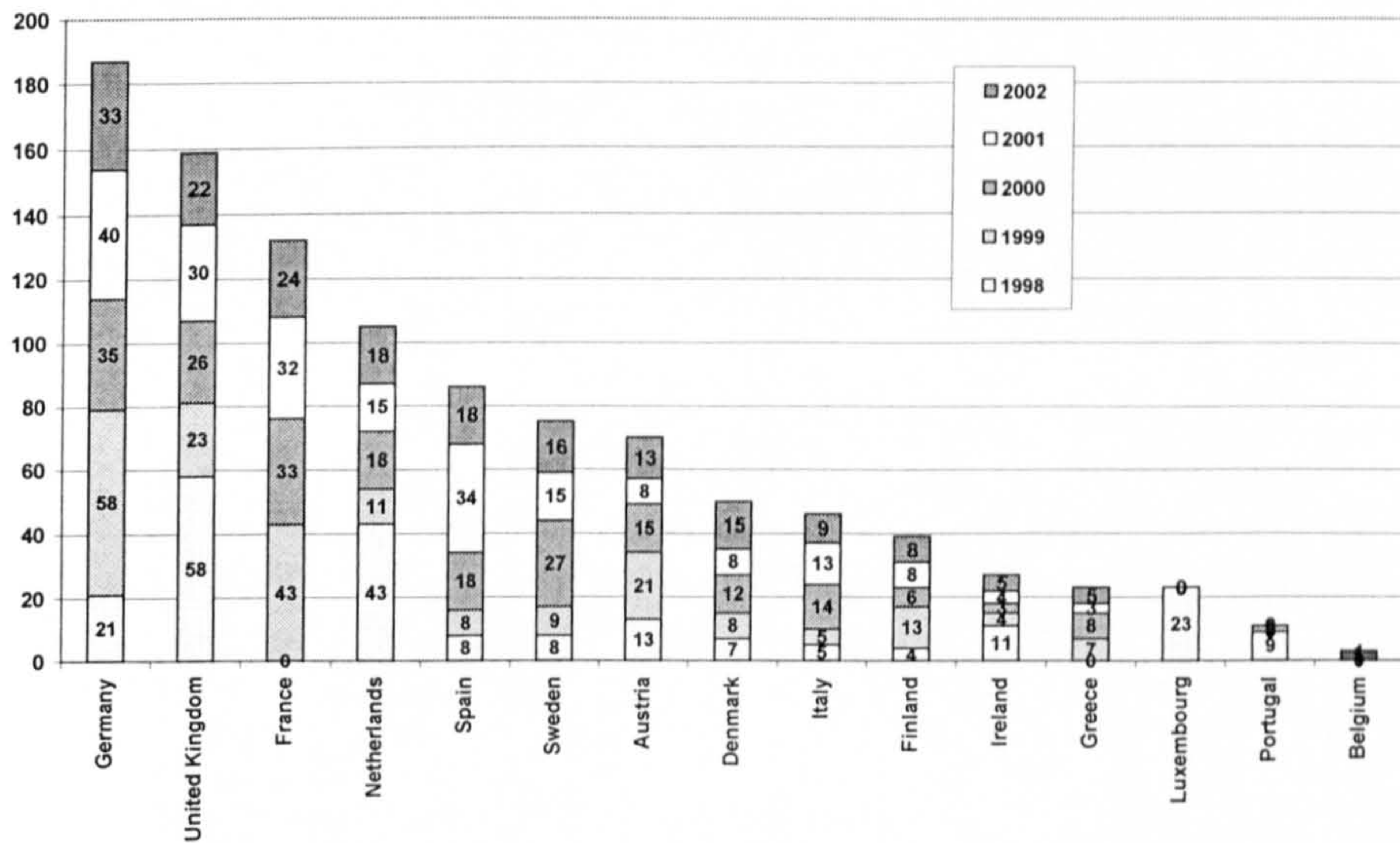
Data Source: Twinning Team – DG Enlargement.

Table 43: Junior partners by year, 1998-2002



Data Source: Twinning Team – DG Enlargement.

Figure 36: Junior partners by year, 1998-2002



Data Source: Twinning Team – DG Enlargement.

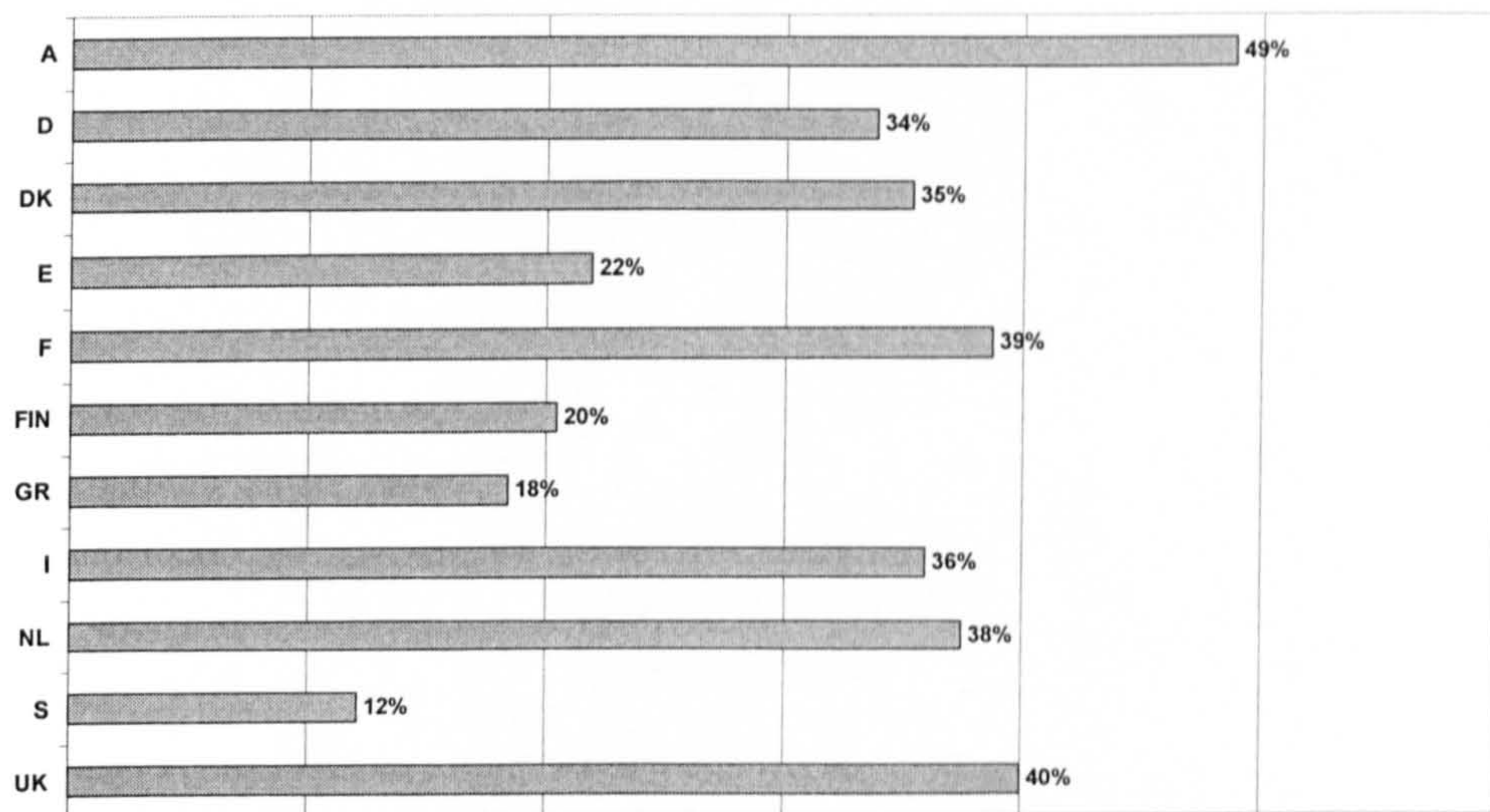
Figure 37: Involvement (MS as project leaders) and junior partners, 1998-2002

1.5 Success rates of member states in the selection process, in %

	1998	1999	2000	2001	2002	%
A	15	18	22	27	38	20
D	28	47	48	40	49	34
DK	33	38	27	38	22	27
E	29	42	38	28	22	26
F	31	38	47	41	34	32
FIN	33	50	43	43	20	32
GR	4	10	4	14	17	9
I	10	30	31	24	24	19
NL	15	29	32	30	39	23
S	24	37	13	37	40	27
UK	21	49	39	24	35	27
Others	11	9	22	6	13	10
Total, in %	22	36	34	30	32	26

Data Source: Twinning Team – DG Enlargement.

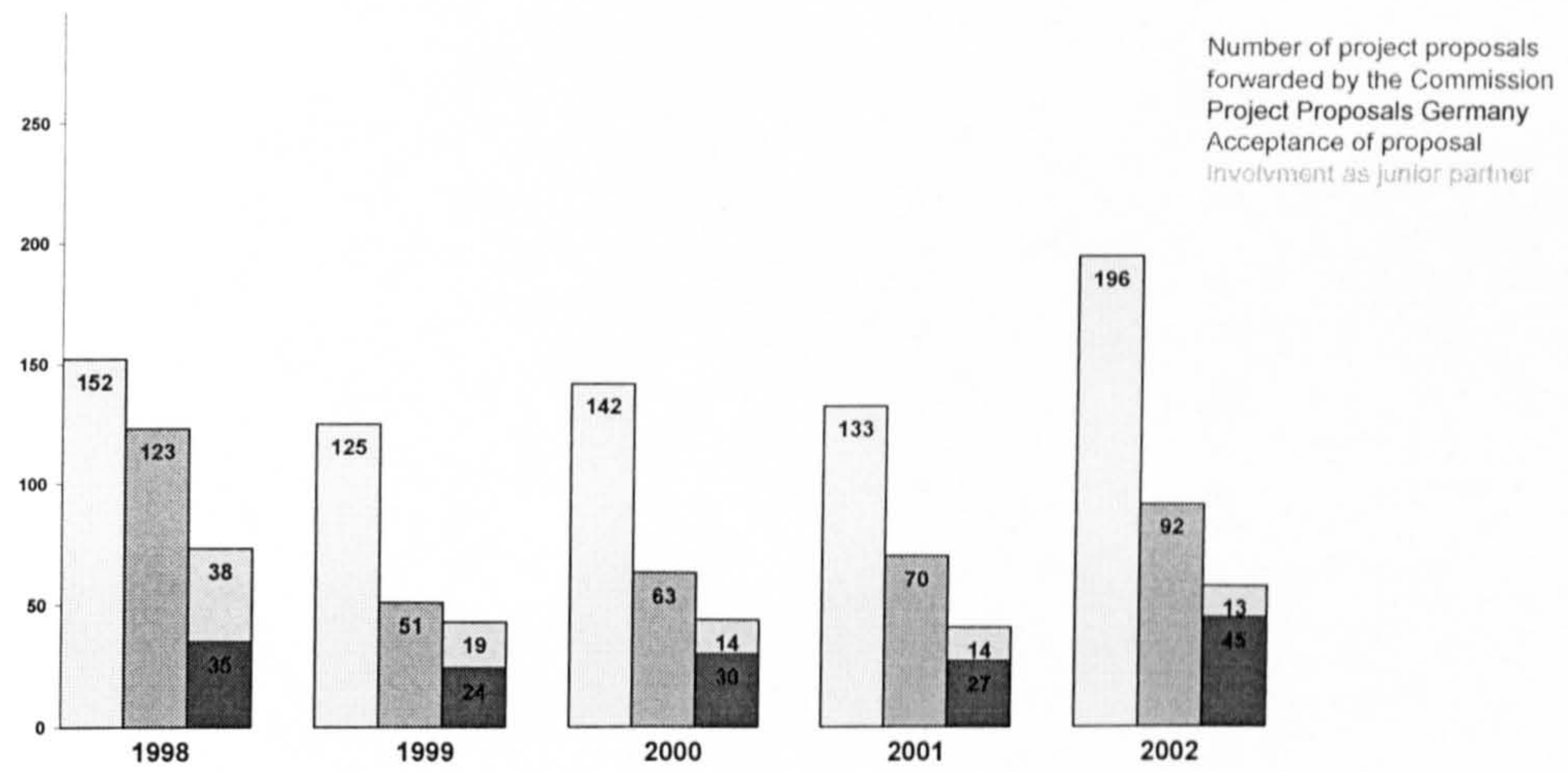
Table 44: Success rates of MS twinning proposals in the selection process, in %



Data Source: Twinning Team – DG Enlargement.

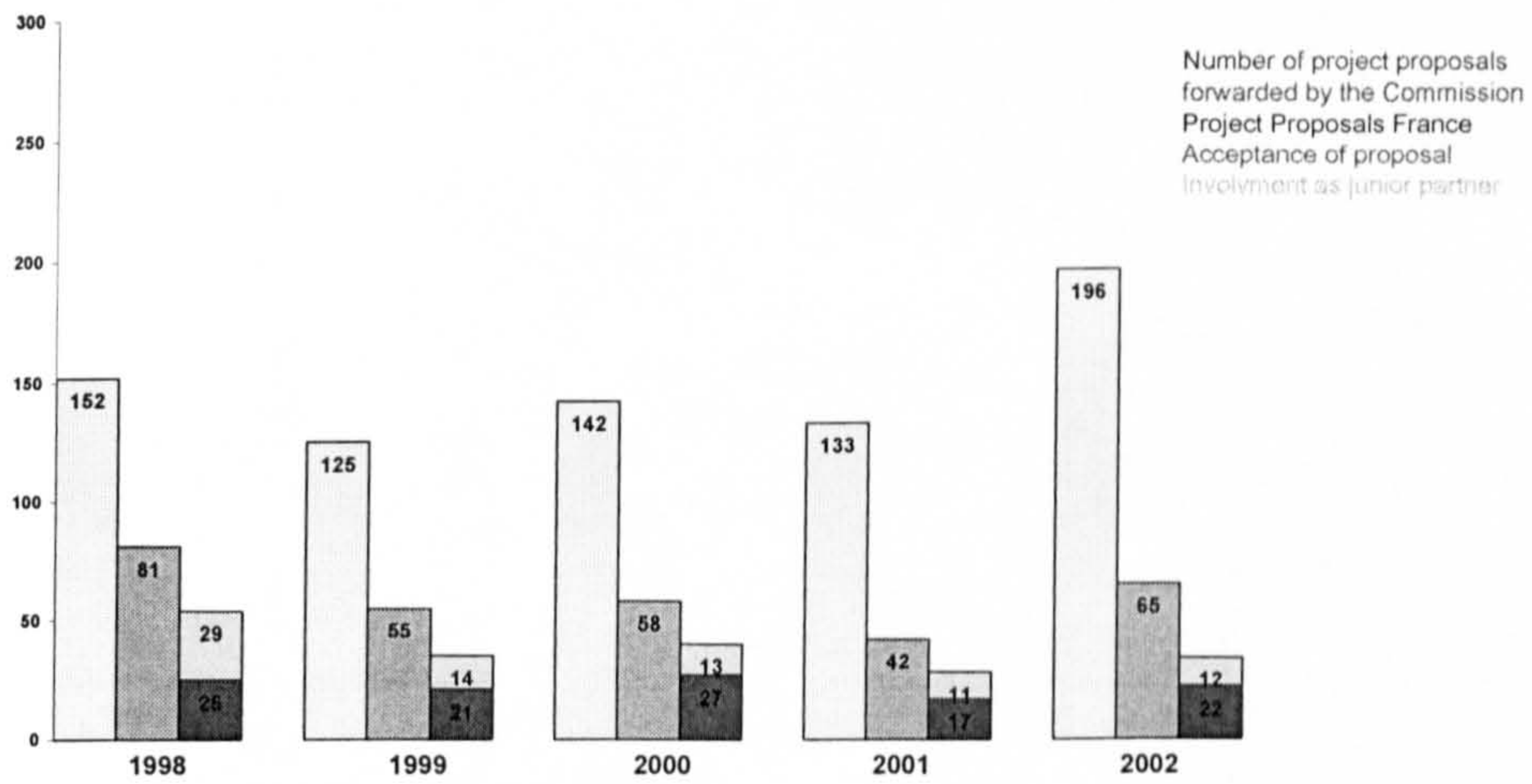
Figure 38: Success rate of MS twinning proposals in 2002, in %

1.6 The programming cycle and the member states, 1998-2002



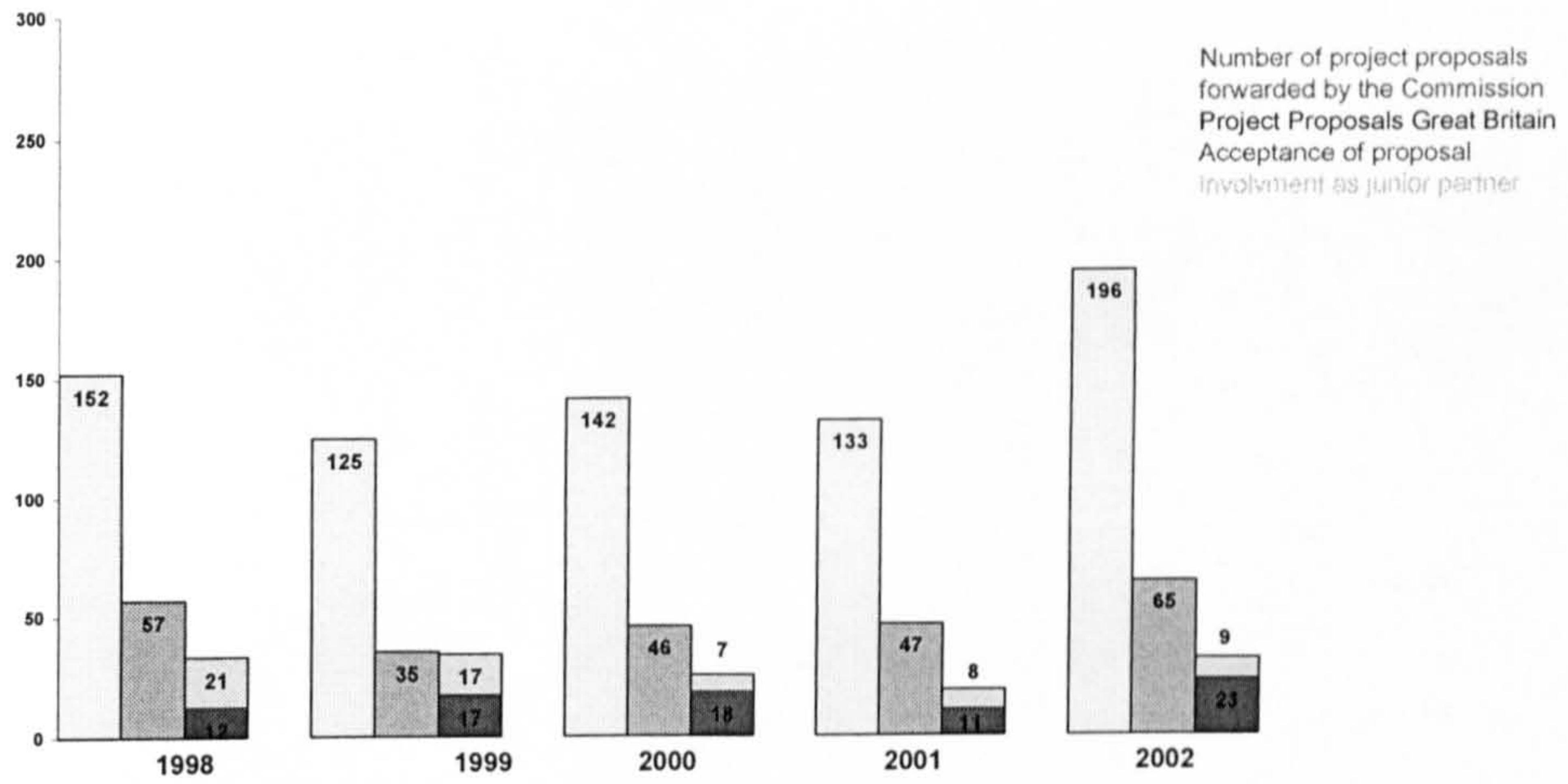
Data Source: Twinning Team – DG Enlargement.

Figure 39: Germany, 1998-2002



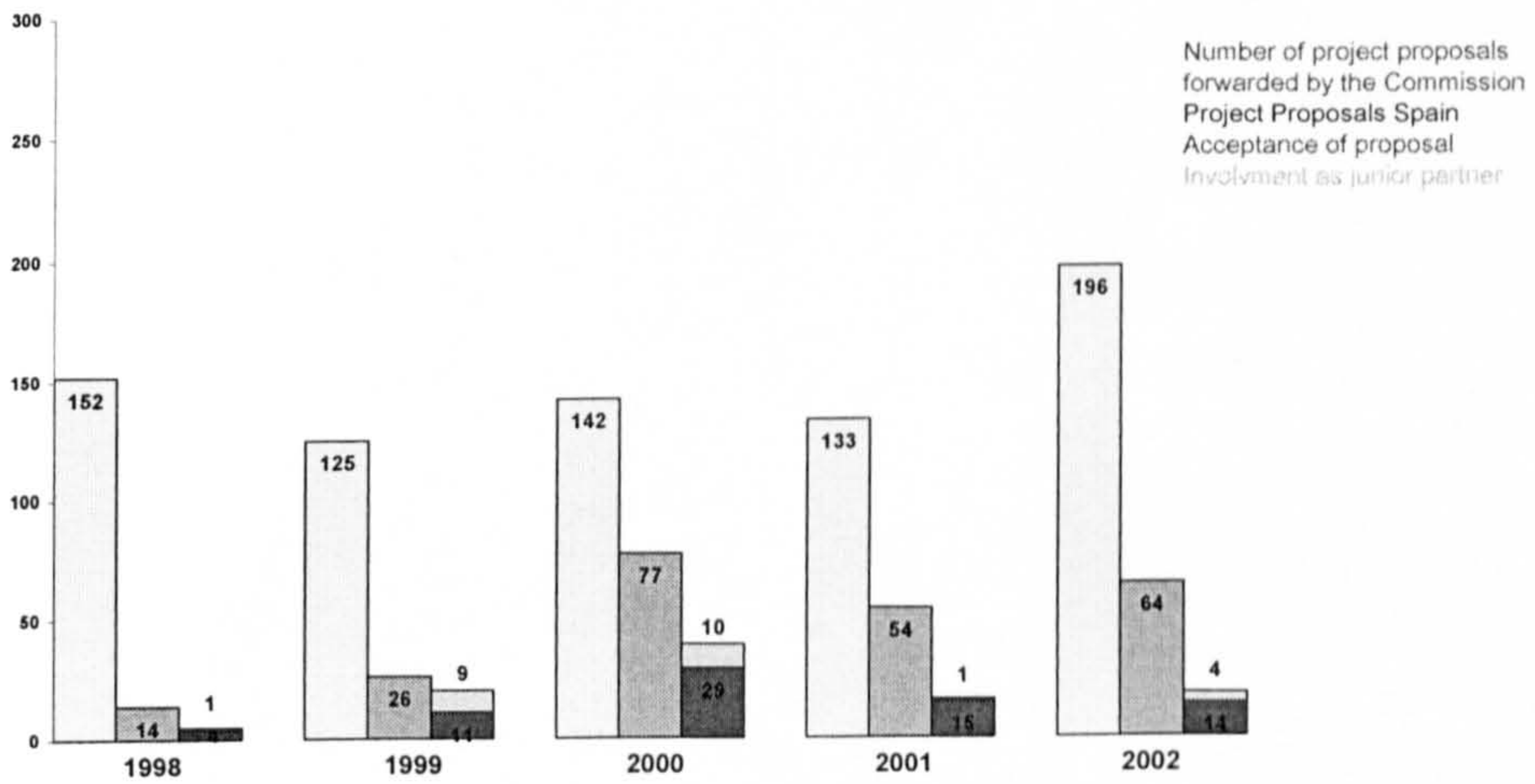
Data Source: Twinning Team – DG Enlargement.

Figure 40: France, 1998-2002



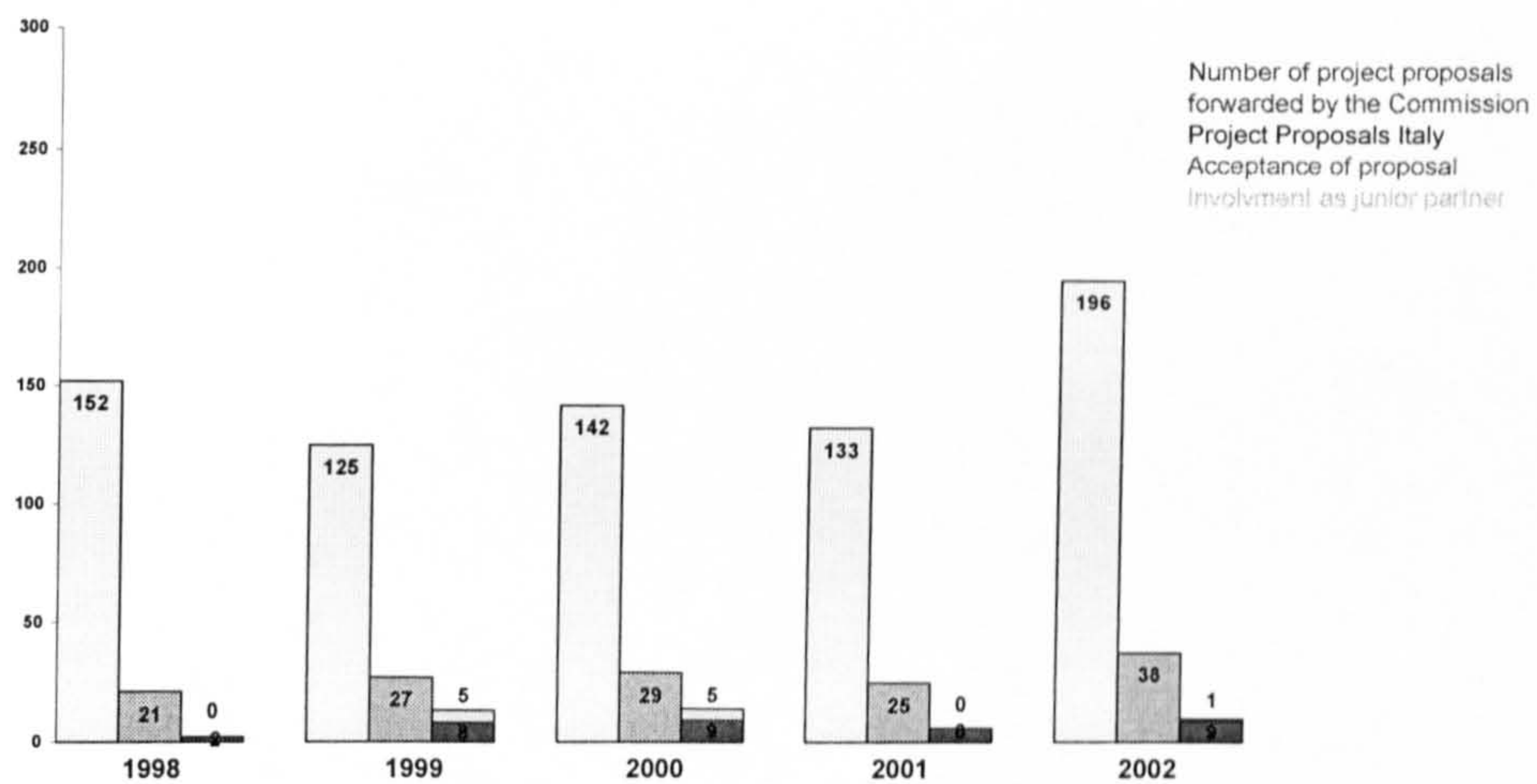
Data Source: Twinning Team – DG Enlargement.

Figure 41: Great Britain, 1998-2002



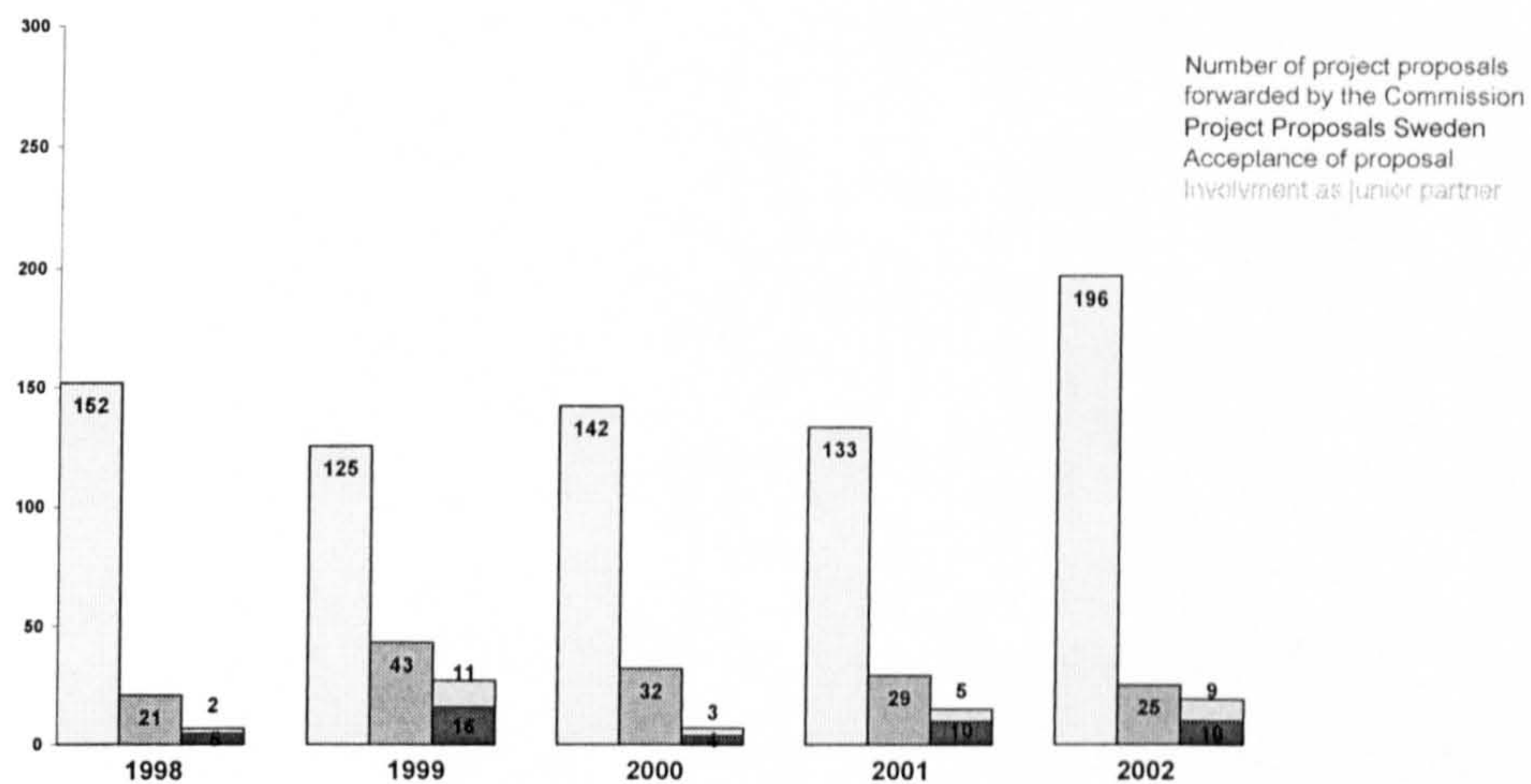
Data Source: Twinning Team – DG Enlargement.

Figure 42: Spain, 1998-2002



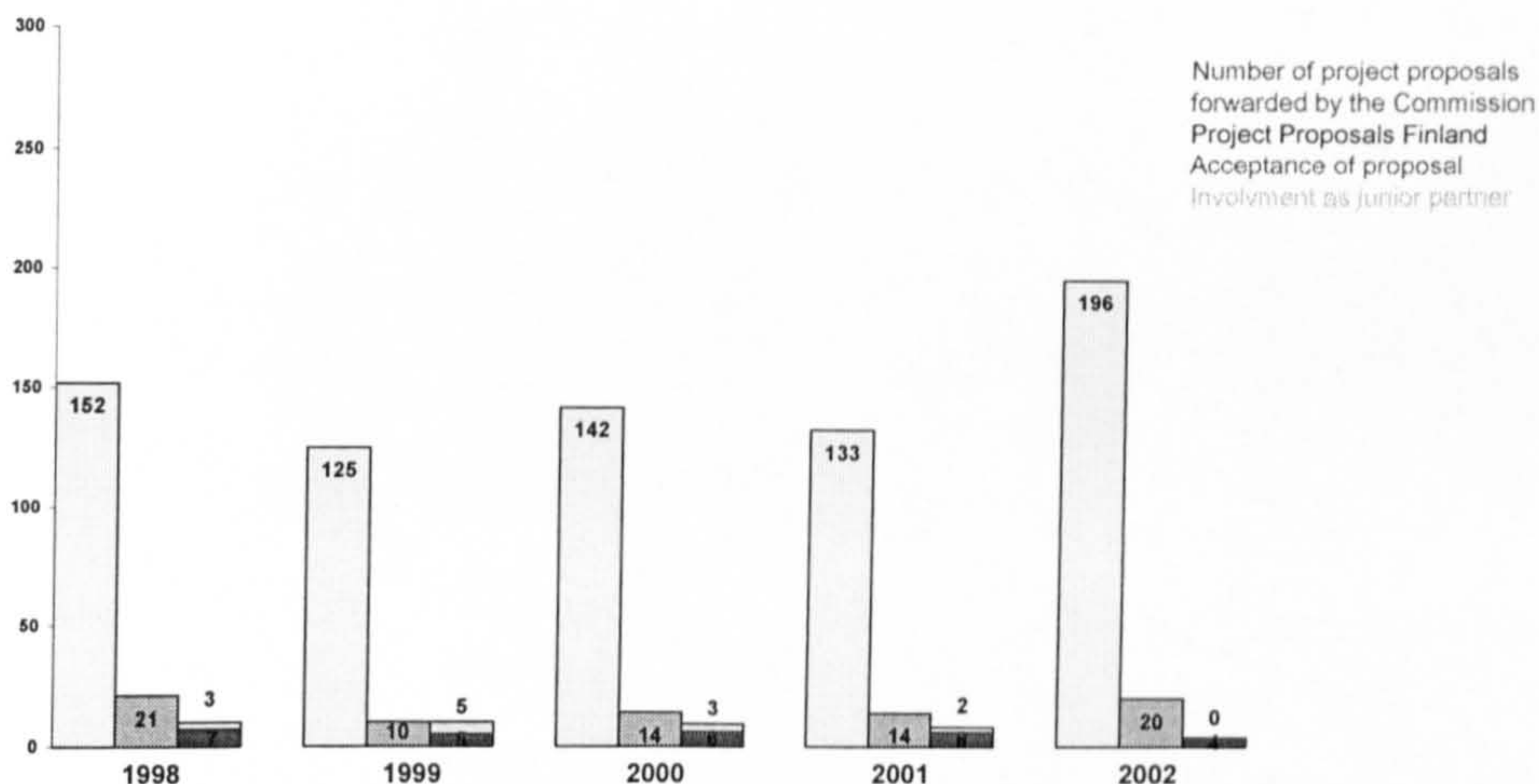
Data Source: Twinning Team – DG Enlargement.

Figure 43: Italy, 1998-2002



Data Source: Twinning Team – DG Enlargement.

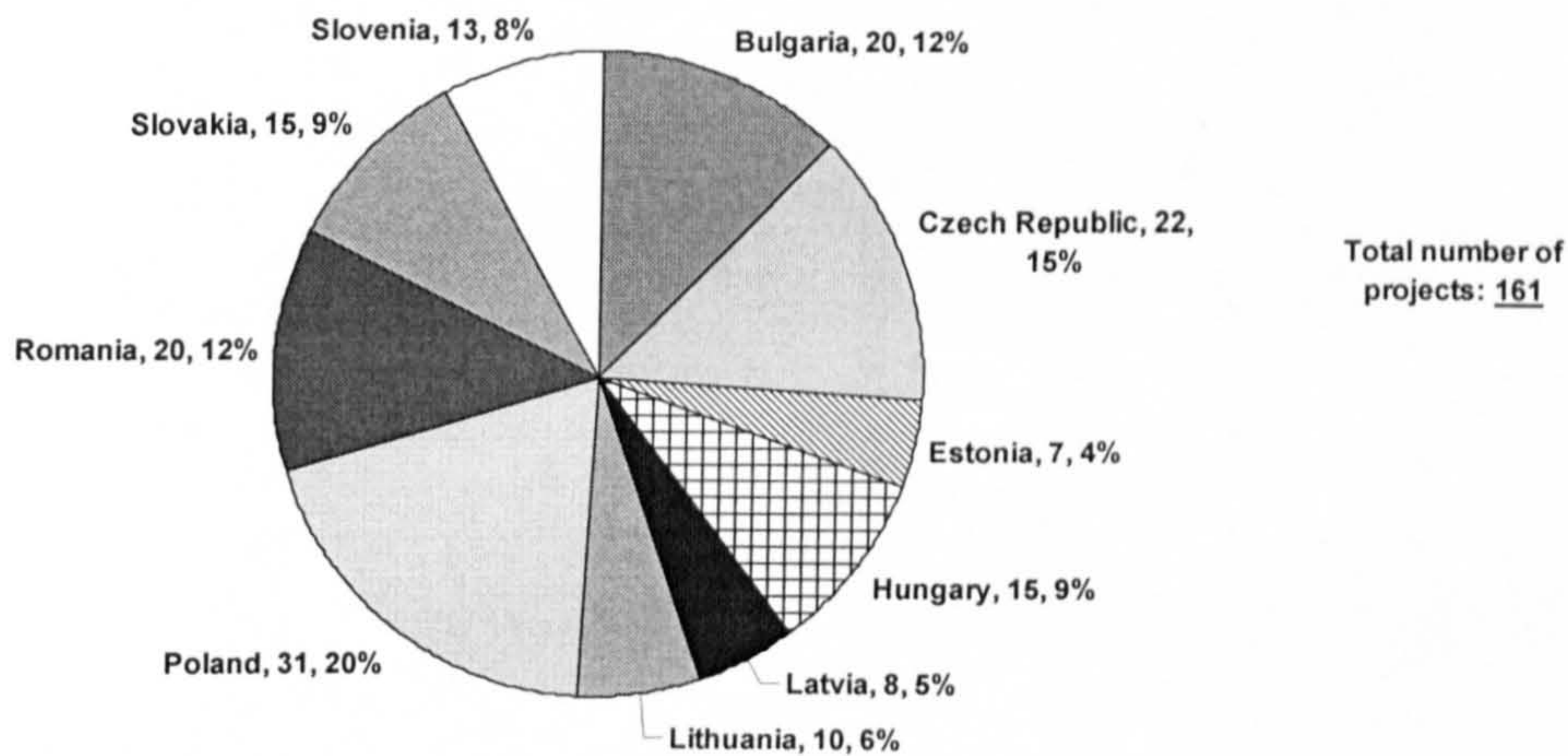
Figure 44: Sweden, 1998-2002



Data Source: Twinning Team – DG Enlargement.

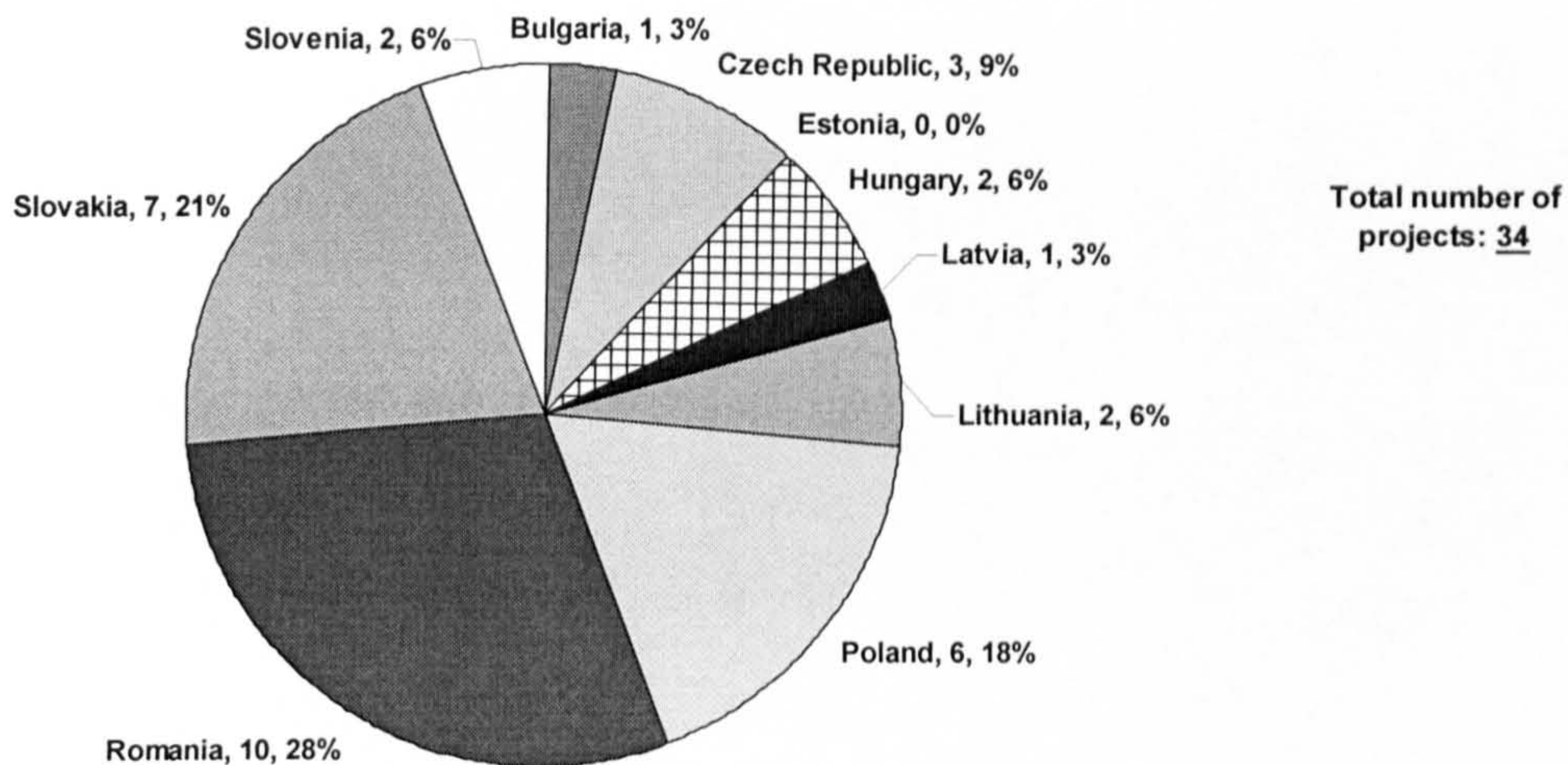
Figure 45: Finland, 1998-2002

1.7 Member states as project leaders, 1998-2002



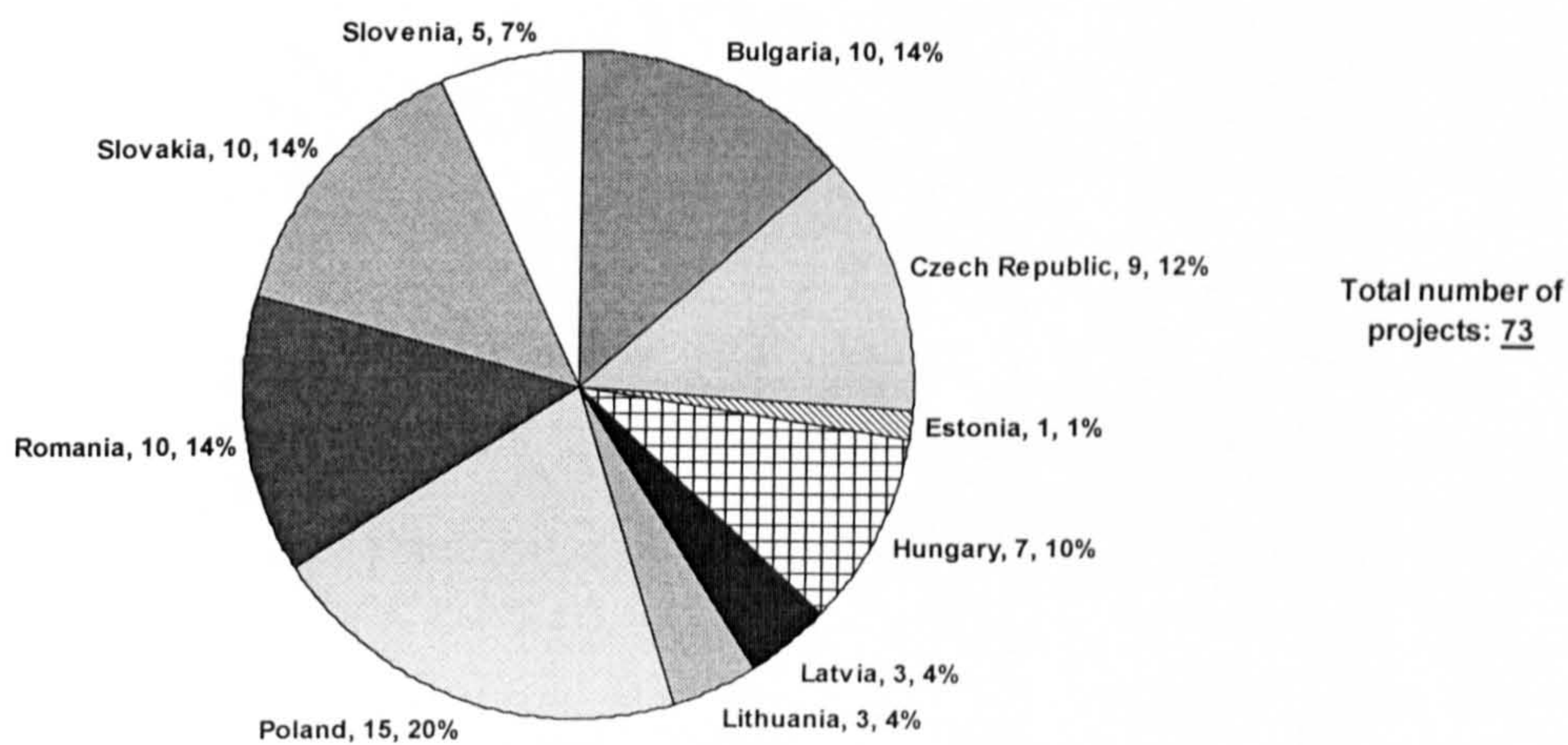
Data Source: Twinning Team – DG Enlargement.

Figure 46: Germany (as a project leader), 1998-2002



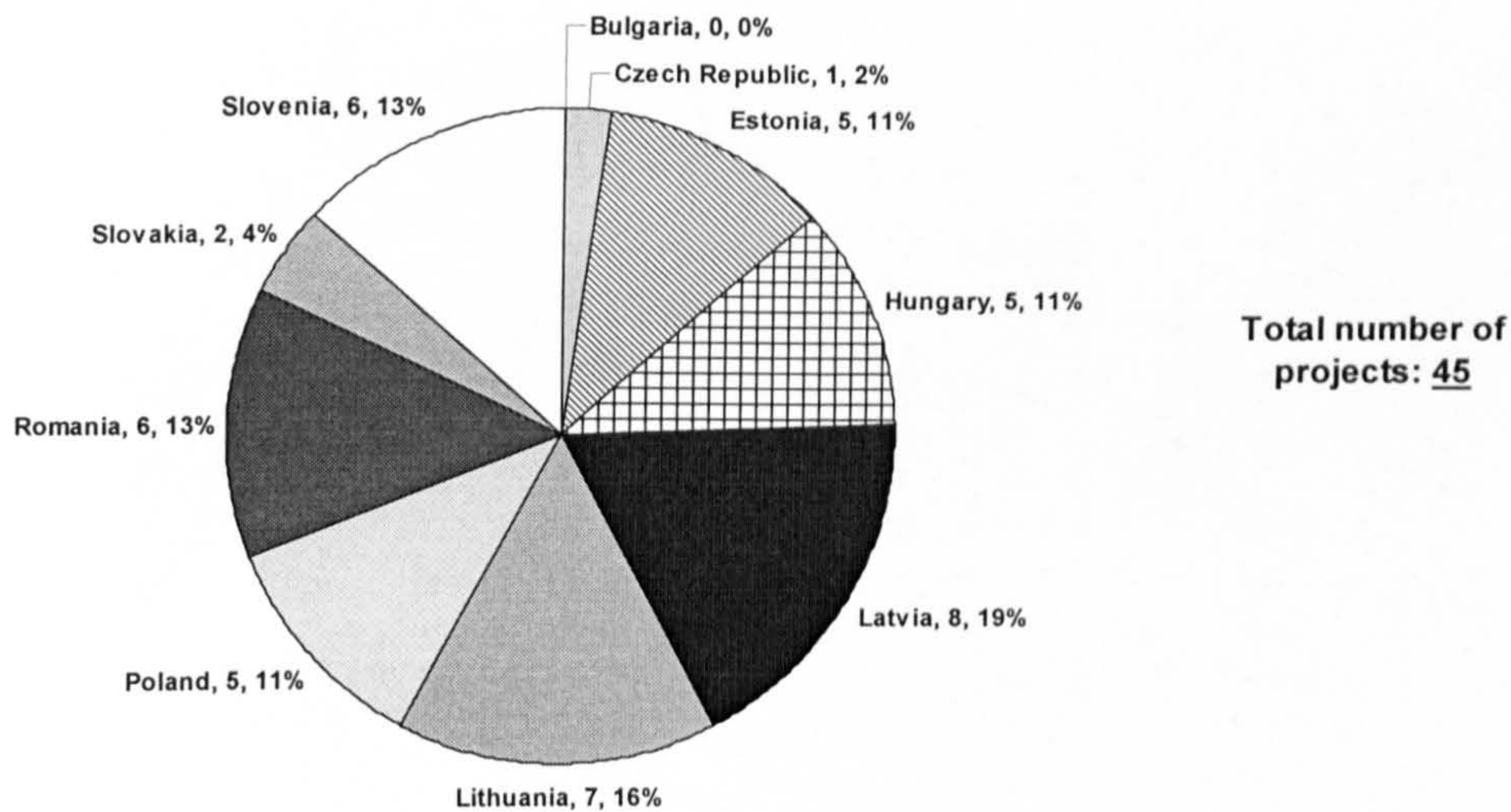
Data Source: Twinning Team – DG Enlargement.

Figure 47: Italy (as a project leader), 1998-2002



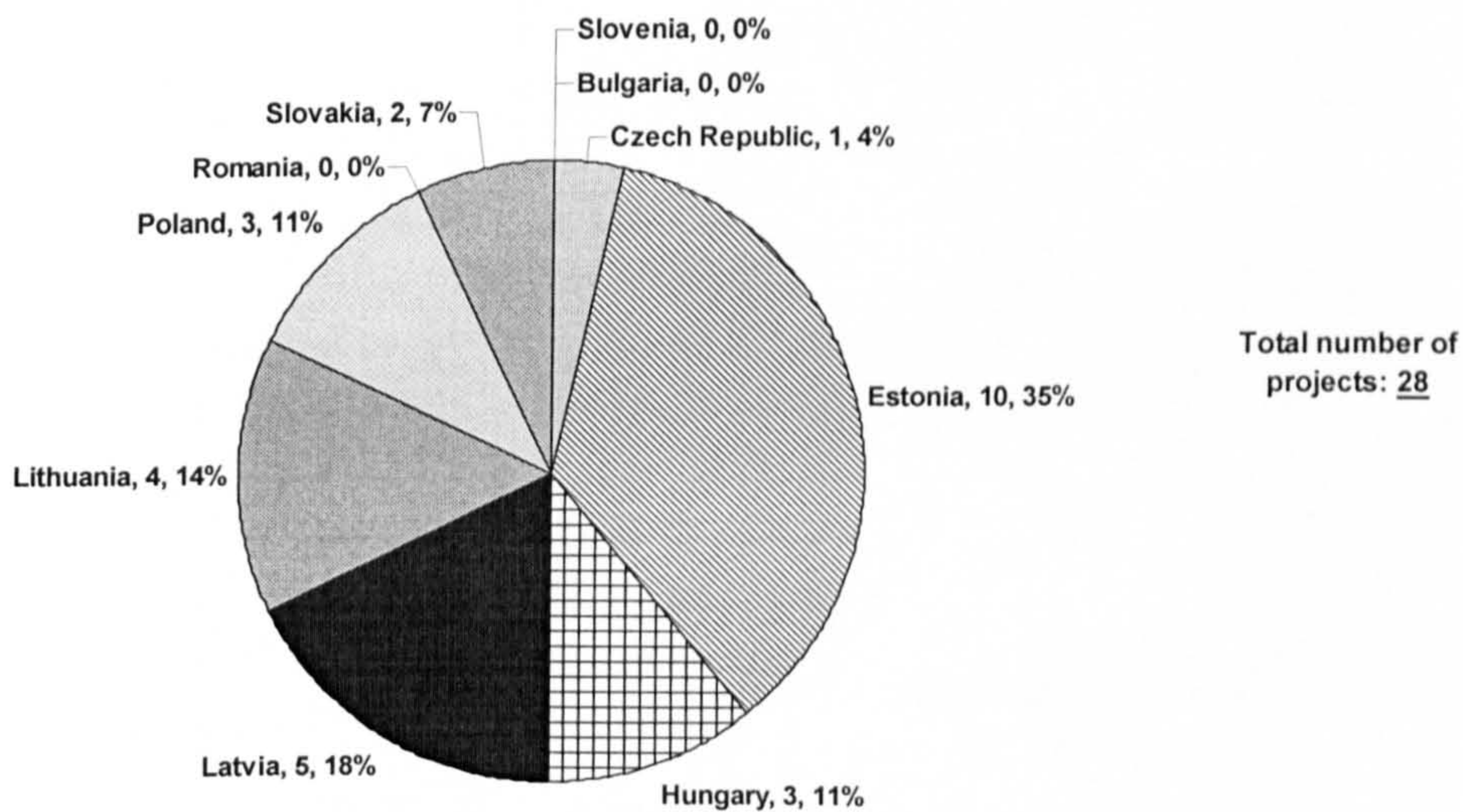
Data Source: Twinning Team – DG Enlargement.

Figure 48: Spain (as a project leader), 1998-2002



Data Source: Twinning Team – DG Enlargement.

Figure 49: Sweden (as a project leader), 1998-2002



Data Source: Twinning Team – DG Enlargement.

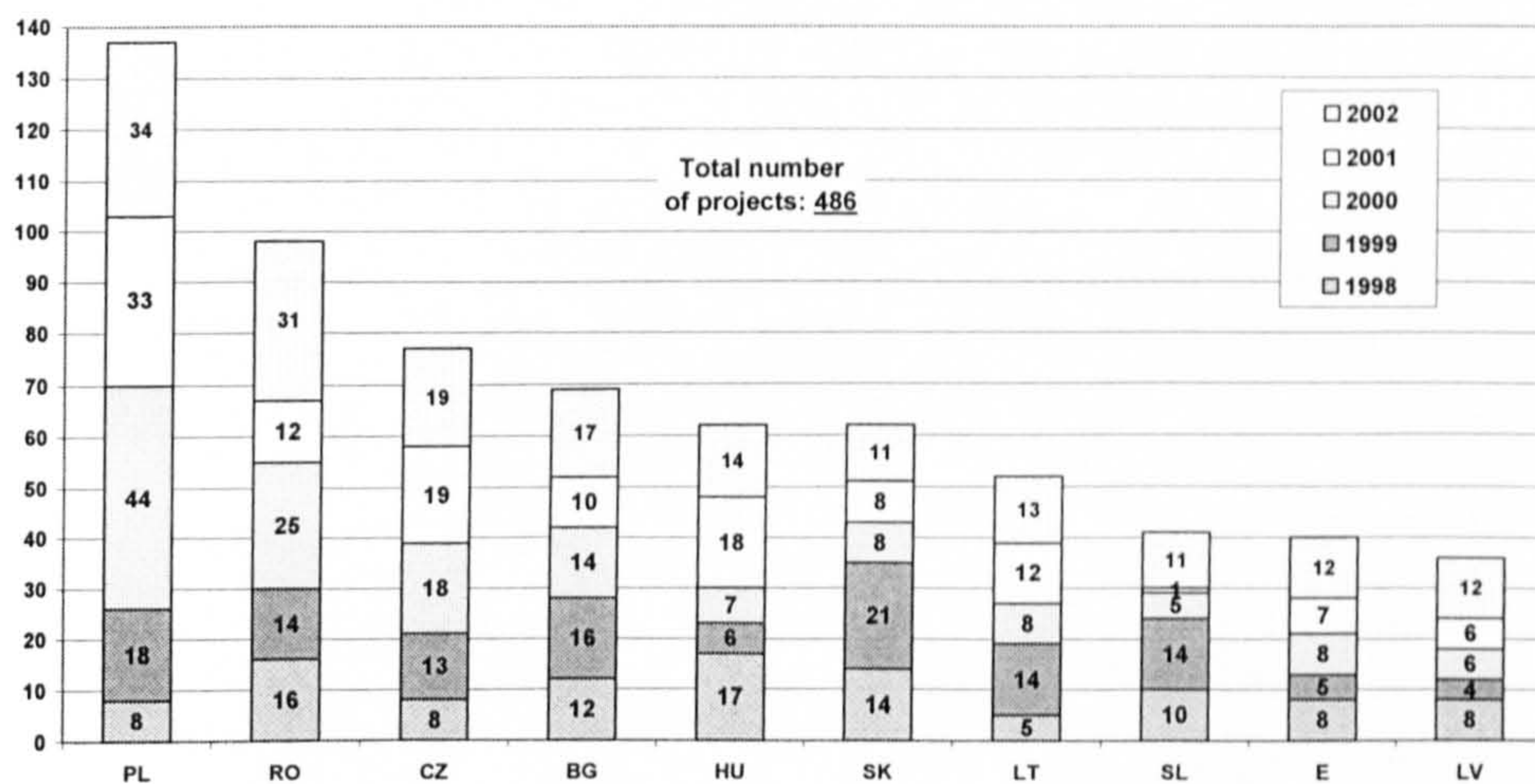
Figure 50: Finland (as a project leader), 1998-2002

1.8 Twinning projects in the candidate countries

	1998	1999	2000	2001	2002	Total	%
PL	8	18	44	33	34	137	20.3
RO	16	14	25	12	31	98	14.5
CZ	8	13	18	19	19	77	11.4
BG	12	16	14	10	17	69	10.2
HU	17	6	7	18	14	62	9.2
SK	14	21	8	8	11	62	9.2
LT	5	14	8	12	13	52	7.7
SL	10	14	5	1	11	41	6.1
E	8	5	8	7	12	40	5.9
LV	8	4	6	6	12	36	5.3
Total	106	125	143	126	174	674	100

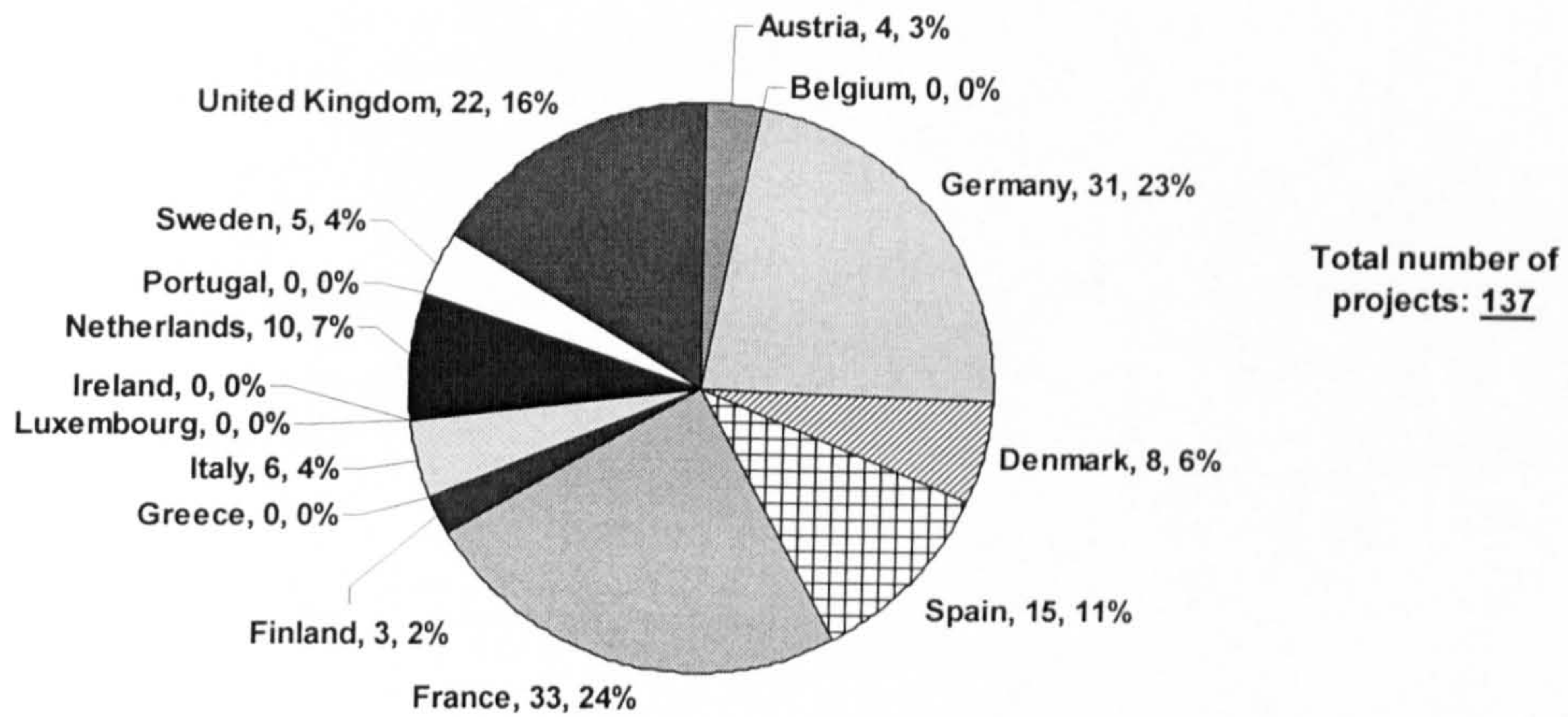
Data Source: Twinning Team – DG Enlargement.

Table 45: Twinning under Phare(projects per CC), 1998-2001



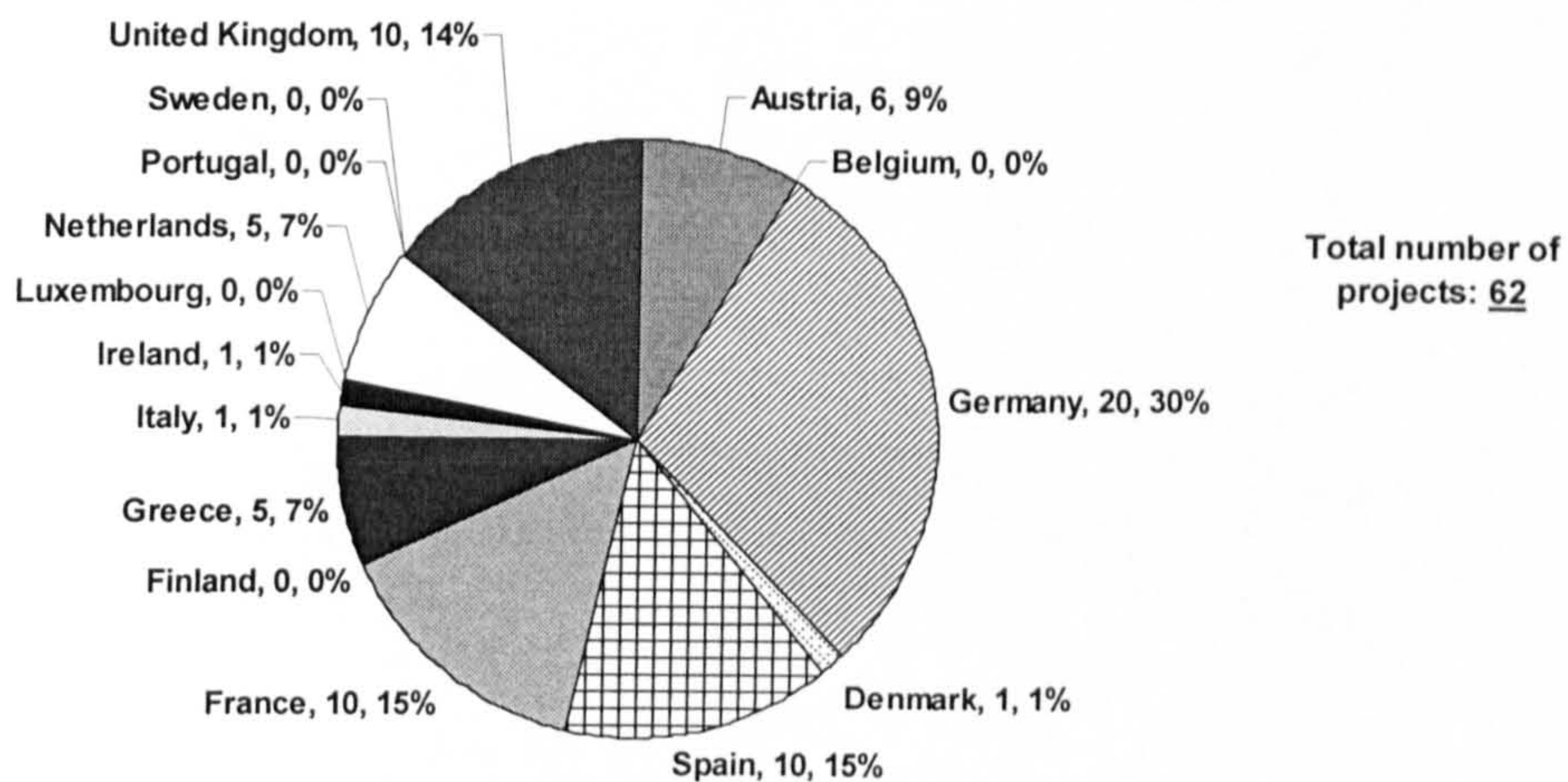
Data Source: Twinning Team – DG Enlargement.

Figure 51: Candidate countries (MS as project leaders), 1998-2002



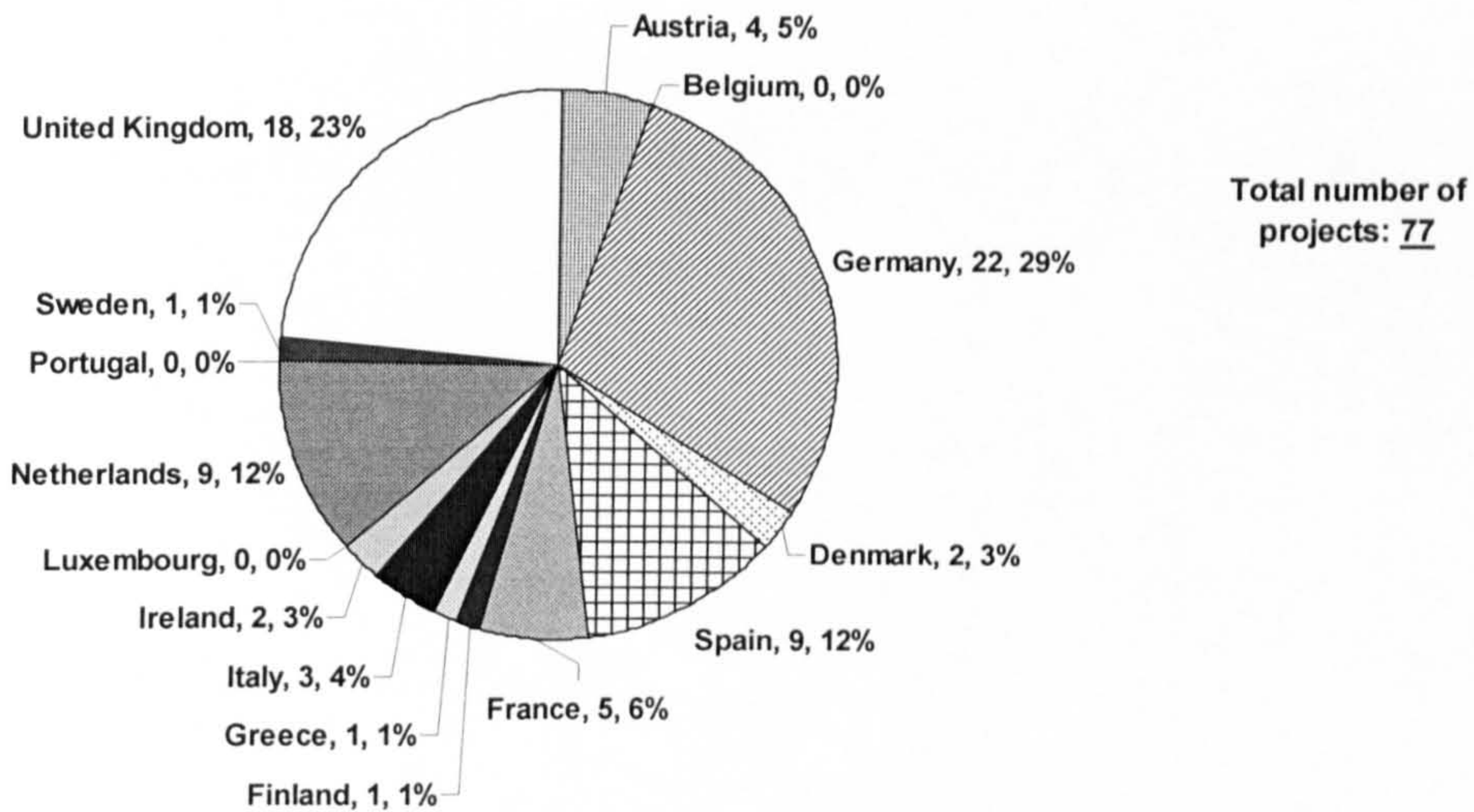
Data Source: Twinning Team – DG Enlargement.

Figure 52: Poland (MS as project leaders), 1998-2002



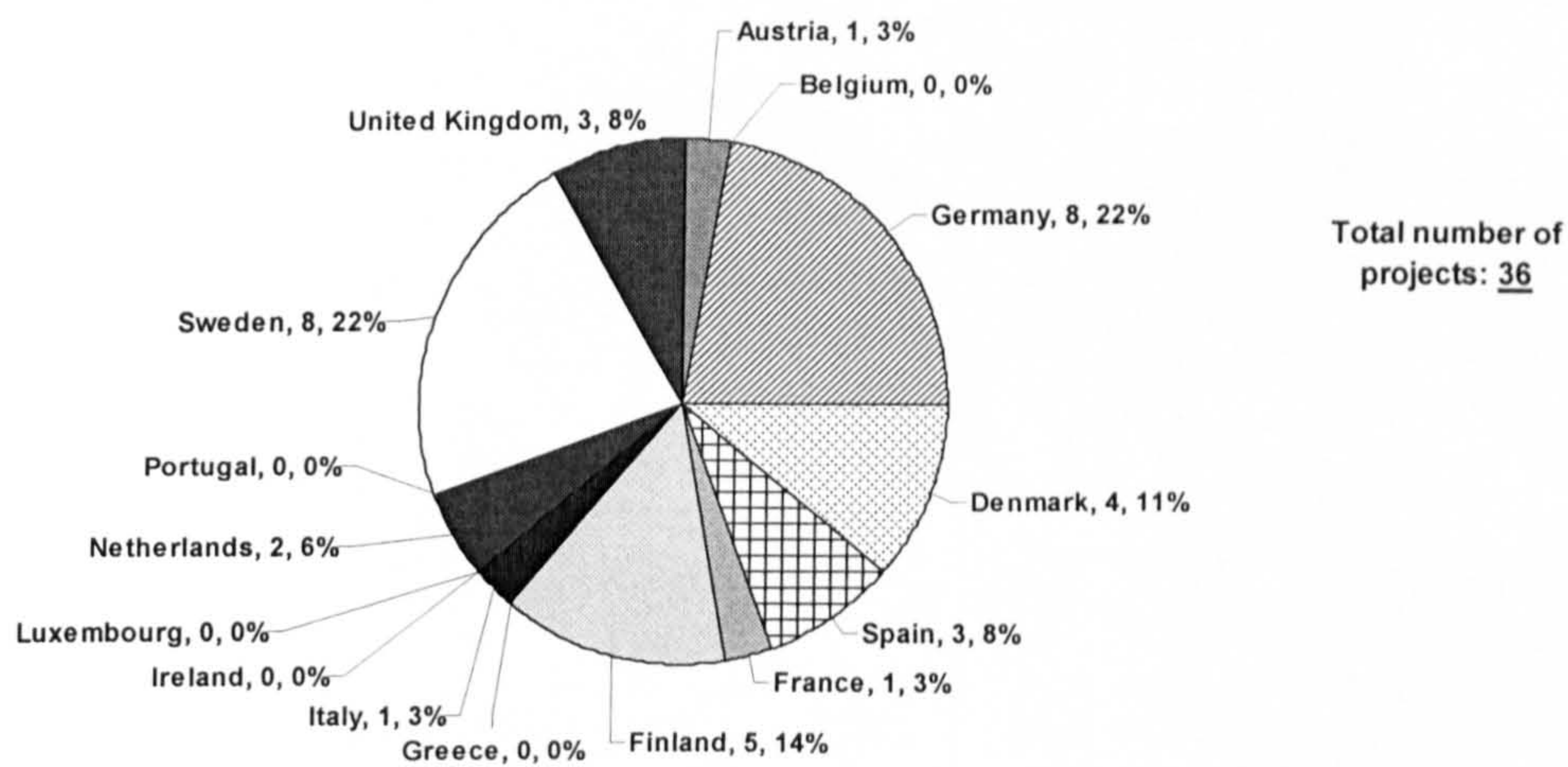
Data Source: Twinning Team – DG Enlargement.

Figure 53: Hungary (MS as project leaders), 1998-2002



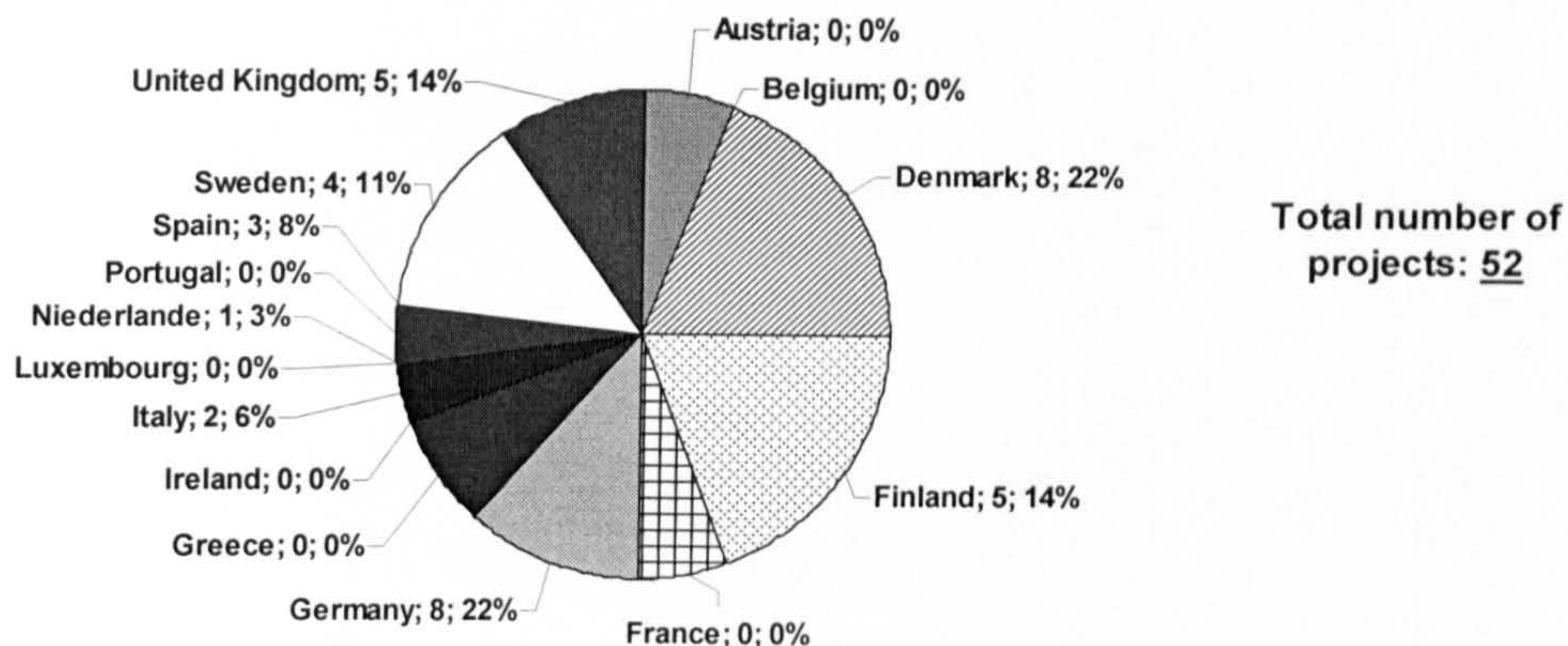
Data Source: Twinning Team – DG Enlargement.

Figure 54: Czech Republic (MS as project leaders), 1998-2002



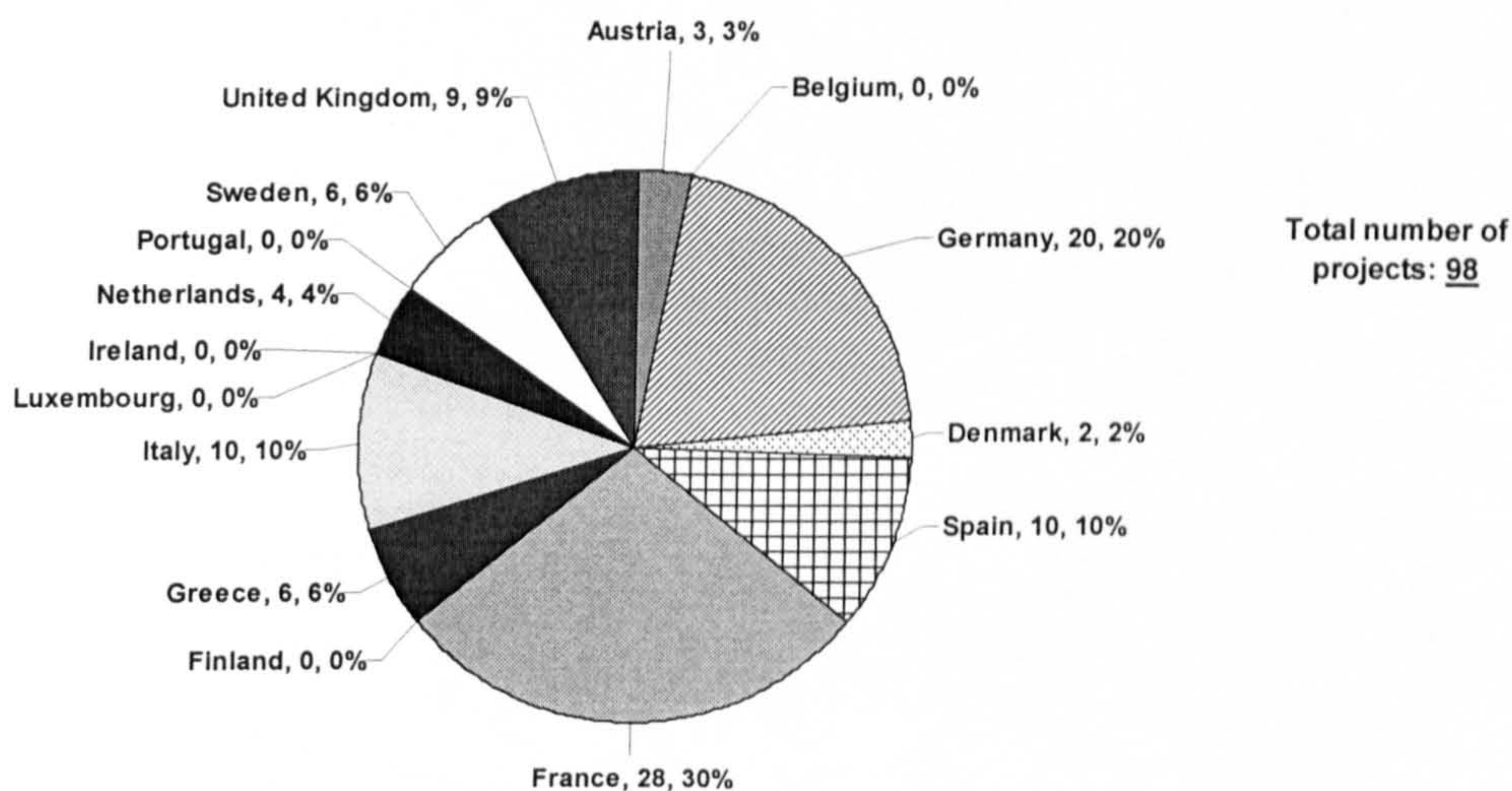
Data Source: Twinning Team – DG Enlargement.

Figure 55: Latvia (MS as project leaders), 1998-2002



Data Source: Twinning Team – DG Enlargement.

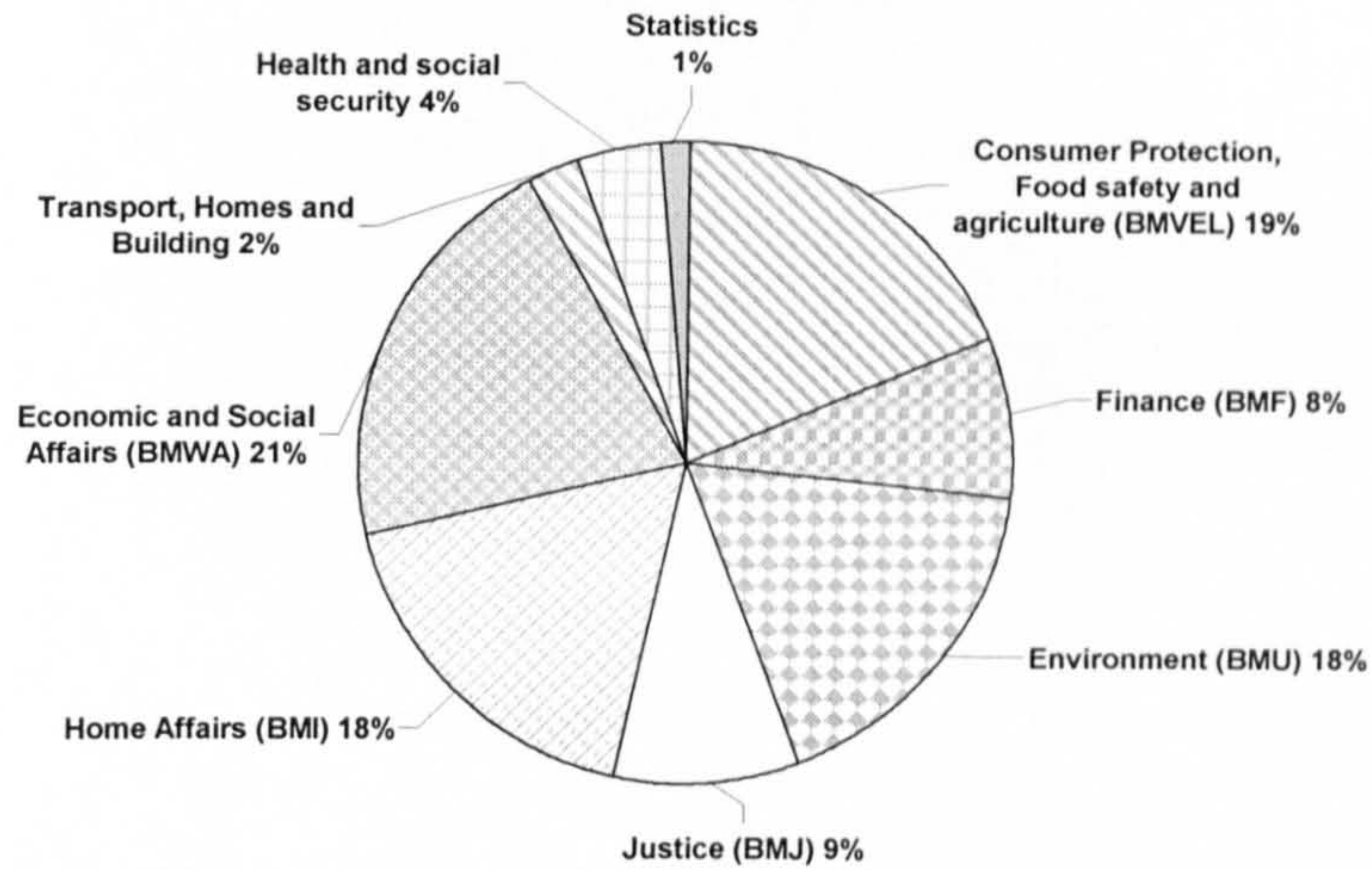
Figure 56: Lithuania (MS as project leaders), 1998-2002



Data Source: Twinning Team – DG Enlargement.

Figure 57: Romania (MS as project leaders), 1998-2002

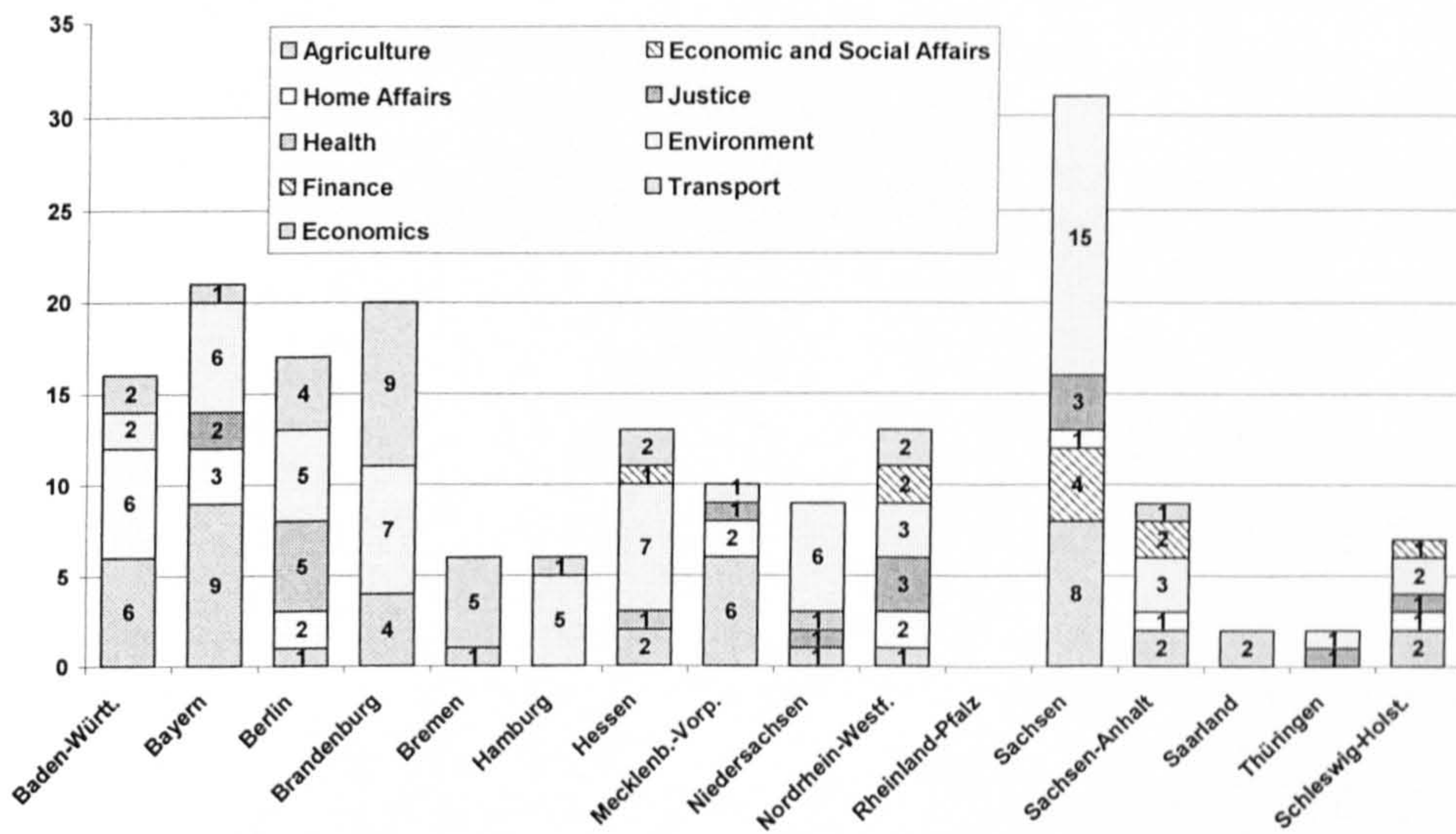
2 Statistics on German twinning projects, 1998-2004



Project leaderships were weighted with 1, Project involvement as junior partner were weighted with 0,25

Source: BMF, Berlin, Status: 05 February 2004

Figure 58: Participation by sectors and ministry, 1998-2004 (Germany)



Source: BMF, Berlin, Status: 05 February 2004

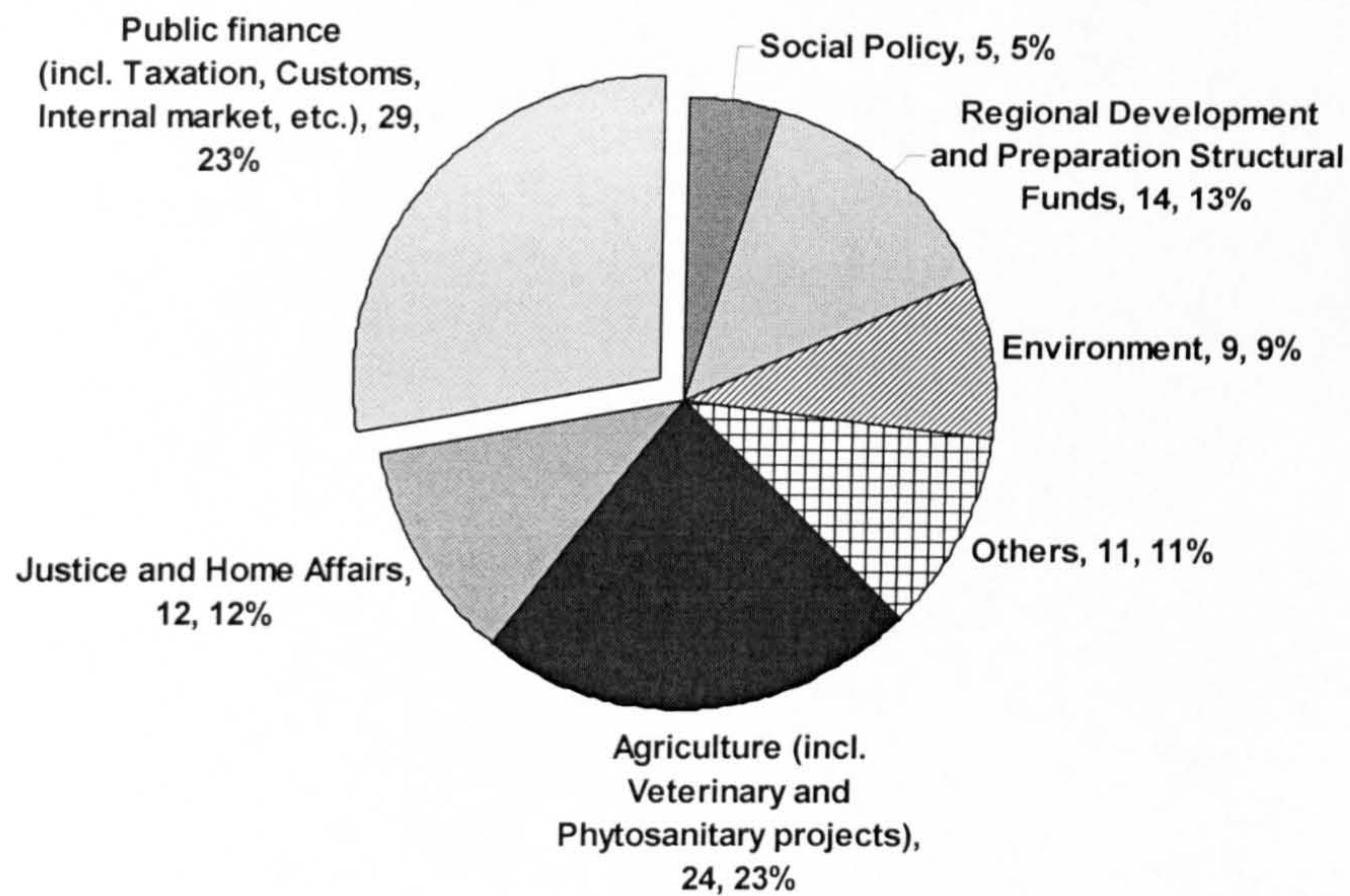
Figure 59: Participation of regional states in Twinning, 1998-2003

3 Twinning exercises per sector, 1998-2001

Sectors	Agriculture (incl. Veterinary and Phytosanitary projects)	Environment	Public finance (incl. Taxation, Customs, Internal market, etc.)	Justice and Home Affairs	Social Policy	Regional Development and Preparation Structural Funds	Others	Total	%
Candidate countries									
Bulgaria	9	11	13	8	2	4	2	49	9.9
Czech Rep.	6	6	11	16	9	3	9	60	12.1
Estonia	6	3	6	7	2	2	2	28	5.6
Hungary	7	9	12	8	4	4	4	48	9.7
Latvia	4	2	4	6	2	3	3	24	4.8
Lithuania	5	2	8	7	4	2	9	37	7.5
Poland	24	9	29	12	5	14	11	104	21.0
Romania	9	4	17	12	4	13	6	65	13.1
Slovak Rep.	7	6	10	14	6	2	6	51	10.3
Slovenia	8	1	7	7	1	2	4	30	6.0
Total	85	53	117	97	39	49	56	496	100.0
%	17.1	10.7	23.6	19.6	7.9	9.9	11.3	100.0	

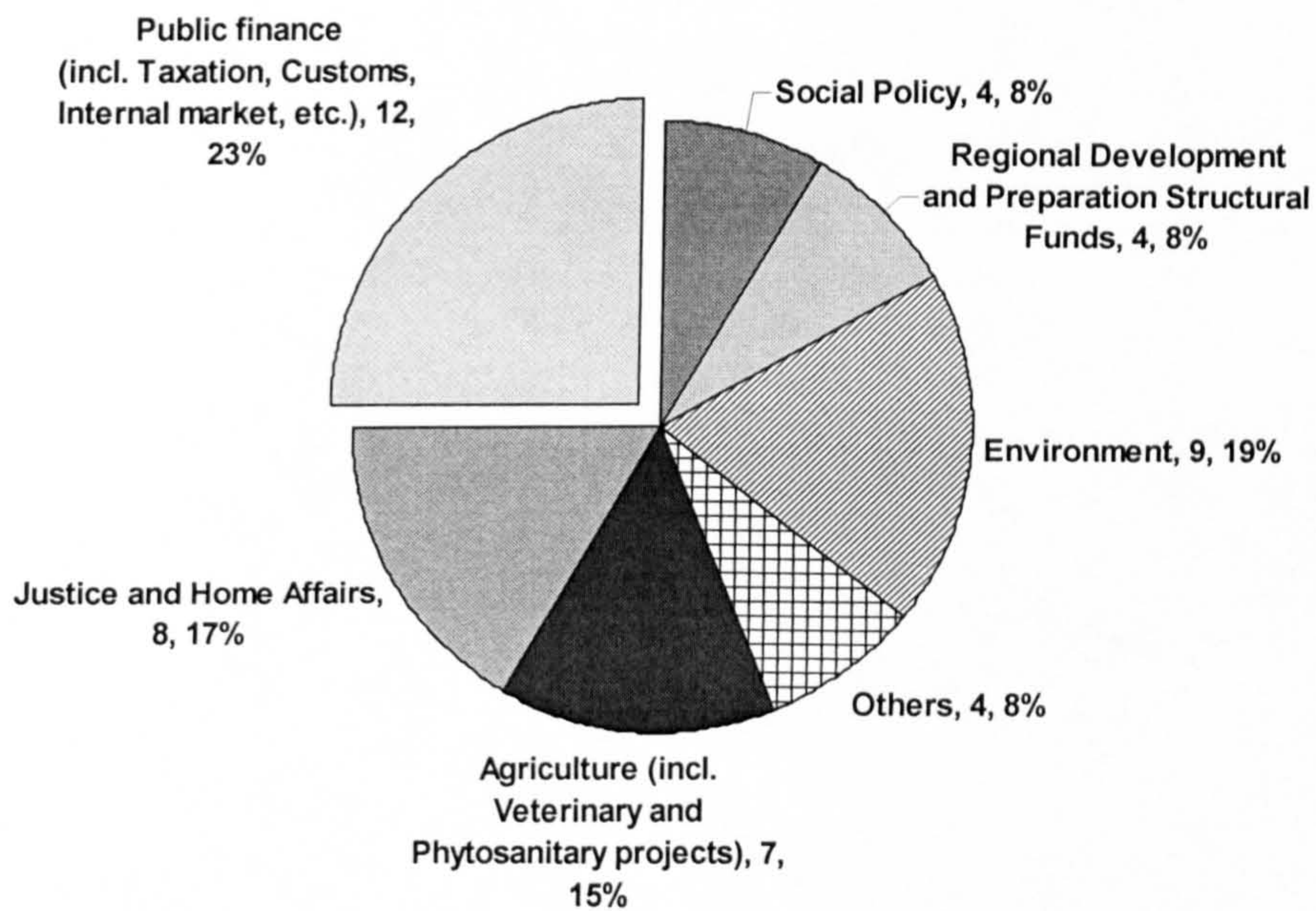
Source: CEC 2001g: 74.

Table 46: Twinning projects per sector, 1998-2001



Data Source: CEC 2001g: 74.

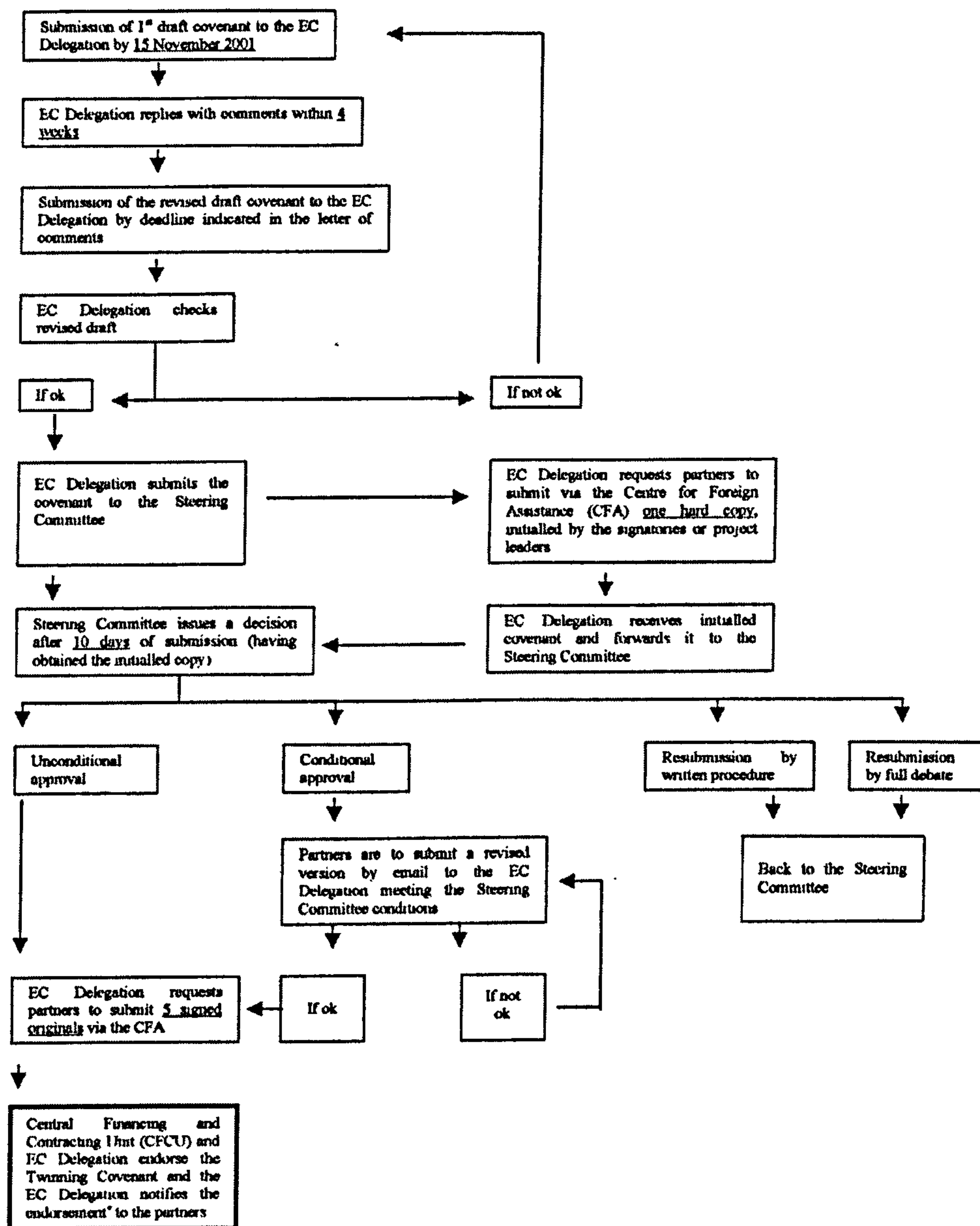
Figure 60: Poland – Twinning projects per sector, 1998-2001



Data Source: CEC 2001g: 74.

Figure 61: Hungary – Twinning projects per sector, 1998-2001

4 Procedural aspects of twinning exercises



*Date of endorsement is the starting date of the Twinning project.

Source: EC Delegation, Prague, September 2001.

Figure 62: Procedural sequence of Phare 2001 Twinning Covenant preparation

5 Comparison: Twinning proceedings in Phare, TACIS and CARDS

Overview of the Twinning procedures under Phare ("Twinning" and "Twinning Light"), CARDS and TACIS produced by GTZ in May 2002.

Proceedings	PHARE		TACIS	CARDS
	Twinning	Twinning Light		
Political goal	Acquis communautaire; Establishment of long-lasting relations between MS and CC	Acquis communautaire; Counselling in concrete specific ad hoc questions	Support of administrative reform and of formulation of policies; no Twinning Light	EU convergence; Establishment of long-lasting relations between MS and CARDS country; no Twinning Light
Call for proposals	Simultaneous distribution of project fiches per country	Individual distribution of project fiches (terms of references), after approval	Project fiches without specific budget (<= 600.000 €)	Project fiches
Experts	PL, Pre-Accession Advisor (PAA), Short-term experts (STE) and Medium-term experts (MTE), mandated bodies	PL, STEs and MTEs, mandated bodies	PL, Partnership Advisor (PA), STEs and MTEs, mandated bodies (probably also with experts from PHARE countries)	PL, Stabilisation and Association Process Advisor (SAP), STEs and MTEs, mandated bodies, also with experts from PHARE countries
Application (Proposal)	Proposal following a given procedure with CV for PAA and PL per e-mail to DEL and HQ; presentation with PL and PAA	Proposal following a given procedure with timetable, budget and CVs for PL and key experts per e-mail to DEL; no presentation	Expression of interest following a determined procedure with draft of work plan and budget, CVs for PL, PA and key experts sealed per courier to COM (original plus 5 copies); no presentation	Procedure of proposal submission not determined (as with PHARE); Presentation with PL and SAP
Responsibility of choice	CC	CC	EuropeAid, DEL and CIS country	(EuropeAid,) DEL/EAR, CARDS country, Evaluation Grid
Contracting partner(s)	MS and CC partner administrations; approval COM; signature CFCU and DEL	MS and CC partner administrations; Signature CFCU	COM and MS; Approval by CIS country	Special conditions: COM and MS; annexes 1 and 3: COM; MS and CARDS country

Proceedings	<u>PHARE</u>		TACIS	CARDS
	Twinning	Twinning Light		
Partnership contract	Covenant, developed by MS and CC, notified by COM, DEL and CFCU	Standard contract with offer as annex, established by DEL and CFCU	Contract established by COM; Annexes: Work programme with budget and clear description of responsibilities, established by MS and CIS country; general conditions; special conditions	Special conditions, established by MS plus 6 annexes: 1. Work schedule and timetable with clear description of responsibilities, established by MS and CARDS country 2. General conditions 3. Budget, established by MS and CARDS country 4. Contract model 5. Financing procedure 6. Financial conditions
Budget structure	3 categories (Salary of PAA, extra costs for PAA, project activities), Cat. III divided by activities	As in Cat. III by activities	Divided by human resources, travel, equipment, local costs, other costs for services, private sector, others, administrative costs (max. 7%), contingencies (max. 5%) For the total duration and for the 1 st year	<i>No indications</i>
Financial conditions	See Manual (with flat rate)	As in PHARE-Twinning (with flat rate)	As in PHARE-Twinning (with flat rate)	As in PHARE-Twinning (with flat rate)
Preparatory costs	See Manual	As in PHARE-Twinning	As in PHARE Twinning	As in PHARE-Twinning

Proceedings	<u>PHARE</u>		TACIS	CARDS
	Twinning	Twinning Light		
Financial settlement	<p><i>Advance payment:</i> for 9 months (max. 80%) upon request;</p> <p><i>Quarterly:</i> financial reports;</p> <p><i>Intermediary payments:</i> for 4 months upon request, as soon as 50% of the advance payment have been used up;</p> <p>Final account and final payment;</p> <p>Audit certificate (no originals).</p>	<p><i>Advance payment:</i> 80% upon request;</p> <p>Final account and final payment with original supporting documents.</p>	<p>Option 1 (projects ≤ 12 months or < 100.000 €),</p> <p><i>Advance payment:</i> 80% of budget /. contingencies to freely determine intermediary payments and final payment, Financial report after end of project,</p> <p>Option 2 (projects > 12 months or ≥ 100.000 €),</p> <p><i>Advance payment:</i> 80% of budget for 12 months upon request,</p> <p><i>Quarterly:</i> financial reports, Intermediary payments: when 70% of last payment have been used up,</p> <p>Max. 90% of the budget, Final account and final payment,</p> <p>Banking guarantee for advance payment ≥ 1 Mio €,</p> <p><i>Until now:</i> Invoices with originals, no audit certificate (not yet clarified).</p>	As in TACIS

Source: GTZ, May 2002.

Table 47: Comparison of Twinning procedures under Phare, CARDS and TACIS

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Annex 1

The Association Agreements

This reproduces an overview of the association agreements by Anna Murphy (Murphy 1996: 268-69) It serves to offer insights into how much of the provisions is actually contained in the pre-accession strategy (*see* Annexes 3-5). It is striking that the association agreements already included a number of elements which were later further developed to create the pre-accession strategy and indeed the enhanced pre-accession strategy. This included, for example, the Phare programme and the political dialogue (later renamed into structured dialogue). Anna Murphy's PhD thesis alongside other publications (Murphy 1996; Friis 1996; Torreblanca 2001; Phinnemore 1999) provides a good overview of the dynamics which unfolded in the early years of transition.

The association agreements also continued to play an important role in the pre-accession process, in particular during the early 1990s. This was because they build the framework for bilateral cooperation between the EC/EU and the candidate countries.

An overview of the association agreements

The agreements consist of the following key elements: political dialogue, trade, economic and industrial co-operation, approximation of laws, financial co-operation and common institutions.

1 General provisions

The agreements establish a link between full implementation of the association agreement and the accomplishment of political, legal, and economic reforms of the associated states.

Clear reference is made to the commitment of the signatories to the CSCE process. Reference to membership is similar for all agreements i.e. in the Polish case, the wording is as follows: "the final objective of Poland is to become a member of the Community and that this association, in the view of the Parties, will help achieve this objective".

2 Aims

- permit the development of close political relations
- promote trade and economic development
- provide an appropriate framework for integration into the EC
- promote cultural co-operation

3 Political Dialogue

Objectives: to contribute to a new form of political co-operation, assist the democratisation process and contribute to security and stability. Contacts involve:

- Consultations between President of European Council, President of the Commission and President of the associated state and in the Association Council (ministerial level) and Parliamentary Association Committee;
- Meetings at the level of political Directors with the Presidency of the Council and Commission;
- Regular briefings in national capitals, international organizations and in third countries;
- Regular information concerning EPC to be reciprocated as appropriate.

4 Trade

The made provisions entered into force in March 1992 through interim agreements vending the ratification of the Association Agreements.

The aim is to establish a huge trade area in industrial products in ten years through an asymmetrical reduction of trade barriers. Customs duties on EC imports to be abolished between 2-3 years and quotas to be abolished upon entry into force of the agreement. Poland, of implementation and coverage differ for each associated state of implementation and coverage differ for each associated state.

The Association Council shall review the application of the agreement and progress in the transition to a market economy in the associated state. In the year prior to the end of the first stage (five years) the Association Council will meet to decide on movement to the second stage and review the need for changes with regard to that second stage.

Special arrangements concern trade in iron and steel (all quota on imports into the EC removed on entry into force of the agreement and tariffs to be removed over 5 years); textiles (import duties to be removed between five years and half the period agreed in the Uruguay Round for trade liberalization, special safeguard clause operates for 10 years); and agricultural products (consolidation of existing preferences and further liberalization may be negotiated on a reciprocal basis). Anti-dumping rules apply to trade. Safeguards

may be invoked by the EC and associated state. These may be introduced where imports into the EC cause serious injury to domestic producers or serious disturbances or difficulties “which could bring about serious deterioration in the economic situation of a region”. Special safeguards apply to made in textiles and agriculture.

5 Four freedoms

Provisions concerning freedom of establishment, linked to freedom to provide services, (in general, the principle of national treatment applies) can be limited should it prejudice infant industry, restructuring or cause social problems in the associated states. These rules permit the movement of key personnel between companies established in the EC and associated state. Free movement of labour is limited to the legally employed: signatories to provide similar treatment to workers of partner state legally resident in their country. EC states to maintain and endeavour to improve bilateral agreements on employment or introduce them where they do not exist. Provisions on capital movement aim to achieve complete freedom of movement. Limited, in the first instance, to payments relating to foreign investments and transfers resulting from trade liberalization.

6 Approximation of laws

EC competition policy to be introduced in associated states within three years. Each considered to be a “less developed region” (in accordance with Article 92.3 (a) of the Rome Treaty on state aids) for the first 3 years. EC laws in intellectual property to be introduced in 5 years. Associated states to endeavour to approximate national legislation with EC laws. No EC funding or adjustment of EC legislation envisaged under the agreement.

7 Economic and industrial co-operation

Co-operation may take place over a wide number of areas including energy, transport, education, environmental protection. No EC funding.

8 Financial Co-operation

EC commitment to continue PHARE or PHARE-like assistance on a multi-annual basis and access to EIB loans. Temporary EC assistance may be given for restructuring or stabilisation programmes in co-ordination with international financial institutions (IMF, World Bank) and in the context of the G24. No fixed sum agreed or indicated.

9 Institutions

Association Council meets at ministerial level at least once per year. It comprises of Ministers of EC states, associated state and members of EC Commission. Responsible for overseeing agreement, dispute settlement and may discuss “bilateral and international issues of mutual interest”. Association committee, representing EC Council, Commission and Committee consists of members of the Euro an Parliament and members of parliament of the associated state.

10 Entry into force

Following ratification by each national parliament of the EC member states the associated states and the European Parliament. Trade provisions entered into force on an interim basis pending ratification (1 March 1992). The agreements were of unlimited duration.

Annex 2

1993 Copenhagen Summit

The following reproduces relevant sections from the *Presidency Conclusions* of the 1993 Copenhagen European Council. It lists all decisions taken at the Summit. The reader should note that some of the decisions, in particular regarding market access and the Phare programme, had already been reached by the General Affairs Council on 8 June 1994.

1 Relations with the Countries of Central and Eastern Europe

1.1 The Associated Countries

i) The European Council held a thorough discussion on the relations between the Community and the countries of Central and Eastern Europe with which the Community has concluded or plans to conclude Europe agreements ("associated countries"), on the basis of the Commission's communication prepared at the invitation of the Edinburgh European Council.

ii) The European Council welcomed the courageous efforts undertaken by the associated countries to modernize their economies, which have been weakened by 40 years of central planning, and to ensure a rapid transition to a market economy. The Community and its Member States pledge their support to this reform process. Peace and security in Europe depend on the success of those efforts.

iii) The European Council today agreed that the associated countries in Central and Eastern Europe that so desire shall become members of the European Union. Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required.

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. Membership presupposes

the candidate's ability to take on the obligations of membership 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 countries.

The European Council will continue to follow closely progress in each associated „country towards fulfilling the conditions of accession to the Union and draw the appropriate conclusions.

iv) The European Council agreed that the future cooperation with the associated countries shall be geared to the objective of membership which has now been established. In this context the European Council approved the following:

The Community proposes that the associated countries enter into a structured relationship with the Institutions of the Union within the framework of a reinforced and extended multilateral dialogue and a concentration on matters of common interest. The arrangements, which are set out in Annex II to these conclusions, include both dialogue and a concentration on a broad range of topics and in several fora. Where appropriate - in addition to regular meetings between the President of the European Council and the President of the Commission with their counterparts from the associated countries - joint meetings of all the Heads of State and Government can be held to discuss specific predetermined issues. The European Council, recognizing the crucial importance of trade in the transition to a market economy, agreed to accelerate the Community's efforts to open up its markets. It expected this step forward to go hand in hand with further development of trade between those countries themselves and between them and their traditional trading partners. It approved the trade concessions established by the Council (General Affairs) at its meeting on 8 June. It invited the Council to adopt on a proposal from the Commission the necessary legal texts before the summer holidays.

The Community will continue to devote a considerable part of the budgetary resources foreseen -for external action to the Central and Eastern European Countries, in particular through the PHARE programme. The Community will also make full use of the possibility foreseen under the temporary lending facility of the EIB to finance transeuropean network projects involving the countries of Central and Eastern Europe. Where appropriate, part of the resources under the PHARE programme may be used for major infrastructural improvements, in accordance with the arrangements agreed by the General Affairs Council on 8 June.

The European Council, welcoming the possibility offered to the associated countries to participate in Community programmes under the Europe Agreements, invited the Commission to make proposals before the end of the year for opening up further programmes to the associated countries, taking as a point of departure those programmes which are already open for participation by the EFTA-countries.

The European Council underlined the importance of approximation of laws in the associated countries to those applicable in the Community, in the first instance with regard to distortion of competition and, in addition, - in the perspective of accession - to protection of workers, the environment and consumers.

It agreed that officials from the associated countries should be offered training in Community law and practice and decided that a task force composed of representatives of the Member States and the Commission shall be established to coordinate and direct this work.

The precise modalities regarding the above matters are set out in Annex II.

2 Cooperation with the Associated Countries geared to the objective of membership

Annex II to the Conclusions of the Copenhagen European Council

i) A structured relationship with the Institutions of the European Union

With a view to accession and the relevant preparations - and alongside the bilateral structure of the Europe Agreements - there will be set up, with the countries of Central and Eastern Europe linked to the Community by Europe Agreements, a multilateral framework for a strengthened dialogue and consultation on matters of common interest.

The framework will involve the holding of meetings between, on the one hand, the Council of the Union and, on the other, all the associated CCEE on matters of common interest, decided in advance, arising in the Union's areas of competence, i.e.:

- Community areas, especially with a trans-European dimension, including energy, environment, transport, science and technology, etc.;
- Common foreign and security policy;
- Home and judicial affairs.

These meetings will be of an advisory nature. No decisions would be taken. If conclusions requiring operational implementation were to emerge, they will be implemented in the appropriate institutional framework (ordinary Community procedure of Association Council with each of the associated states).

The meetings will be prepared for internally by the usual procedures, with the particular aim of establishing, according to the subjects discussed, the position to be taken. They will also be the subject of preparatory contacts with the CCEE.

In addition to the application of the general structure for dialogue set out above, dialogue relating to foreign and security policy matters will also include the following arrangements:

- holding of a Troika meeting at the level of Foreign Ministers and a meeting at the level of political directors during each Presidency;
- briefing at Secretariat level after each General Affairs Council and each meeting of the political directors;
- holding one Troika meeting at Working Group level per Presidency for relevant working groups.

In addition regular Troika consultations with the associated countries will be held in advance of important meetings in the UN-General Assembly and the CSCE.

ii) Improving Market Access

- (a) Customs duties on imports to the Community of sensitive basic industrial products originating in associated countries (Annex IIb to the Interim Agreements) will be abolished at the end of the second year after the entry into force of the Agreement (instead of the end of the fourth year).
- (b) Customs duties on the imports of the industrial products concerned by the consolidation of GSP (Annex III to the Interim Agreements) will be abolished at the end of the third year (instead of the end of the fifth year).
- (c) The amounts of the quotas and the ceilings of the above Annex III (consolidation of GSP) to be increased by 30% (Poland, the Czech and Slovak Republics, Bulgaria, Romania), 25% (Hungary) per year starting from the second half of the second year after the entry in force of the Agreement (instead of 20% for Poland, Czechoslovakia, Bulgaria, Romania and 15% for Hungary).
- (d) Levies/duties with the quotas for agricultural products 'will be reduced by 60% six months earlier than foreseen in the Agreements. The 10% increase in the quotas, foreseen from third year onwards, will be applied six months earlier than foreseen.
- (e) The exemption from customs duties as from the beginning of 1994 for products concerned by outward processing operations and covered by Regulation No 636/82 will be extended in conformity with this Regulation, duly modified for this purpose.
- (f) Customs duties on imports into the Community of textile products will be reduced in order to arrive at their elimination at the end of a period of five years starting from the entry into force of the Agreement (Instead of six years).
- (g) Customs duties on imports applicable in the Community on ECSC steel products originating in associated countries will be abolished at the latest at the end of the fourth year after the entry into force of the Agreement (instead of the end of the fifth year), subject to compliance with specific decisions relating to trade in steel products.
- (h) The Council invites the Commission to effect a study of the feasibility and impact of cumulation of rules of origin for products from the associated countries of Central and Eastern Europe and the EFTA countries and, in the light of the findings, to submit to it appropriate proposals.

(iii) Making assistance more effective

- (a) The Community will support the development of infrastructure networks in Central and Eastern Europe, as decided at its meeting in Edinburgh. The EIB, the EBRD and the other international financial institutions will take the leading role in this process.
- (b) The Community will offer technical assistance through the PHARE programme to prepare and facilitate major infrastructure improvements in the countries of Central and Eastern Europe. Within existing budgetary limits, and without distorting the essential character of PHARE, the Community will also be willing, in response to requests from Central and Eastern European partners, to provide from PHARE limited additional funds for capital expenditure resulting from these technical assistance activities, in specific cases where it is established that such additional funds are essential, and a necessary component of projects
- which are jointly financed by EIB and/or international financial institutions and beneficiary countries,

- which cannot be privately financed,
- which are of Community interest in particular as defined in relevant Community texts.

(c) These additional funds shall not exceed 15% of total annual PHARE commitments.

(d) The Commission will review the use of PHARE resources as a means of supporting infrastructure development in Central and Eastern Europe on a case by case basis. It will take into account the financial situation of the beneficiary country on the basis of available analyses; the financial institutions making loans to projects will carry out their own assessments in the normal way. In each case the Commission will ensure that there is an adequate local contribution to project financing to ensure the commitment of the beneficiary Government to the project.

The Commission will avoid undue concentration of the available PHARE funds for this purpose on individual recipient countries and will therefore avoid an unduly large proportion of national programmes being devoted to this purpose.

Proposals will be submitted to the PHARE management committee in the normal way.

iv) Furthering economic integration

Approximation of laws: the countries of Central and Eastern Europe undertook through the Europe Agreements to implement within three years from their entry into force rules parallel to those in the Treaty of Rome and to ban restrictive practices, abuse of dominant positions and public aid which distort or threaten to distort conditions of competition. In addition, it is particularly important, from the point of view of accession, that progress should be made in the other areas covered by the Europe Agreements, including those relating to the protection of workers, of the environment and of consumers.

Preparations for accession will also be helped if officials from the associated countries receive training in Community law and procedure.

The Commission and the relevant administrations in the Member States will be mobilized to further the approximation of legislation, including technical assistance for training officials. A task force of representatives of the Member States and the Commission will be set up to coordinate and direct the work. The Commission will consider which Community programmes could be opened to participation by the countries of Central and Eastern Europe and will submit its proposals to the Council by the end of 1993.

Annex 3

The Europe Agreements and Beyond

The following reproduces relevant sections from the Commission's Communication to the Council entitled "The Europe Agreements and Beyond: A Strategy to prepare the countries of Central and Eastern Europe for Accession" (CEC 1994b). The paper was the basis for the discussions regarding the introduction of the pre-accession strategy in 1994 (*see also* CEC 1994a, 1994c).

The Europe Agreements and Beyond: A Strategy to prepare the countries of Central and Eastern Europe for Accession

1 Introduction

The European Council meeting in Corfu invited "the Commission to make specific proposals as soon as possible for the further implementation of the Europe agreements and the decisions taken by the European Council in Copenhagen. The European Council also asks the Presidency and the Commission to report to it for its next meeting on progress made on this basis, on the process of alignment since the Copenhagen European Council, and on the strategy to be followed with a view to preparing for accession." The present Communication is a first response to this request.

The Copenhagen European Council concluded that "the associated countries in Central and Eastern Europe that so desire shall become members of the European Union. Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required". The conditions specified by the European Council are:

- 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;
- capacity to cope with competitive pressure and market forces within the Union;
- ability to take on the obligations of membership including adherence# to the aims of political, economic and monetary union.

The European Council also concluded that “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 countries”.

The goal for the period before accession should be the progressive integration of the political and economic systems, as well as the foreign and security policies of the associated countries and the Union, together with increasing cooperation in the fields of justice and home affairs, so as to create an increasingly unified area. The needs and capacities of each partner will determine the pace of their progress towards membership.

The main instruments for promoting integration already exist. They are the structured relationship with the institutions of the Union, provided for in the Copenhagen conclusions, but still in its early stages, and the Europe agreements. These agreements provide a common framework for diverse forms of cooperation. This framework is flexible and dynamic, permitting the intensification of co-operation and integration. It is, therefore, the appropriate framework for developing a strategy with a view to preparing for accession. As negotiations for Europe Agreements are concluded with additional countries these countries could be included in the structured relationship discussed in this Communication.

As far as the Union itself is concerned, its capacity to absorb new members will depend on the decisions to be taken on institutional questions by the 1996 inter-governmental conference, after which the enlargement calendar should be assessed. The Union will also need to consider its common policies, notably the common agricultural and structural policies and their budgetary implications. As far as the associated countries are concerned it is clear that they will also need to prepare themselves and make the necessary efforts to take on the obligations of membership which would notably include the adaptation of their agricultural and structural policies.

Accordingly, the Communication sets out a strategy covering the following inter-related areas:

- the full implementation of the structured relationship between the associated countries and the institutions of the Union;
- building on the basis of the Europe agreements to promote integration and building on the basis of the Europe agreements to promote integration and regional cooperation.

As requested by the Corfu European Council further specific proposals will be transmitted to the Council shortly.

2 The structured relationship with the institutions of the Union

The Copenhagen European Council concluded that “the Community proposes that the associated countries enter into a structured relationship with the institutions of the Union within the framework of a reinforced and extended multilateral dialogue and concentration on matters of common interest. The arrangements...include dialogue and concentration on a broad range of topics and in several fora”.

The structured relationship was viewed by the European Council as a means progressively to involve the associated countries in the European Union's work in areas of common interest, through joint meetings of an advisory nature with the Union's institutions. The European Council concluded that the structured relationship would apply to all three areas ("pillars") or the Union's activities. Thus joint meetings in areas covered by Community policies especially with a trans-European dimension, the common foreign and security policy, as well as justice and home affairs, should all be included in the structured relationship. In order that these meetings should be effective, they should be announced well in advance to enable the necessary preparations to be made at joint meetings with COREPER, the political committee and the relevant working groups level.

The relationship will bring a double benefit. At the level of procedure, it will establish a close working relationship and habits of co-operation. At the level of substance, it will encourage the Union and the associated countries to work together in areas where solutions for pressing problems require action at the European level.

Unfortunately, during the past twelve months, the structured relationship at ministerial level has been limited to two informal meetings (transport and Ecofin). As part of political dialogue two troika meetings have been held on foreign affairs as well as a joint meeting of the political directors.

There is no reason why the structured relationship should be confined to joint meetings with the Council. As has been suggested in a number of public statements, the European parliament, too, should be encouraged to hold joint meetings on particular points of common interest with the associated countries.

More than a year after the Copenhagen European Council, it is vital that the structured relationship provided for by the Council should gain credibility and that joint meetings with the associated countries should deepen co-operation so that the latter begin to feel part of the process of European integration. This will contribute to the stability of Europe as a whole.

It is suggested that the Presidency and the Commission report to a joint meeting or the Essen European Council, with the participation of the associated countries, on progress made in the structured relationship and that, on that occasion, a provisional schedule be agreed of joint meetings in 1995.

2.1 Community areas:

The structured relationship should be developed in Community areas especially those with a trans-European dimension such as transport, energy, telecommunications and research. These are areas in which efforts at the European level are necessary to ensure success. It is therefore in the interest both of the Union and the associated countries to work together in these areas. Other Community areas of common interest, which are discussed by the general affairs and Ecofin Councils, should also be included in the structured relationship.

The Commission will be providing the Council with an indicative list of forthcoming Council meetings whose provisional agendas include items of common interest which could be the subject of joint meetings. Detailed work on common activities in these areas should be taken up within the framework of the Europe agreements.

On this basis, the Commission invites the presidency to draw up a schedule of joint meetings in 1994. It is also desirable to coordinate with future presidencies in order to establish an indicative work programme over a longer period.

2.2 Common foreign and security policy

This part of the structured relationship is especially important as a means for overcoming the widespread sense of insecurity in central and eastern Europe. It can reinforce efforts in the framework of the Western European Union, NATO and the Partnership for Peace, the Conference on Security and Cooperation in Europe and the stability pact, to increase security and stability throughout Europe. The Union and the associated countries have a common interest in preventing conflict related to issues such as borders and frontiers, and 'should consult frequently on foreign and security policy issues of mutual concern.

In this area, the Copenhagen conclusions have been supplemented by the conclusions of the General Affairs Council of 7 March. Nonetheless, the existing political dialogue, which has so far mainly taken place in troika format, has not sufficiently addressed key foreign policy and security policy issues. The associated countries have expressed interest in this part of the structured relationship and have, for example, set up a network of shadow European correspondents as suggested by the Council.

Above all the measures should be practical rather than formalistic and should tackle priority countries should replace the present Troika format, as these provide a far greater opportunity: of regular Council meetings and, where appropriate, through coordination meetings in the framework of relevant multilateral fora (the United Nations General Assembly, the CSCE Budapest review conference and summit, the stability pact and other fora).

The Commission recommends that all practical steps be taken to implement effectively the arrangements agreed by the Council on 7 March 1994 and that a calendar be drawn up of joint meetings on substantial CFSP issues of mutual concern.

2.3 Justice and home affairs

Cooperation between the Union and the associated countries is indispensable if action at the European level in the fields of justice and home affairs is to be fully effective. For this reason, it is important for the Union to develop the structured relationship in this area by bringing to an early conclusion the current examination by Justice and Interior Ministries of the most appropriate procedure for consulting and informing the countries of central and eastern Europe on justice and home affairs issues.

This will also help to prepare these countries for the obligations of the "acquis" in justice and home affairs which membership would entail. The experience already gained in this area can serve as a useful guide in developing the structured relationship with the countries of central and eastern Europe. A first important step in this direction will be taken in September 1994 with the invitation extended to the relevant Ministers from these countries to meet ministers on the Union's side on the occasion of their planned informal meeting in Berlin. This could also provide the opportunity for a concrete follow-up to the Corfu European Council's conclusion which called on the German Presidency "to arrange a conference with the central and east European states on drugs and organised crime".

3 Building on the Europe Agreements to promote integration and to prepare for enlargement

The associated countries have made considerable progress in the reform and restructuring of their economies and in macroeconomic adjustment. But major structural changes still

lie ahead, including capacity reductions in heavy industry, promoting new industry and further developing small and medium sized enterprises, agricultural reform, modernisation of the banking sector, infrastructure and other areas. Above all, continued reform and sustainable economic growth are the key to successful integration with the Union.

All the main areas for reform and reconstruction, including cooperation on macro-economic policies, are covered by the Europe agreements. These agreements also provide instruments for the promotion of regional cooperation among the associated countries, a process which has begun with the Central European Free Trade Area (CEFTA): the Baltic free trade agreement and other initiatives. Regional co-operation will help to foster trade and investment and improve growth prospects in the region. It is, therefore, crucial to exploit the full potential of the Europe agreements and to build on them in preparation for enlargement.

3.1 Towards a wider European market

To enable the associated countries to integrate progressively in a wider European market, as provided for by the Europe agreements, an appropriate legal and institutional framework is needed. To achieve this each associated country should draw up a programme of priorities and a timetable in fields such as the approximation of legislation and the implementation of competition and state aids policies which are transparent and compatible with those of the Union.

After consultation with the associated countries, the Commission will prepare a White Paper, setting out a programme for meeting the obligations of the internal market which can be followed by each associated country and monitored by the Union. This could be accompanied by a study programme on the impact of further enlargement on the Union's common policies. The White Paper will outline ways to achieve a wider European market, including the enlarged Union, the EEA and the associated countries, with a total population of 450 million.

Once satisfactory implementation of competition and state aids policies has been achieved, together with the application of other parts of Community law linked to the wider market, the Union could decide to progressively reduce the application of commercial defence instruments for industrial products for the countries concerned, since it would have a level of guarantee against unfair competition comparable to that existing inside the internal market.

3.2 Social dimension

It is also a clear objective of Union policy that economic and social policy should go hand in hand. For this reason the Copenhagen conclusions underlined, in the context of accession and to avoid distortion of competition, the importance of approximation of law with regard to protection of workers in the associated countries to those applicable in the Community. The Union is, moreover, prepared to help the associated countries formulate responses to the serious social problems emerging during the transition to a market economy including high levels of unemployment, poverty and social exclusion.

3.3 Trade

Free trade in industrial goods has now virtually been achieved. In these conditions, restraint should be shown by both sides in the use of commercial defence instruments. In the short term the Union should offer information to any associated country before the initiation of any anti-dumping or safeguard proceeding.

To encourage integration and regional cooperation further progress should be made towards full accumulation of rules of origin in trade between the Union and the associated countries. In addition, an initiative should be taken to promote regional trade and to faster cross-border co-operation throughout the region.

3.4 Agriculture

In view of the importance of agriculture to the Union and to the associated countries the Commission will prepare a review or options for future agriculture policies a wider Europe.

3.5 Other forms of cooperation

The European Union and the associated countries should also intensify their co-operation in other fields covered in the Europe Agreements, such as culture. The decision to open up Community programmes to the associated countries will also promote co-operation in a wide range of Community policy areas.

3.6 Alignment

In order to promote regional cooperation and convergence and to stimulate trade, the trade provisions of the Europe agreements with Bulgaria and Romania should be brought into line with those of the agreements with the Visegrad countries. This alignment should apply to the timetable for all categories of products and to the specific provisions relating to agriculture.

3.7 Financial Assistance

Phare's emphasis should continue to shift towards support for investment and the private sector and the provision of assistance directly to end-users in beneficiary countries. Phare's Programmes in support of democracy and civil society need to be strengthened in order to consolidate political reform and to strengthen stability. The Commission will shortly propose ways of increasing Phare's efficiency and effectiveness. The EIB and EBRD will also have a role to play and new forms of macro-financial assistance will be required notably to support the implementation of structural reforms.

Conclusion

The Commission invites the Council to approve the strategy outlined in this communication, further details of which will be transmitted shortly, with a view to it endorsement by the Essen European Council in December 1994.

Annex 4

1994 Essen European Council

The following reproduces relevant sections from the Conclusions of the 1994 Copenhagen European Council. It lists all decisions taken at the Summit. The reader should note that the majority of decisions are based on the Commission's paper presented in Annex 3 (CEC 1994b; *see also* CEC 1994c, 1994a).

1. Relations with the countries of Central and Eastern Europe

The European Council confirms the conclusions of the European Councils in Copenhagen and Corfu that the associated States of Central and Eastern Europe can become members of the European Union if they so desire and as soon as they are able to fulfil the necessary conditions.

The European Council has decided to boost and improve the process of further preparing the associated States of Central and Eastern Europe for accession. It is doing so in the knowledge that the institutional conditions for ensuring the proper functioning of the Union must be created at the 1996 Intergovernmental Conference, which for that reason must take place before accession negotiations begin. The European Council has decided on a comprehensive strategy submitted by the Council and the Commission at the request of the European Council in Corfu for preparing these countries for accession to the European Union (see Annex IV).

That strategy is tailored to the needs of the countries with which Europe Agreements were concluded and will be applied to other countries with which such Agreements are concluded in the future.

The European Council requests the Commission and the Council to do everything necessary to ensure that Europe Agreements can be concluded with the Baltic States and Slovenia under the French Presidency, so that these States can be included in the accession preparation strategy.

The strategy adopted by the European Council is being politically implemented by the creation, between the associated States and the Institutions of the European Union, of "structured relations" which encourage mutual trust and will provide a framework for addressing topics of common interest.

The key element in the strategy to narrow the gap is preparation of the associated States for integration into the internal market of the Union.

The European Council requests the Commission to submit a White Paper on this subject in time for its next meeting and to report annually to the General Affairs Council on the progress of implementation of the accession preparation strategy that has been adopted, in particular on the gradual adoption of the internal market rules.

In addition, the European Council requests the Commission to submit as quickly as possible the detailed analysis desired by the Council of the effects of enlargement in the context of the Union's current policies and their future development.

The European Council further calls on the Commission to submit a study of means of developing relations between the EU and the associated countries of Central and Eastern Europe in the agricultural sector during 1995, with a view to future accession.

Preparation for the internal market is to be backed up by a variety of measures designed to promote integration through the development of infrastructure and of cooperation in fields having above all a trans-European dimension (including energy, environment, transport, science and technology, etc.), in the fields of common foreign and security policy and of justice and home affairs. The PHARE programme, appropriately funded within a multiannual financial framework in accordance with the preparatory strategy agreed upon, will provide financial support for the purpose.

Being aware of the role of regional cooperation within the Union, the Heads of State and Government emphasize the importance of similar cooperation between the associated countries for the promotion of economic development and good neighbourly relations. The Council has therefore approved a programme to promote such cooperation. That programme will also contribute to the objectives of the Stability Pact.

It is the European Council's belief that this strategy by the Union and the associated countries will help to prepare for accession and to make the associated countries better able to assume their responsibilities as future Member States.

The European Council regards the narrowing of the gap between the countries of Central and Eastern Europe and the EU and WEU as a contribution to security and stability in Europe. The European Council welcomes the intention of the WEU to initiate deliberations on the new security situation in Europe, including the suggestion that a White Paper on security in Europe should be prepared.

(...)

Annex IV: Report from the Council to the Essen European Council on a strategy to prepare for the accession of the associated CCEE

1 Introduction

The European Council meeting of Copenhagen in June 1993 agreed that the associated countries in Central and Eastern Europe that so desire shall become members of the European Union. Accession will take place as soon as the associated country is able to assume the obligations of membership by satisfying the economic and political conditions required as set out in the conclusions of that meeting. The Union's capacity to absorb new members, while maintaining the momentum of European integration and respecting its internal cohesion and its fundamental principles is also an important consideration in the general interest of both the Union and the candidate countries.

The associated countries have made remarkable progress on the road to political and economic reform. Consistency in this reform course is the key to successful integration into the EU.

The associated countries need to prepare for membership and to strengthen their capacity to assume the responsibilities of a member state. On the European Union side, the institutional conditions for ensuring the proper functioning of the Union must be created at the 1996 Intergovernmental Conference, which for that reason must take place before accession negotiations begin. In addition, the Council wishes to have at its disposal a detailed analysis carried out by the Commission on the impact of enlargement in the context of the current policies of the Union and their development.

The European Council in Corfu asked the Presidency and the Commission to report to it for its next meeting on progress made on the process of alignment since the Copenhagen European Council, and on the strategy to be followed with a view to preparing for accession.

The main instruments of this strategy already exist. They are the structured relations with the institutions of the Union, as decided upon in Copenhagen, and the Europe Agreements. These agreements build a flexible and dynamic framework for various forms of cooperation. As Europe Agreements with additional states are concluded by decision of the Council, those states will be brought into this strategy.

The goal of the strategy presented here is to provide a route plan for the associated countries as they prepare for accession. The essential element of the strategy is their progressive preparation for integration into the internal market of the European Union, through the phased adoption of the Union's internal market acquis. This strategy will be supported by the implementation of policies to promote integration through the development of infra-structure, cooperation in the framework of the trans-European networks, the promotion of intra-regional cooperation, environmental cooperation, as well as the Common Foreign and Security Policy, cooperation in the areas of judicial and home affairs, and in culture, education, and training. This integration will be supported by the Union's PHARE programme which will develop on an indicative basis into an enhanced medium-term financial instrument with improved possibilities to promote infra-structure development and intra-regional cooperation. It is recognised that the Community acquis and Community policies will themselves continue to develop. Politically the strategy will be realised through the development of a structured relationship between the associated countries and the Union. This will promote an atmosphere of mutual confidence and allow for the consideration of issues of common interest in a specially created framework.

This strategy will be realised through the following measures.

2 Structured Relationship

Of central importance to this strategy is the establishment of a „structured relationship“ between the associated partner countries of Central and Eastern Europe and the institutions of the European Union, in order that the associated countries can play a positive role in discussions on matters of common interest. The creation of a multilateral framework for strengthened dialogue and consultations was decided by the Copenhagen Council, which foresaw the holding of meetings between, on the one hand, the Council of the Union and, on the other hand, the associated countries. These decisions are reaffirmed by this strategy.

The structured dialogue covers Community areas, especially those with a trans-European dimension (including energy, environment, transport, science and technology, etc.), Common Foreign and Security Policy as well as Home and judicial affairs. It will be effective in developing practical cooperation between the governments of the Member States and of the associated countries and should also be established at the level of the Parliaments of the participating countries and the European Parliament. Making such cooperation a normal part of the life of governments and parliaments will be an important preparation for accession.

There is agreement to hold - in addition to the meetings of the individual Association Councils agreed upon in the framework of the Europe Agreements - beginning in 1995 in principle the following meetings with the associated partners on matters of common interests:

- **Heads of State and Government:** Annual meeting on the margins of a European Council meeting.
- **Foreign Ministers:** Semi-annual meetings for discussion of the full scope of relations with the associated countries, in particular the status and progress of the integration process.
- **Ministers responsible for internal market development, in particular Finance, Economics, and Agricultural Ministers:** Annual meeting.
- **Transport, telecommunications, research, and environment Ministers:** Annual meeting.
- **Justice and/or Home Affairs:** Semi-annual meetings.
- **Cultural Affairs, Education:** Annual meeting.

In general, the meetings should take place in connection with the corresponding Council meeting. When necessary, additional meetings of the Council with the associated countries can be scheduled.

Every Member State which takes over the Presidency in the first half of a calendar year is invited, in agreement with the following Presidency, to arrange the meetings with the associated countries for that year according to the above schedule and to identify them in its workplan.

Careful preparation of these meetings with the associated countries is extremely important. It will be for COREPER to arrange this, and to ensure the horizontal coherence of the structured dialogue. Regarding preparation for meetings of the General Affairs Council with the Ministers for Foreign Affairs of the associated countries of the Central and Eastern Europe, insofar as they cover the full range of relations between the EU and

the countries of Central and Eastern Europe, or in other special situations to be determined on a case-by-case basis, consideration could be given to holding preparatory talks in the form of joint meetings in Brussels, in particular at ambassadorial level.

3 Preparing to extend the internal market

On accession, the acceding countries will become part of the Internal Market. Therefore preparation for the Internal Market must be at the heart of the pre-accession strategy. It will assist the associated countries to take on the obligations of membership of the Union and to develop their capacity to cope with competitive pressure and market forces within the Union. In the coming years, integration into the Internal Market will involve a complex process of approximation of legislation, norms and standards. The strategy adopted today is therefore designed for the medium term but is accompanied by short term measures which will have immediate application.

Short term measures

(a) Commercial defence instruments

The Commission, without prejudice to the position of the Council, in the exercise of its responsibilities for anti-dumping and safeguard measures and in the framework of the individual Europe Agreements, will offer information to any associated country before the initiation of proceedings and will give, on a case-by-case basis, where appropriate, a clear preference to price undertakings rather than duties in order to conclude anti-dumping cases where injury is found.

(b) Trade in textiles

The EU will improve further access to the Union's market in the area of textiles, by exempting from custom duties products concerned by outward processing operations, covered by Regulation No 636/82, extended and duly modified for this purpose.

(c) Cumulation of rules of origin

The core of the strategy on cumulation will be based on strengthening the effectiveness of the Europe Agreements. The aim is to ensure that existing cumulation provisions can be exploited fully by economic operators. The existing diagonal cumulation with the four associated countries shall be extended to Romania and Bulgaria. The successful implementation of such a system would be dependent on the associated countries all agreeing on one system and on concluding an agreement between themselves. The structure should be flexible and allow the future addition of further countries who become associated countries such as the Baltic States and Slovenia.

Secondly and to the extent possible concurrently, diagonal cumulation should be introduced between the EC/EFTA countries, treated as one territory for the purposes of rules of origin and the associated countries. All EC/CEEC/EFTA countries would then be involved in what could be called European cumulation. Consideration would have to be given to the need to avoid circumvention by means of introducing specific provisions in agreements.

Before the introduction of full cumulation into all Europe agreements as a third stage at the end of the process, whose difficulties should not be underestimated, the Council will take its decision on the basis of a thorough evaluation of the sectoral and regional

consequences on European industry of introducing full cumulation, taking into account the effects of the first two stages. Focusing on harmonization of rules of origin and the extension of cumulation possibilities would strengthen the effectiveness of the Europe Agreements, improve market access for originating products and stimulate economic cooperation throughout Europe.

(d) Alignment Bulgaria/Romania

The timetables relating to duties and tariff quotas in industrial products, textiles, ECSC products and processed and non-processed agricultural products for Bulgaria and Romania will be aligned with those of the other associated countries in accordance with the arrangements agreed by the General Affairs Council on 31 October.

(e) Adjustment of the Association Agreements

The Association Agreements will be adapted in the light of enlargement of the Union at the beginning of 1995 in order not to disrupt traditional trade flows, and of the conclusion of the Uruguay Round, and to further develop trade.

Medium Term Measures

Internal Market

In order to be ready to participate in the Internal Market on accession, the associated countries will need to align their legislation with that of the Union. To assist this process, the Commission, after consultations with the associated countries, will present to the Council a White Paper on the Internal Market outlining the measures which the associated countries will need to adopt.

The White Paper will identify the relevant *acquis* in the various sectors which will contribute to the creation of the conditions for establishing a single market.

The major tasks fall to the associated countries, which will have to put into place legislative and regulatory systems, standards and certification methods compatible with those of the EU.

The EU undertakes to assist the associated countries in their task. The White Paper will propose concrete methods of cooperation, making maximum use of the Association Agreements. To this end the Commission will make the necessary organizational arrangements for providing the specialized technical assistance needed, to associate Member States with such efforts wherever possible and to ensure coordination.

The efforts will require resources as well as technical and legal assistance, much of which will be channelled through the PHARE-programme.

This White Paper will be an important guide to our partners in their preparation for accession and will be considered by the next meeting of the European Council in June 1995.

Competition and State aids policy

In the context of future accession, satisfactory implementation of competition policy and state aids control in the associated countries is of special importance. Work in this area is well advanced in most of the associated countries in terms of the adoption of competition policy legislation and the setting up of competition offices.

In the area of state aids, the Commission will assist the associated countries to draw up and thereafter update an inventory of their state aids, established on the same basis as in

the Union. The Commission is requested to make an annual report to the Council on these inventories. In addition to the types of aid allowed in the Union, the Commission can also provide guidance on the compatibility of aid designed to combat the specific problems of the associated countries as they undergo reform. The Commission will set up a competition policy training programme which will draw on the expertise and experience of Commission and Member State competition authorities.

Each associated country could empower a single authority to monitor and control all state aids. The aim is to ensure that the authority given the task of monitoring State aids carries out its tasks independently, on the basis of transparent legislation, and as uniformly as possible.

As satisfactory implementation of competition policy and control of state aids together with the application of those parts of Community law linked to the internal market are achieved, providing a guarantee against unfair competition comparable to that existing inside the internal market, so the Union should be ready to consider refraining from using commercial defence instruments for industrial products.

4 Agriculture

The agricultural sector and the related food-processing industry in the associated countries contribute significantly to the economic development of these countries. Therefore the Commission will examine the effects on agriculture in these countries of all subsidised exports. The Commission will conduct this examination in the light of the respective price levels in the EU and in the associated countries and will take account of these differences in fixing refunds. The Council takes note of the Commission's proposal to adjust the Association Agreements in the light inter alia of the results of the Uruguay Round and the enlargement of the Union. In order to bridge the possible gap after the accession on 1 January 1995 and the formal adaptation of the association agreements, autonomous measures should be taken only on a purely technical basis in order not to disrupt traditional trade flows.

Furthermore the Commission is requested to present a report on the reasons why only a few tariff quotas opened by the Union are fully utilised and to indicate during the first half of 1995 by what means the use of existing quotas could be improved.

As agriculture represents a key element of this strategy, the Commission is asked to present in the second half of 1995 a study on alternative strategies for the development of relations in the field of agriculture between the EU and the associated countries with a view to a future accession of these countries.

5 Promoting Investment

Rapid growth in the associated countries and continuing structural reform in these countries are essential elements for the eventual success of the process of economic transformation in the associated countries. While increasing savings will finance domestic investment, foreign investment is also needed in larger volumes. Therefore the European Union has adopted a programme to stimulate investment from the Union, while recognising that still the greatest effort has to come from the associated countries themselves.

In accordance with arrangements agreed by the General Affairs Council on 31 October, this programme will include continuing support for investment promotion agencies, the

establishment of an Advisory Business Council as well as continuing support through PHARE for initiatives such as restructuring and modernisation of productive capacity and small business development and for helping financing infrastructural investment.

6 Common Foreign and Security Policy

The structured relationship covering Common Foreign and Security Policy is especially important as a means for overcoming the widespread sense of insecurity in Central and Eastern Europe. It can reinforce efforts in the framework of the Western European Union, NATO and the partnership for peace, the Conference on Security and Cooperation in Europe and the stability pact, to increase security and stability throughout Europe. The Union and the associated countries have a common interest in preventing conflicts related to issues such as borders and frontiers, and should consult frequently on foreign and security policy issues of mutual concern.

Achievements in this field of cooperation have been considerable. The multilateral political dialogue with the associated countries is being intensified starting with the Conclusions of the Copenhagen European Council June 1993 and aiming now at acquainting the associated countries with procedures used within the EU and at the same time giving them an opportunity to be associated with Union actions.

The General Affairs Council in its 7 March 1994 meeting decided not only to further reinforce and broaden the dialogue at all levels - but also to open the possibility for the associated countries to align themselves with certain CFSP activities of the Union: statements, demarches and joint actions. Practical guidelines on implementation of this were drawn up in consultation with the associated countries in October 1994.

This process can be built upon, and cooperation made more focused and substantive, by identifying priority themes at the beginning of each Presidency.

7 Justice and Home Affairs

The "Berlin Declaration" agreed by the Ministers for Justice and Home Affairs participating in the Berlin Conference of 8 September 1994 emphasizes that, in view of the prospect of accession of the associated countries to the EU, cooperation in combating all forms of organized crime takes on particular significance. Along the lines of the "Berlin Declaration", the EU envisages cooperation with the associated countries, *inter alia*, in the following areas:

- illicit drug trade
- theft of and illegal trade in radioactive and nuclear material
- illegal immigration networks
- illegal transfer of motor vehicles.

The EU will identify those areas where cooperation with the associated countries is especially urgent or especially promising, either from their standpoint or that of the Union. A comprehensive package of measures with proposals for how cooperation in the individual areas named in the Berlin Declaration should proceed, should be submitted to the European Council under the French Presidency. Cooperation in the areas of asylum and immigration should also be taken forward, in particular by establishing links between

the associated countries and CIREA and CIREFI (the asylum and immigration "clearing houses").

8 Environment

Environmental issues are of vital importance to both the associated countries and the European Union. Many of these problems can only be solved at the continental level and therefore close cooperation is necessary.

To this end the EU underlines the importance of attaining the objectives set out at the meeting of the Council (Environment) with the Environment Ministers of the associated countries on 5 October 1994 in Luxembourg.

The EU underlines the importance of the "Environment for Europe" process and will cooperate closely in preparing the Sofia conference in 1995. An intensive exchange of information on environmental policy, strategies for sustainable development, the incorporation of environmental requirements into other policies, legislation at European Union and national level and initiatives taken in other international fora should be established within an appropriate framework. Priorities for a programme aiming at the convergence of environmental policies and the approximation of environmental legislation of the associated countries should be evaluated.

Close cooperation by the associated countries with the European Environment Agency in accordance with Article 19 of its regulation and in the future joining the agency will help to achieve the objectives set out in Luxembourg.

It is of special importance to ratify and implement the UN Framework Convention on Climate Change as rapidly as possible in particular with the aim of stabilizing, limiting, or reducing CO₂ emissions in accordance with the provisions of the Convention, and to cooperate closely in order to pave the way for a possible extension of the commitments under the Convention at the first Conference of the Parties to the Convention in Berlin in 1995.

Furthermore the EU underlines the need to integrate environmental requirements into national and European transport policies in the light of the recommendations and goals set out by the Luxembourg October 5 ministerial meeting. The EU agrees to cooperate closely in the context of the preparations under way for the 1996 UN ECE Conference on transport and environment, with a view to a positive outcome to the conference in terms of the conclusions reached in the October 5 ministerial meeting.

Assistance from the PHARE programme can be provided in order to help meet the objectives established jointly between the European Union and its partners. The European Union will encourage other donors and the International Financial Institutions to provide their support for this programme and to improve their cooperation in order to achieve synergy effects.

9 Transport/TEN

The integration of the associated countries into the Trans-European Networks is a key element in strengthening their economic and political ties to the Union. In light of this, the group of personal representatives of the heads of state and government in the areas of transport and energy has addressed the question of the expansion of the TEN to neighbouring states, taking into account the relevant guidelines for the community area

and the priorities of the neighbouring states. Their recommendation to intensify coordination procedures is an important step toward establishing the Trans-European Networks beyond the Union.

The group recommended further work on the following projects:

- Berlin-Warsaw-Minsk-Moscow (rail and road)
- Dresden-Prague (rail and road)
- Nuremberg-Prague (road)
- permanent connection over the Danube between Bulgaria and Romania (rail and road)
- Helsinki-St Petersburg-Moscow (rail and road)
- Trieste-Ljubljana-Budapest-Lvov-Kiev (rail and road)
- Russia-Belarus-Poland-EU (natural gas pipeline).
- Baltic sea telematic platform and Baltic ring electricity network.

The Commission and the Member States will, in accordance with the conclusions of the group, continue to examine intensively which corridors and projects shall be given priority and how they can be completed. For this the available financial instruments are to be used in the most efficient way possible. This applies to European Investment Bank loans, the PHARE programme and cross-border cooperation in connection with the INTERREG II Community initiative.

Particular attention should be given to the special TEN window announced by the EIB, which is also relevant for projects in the associated countries. Plans in the areas of transport, telecommunication and energy, as well as trans-European plans in the environmental area, would come under this facility.

10 Culture, Education and Training

10.1 General

The fundamental goal of not only expanding cooperation with the associated countries economically and politically but developing it also in the areas of education, youth and cultural affairs, is supported by the Member States of the Community, the European Parliament, and the Commission. While adequate contributions by the Community are called for, it is for the Member States to decide to pursue the deepening of their relationship with the associated countries in accordance with their goals and perceptions of the possibilities for doing so. All activities must take under full consideration the linguistic and cultural diversity of the Union.

10.2 Culture

The Commission has been requested to identify all current and planned programmes of the Community and its Member States as well as international organisations with the associated countries in the area of cultural affairs with a view to creating greater transparency and coordination.

The new cultural programmes presented by the Commission and still under discussion could be opened for third countries, and appropriate participation by the associated countries should be possible in accordance with the Council Decision of 27 July 1994.

The Europe Agreements as well as bilateral agreements are setting out a wide range of possibilities to intensify cultural cooperation including inter alia: conservation of cultural and architectural heritage, training, translation of literary works, exchange of non commercial works of art, film production and cooperation in the audiovisual sector, and cooperation to prevent illegal trading of cultural goods.

10.3 Education

The Community programmes Leonardo and Socrates and the Youth for Europe Programme should be opened, to the associated countries on the basis of the Council decision of 27 July 1994. Equally important is the TEMPUS programme to support the restructuring of higher education, and vocational training.

European academic institutions should draw the associated countries step by step into their work, and increasing cooperation with Europe-focused institutions in the associated countries should be considered. Bilateral cooperation in areas concerned - for example the structural reform of vocational training and the development of new qualifications required by the reform of the economic system - is of special importance. Furthermore bilateral efforts to promote the exchange of university students and professors and the joint development of curricula could be intensified as well as the creation of school partnerships and the promotion of European language learning.

10.4 Training of Administrators

The training activities of the Commission as well as significant national efforts to provide diplomats and other government officials from the associated countries with the necessary political, legal and related training in European affairs should be strengthened and expanded.

10.5 Information

There is a need among Member States of the EU and the associated countries to have a better knowledge of each others' societies. Therefore expansion and deepening of information efforts are necessary, as of course are full respect of free broadcasting, freedom of the press and free circulation of ideas.

11 Financial cooperation

The main role of EU financial assistance under the PHARE programme will be to:

- help the associated countries to absorb the "acquis communautaire";
- complete market reforms and the medium-term restructuring of their economies and societies so as to create the conditions required for future membership.
- PHARE needs to be endowed appropriately, taking into account the restructuring of priorities foreseen in this strategy. Flexible and indicative multi-annual planning will be introduced both in general and country by country. The focus will be on a comprehensive framework for the next five years. The Edinburgh financial perspectives, including the planned rates of increase and the increases resulting from EU expansion, will continue to apply for the PHARE programme. The 1995 budgetary estimates for the PHARE programme will serve as minimum level also for the next years until 1999. The Council will review the rates of increase which it views in principle as desirable - after the Essen European Council. This will increase the effectiveness of the PHARE programme to assist the integration process leading to accession taking account of the views of the associated countries. The PHARE

programme will support measures to promote the approximation of laws and standards as well as the economic reform process and the development of adequate infrastructure. In order to assist infrastructure development, the European Union will increase the 15% limit on PHARE financing agreed at Copenhagen to 25%.

The EIB is invited to develop its lending operations within its present guaranteed loans ceiling, especially in the area of infrastructure investment, as a contribution to the preparation of accession. It should, wherever feasible, explore the possibilities of a close cooperation with PHARE and the international financial institutions.

12 Intra-regional cooperation and promotion of "bon voisinage"

For the success of this strategy, intra-regional cooperation between the associated countries themselves and their immediate neighbours is of particular importance. The Pact for Stability emphasizes these aspects from the political and security angles and many practical examples of cooperation between neighbouring countries are funded with the PHARE programme. Such cooperation is also important for promoting regional economic development.

The EU encourages the associated countries to expand the bilateral free trade relationship they each have with the Union to their relations with one another. In this context moves to create a Central European Free Trade Area point in the right direction. To further promote intra-regional cooperation which will contribute to the realisation of the Pact for Stability, the EU will:

- launch a new initiative to promote trade in the region. This will include support for the introduction of modern trade legislation where necessary, transfer of European Union know-how in export promotion and marketing, support for spreading European Union norms and technical assistance for the development of export insurance and guarantee schemes;
- establish a programme of regional cooperation and "bon voisinage", in accordance with the arrangements agreed by the General Affairs Council on 31 October, to promote multi-annual, multi-country cooperation in land and maritime border regions encompassing European Union-CEEC, CEEC-CEEC and CEEC-CIS countries in areas such as transport, utilities, environment, economic development, human resources and agriculture. It will be used to cofinance actions with InterReg along EU-CEEC borders. In the allocations between the eligible countries due account will be taken of the need not to reduce the efforts already envisaged for regions bordering the present Community. In appropriate circumstances, grants from this fund can be combined, in a coherent and effective way, with funds from EIB, EBRD and the World Bank to provide substantial, coordinated and rapid disbursing support for projects related to regional cooperation and "bon voisinage". The Council invites the Commission to present a report on this issue in due time before the Pact of Stability meeting;
- develop a programme to eliminate delays at frontiers. The European Union, in deciding this strategy, reemphasizes the commitment of the Union to the accession of the associated countries while recognizing the scale of the effort required for the necessary adjustments to developing Union policies. This strategy is designed to help them meet this challenge of implementing the route plan to accession.

Annex 5

Agenda 2000, Volume II: Reinforcing the pre-accession strategy

The following reproduces relevant sections from Agenda 2000 – Volume II: Reinforcing the pre-accession strategy” published mid-July 1997. It excludes, however, the impact study for reasons of space (CEC 1997b). The twinning initiative was also mentioned in *Volume I of Agenda 2000* which stated the following:

30% of Phare’s resources could be used to finance exchanges and the long-term detachment of experts from the member states to the applicant countries in the framework of twinning programmes. This training of specialists in the application of the Community acquis should be accompanied by measures to ensure that the staff trained remain in the public service for a number of years (CEC 1997a: 61).

Part two (The Challenge of Enlargement) of this document is equally relevant to the reform of the enlargement strategy.

REINFORCING THE PRE-ACCESSION STRATEGY

The pre-accession strategy, as defined by the Essen European Council, is founded on three elements: the Europe Agreements, the structured dialogue and PHARE.

At the request of the Dublin European Council, the Commission is proposing reinforcing the pre-accession strategy for Central and East European applicant countries. The strategy, which is applied to all applicant countries, will make it possible to offer them practical support, irrespective of their current state of preparation or the date of the launch of negotiations, in introducing the reforms entailed by accession according to the priorities identified in the opinions.

This reinforced pre-accession strategy comprises two new features which will guarantee a higher degree of consistency between the preparations for accession and the negotiation itself:

- bringing together within a single framework (the Accession Partnerships), which nevertheless takes account of the requirements of each applicant country, all the resources and forms of assistance available for facilitating the adoption of the Community *acquis* and disciplines;
- extending the participation of applicant countries to Community programmes and mechanisms to apply the *acquis*.

1 Objectives

The general objective of the reinforced pre-accession strategy is to offer a coherent programme to prepare the Central and Eastern European applicant countries for accession to the European Union.

It is directed at all applicant countries, whatever their specific situation and projected date of accession. It constitutes for each an expression of support on the part of the Union for their desire to become Member States and, at the same time, practical preparation for their future responsibilities within the Union.

This strategy is aimed at solving the main problems identified by the Commission in each opinion on the accession applications. Some are common to the majority of applicant countries, while others are specific, resulting from the different situations prevailing in each country.

Where resources are concerned, all the instruments and forms of assistance which the Union and its Member States can make available to the applicant countries must be mobilized in order to help solve the most pressing problems confronting them with a view to accession. The countries currently least ready to comply with Community constraints must be given particular encouragement to step up their preparations.

2 Method

To be effective, the pre-accession strategy must concentrate its efforts on the priorities for accession. The scope of certain problems will make it necessary, from 1998, to establish intermediate objectives with precise conditions attached.

2.1 Focusing on enlargement priorities

Adoption of the Community *acquis* forms the basis of any accession, and the pre-accession strategy will contribute towards solving the main problems identified in the opinions. In addition to those questions which are specific to each applicant, the analyses carried out at this stage have revealed two types of horizontal requirements:

Reinforcing the institutional and administrative capacity of the applicant countries ("institution-building")

As emphasized by the Madrid European Council, the applicant countries' institutional and administrative capacity to implement the *acquis* is a key problem in the enlargement preparations. They must be helped to set up institutions and administrations capable of establishing and effectively implementing Community legislation.

Efforts will focus on training specialists in the following fields in particular: law, customs, public accounts, budgetary control, environment, telecommunications, veterinary and phytosanitary inspections, technical controls, statistics, energy, etc. Applicants should also be helped to develop their own capacity for dealing with justice and home affairs: combating illegal immigration, drug-trafficking, international crime, etc. In addition, the Union must establish close cooperation in the nuclear-energy field with the countries concerned and their safety authorities in order to assist them in introducing appropriate safety standards as soon as possible.

Programmes for the long-term secondment to applicant countries of experts from the administrations of the Member States must be drawn up for each applicant in the light of the needs identified, particularly in the opinions.

Bringing enterprises into line with Community standards

Adoption of the Community *acquis* implies the imposition by applicant countries, as swiftly as possible, of Community standards on enterprises and large industrial plants. This is primarily the case in such areas as the environment, working conditions, transport, nuclear safety, energy, and marketing of food products and the control of production processes, sound commercial practices, and large industrial plants. Investment aimed at adapting to Community standards is the only alternative to long transition periods or exemptions. As requested by the Copenhagen European Council, it will help reinforce the competitiveness of the applicant countries' economies and their ability to cope with the competitive pressure and market forces to which they will be subjected within the Union.

In this connection, the pre-accession strategy will have to encourage the development of transport infrastructures, particularly TENs, which are essential to the smooth operation of the internal market and common policies.

Particular attention will be paid to the creation of SMEs and to industrial restructuring efforts.

2.2 Setting intermediate objectives

From 1998, reinforcement of the pre-accession strategy will be accompanied by a move to make the granting of European Union assistance, particularly financial assistance, to the applicant countries conditional upon their implementing the programmes aimed at preparing them to meet their obligations as future Member States. This will be done on the basis of existing commitments or objectives to be defined with the applicant countries in the context of the Accession Partnerships. The conditional aspects could cover compliance with democratic principles and practices, fulfilment of commitments entered into under the Europe Agreements, implementation of the main provisions of the White Paper, sensitive issues identified in the opinions, progress in implementing the PHARE programme and first steps towards implementing the future economic-convergence programmes.

The opinions have highlighted the extent of the efforts which have still to be made in certain areas, country by country, in order to satisfy the Copenhagen criteria. This situation will require the definition of intermediate stages in terms of priorities, each to be accompanied by precise objectives to be set in collaboration with the countries concerned, the achievement of which will condition the degree of assistance granted and the progress of the negotiations under way with some countries and the opening of new negotiations with the others.

The Commission will report periodically to the Council on the progress achieved by the applicant countries in the programme for adopting the *acquis*, particularly through the Accession Partnerships, with a view to fulfilling the Copenhagen criteria.

3 Financial Resources

Assessments of the cost of the applicant countries' adoption of the whole of the Community *acquis* (i.e. application of Community rules and standards and of all the measures implementing common policies) show that it will be very considerable everywhere. As budgetary resources will be very limited compared with these needs, the solution is not to promise new budgetary appropriations but to organize the Union's response in a more coordinated manner by combining and interlinking the forms of assistance and instruments available.

In other words, the most effective possible use must be made of all the Community procedures and forms of aid which exist or will be created by attempting to establish maximum synergy with other potential contributors: Member States, the EIB and international financial institutions. Private funding will increasingly have to be included in this mobilization of financial resources in support of the applicant countries.

3.1 The PHARE programme

The new PHARE programme is, and will remain, the main instrument. On the basis of the new guidelines already adopted by the Commission, PHARE's prime objective is to prepare the applicant countries for accession by focusing the assistance it provides on the two key priorities involved in the adoption of the Community *acquis*: institution building and the financing of investment projects, which will account for 30% and 70% respectively of its budget for the applicant countries. With financial resources which will grow until the end of 1999 under the current financial perspective - and which should increase after the year 2000 - PHARE's effectiveness will be strengthened by reformed administrative methods:

- concentration of projects on the *acquis* implementation priorities programmed by the Accession Partnerships;
- improved budgetary implementation;
- a radical increase in the size of projects;
- continued decentralization of management in favour of the recipient countries.

3.2 Pre-accession aid for agriculture

This aid, amounting to some ECU 500 million per year, will be granted from the year 2000. It should be provided in priority areas, such as the improvement of conversion structures, marketing channels, and food quality control. These measures will be implemented on the basis of national programmes. They should also ensure funding for specific integrated development projects designed to provide support for local initiatives, such as those covering local economic diversification, the supply of basic services and the improvement of local infrastructures.

This assistance will be coordinated, within the framework of the Accession Partnerships, with the measures financed by PHARE.

3.3 Structural assistance at regional level

This assistance will be provided at two levels:

1. In view of the current tendency for regional disparities to increase in each of the applicant countries, the prime task must be to familiarize them as soon as possible with the objectives and procedures of the Structural Funds. This is the best way of ensuring that these countries will be able, at the appropriate time, to apply the rules of the Structural Funds and to utilize the initial payments from those Funds.

PHARE will begin preparations to that end in 1998 on the following bases:

- the establishment of development strategies and priorities on the basis of the problems identified at regional level;
- administrative cooperation on the modernization of the administrative and budgetary procedures which will be used subsequently under the Structural Fund joint-financing arrangements. The Commission and Member States will have to work together to acquaint the competent authorities with the Union's structural policies;
- joint financing of projects in the transnational cooperation sphere. These projects would be selected for their "model" value and would help the applicant countries to familiarize themselves with the principles underlying the Structural Funds.

2. The other aspect concerns the beginning of direct funding by the Structural Funds of measures in the applicant countries, by way of pre-accession aid, from the year 2000. This assistance, to be granted at a constant rate of ECU 1 billion per year, would initially be granted to all the applicant countries and would subsequently be focused on countries joining the Union at a later stage. It would be primarily intended to help bring the applicant countries' infrastructures up to Community standards, particularly in the transport and environment fields, along the lines of existing Structural Fund operations. It would also enable the countries concerned to become familiar with the ways in which structural operations work.

This structural assistance will have to lead to the gradual establishment of a system, based on principles akin to those of cohesion policy, that will ensure step by step, particularly through its alignment on the principles and procedures in force (complementarity, concentration of effort, programming, etc.), that the applicant countries are soon applying the Community's rules on financial management (public procurement, financial control, assessment, etc.).

In funding regional structural measures, the PHARE programme will adopt the operational methods of the Structural Funds.

3.4 Complementarity of assistance

The maximum multiplier effect will have to be achieved for each Community aid measure.

Firstly, in accordance with the principle of complementarity, joint financing will have to be systematically required of the applicant countries in keeping with the prevailing rules of the Structural Funds.

Secondly, active steps will have to be taken whenever possible to secure external funding, particularly for the joint financing of investment linked to the *acquis* (loans from the EIB, the EBRD and the World Bank), including private sector funding, in sectors likely to generate profits, such as telecommunications, the TENs, etc. Framework agreements on the provision of funding connected with observance of Community standards will be concluded by the Commission with these institutions. PHARE will have to act as a catalyst for public and private international loans by providing grants.

Finally, in the **nuclear safety** sphere, this coordination between the various lenders will have to apply to all the operations (assistance, modernization, closure) which will be carried out to improve safety standards. The Union will contribute to this through PHARE and EURATOM lending and by ensuring that the timetables already laid down in the Nuclear Safety Account Agreements are observed.

All of these resources can be mobilized in pursuit of the objectives of the pre-accession strategy, for the most part from 1998, through improved interlinking, particularly through the Accession Partnerships and within the framework of the administrative responsibilities already devolved to the Commission. It will be necessary, however, for the European Council, as it did at its meeting in Essen, to increase the resources available to PHARE for funding investment projects linked to the adoption of the Community *acquis*.

4 Legal instruments

During the period required to make it possible to complete the accession process with all the applicant countries successfully, it will be necessary to have an improved framework for relations between the Union and each applicant country in order to clarify the accession preparation programme and implement it with each one.

Putting the framework in place means, in addition to the new instrument of the Accession Partnership, better use of existing procedures, especially the Europe Agreements, and increased participation by the applicant countries in Community programmes and in the machinery for dealing with the *acquis*.

4.1 The Accession Partnership

The Accession Partnership will be a key feature of the reinforced strategy and will mobilise all forms of assistance to the applicant countries within a single framework for the implementation of national programmes to prepare them for membership of the European Union.

Accession Partnerships would involve:

- **precise commitments on the part of the applicant country, relating in particular to democracy, macro-economic stabilisation, nuclear safety and a national programme for adopting the Community *acquis* within a precise timetable, focusing on the priority areas identified in each opinion;**
- **mobilisation of all the resources available to the Community for preparing the applicant countries for accession. This initially means PHARE but also any new forms of assistance that the Community could provide in the context of future financial perspectives (agricultural aid, Euratom loans and balance-of-payments loans; see above).**

A programme for adopting the Community *acquis* would be worked out by the Commission in partnership with each applicant country. The priorities set should initially correspond to the sectors identified as deficient in the opinions. Work towards the objectives would be covered by an indicative timetable. The granting of assistance - on the basis of annual financing agreements - will be conditional on achieving these objectives and on progress made. Implementation of the programme would thus depend on strict "accession conditionality" based on suitable evaluation machinery and on ongoing dialogue with the Commission.

The Commission will report regularly to the European Council on progress made. It will submit its first report at the end of 1998 and will continue to report regularly thereafter. These reports will enable assessments to be made of the progress achieved by those applicant countries with which negotiations have not been opened. If one or more applicant countries are found to have met the required conditions, the Commission will recommend the Council to open negotiations with the country or countries in question.

The Accession Partnership and the project financing agreement, as the Commission explained in connection with the PHARE reform, will replace the various programming documents it adopts after consulting the Management Committee (Country Operational Programme (COP), Sectoral Operational Programme (SOP), Strategy Papers (SP), etc.).

The Accession Partnership, which will include multi-annual programming, will take the form of a Commission decision to be taken after consulting the applicant country. The annual financing agreement for implementing the projects provided for by the Accession Partnership will be concluded with the applicant country on the basis of a Commission decision, following opinions from the competent management committees.

Preparation of the Accession Partnerships will start in the second half of 1997.

4.2 Europe Agreements

The Europe Agreements introduced bilateral cooperation with the Union, which will lead to advanced integration in a large number of fields (trade agreements, competition, approximation of laws, standardization, etc.). The bodies set up under these agreements (councils, association committees and subcommittees, Parliamentary committees) are the preferred bodies for consulting the applicant countries.

The work carried out under the Agreements will help to implement the reinforced pre-accession strategy through the cooperation achieved in particular in the association subcommittees for monitoring progress on the approximation of laws and the exchange of information on the evolution of the *acquis*.

Since the Agreements cover most of the fields associated with the *acquis*, they will be used to help the applicant countries establish their national programme for adopting the *acquis*.

4.3 Participation in Community programmes and machinery for applying the *acquis*

As the applicant countries start irreversibly to adopt the Community *acquis*, it will be necessary to increase the assistance provided by the Union with regard to the approximation of laws. It is also logical, without waiting for the accession date, to involve the applicant countries in Community programmes and the machinery for applying the *acquis* as soon as they have transposed the latter, sector by sector.

- (a) Intensification of assistance for the approximation of laws means reinforcing and extending the brief given to TAIEX (Technical Assistance Information Exchange Office), which was set up under the White Paper on preparation of the associated countries of Central and Eastern Europe for integration into the internal market of the Union. Under the pre-accession strategy, TAIEX should provide information on the entire Community *acquis* (in particular on the environment and transport) and should also broaden the scope of its activities in the applicant countries, not only as regards governments but also firms, in order to prepare them for the disciplines of the single market.

(b) The progressive opening-up to the CEECs of a broad range of Community programmes will be one of the intermediate objectives of accession.

- The participation of the applicant countries in Community programmes, as provided for by the Europe Agreements, does not raise problems of principle, and the legal procedures for this purpose have been begun. As these programmes encompass most Community policies (education, training, research, culture, environment, SMEs, single market, etc.), they will provide a useful preparation for accession by familiarising the associated countries and their citizens with the Union's policies and working methods.
- The problem is to make such participation effective for all programmes. Depending on the budget capacity of each country, the PHARE programme should be allowed to part-finance the participation of the applicant countries in the programmes to an extent greater than the 10% limit set on its assistance by the Essen European Council.

(c) Participation in certain machinery for administrative cooperation and application of the Community *acquis*.

- The progressive integration of the CEECs in the different programmes, and in particular in those concerned with administrative cooperation and application of the Community *acquis*, will enable them to obtain accurate information about Community law, will let them benefit from the experience of the Member States and will start a process of increasing confidence between administrations. The aim is not to give decision-making power to countries which are not yet members of the Union, but primarily to familiarize them with Community procedures.
- Active participation in certain Community agencies or bodies will also make it possible to prepare better for adoption of the *acquis*. More frequent contacts within these bodies will thus make it possible to resolve certain problems, at a strictly technical level. A special effort will be made to associate the applicants with Community agencies, such as the Medicines Evaluation and Environment Agencies, the European Patent Office and the European Training Foundation.

The next enlargement, unlike the previous ones, is forcing the European Union to link, in an overall approach as provided by the reinforced pre-accession strategy, the instruments granting aid to all the applicant countries and the conduct of the negotiations, irrespective of the date when each applicant country will be involved, so as to give cohesion to the entire exercise. Such a reinforced pre-accession strategy, if carried out well, will give all parties a guarantee of a well-prepared accession and will facilitate the solution of the problems raised by enlargement by avoiding systematic recourse to long transition periods, which could jeopardize the Community *acquis* and the cohesion of the Union.

Annex 6

Phare Interim Evaluation

The following reproduces relevant sections from the Phare Interim Evaluation published in June 1997. These include the conclusions of the report regarding the overall strengths and weaknesses of the Phare programme. It also lists the conclusions concerning the operational management and the sectors of the programme as well as Lessons for an accession-reoriented Phare.

Overall strengths

- Phare's objectives and activities are perceived as having delivered very relevant support to the transition process in CEE. Above all, the Programme has adapted to the changing phases of transition, and has provided the right type of inputs (technical assistance, know-how) at the right moment.
- The Phare Programme has developed into the single largest source of donor financing for know-how transfer to the CECs, a critical factor that was - and still is in many fields - in short supply in the partner countries and has turned out to be of decisive importance for the transition process. Without such large-scale technical assistance inputs, many of the economic reform and stabilisation programmes supported by the IFIs would not have been implemented on such favourable terms and on such a scale.
- The Phare Programme made a particular contribution in areas in which other donors did not devote much interest or resources: the development of democracy and civil society programmes, the development of national statistical services and customs offices, cross-border and multi-country programmes which provided one of the few forums for CEC officials to interact and network at the technical level.

- The Phare Programme has developed an approach to programming which has sufficient flexibility to allow it to respond to changing political and economic circumstances. Such flexibility has allowed Phare to respond to changing objectives and priorities as the transition process unfurled, starting with critical aid and procurement in the early years, progressing to institutional reform when the political momentum for fundamental reforms increased, and gradually increasing the infrastructure component when the need for more investments became apparent. Since 1995, following the Copenhagen and Essen Council summits, a progressive reorientation of Phare as a financial instrument in support of accession of the CECs to the EU has been taking shape. The demand-driven approach has allowed Phare to respond to country-specific situations and differences in emphasis and pace of reform.
- A perception that has been conveyed in interviews and discussions is that the contribution of the Phare Programme cannot be measured only by its financial yardstick and the impact of the designed programmes. Phare programmes also introduced new processes and new thinking, and had demonstration effects that are not necessarily captured in evaluation reports and are difficult to quantify. The introduction of transparency in operations such as tendering, the direct exposure to new ideas, the demonstration impact of technical assistance and of visits in the EU have all made a major contribution to changes in attitudes and mentality and have underpinned the process of transition.

Overall weaknesses

- In general, the demand-driven approach is also responsible for several Phare weaknesses. With weakly and broadly defined priorities and criteria for selection of programmes, it has tended to dilute Phare country resources over a variety of topics, sometimes lacking critical mass to induce substantive changes. Within sectors targeted in the country programmes, a lack of prior sector analysis and strategic vision has sometimes resulted in a 'shopping list' approach, though the introduction of MIPs from 1995 onwards has somewhat mitigated this situation. The fragmentation of the Phare Programme has also adversely affected the public perception in the CECs of the impact of EU assistance to reform. The switch to an accession-driven approach should allow clearer definition of priorities and also contribute to a tightening up of programming.
- The decentralised implementation approach has resulted in a tendency for the Commission to contract out expertise in the transition process and retain in-house expertise in financial and administrative procedures, thereby losing grip on the substance and impact of the programmes. Internal human resource constraints, high staff turnover with concomitant poor institutional memory and little accumulation of experience, have all exacerbated this tendency. In a limited number of cases, this may have led to 'contractor-driven' programmes.
- Political and budgetary spending pressures have favoured a strong emphasis on financial and procedural control in Phare rather than substantive design and performance. The patchy coverage of the existing stock of Phare evaluation reports, on which the present report is based, is an indicator of the lack of emphasis on performance.
- Rapidly changing and unstable economic and political environments on the partners' side have not been conducive to a strong commitment to effectiveness and impact, even in cases where the expected programme outputs were indeed produced. The typical outputs of technical assistance programmes - training and advisory services - can easily be sidetracked into ineffectiveness. The lack of commitment devices in

Phare programmes themselves, through financial, political and other forms of conditionality, weakened the partners' commitment to good programme performance. Furthermore, contracts based on inputs and activities specifications rather than on outputs and effective results, combined with poorly defined and non-measurable performance indicators, weakened contractor commitment to performance.

- The recent use of the Logical Framework approach has in most cases improved the formulation of programmes, introduced considerations of risks and the use of indicators of achievement. However, most programmes are still formulated in very general terms. Although this approach speeds up the start of a programme, it delegates great responsibility to the contractor and postpones critical issues to the implementation stage, with the risk of inducing major delays while programmes are reformulated.

General operational conclusions

- Phare has been primarily a technical assistance programme emphasising the transfer of skills and know-how. Its main vehicle, technical assistance, has been more effective and has had a significant and sustainable impact where it reinforced existing government strategies and where political commitment to reform and continuity of high-level officials existed. The impact of technical assistance on local attitudes and culture was greatest where it was offered on a long-term basis and especially in twinning arrangements.
- The initial concerns of the Phare Programme were to assist in institution-building, introduce new working and networking arrangements especially at the local level, provide resources (financial and other) to enhance private sector development and enterprise restructuring, and develop skills through training. Explicit considerations of cost-effectiveness in achieving results did not enter into the picture. There is therefore a need to analyse the cost-effectiveness of options to reach specific results.
- The completion of a Phare programme on time has been the exception, not the rule. Where programme implementation was delayed, it was not uncommon for contract extension to be sought. The record of actual programme implementation since 1990 shows that it takes two to five years to complete implementation, irrespective of the sector. It is unrealistic to maintain a standard period of three years for all programme implementation, and there is a need to use a realistic time frame.
- Considerations of financial and other sustainability factors are usually brought forward during programme implementation, rather than at the outset. There is a need to analyse recurrent cost implications of proposals. Where new institutions and programmes are implemented by government agencies, the net fiscal burden of these must be calculated. In all cases, analyses and proposals are required on how to meet these costs after the end of the Phare programme, in order to increase effectiveness and sustainability. Clear exit strategies should be designed at programme identification stage.
- Training has been a very important dimension in almost all Phare programmes, across all sectors. Given the gaps that existed between the available skills and the requirements for new skills, it has been safe to assume that the training provided in the early stages of the Phare Programme was justified. But, as skills requirements become more sophisticated, it is necessary to introduce systematic training needs assessments, so that training programmes respond to the respective needs of the markets. Additional considerations include the introduction of follow-up studies and feedback mechanisms to find out if and how the trainees use their newly acquired

skills and knowledge in their work; developing a competitive environment for the provision of training through the development of training providers; and increasing the training capacities of public institutions not only to provide training, but also to undertake training needs assessments, identify training needs and the programmes needed to address them, and supervise the standards and the quality of training provided by the training providers.

- Gaps in sectoral and country coverage as well as qualitative weaknesses in the stock of Phare evaluation reports to date - on which the present report is based – are good indicators of the lack of emphasis on substantive performance of Phare programmes. Evaluations are essential investments in the improvement of programme relevance, effectiveness and impact. A performance-based approach starts at the design stage of programmes, by building in significant and objective performance indicators and means to monitor those indicators. The partners should be involved in the monitoring of indicators and evaluations should be built into the programme cycle. The monitoring and assessment system could be improved to ensure a better coverage of effectiveness and impact indicators and to enhance dissemination of summary monitoring information to all management levels and control institutions. Consistency must be introduced in the design and content of evaluation reports and the presentation of information. A process should be developed whereby the findings and recommendations are seriously considered and, where applicable, integrated into design and implementation decisions.

Theme-specific conclusions

Privatisation and restructuring

Privatisation of productive assets and restructuring of state-owned enterprises in the wake of transition, including the restructuring of debt hangovers, formed the core of the economic transition to a market economy. Phare has effectively addressed many of these issues. It was in a position to supply essential technical assistance inputs on a large scale in order to ensure the required know-how transfer. Programme effectiveness and impact have sometimes suffered because of instability in political commitments and a lack of resources to implement company restructuring plans.

Developing markets

The efficiency of the operation of a market economy depends on the operation of its markets for goods and services and for the factors of production: land, labour and capital. New legislation and regulations, reduction of government interference and an increasing flow of information are enhancing the operation of the markets. Phare programmes in economic and other legislation have contributed to these developments. Phare programmes in the agricultural sector, financing cadastral and land registration activities, have uniquely helped in establishing the preconditions for the operation of the land markets. But there is still a large gap between the legislation and its consistent and predictable application in most CECs, inhibiting market performance. Phare programmes must give equal weight to the enactment and application of laws, by strengthening the delivery capacities of public institutions.

Rolling back government intervention

One of the most dramatic changes that has taken place is the reduction of the role of government and the successful introduction of indirect economic management in almost all CECs. Phare programmes have contributed in key areas in the transformation of public revenue in many countries and, to a lesser extent, in the rationalisation of public

expenditures. They have had a substantial impact in strengthening the supervisory functions of central banks, improving the efficiency of payments and clearance systems, and enhancing the role of commercial banks in the economy. However, the challenge still remains to change the culture and ethos of the public service, introduce transparency and create an environment that reduces incentive for personal gain among civil servants.

Private sector development

While overall movement is in the right direction, developments with regard to the SME sector are lagging behind in a number of economies. In some CECs government lipservice is paid to the important role that the SME sector can play in the economy, but there is little real commitment to addressing the problems of SMEs and, especially, to creating a supportive environment for their growth. Many bilateral agencies have bypassed the centre and have addressed the needs of SMEs either directly or through non-public administration agencies. Phare programmes have had success when this approach was followed. A policy framework is needed to create a supportive environment. The Commission does not, however, engage in discussions or use the leverage of the Phare Programme to ensure a suitable policy framework; it acts by and large as a policy-taker rather than policy-maker. In many countries, SMEs do not have a force lobbying for their interests. This is an area where much work and thinking is required to ensure that progress takes place both at the centre and at the SME level.

Infrastructure

The transformation of the CECs' economies requires substantial investment in infrastructure to accommodate the progressive integration with the EU and to upgrade standards to EU levels. Following an initial period of emphasis by Phare programmes on policy and strategy development and institutional support, an increasing share of resources has been devoted to infrastructure investments. The combination of Phare programmes with those of the IFIs have increased substantially the leverage of Phare resources. At the same time, Phare has contributed to the development of an appropriate sector policy framework in the CECs for the sustainability of investment by implicitly supporting the sector policy conditions of the IFIs. Cross-border and multi-country programmes have enhanced both the impact of Phare programmes and the introduction of new interactive relations among countries.

Agriculture

Progress in agricultural sector reform is strikingly different across the countries. It is slower in countries where the importance of agriculture in the economy is smaller. The transformation of the sector touches on most dimensions of transition in the whole economy. Phare programmes, while responsive to the needs of the partner countries, were not as effective in the absence of country agricultural sector strategies or in the face of unwillingness by officials to implement them. The spread of the programmes over a wide range of areas led to a thinning out of resources and the development of a range of pilot projects with no resources to consolidate and expand achievements. Delays in land reform and in private sector development have also reduced the effectiveness and impact of Phare interventions.

Energy and nuclear safety

The changes in the energy sector during the transition process have been particularly painful. While there has been a dramatic decline in energy demand, especially from the industrial sector, energy intensity has remained high, and energy saving and efficiency will continue to be important policy objectives. Phare has, along with other EU programmes, supported sector restructuring and has set in motion the process of harmonisation. Following an initial period of emphasis on legislation and institutionbuilding, more recently the emphasis has been on restructuring large companies

and the rehabilitation of infrastructure. Two main constraints to the programmes have been the diverging philosophy and objectives of services within the Commission, and organisational difficulties emanating from the simultaneous operation of both a national and a multi-country programme. In nuclear energy, Phare assistance has facilitated some progress in the tackling of security deficiencies at nuclear power plants. However, a lack of coordination among donors and a lack of commitment from the partner countries have reduced the impact of this effort.

Human resource development

Well-targeted and focused investments in education and training are essential ingredients in the transformation of the CECs. While the impact of education has a long gestation period, it also underpins changes in attitudes and culture. Many countries undertook substantial reforms in their education and training systems to respond to the dynamic economic realities and the new social requirements. Phare programmes in all countries contributed to introducing innovation and change in the education and training systems and making them more relevant and efficient. A programme with significant impact has been Tempus. Exposing tens of thousands of staff and students to EU education systems has not only helped in the introduction of new curricula and new pedagogical and educational materials, but has also created the desire for change and emulation among the CEC visitors to the EU.

Democracy and civil society

An emphasis on the economic dimensions of transition means less prominence is given to the equally important dimension of democratisation and civil society development. The Europe Agreements commit all parties to pluralist democracy based on the rule of law, human rights and fundamental freedoms. While substantial progress has taken place in these areas, the development of an active citizenry is lagging. In most CECs there does not yet exist an enabling environment for civil society to develop and flourish. Phare programmes have increasingly focused on these areas, and NGO support, either directly or through leading organisations, is acquiring a more prominent role. Strengthening and improving the visibility of these activities is required, with new initiatives to allocate more resources both to the institutional development of these organisations and to increasing their activities and self-promotion.

Lessons for an accession-reoriented Phare

The present evaluation report basically covers a Phare era that is rapidly coming to an end. From its inception until the mid-1990s Phare was an instrument of support for transition. It was demand-driven and largely adapted itself to the individual needs and requests of the CECs. However, in line with the Copenhagen and Essen Council conclusions, Phare has gradually shifted its emphasis towards accession of the CECs to the EU. The recent Commission Communication on new orientations for Phare in the context of accession, as well as the expected Commission Opinions on Accession, will irrevocably turn Phare into a financial instrument for support for accession. This will change the nature of Phare. It will become accession-driven, which implies that the EU, rather than the CECs, will set the agenda and programming priorities, focusing on remaining gaps in the application of the 'acquis communautaire'. Accession will act as the ultimate commitment device, in which the setting up of intermediate performance targets for specific Phare-financed programmes could be helpful.

Annex 7

Sample questionnaire

The following questionnaire was used during the first round of interviews. While these questions give an indication of the range of topics covered, it should be considered that they were often only a starting point and interviewees were asked to only reply to questions they felt comfortable answering.

A second round of interviews focused solely on the twinning exercise mostly by interviewing staff in NCPs' offices, PAAs and the Commission Headquarters. In that round, a much less structured approach has been taken in order to accommodate questions on the various actors that took part in the introduction and implementation of twinning.

The questionnaires were distributed beforehand and therefore gave some initial guidance for the interviewees during the interview.

General part of the thesis (pre-accession strategy)

1. To what extent do you think the Copenhagen criteria are open to different interpretations?
2. How stringent have the pre-accession conditions been? To what extent have conditions been compromised with respect to special circumstances? (transitional periods)
3. Which criteria are regarded as more important, the economic or the political criteria of Copenhagen?
4. Why has the criteria been extended to include "administrative capacity" in Madrid?
5. Do you see any potential conflicts between necessities for accession and transition?
6. What patterns of policy-making does the current enlargement have in common with former enlargements?

Case study on Phare, Sapard and ISPA

7. *From your point of view, what role does pre-accession financial aid play in the pre-accession process?*
8. Which connections do you see between the 1994 and 1997 reform of Phare?
9. How do you see Phare in its current state, as a transition-driven, demand-driven or accession-driven programme?
10. Which of the three main accession-oriented financial support programmes do you think is the most important and why: Phare, Sapard, or ISPA?
11. Do you think pre-accession financial aid helps to generate public support for enlargement in the applicant countries?

12. Could you describe the decision-making process leading towards the policy objectives of Phare, Sapard or Ispa from your point of view?
13. Do you think Phare's more recent focus on investment and institution-building is justified?
14. Do you think the reform of Phare was partly linked to the changes made in Madrid in 1995?
15. Would it not be possible to argue that institution-building was widely in operation across the Phare programme, even before the Madrid European Council in 1995?
16. Why has Twinning been introduced and can we learn anything about the decision-making process from its introduction?
17. How important do you think are peer group reviews in an enlargement process?
18. Which policy objectives for Phare were promoted by your own government?
19. Which actors do you think are the most important within the Community?
20. Did the applicants have any influence on the decision taken with regards to Phare, Sapard and Ispa?

Comparison to the IMF and Germany's aid programmes

21. How important do you consider the Community as an actor in aid policy in comparison to other international organisations and to countries like Germany?
22. How important is the Commission's role as coordinator of Western aid from the G-24?

Outlook

23. How do you see the future role of the EU's aid policy towards Eastern Europe?

Annex 8

Accession Partnership for Hungary, 1999

1 Introduction

At its meeting in Luxembourg in December 1997, the European Council decided that the Accession Partnership would be the key feature of the enhanced pre-accession strategy, mobilising all forms of assistance to the candidate countries within a single framework. In this manner, the EU targets its assistance towards the specific needs of each candidate so as to provide support for overcoming particular problems in view of accession.

The first Accession Partnerships were decided in March 1998 and this current version represents an up-date, as provided for in the Council Regulation 622/98¹ (article 2) on the establishment of Accession Partnerships, taking into account further developments in Hungary. This Accession Partnership has been decided by the Commission, after consulting Hungary and on the basis of the principles, priorities, intermediate objectives and conditions which have been decided by the Council. It takes into account the analysis in the 1999 Regular Report on the progress made by Hungary towards membership. An assessment of the progress made in implementing the 1998 Accession Partnership priorities is included in the 1999 Regular Report.

2 Objectives

The purpose of the Accession Partnership is to set out in a single framework the priority areas for further work identified in the Commission's 1999 Regular Report on the progress made by Hungary towards membership of the European Union, the financial means available to help Hungary implement these priorities and the conditions which will apply to that assistance. This Accession Partnership provides the basis for a number of policy instruments which will be used to help the candidate States in their preparations for membership. These include, inter alia, the revised National Programme for the Adoption of the Acquis, the Joint Assessment of Medium-Term Economic Policy Priorities, the Pact against organised crime as well as the National Development Plans

¹ OJ L 85, 20.3.1998, p. 1.

and other sectoral plans necessary for the participation in Structural Funds after membership and for the implementation of ISPA and SAPARD before accession. Each of these instruments is different in nature and is prepared and implemented according to specific procedures. They are not an integral part of this Partnership but the priorities they contain will be compatible with it.

3 Principles

The main priority areas identified for each candidate State relate to their ability to take on the obligations of meeting the Copenhagen criteria which state that membership requires:

- that the candidate State 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,
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

At its meeting in Madrid, the European Council stressed the need for the candidate States to adjust their administrative structures to ensure the harmonious operation of Community policies after accession and at Luxembourg, it stressed that incorporation of the *acquis* into legislation is necessary, but not in itself sufficient; it is necessary to ensure that it is actually applied.

4 Priorities and Intermediate Objectives

The Commission's Regular Reports have highlighted the extent of the efforts which still have to be made in certain areas by the candidate States to prepare for accession. This situation requires the definition of intermediate stages in terms of priorities, each to be accompanied by precise objectives to be set in collaboration with the States concerned, the achievement of which will condition the degree of assistance granted and the progress of the negotiations under way with some States and the opening of new negotiations with the others. The priorities and intermediate objectives in the revised Accession Partnerships are again divided into two groups – short and medium term. Those listed under the short term have been selected on the basis that it is realistic to expect that Hungary can complete or take them substantially forward by the end of 2000. The priorities listed under the medium term are expected to take more than one year to complete although work should, wherever possible, also begin on them during 2000. The progress made in meeting the priorities of the 1998 Accession Partnership is assessed in the 1999 Regular Report. This assessment has been used in formulating the priorities for the current partnership. Hungary submitted a revised version of its National programme for the Adoption of the *Acquis* (NPAA) on 6 July 1999. It sets out a timetable for achieving priorities and intermediate objectives, based on the first Accession Partnership, as well as necessary administrative structures and financial resources. The Accession Partnership indicates the priority areas for Hungary's membership preparations. Hungary will nevertheless have to address all issues identified in the Regular Report. It is also important that Hungary fulfils the commitments of legislative approximation and implementation of the *acquis* in accordance with the commitments made under the Europe Agreement, the screening exercise and the negotiation process. It should be recalled that incorporation of the *acquis* into legislation is not in itself sufficient; it will also be necessary to ensure that it is actually applied to the same standards as those which

apply within the Union. In all of the areas listed below there is a need for credible and effective implementation and enforcement of the *acquis*. Drawing on the analysis of the Commission's Regular Report, the following short and medium term priorities and intermediate objectives have been identified for Hungary.

4.1 Short-term (2000)

Political Criteria

- start implementation of the medium-term Roma action programme including provision for the necessary financial support at national and local levels; implement measures aimed at fighting discrimination (including within police services); foster employment opportunities and increase access to education.

Economic Criteria

- speed up restructuring of public finances including reform of the health care system,
- implement a plan for restructuring the steel sector in line with EU requirements,
- establish a functioning land market; finalise the land and property register.

Internal Market

- *Free movement of goods*: accelerate alignment of European standards, certification and conformity assessment; adopt implementing legislation related to pharmaceuticals, reinforce existing market surveillance and conformity assessment structures with equipment and training.
- *Free movement of services*: amend banking rules to prohibit the opening of new anonymous accounts.
- *Competition*: empower the State Aids monitoring authority to control all aid measures; align the State Aid inventory.
- *Telecommunications*: ensure full independence of the regulatory authority by June 2000.
- *Audio-visual*: complete alignment of legislation including the introduction of a monitoring system for satellite broadcasting.
- *Taxation*: further align VAT legislation in particular with regard to the cases of reduced rates and exemptions; eliminate discriminatory excise duties on spirits; confirm acceptance of the principles of the Code of Conduct for business taxation and ensure that new tax measures are in conformity with these principles.
- *Customs*: further align legislation in particular as regards reform of the Customs Code, the integrated tariff and binding tariff information system.

Economic and Monetary Union

- consolidate the independence of the National Bank in particular with regard to government borrowing.

Agriculture

- veterinary and phytosanitary sector: continue alignment and upgrade inspection arrangements, in particular at the future external borders, at Budapest airport and on international waterways,
- continue the modernisation of meat and dairy plants to meet EU hygiene and public health standards,
- establish a vineyard register.

Employment and Social Affairs

- prepare a national employment strategy with a view to later participation in the European Employment Strategy, with the help of the Joint Employment Review,
- support social partners' capacity-building efforts to develop and implement the acquis, notably through bipartite social dialogue.

Environment

- align with the Integrated Pollution Prevention Control Directive,
- accelerate the transposition and enforcement of framework legislation for waste management; further align safety standards for radiation protection,
- develop and begin to implement a plan for financing investments (directive specific), based on estimations of costs of alignment and realistic sources of public and private finance year-by-year,
- complete transposition and enforce the Environmental Impact Assessment Directive.

Justice and Home Affairs

- border management: up-grade border posts and "green border control";
- improve data and telecommunication infrastructure to enable full participation in the Schengen Information System,
- ensure sufficient appropriately trained staff to deal with asylum requests and coordination between those responsible for asylum matters in its different levels of the procedure,
- ratify the European convention on laundering of proceeds of crime and the European criminal law convention on corruption,
- fight against organised crime; further develop the Liaison Officer Network; establish regional forensic (drug) laboratories; develop special training courses for staff responsible for priority areas in the fight against organised crime.

Reinforcement of administrative and judicial capacity, including management and control of EU funds

- PHARE², ISPA³ and SAPARD⁴: further develop the National Development Plan and the Rural Development Plan; adopt the legal, budgetary and administrative framework (audit manual and audit trail) to programme and manage ISPA and SAPARD, including a mechanism for environmental impact assessment and EU compatible public procurement rules for projects cofinanced with Community Funds and the establishment of a functioning paying agency for SAPARD,
- improve capacity to programme, implement and monitor PHARE assistance project,
- strengthen internal and external financial control; set up a comprehensive information technology system; separate clearly between internal audit and technical monitoring functions; further strengthen functional independence for national internal controllers/auditors at both central and decentralised levels and "ex-ante" financial control,
- strengthen capacities to deal with money laundering.

4.2 Medium-term

Political Criteria

- - continue implementation of the medium-term Roma action programme.

Economic Criteria

- complete restructuring of public finances including reform of the health care system,
- establish an annual fiscal surveillance procedure aimed at bringing the reporting, monitoring and control of public finances, specifically fiscal positions, in line with EU procedures,
- continue efforts to improve the conditions for the creation and development of private enterprises, with particular attention to small and medium-sized enterprises.

Internal Market

- *Public procurement*: align threshold values by end 2001, deadlines for submission of tenders, definition of public works and enforcement and remedies procedures in the utilities sector; abolish by end 2002 National Preference Clause for Public Procurement by introducing access to award procedures in Hungary for all Community companies.
- *Free movement of goods*: complete alignment of standards, certification and conformity assessment.
- *Free movement of capital*: remove remaining restrictions on medium and short term capital transactions.

² PHARE = "Action plan for coordinated aid to Poland and Hungary".

³ ISPA = "Instrument for Structural Policies for Pre-Accession".

⁴ SAPARD = "Special Accession Programme for Agriculture and Rural Development".

- *Free movement of persons*: complete alignment of mutual recognition of professional qualifications and diplomas.
- *Free movement of services*: eliminate anonymous banking accounts.
- *Competition*: ensure full enforcement of competition and State Aid rules, reinforce the anti-trust and State Aid authorities, increase training at all levels of administration.
- *Taxation*: complete alignment with VAT common provisions, introducing special schemes (for travel, second-hand goods, and gold) and transitional provisions; increase excise duty rates on alcoholic beverages and cigarettes up to EU minimum levels; review existing laws and ensure compatibility with the Code of Conduct for business taxation; strengthen administrative co-operation and mutual assistance; increase efficiency of tax audits.
- *Customs*: complete alignment, in particular on free zones, simplified procedures and integrated tariff; reinforce administrative and operational capacity, including computerisation; develop efficient border posts.

Agriculture

- reinforce Common Agricultural Policy management mechanisms and administrative structures (monitor agricultural markets and implement structural and rural development measures, set up bodies and control mechanisms),
- continue restructuring of the agri-food sector; reinforce food control administration,
- veterinary and phytosanitary sector: complete system of animal identification; implement quality control system (Hazard Analysis Critical Control Point), animal waste treatment, modernisation of meat and dairy plants residue and zoonosis control programmes; complete inspection systems on future external borders.

Energy

- prepare for the internal energy market, notably the electricity and gas directives (including adaptation of energy prices to cost levels and the establishment of a regulator),
- improve energy efficiency,
- continue to ensure high levels of nuclear safety at Paks Nuclear Power Plant,
- strengthen regulatory structures for nuclear safety and radiation protection.

Transport

- complete alignment in road transport (market access, road safety, rules for dangerous goods and taxation), railways, air transport (particularly air safety and air traffic management) and inland waterways (technical requirements for vessels).

Employment and Social Affairs

- transpose and implement EU legislation in the fields of occupational health and safety, labour law, equal treatment of women and men, and public health including reinforcement of the related administrative structures and those required for the coordination of social security.

Economic and Social Cohesion

- develop national policy for economic and social cohesion; prepare for the implementation of regional development programmes as well as Community initiatives; improve administrative structures and procedures, in particular interministerial coordination for structural funds and clarify responsibilities for regional policy issues; improve the budgetary system and procedures to allow for pluri-annual commitments and management according to EU standards, including appraisal and evaluation.

Environment

- complete transposition and enforce legislation in the areas of nature protection, water quality, industrial pollution control and risk management, noise, chemicals and genetically modified organisms, waste management, radiation protection including specific investment programmes,
- develop the air quality monitoring network and strengthen the authorised laboratories (responsible for implementation of legislation),
- integrate sustainable development principles into the definition and implementation of all other sectoral policies.

Justice and Home Affairs

- further upgrade law enforcement bodies (staff numbers, training and equipment), continue the fight against organised crime, trafficking in women and children, drug trafficking and corruption; ensure better coordination between law enforcement bodies,
- continue progressive alignment of visa legislation and practice with that of the EU,
- set up new reception centres for asylum seekers.

Reinforcement of administrative and judicial capacity, including management and control of EU funds

- improve the capacity of public administration to implement and manage the acquis, in particular through ensuring adequate staffing levels,
- continue improving the functioning of the judicial system by training of judges in Community law,
- strengthen anti-fraud and public financial control functions through the provision of adequate staff, training and equipment,
- strengthen statistical capacities.

5 Programming

The PHARE allocation for the period 1995 to 1999 has totalled EUR 476 million. Following the agreement of the European Council in Berlin on 24 and 25 March 1999, financial assistance to the candidate countries during the period 2000 to 2006 will also comprise support for pre-accession measures for agriculture and rural development through the pre-accession instrument SAPARD (Council Regulation (EC) No 1268/99, OJ L 161, 26.6.1999, p. 87) and a structural instrument ISPA (Council Regulation (EC) No 1267/99, OJ L 161, 26.6.1999, p. 73) which will give priority to measures similar to

the cohesion fund in the pre-accession period. Under these national allocations, Hungary can also fund part of its participation in Community programmes including in the Fifth Research and Technological Development Framework Programme (OJ L 26, 1.2.1999, p. 1). In addition Hungary will have access to funding from multi-State programmes directly related to the *acquis*. Joint financing by the candidate countries is systematically required for all investment projects. Since 1998 the Commission has worked with the European Investment Bank and International Financial Institutions, in particular the European Bank for Reconstruction and Development and the World Bank, with a view to facilitating the co-financing of projects relating to pre-accession priorities.

5.1 Phare

The Phare programme is the main financial instrument of the reinforced pre-accession strategy. The overall objective of Phare is to help the candidate countries to prepare for accession by focusing the assistance it provides on the priorities identified in this revised Accession Partnership and in particular on the adoption of Community *acquis*.

During the period 2000-2006, Phare support will focus on two main areas, institution building and investment.

- **Institution-building** (around 30% of Phare resources) is defined as helping the candidate countries to develop the structures, strategies, human resources and management skills needed to strengthen their economic, social, regulatory and administrative capacity. Institution building support will be given in particular through twinning arrangements between ministries, institutions, professional organisations, agencies, European and regional bodies, in particular through the secondment of officials in Member States. Phare will contribute to the financing of institution building in all sectors to help the candidate countries to
 - a) implement the *acquis* and to prepare for participation in EU policies such as economic and social cohesion
 - b) fulfil the requirements of the first Copenhagen criterion. In this area support may be made available to public authorities or to nongovernmental organisations.
- **Investment support** (around 70% of Phare resources) will take two forms:
 - a) investment to strengthen the regulatory infrastructure needed to ensure compliance with the DFTXLV and direct, *acquis* related investments
 - b) investment in economic and social cohesion through measures similar to those supported in Member States through the European Regional Development Fund and the European Social Fund.

Phare will not support investment projects in the areas of transport, environment or agriculture eligible for ISPA or SAPARD respectively. Exceptions may be made where investments in these sectors form an indispensable part of integrated industrial reconstruction or regional development programmes.

5.2 ISPA

The new pre-accession instrument for structural policies, ISPA, will provide assistance to Hungary during the period 2000-2006 to contribute to the preparation for accession in the area of economic and social cohesion for:

- (a) **environmental measures** enabling the beneficiary countries to comply with the requirements of Community environmental law and with the objectives of the Accession Partnerships;

- (b) **transport infrastructure measures** which promote sustainable mobility, and in particular those that constitute projects of common interest based on the criteria of Decision No 1692/96/EC and those which enable the beneficiary countries to comply with the objectives of the Accession Partnerships; this includes inter-connection and interoperability of national networks as well as with the trans-European networks together with access to such networks.

Measures shall be of a sufficient scale to have a significant impact in the field of environmental protection or in the improvement of transport infrastructure networks. The total cost of each measure shall in principle not be less than 5 million. In duly justified cases, taking into account the specific circumstances concerned, the total cost of a measure may be less than 5 million.

5.3 SAPARD

The new pre-accession instrument for sustainable agriculture and rural development, SAPARD, will provide assistance to Hungary during the period 2000-2006 in particular in the following two areas:

- (a) contributing to the implementation of the *acquis communautaire* concerning the common agricultural policy and related policies;
- (b) solving priority and specific problems for the sustainable adaptation of the agricultural sector and rural areas in Hungary.

5.4 Role of International Financial Institutions

Cooperation between Hungary and the International Financial Institutions is receiving an impetus and a new focus through the Accession Partnership. The grant resources made available under the Accession Partnership serve as seed money and a catalyst for larger amounts of development finance from the IFIs. This process is developed by the Commission in liaison with the candidate countries, the EIB and the IFIs, in particular the EBRD and the World Bank with a view to facilitating the co-financing of projects relating to pre-accession priorities.

6 Conditionality

Community assistance for financing projects through the three pre-accession instruments PHARE, ISPA and SAPARD is conditional on respect by Hungary of its commitments under the Europe Agreement, further steps towards satisfying the Copenhagen criteria and in particular progress in meeting the specific priorities of this Accession Partnership in 2000. Failure to respect these general conditions could lead to a decision by the Council on the suspension of financial assistance on the basis of Article 4 of Regulation (EC) No 622/98.

7 Monitoring

The implementation of the Accession Partnership is monitored in the framework of the Europe Agreement. As underlined by the European Council in Luxembourg it is important that the institutions of the Europe Agreement continue to be the framework within which the adoption of the *acquis* can be examined, in accordance with the same procedures, irrespective of whether or not negotiations have been opened. The relevant sections of the Accession Partnership are discussed in the appropriate subcommittee. The Association Committee discusses

overall developments, progress and problems in meeting its priorities and intermediate objectives as well as more specific issues referred to it from the sub-committees. The PHARE Management Committee ensures that financing decisions under all three pre-accessions instruments, PHARE, ISPA and SAPARD, are compatible with each other as well as with the Accession Partnerships as laid down in the Coordinating Regulation (Council Regulation (EC) No 1266/99, OJ L 161, 26.6.1999, p. 68). The Accession Partnership will continue to be amended as necessary in accordance with Article 2 of Regulation (EC) No 622/98.

Annex 9

Accession Partnership for Hungary, 2001

1 Introduction

At its meeting in Luxembourg in December 1997, the European Council decided that the Accession Partnership would be the key feature of the enhanced pre-accession strategy, mobilising all forms of assistance to the candidate countries within a single framework. In this manner, the Community targets its assistance towards the specific needs of each candidate so as to provide support for overcoming particular problems with a view to accession. The first Accession Partnership for Hungary was decided in March 1998. As provided for in Regulation (EC) No. 622/98 (article 2), the Accession Partnership was updated a first time in December 1999, taking into account further developments in Hungary. The present revision is based on a proposal by the Commission following consultation with Hungary, and draws on the analysis of the Commission's 2001 Regular Report on progress made by Hungary towards accession.

2 Objectives

The purpose of the Accession Partnership is to set out in a single framework the priority areas for further work identified in the Commission's 2001 Regular Reports on the progress made by Hungary towards membership of the Union, the financial means available to help Hungary implement these priorities and the conditions which will apply to that assistance. The Accession Partnership provides the basis for a number of policy instruments which will be used to help the candidate States in their preparations for membership. These include *inter alia* the updated National Programme for the Adoption of the *Acquis* prepared by Hungary, the pre-accession fiscal surveillance procedure, the Pre-accession Economic Programme, the Pre-accession pact on organised crime as well as the National Development Plans, the Rural Developments Plans, a national employment strategy in line with the European Employment Strategy, and sectoral plans necessary for the participation in the Structural Funds after membership and for the implementation of ISPA and SAPARD before accession. Each of these instruments is

different in nature and is prepared and implemented according to specific procedures and may be supported by pre-accession aid. They are not an integral part of this Partnership but the priorities they contain will be compatible with it.

3 Principles

The main priority areas identified for each candidate State relate to their ability to take on the obligations of meeting the Copenhagen criteria which state that membership requires:

- that the candidate State 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;
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

At its meeting in Madrid in 1995, the European Council stressed the need for the candidate States to adjust their administrative structures to ensure harmonious operation of Community policies after accession and at Luxembourg, in 1997, it stressed that incorporation of the *acquis* into legislation is necessary, but not in itself sufficient; it is necessary to ensure that it is actually applied. The Feira and Gothenburg European Councils in 2000 and 2001 respectively confirmed the vital importance of the applicant countries' capacity to implement and enforce the *acquis*, and added that this required important efforts by the applicants in strengthening and reforming their administrative and judicial structures.

4 Priorities and Intermediate Objectives

The Commission's Regular Reports have highlighted, besides the progress already made, the extent of the efforts which still have to be made in certain areas by candidate States to prepare for accession. This situation requires the definition of intermediate stages in terms of priorities, each to be accompanied by precise objectives to be set in collaboration with the states concerned, the achievement of which will condition the degree of assistance granted and the progress of the negotiations under way with Hungary. The priorities listed in the revised Accession Partnership have been selected on the basis that it is realistic to expect that Hungary can complete or take them substantially forward over the next two years (2002 – 2003). Within this list, issues that require particularly urgent action have been highlighted as such. The progress made in meeting the priorities of the 1999 Accession Partnership is assessed in the 2001 Regular Report. This assessment has been used in formulating the priorities for the current Partnership. Hungary submitted an updated version of its National programme for the Adoption of the *Acquis* (NPAA) in July 2001. The NPAA sets out a timetable for achieving priorities and intermediate objectives, based on the 1999 Accession Partnership, as well as necessary administrative structures and financial resources. The Accession Partnership indicates the priority areas for Hungary's membership preparations. Hungary will nevertheless have to address all issues identified in the 2001 Regular Report. It is also important that Hungary fulfils the commitments of legislative approximation and the implementation of the *acquis* in accordance with the commitments made under the Europe Agreement, and in the context of the negotiation process. It should be recalled that incorporation of the *acquis* into legislation is not in itself sufficient; it will also be necessary to ensure that it is actually applied to the same standards as those which apply within the Union. In all of the areas

listed below there is a need for credible and effective implementation and enforcement of the *acquis*.

Drawing on the analysis of the Commission's 2001 Regular Report, the following priorities and intermediate objectives have been identified for Hungary. These priorities are presented in accordance with the structure of the Regular Report.⁵

4.1 Political criteria

Democracy and the rule of law

- Take measures to reduce further the backlog of cases at the Supreme Court, in order to allow it to carry out its main functions, i.e. the unification of court practice and the provision of judicial guidance to the lower courts; maintain efforts to modernise the judiciary, in particular ensuring adequate funding; widen the availability of free legal aid; continue training of judges in EC legislation.
- Ensure implementation of the newly adopted anti-corruption strategy.

Human rights and the protection of minorities

- Improve the integration of the Roma minority in the Hungarian society through more efficient implementation and impact assessment of the medium-term Roma action programme, with particular emphasis on promoting access to mainstream education,
- fighting discrimination in society (including within the police services), fostering employment, and improving the housing situation.
- Ensure that an effective system for addressing complaints of police misconduct is in place.

4.2 Economic criteria

- Develop and implement a comprehensive public health care reform that ensures a high level of health protection at a sustainable cost to the government budget.
- Improve government accounting at local level and improve timeliness of data provision to central authorities.
- Accelerate railway restructuring to reduce the medium-term impact on public finances.
- Create the necessary conditions for an efficient agricultural land market.
- Continue to promote the development of small and medium sized enterprises, in particular by improving access to credit.

4.3 Ability to assume the obligations of membership

Free movement of goods

- Complete implementation of New Approach Directives and alignment of traditional sectoral legislation; transpose legislation on the provision of information on technical standards and regulations; implement protection of pharmaceutical test data (so-called 'data exclusivity').

⁵ The order of presentation is that used as from the 2000 Regular Reports

- Continue implementation of the food acquis, and develop and implement an action plan to promote HACCP (Hazard Analysis and Critical Control Points) for the entire food industry.
- Complete reinforcement of market surveillance and conformity assessment structures, also in the food industry; ensure effectiveness of implementing structures in all sectors.
- Increase transparency of public procurement at all levels, including at lower levels of government, and in all sectors, including major public infrastructure works such as road construction.
- Proceed with screening of legislation in the non-harmonised area to ensure that it is in compliance with Articles 28-30 of the EC Treaty and complete administrative arrangements for the future monitoring in this area.

Free movement of persons

- Complete alignment of mutual recognition of professional qualifications and diplomas and further develop the required administrative structures, education and training.
- With respect to professional qualifications obtained before harmonisation, Hungary should give priority to introducing measures to ensure that all its professionals can, from accession, meet the requirements laid down by the directives.
- Reinforce the administrative structures for the co-ordination of social security.

Free movement of capital

- **In need of particularly urgent action:** implement the recommendations of the Financial Action Task Force on Money Laundering; bring forward the phasing out of anonymous saving books, and strengthen the police's financial intelligence unit.

Company law

- Continue to strengthen the protection and enforcement of intellectual property rights by all relevant law enforcement bodies, including customs; intensify training for enforcement bodies including judges and prosecutors.

Competition policy

- Complete the legislative framework and ensure the full enforcement of the rules in both anti-trust and state aid including the alignment of incompatible aid schemes, in particular fiscal aids. Increase awareness of the rules among all market participants and aid grantors.
- Intensify the training of the judiciary on competition matters.

Agriculture

- Reinforce the administrative structures needed for the design, implementation, management, monitoring, control and evaluation of EC funded rural development programmes.
- Continue to upgrade the capacity of the agricultural administration and complete the preparations for the practical implementation and the enforcement of the management mechanisms of the Common Agricultural Policy, in particular market information systems (including price reporting), the Integrated Administration and Control

System and the Paying Agency for the management of funds within the Common Agricultural Policy.

- Complete the establishment of a vineyard register.
- Continue the overall upgrading of food processing establishments with a view to meeting EC food safety standards, in particular in the dairy and meat sector.
- Complete transposition of legislation in the veterinary and phytosanitary field (legislation on transmissible spongiform encephalopathies, plant passports, maximum residue levels, animal nutrition) and ensure implementation and enforcement.
- Implement the identification and registration systems for sheep, goats, swine and horses, and adopt the secondary legislation for swine and horses; ensure effective functioning of the bovine identification and registration system.
- - Complete developments in the veterinary and phytosanitary border inspection posts, in
- particular at the future external borders.

Transport Policy

- Complete legal alignment and reinforce administrative capacity in road transport (in particular control of driving time restrictions and taxation with a view to respecting the minimum levels foreseen by the acquis, as well as harmonisation with acquis on weights and dimensions).
- Continue the alignment in the railway sector and proceed with the restructuring of MÁV in order to allow for the implementation of the revised railway acquis.
- Align further with the air transport acquis, notably concerning market access.
- In all subsectors, and particularly in rail and air transport, set up the required administrative and management bodies and strengthen the existing ones, notably the General Transport Inspectorate.

Taxation

- Complete legislative alignment, with particular regard to VAT zero-rating and reduced rates, including the transitional VAT regime; continue gradual alignment of excise duty rates.
- Strengthen further the administrative capacity in order to ensure effective application of the acquis, including the up-grading of equipment, administrative co-operation and, as a matter of particular urgency, the development of IT systems so as to allow for the exchange of electronic data with the Community and its Member States.
- Ensure that existing and future legislation comply with the principles of the Code of Conduct for Business Taxation.

Social Policy and Employment

- Complete alignment and ensure proper implementation of the social acquis, in particular in the field of health and safety at work. Strengthen the related administrative and enforcement structures, including labour inspectorates. Continue

adopting legislation in line with the anti-discrimination acquis and prepare for its implementation.

- Ensure transposition and implementation of the public health acquis and continue measures with regard to surveillance and control of communicable diseases and the health monitoring and information system.
- Continue to support social partners' capacity building efforts, in particular with a view to their future role in the elaboration and implementation of EU employment and social policy, including the European Social Fund. Particular attention should be paid to enhancing the social partners' capacity to conduct social dialogue and to ensuring due process also in the tripartite social dialogue.
- Prepare a national strategy, including data collection, with a view to future participation in the European strategy on social inclusion.

Energy

- Complete the alignment process for the internal energy market (electricity and gas); eliminate remaining price distortions; strengthen the regulator (Hungarian Energy Office).
- Further enhance energy efficiency and promotion of renewable energy sources, and strengthen the relevant institutions in this area.
- Implement the recommendations contained in the Council report on "Nuclear Safety in the Context of Enlargement" with due regard to the priorities assigned in the report.
- Continue to ensure a high level of nuclear safety at the Paks Nuclear Power Plant.

Telecommunications and Information Technologies

- Complete transposition and implementation of the acquis including local loop unbundling.
- Ensure effective functioning of the liberalised market through effective interconnection and leased lines regulation, and availability of carrier selection facilities and number portability.

Culture and audio-visual policy

- Align legislation with the acquis on "television without frontiers".

Regional Policy and co-ordination of structural instruments

- Ensure effective inter-ministerial co-ordination and appropriate partnership at central and regional level with a view to both programming and future implementation of Structural and Cohesion Funds assistance.
- Complete the preparation of a development Plan in line with the Structural Funds Regulations and establish the structures required for implementing Structural and Cohesion Funds assistance.
- Prepare operational programmes in line with the Structural Funds Regulations, including an ex-ante evaluation.
- Put in place the necessary legislative and normative framework to allow early commitments of the necessary national co-financing of Structural and Cohesion Funds assistance; revise and streamline the system of payments of national and

Community funding to final beneficiaries so as to ensure efficient and timely utilisation of Funds.

- Align financial management and control procedures with the specific requirements of the Structural Funds regulations.
- Ensure that the designated managing and paying authorities will progressively build up their capacity in order to be able, upon accession, to fulfil their responsibilities and deliver the tasks assigned to each of them according to the Structural Funds Regulations.
- Define the tasks to be performed by line ministries and other bodies on behalf and under the responsibility of the managing authorities.
- Set up evaluation and monitoring systems and establish a system for the computerised exchange of data required to fulfil the management, monitoring and evaluation requirements of the Structural Funds Regulations.
- Develop the technical preparation of projects eligible for Structural and Cohesion Funds (project pipeline).

Environment

- Complete transposition of the acquis, in particular as regards hazardous waste, packaging and packaging waste, and control of major accident hazards involving dangerous substances.
- Continue implementation of the acquis, in particular as regards air quality (by ensuring air monitoring in accordance with the acquis), management of municipal waste, and the discharge of dangerous substances in the aquatic environment (by establishing pollution reduction programmes).
- Continue strengthening the administrative capacity, in particular concerning the Environmental Inspectorates (both the central and regional ones). Also, particular attention should be paid to increasing human resources of the competent authorities in the sector of chemicals.
- Continue integration of environmental protection requirements into the definition and implementation of all other sectoral policies with a view to promoting sustainable development.

Justice and Home Affairs

- Ensure due implementation of the Schengen Action Plan.
- Continue to strengthen border management, paying special attention to the Union's future external borders by continuously up-grading of equipment, training and enhanced cooperation between the different services involved.
- Continue preparation for future participation in the Schengen Information System by developing national databases and registers.
- Improve the internal co-operation between police, other law enforcement agencies and the judiciary (from prevention to prosecution), in particular to strengthen the fight against organised crime and money laundering.
- Strengthen the administrative capacity of, and co-ordination between, bodies involved in the implementation of a national drug strategy.
- Take the necessary steps in order to ensure the implementation of the most recent Community instruments adopted in the area of judicial co-operation in civil matters.

Customs union

- Harmonise the Hungarian system of customs free zones with the provisions of the *acquis*.
- Further strengthen the administrative capacity in order to ensure the effective application of the *acquis*, including continued training of customs officers.
- **In need of particularly urgent action:** continue the computerisation process of the Hungarian customs administration; develop IT systems so as to allow for the exchange of computerised data between the EC and Hungary.

Financial Control

- Define and strengthen the managerial accountability in budget spending centres.
- Strengthen the administrative framework for internal audits at the level of internal audit services in budget spending centres and ensure their functional independence.
- Specify the role and functions of the designated contact point for the protection of the financial interests of the Community and effectively start co-operating with OLAF through this contact point.
- Establish adequate functional independence of the decentralised internal audit capabilities.
- Strengthen the fight against fraud, notably in the area of VAT.
- Continue efforts to ensure the correct use, control, monitoring and evaluation of EC preaccession funding as a key indicator of Hungary's ability to implement the financial control *acquis*.

5 Programming

For the period 2000-2006, in addition to Phare, financial assistance to Hungary comprises support for pre-accession measures for agriculture and rural development through the preaccession instrument SAPARD (Council Regulation (EC) No 1268/99, OJ L 161, 26.6.1999, p.87); and support for infrastructure projects in the fields of environment and transport through the structural instrument ISPA (Council Regulation (EC) No 1267/99, OJ L 161, 26.6.1999, p. 73), which gives priority to measures similar to the cohesion fund in the preaccession period. Under these national allocations, Hungary can also fund part of its participation in community programmes including the Research and Technological Development Framework Programmes and programmes in the areas of Education and Enterprise. In addition Hungary will have access to funding from multi-country and horizontal programmes directly related to the *acquis*. Joint financing by the applicant States is systematically required for all investment projects. Since 1998 the Commission has worked with the European Investment Bank and the International Financial Institutions, in particular the European Bank for Reconstruction and Development and the World Bank, with a view to facilitating the co-financing of projects relating to pre-accession priorities.

6 Conditionality

Community assistance for financing projects through the three pre-accession instruments Phare, ISPA and SAPARD is conditional on respect by Hungary of its commitments under the Europe Agreement, further steps towards satisfying the Copenhagen criteria

and in particular progress in meeting the specific priorities of this revised Accession Partnership. Failure to respect these general conditions could lead to a decision by the Council on the suspension of financial assistance on the basis of Article 4 of Regulation (EC) No 622/98.

7 Monitoring

The implementation of the Accession Partnership is monitored in the framework of the Europe Agreement. As underlined by the European Council in Luxembourg, it is important that the institutions of the Europe Agreement continue to be the framework within which the adoption and implementation of the *acquis* can be examined. The relevant sections of the Accession Partnership are discussed in the appropriate sub-committee. The Association Committee discusses overall developments, progress and problems in meeting the Partnership's priorities and intermediate objectives as well as more specific issues referred to it from the sub-committees. The PHARE Management Committee ensures that actions financed under all three preaccession instruments, PHARE, ISPA, and SAPARD, are compatible with each other as well as with the Accession Partnerships as laid down in the Co-ordinating Regulation (Council Regulation (EC) No 1266/99, OJ L 161, 26.6.1999, p. 68). The Accession Partnership will continue to be amended as necessary in accordance with Article 2 of Regulation (EC) No 622/98.

Annex 10

Accession Partnership for Poland, 1999

1 Introduction

At its meeting in Luxembourg in December 1997, the European Council decided that the Accession Partnership would be the key feature of the enhanced pre-accession strategy, mobilising all forms of assistance to the candidate countries within a single framework. In this manner, the EU targets its assistance towards the specific needs of each candidate so as to provide support for overcoming particular problems in view of accession.

The first Accession Partnerships were decided in March 1998 and this current version represents an up-date, as provided for in the Council Regulation 622/981 (article 2) on the establishment of Accession Partnerships, taking into account further developments in Poland. This Accession Partnership has been decided by the Commission, after consulting Poland and on the basis of the principles, priorities, intermediate objectives and conditions which have been decided by the Council. It takes into account the analysis in the 1999 Regular Report on the progress made by Poland towards membership.

An assessment of the progress made in implementing the 1998 Accession Partnership priorities is included in the 1999 Regular Report.

2 Objectives

The purpose of the Accession Partnership is to set out in a single framework the priority areas for further work identified in the Commission's 1999 Regular Report on the progress made by Poland towards membership of the European Union, the financial means available to help Poland implement these priorities and the conditions which will apply to that assistance. This Accession Partnership provides the basis for a number of policy instruments which will be used to help the candidate States in their preparations for membership. These include, *inter alia*, the revised National Programme for the Adoption of the Acquis, the Joint Assessment of Medium-Term Economic Policy Priorities, the Pact against organised crime as well as the National Development Plans and other sectoral plans necessary for the participation in Structural Funds after membership and for the implementation of ISPA and SAPARD before accession. Each of

these instruments is different in nature and is prepared and implemented according to specific procedures. They are not an integral part of this Partnership but the priorities they contain will be compatible with it.

3 Principles

The main priority areas identified for each candidate State relate to their ability to take on the obligations of meeting the Copenhagen criteria which state that membership requires:

- that the candidate State 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;
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

At its meeting in Madrid, the European Council stressed the need for the candidate States to adjust their administrative structures to ensure the harmonious operation of Community policies after accession and at Luxembourg, it stressed that incorporation of the *acquis* into legislation is necessary, but not in itself sufficient; it is necessary to ensure that it is actually applied.

4 Priorities and Intermediate Objectives

The Commission's Regular Reports have highlighted the extent of the efforts which still have to be made in certain areas by the candidate States to prepare for accession. This situation requires the definition of intermediate stages in terms of priorities, each to be accompanied by precise objectives to be set in collaboration with the States concerned, the achievement of which will condition the degree of assistance granted and the progress of the negotiations under way with some States and the opening of new negotiations with the others. The priorities and intermediate objectives in the revised Accession Partnerships are again divided into two groups - short and medium term. Those listed under the short term have been selected on the basis that it is realistic to expect that Poland can complete or take them substantially forward by the end of 2000. The priorities listed under the medium term are expected to take more than one year to complete although work should, wherever possible, also begin on them during 2000. The progress made in meeting the priorities of the 1998 Accession Partnership is assessed in the 1999 Regular Report. This assessment has been used in formulating the priorities for the current partnership.

Poland submitted a revised version of its National programme for the Adoption of the *Acquis* (NPAA) on 31 May 1999. It sets out a timetable for achieving priorities and intermediate objectives, based on the first Accession Partnership, as well as necessary administrative structures and financial resources.

The Accession Partnership indicates the priority areas for Poland's membership preparations. Poland will nevertheless have to address all issues identified in the Regular Report. It is also important that Poland fulfils the commitments of legislative approximation and implementation of the *acquis* in accordance with the commitments made under the Europe Agreement, the screening exercise and the negotiation process. It should be recalled that incorporation of the *acquis* into legislation is not in itself

sufficient; it will also be necessary to ensure that it is actually applied to the same standards as those which apply within the Union. In all of the areas listed below there is a need for credible and effective implementation and enforcement of the *acquis*.

Drawing on the analysis of the Commission's Regular Report, the following short and medium term priorities and intermediate objectives have been identified for Poland.

4.1 Short-term (2000)

Economic Criteria

- maintain progress achieved in ensuring macroeconomic and budgetary stability.
- make real progress in restructuring the steel sector (e.g. by implementing measures as part of a comprehensive sectoral programme for restoring viability, including control of State-aid and appropriate reductions in capacity); continue restructuring of the coal sector
- continuation of privatisation of state-owned enterprises.
- improve functioning of land market and accelerate development of property register.
- improve bankruptcy procedures and streamline implementation.

Internal Market

- adopt by June 2000 a programme for the elimination of outstanding tariff and non-tariff market access barriers (linked to Europe Agreement obligations).
- *Intellectual and industrial property rights*: adopt Copyright and Neighbouring Rights Law and amendments. Upgrade Intellectual and Industrial Property enforcement at administrative and judiciary level.
- *Free movement of goods*: adopt Law on National Conformity Assessment System; adopt legislation implementing the general product safety and product liability directives; modify the 1993 Act on Standardisation. Start with transposition of New Approach directives; establish an independent administrative infrastructure in line with the *acquis*; adopt chemicals framework legislation; pursue alignment of traditional technical legislation.
- *Free movement of Capital*: amend the sectoral legislation restricting foreign direct investments.
- *Competition*: adopt State aids law and provide adequate resources for state aid monitoring authority; complete preparation of State aid inventory; continue annual State aid reports; adopt and implement programme for alignment of special economic zones.
- *Telecommunications*: adopt and implement telecommunications law; establish national regulatory authority by June 2000.
- *Audiovisual*: complete alignment of legislation.
- *Taxation*: implement VAT legislation with particular attention to refund schemes, rates and deductions; align the excise duty legislation as regards alcoholic beverages and the taxation of cigarettes; ensure that new tax measures comply with the principles of the Code of Conduct for business taxation.
- *Customs*: implement modernisation strategy for the customs administration including regional levels; harmonise application of Customs code.

Agriculture

- further elaborate and implement a rural development plan on a sustainable future for the Polish rural economy including measures dealing with the modernisation of farming and related industries, administration of agricultural lands including the issue of leasing, accompanying social measures, and raising public awareness on the future of farming in rural communities.
- review Polish agricultural trade policy with a view to reducing dependency on import barriers and increasing competitiveness.
- continue alignment of veterinary and phytosanitary legislation and upgrade inspection arrangements in particular at the future external border.
- start to rationalise and upgrade testing and diagnostic facilities; modernise meat and dairy plants to meet EU hygiene and public health standards.

Transport

- align legislation on maritime safety standards.

Fisheries

- accelerate preparations for the adoption of a fisheries policy and fisheries restructuring programme.
- elaborate an integrated development programme for establishment of adequate institutional structures, resources and equipment relating to inspection and controls at central and regional level and establish fleet register.

Employment and Social Affairs

- prepare a national employment strategy with a view to later participation in the European Employment strategy including through the launch of a joint employment review.
- support the social partners' capacity-building efforts in developing and implementing the social acquis, notably through bipartite social dialogue.

Environment

- draft a legal approximation strategy for the environmental sector including directive specific approximation and implementation programmes.
- accelerate transposition and implementation with special focus on the air and waste framework directives, industrial pollution control and industry related directives and water directives including the draft water framework directive.
- develop a financial investment plan for the implementation of investment in heavy directives in the field of air, water and waste as well as industrial pollution control (directive-specific implementation programmes) and based on estimations of costs of alignment and sources of public/private finance year-by-year.
- complete transposition and enforce the Environmental Impact Assessment directive.
- strengthen the environmental administration and its enforcement capacity both at national and regional level.

Justice and Home Affairs

- adopt and implement national integrated inter-agency border management strategy with particular attention to the budgetary requirements of the Eastern Border.
- strengthen national co-ordination body for all law enforcement services at central, regional and local level.
- upgrade institutional capacity regarding the fight against organised crime and drug trafficking.
- implement an anti-corruption and anti-fraud programme (particularly customs service, police and judiciary); strengthen capacities to deal with money laundering; ratify the Council of Europe 1990 Convention on Laundering Search, Seizure and Confiscation of the proceeds of Crime, the European Criminal Convention on Corruption and the OECD Convention on Bribery.

Reinforcement of administrative and judicial capacity, including management and control of EU funds

- PHARE⁶, ISPA⁷ and SAPARD⁸ further elaborate the National Development Plan and the Rural Development Plan; adopt the legal, administrative and budgetary framework (audit manual and audit trail) to programme and manage ISPA and SAPARD, including the introduction of environmental impact assessments and EU compatible public procurement rules for projects co-financed by Community Funds; establish a functioning paying agency for SAPARD
- complete legislative framework for internal and external financial control: set up a central organisation within government for harmonising internal audit/control functions; set up internal audit/control units in spending centres; introduce "functional independence" for national internal controllers/auditors at both central and decentralised levels and "ex-ante" financial control; strengthen external financial control.

4.2 Medium-term

Economic Criteria

- establish an annual fiscal surveillance procedure aimed at bringing the reporting, monitoring and control of public finances, specifically fiscal positions, in line with EU procedures.
- review national policy aimed at improving the competitiveness of the Polish economy including market access readiness, SMEs, the existence of a conducive legal and commercial environment and upgrading of skills in particular in rural and eastern border regions.
- complete steel and coal restructuring.
- continue reform of social insurance financing.
- consolidate land market and complete property register.

⁶ PHARE = Action Plan for coordinated aid to Poland and Hungary.

⁷ ISPA = Instrument for Structural Policy for Pre-Accession.

⁸ SAPARD = Special Accession Programme for Agriculture and Rural Development.

Internal Market

- *Public procurement*: abolish by end 2002 National Preference Clause for Public Procurement by introducing access to award procedures in Poland for all Community companies.
- *Free movement of goods*: complete alignment including conformity assessment and market surveillance systems; complete adoption of EN standards; complete transposition and implementation of new approach directives and sectoral legislation; ensure implementing structures for all sectors.
- *Free movement of capital*: abolish remaining restrictions at the latest by the end of 2002 and strengthen surveillance and regulatory bodies ; liberalise progressively short-term capital movements.
- *Free movement of services*: develop monitoring and regulatory bodies.
- *Free movement of persons*: complete alignment of mutual recognition of diplomas.
- *Competition*: reinforce the anti-trust and State aid authorities and procedures; improve transparency and flow of data, coordination and training at all levels.
- *Telecommunications*: consolidate national regulatory authority; adopt spectrum monitoring system.
- *Taxation*: complete alignment of tax legislation including the transitional VAT regime.; review existing laws and ensure compatibility with the Code of Conduct for business taxation; implement national strategy for the improvement of tax and revenue collection and reinforce tax administration and control procedures.
- *Customer protection*: strengthen market surveillance and enforcement.
- *Customs*: reinforce administrative and operational capacity, strengthen integrated border control; develop an integrated tariff.

Agriculture

- implement rural development plan.
- reinforce Common Agricultural Policy management mechanisms and administrative structures (monitor agricultural markets and implement structural and rural development measures, set up bodies and control mechanisms).
- continue restructuring the agri-food sector; reinforce food control administration.
- implement phytosanitary and veterinary administration border inspection posts development programme; complete system of animal identification; implement quality control system (Hazard Analysis Critical Control Point), animal waste treatment, modernise meat and dairy plants residue and zoonosis control programmes; complete inspection systems on future external borders; implement national laboratory plan for testing and diagnostic facilities.

Fisheries

- further implement Fisheries Policy and related alignment (in particular Common Fisheries Market legislation) and budgetary commitments.
- develop the capacity to implement and enforce the common fisheries policy, including adequate institutional resources and equipment for inspection and controls at central and regional level.

Energy

- prepare for the internal energy market, notably the electricity and gas directives (including adaptation of energy prices to cost levels and the establishment of a regulator).
- align oil stock requirements and improve energy efficiency.

Transport

- complete alignment and reinforce administrative/enforcement capacity in road transport (market access, road safety, rules for dangerous goods and taxation), railways, maritime transport (including ship reporting and classification requirements), inland waterways (technical requirements for vessels) and air transport (in particular air safety and air traffic management).

Employment and Social Affairs

- transpose and implement EU legislation in the field of occupational health and safety (including the framework directive), labour law, equal treatment of women and men, and public health; reinforce the related administrative structures and those required for the coordination of social security.

Economic and Social Cohesion

- develop national policy for economic and social cohesion and prepare for the implementation of regional development programmes as well as Community initiatives; clarify the organisation of the administrative structures dealing with structural policies; organise efficient interministerial co-ordination and clarify responsibilities for regional policy issues; improve the budgetary system according to structural funds standards, including appraisal and evaluation.

Environment

- continue transposition and start implementation, in particular in the field of chemicals, genetically modified organisms, noise and remaining directives in the air and waste sector.
- strengthen the monitoring capacity by streamlining the water monitoring network and further developing the air monitoring infrastructure.
- integrate sustainable development principles into the definition and implementation of all other sectoral policies.

Justice and Home Affairs

- further upgrade law enforcement bodies and the judiciary (staff numbers, training and equipment), in particular border control and illegal immigration to enable full participation in Schengen Information System to continue the fight against organised crime, trafficking in women and children, drug trafficking and corruption; ensure better coordination between law enforcement bodies.
- continue progressive alignment of visa legislation and practice with that of the EU.
- strengthen police co-operation mechanisms with EUROPOL in fight against organised crime (in particular money laundering, drugs and trafficking in human beings).
- align legislation and administrative capacity for implementation of Asylum and Migration Acquis – for full reciprocal co-operation with the EU.

- implement integrated border strategy.

Reinforcement of administrative and judicial capacity, including management and control of EU funds

- consider adopting fast-track procedure for EU-legislation.
- strengthen statistical capacities.
- complete legislative framework and administrative capacity for internal financial control at regional level by end 2001. Consolidate anti fraud unit.
- Strengthening of public financial control functions through the provisions of adequate staff, training and equipment.
- improve operation of the judicial system; training for the judiciary in Community law and its application; reinforcement of institutions (in particular police, border guards, ministries and courts)

5 Programming

The PHARE allocation for the period 1995-1999 has totalled EUR 1022 million. Following the agreement of the European Council in Berlin on 24-25 March 1999, financial assistance to the candidate countries during the period 2000-2006 will also comprise support for pre-accession measures for agriculture and rural development through the pre-accession instrument SAPARD (Council Regulation (EC) No 1268/99, OJ L 161, 26.6.1999, p. 87) and a structural instrument ISPA (Council Regulation (EC) No 1267/99, OJ L 161, 26.6.1999, p. 72) which will give priority to measures similar to the cohesion fund in the pre-accession period. Under these national allocations, Poland can also fund part of its participation in Community programmes including in the Fifth Research and Technological Development Framework Programme (OJ L 26, 1.2.1999, p. 1). In addition Poland will have access to funding from multi-country programmes directly related to the *acquis*. Joint financing by the candidate countries is systematically required for all investment projects. Since 1998 the Commission has worked with the European Investment Bank and International Financial Institutions, in particular the European Bank for Reconstruction and Development and the World Bank, with a view to facilitating the co-financing of projects relating to pre-accession priorities.

5.1 Phare

The Phare programme is the main financial instrument of the reinforced pre-accession strategy. The overall objective of Phare is to help the candidate countries to prepare for accession by focusing the assistance it provides on the priorities identified in this revised Accession Partnership and in particular on the adoption of Community *acquis*.

During the period 2000-2006, Phare support will focus on two main areas, institution building and investment.

- **Institution-building** (around 30% of Phare resources) is defined as helping the candidate countries to develop the structures, strategies, human resources and management skills needed to strengthen their economic, social, regulatory and administrative capacity. Institution building support will be given in particular through twinning arrangements between ministries, institutions, professional organisations, agencies, European and regional bodies, in particular through the

secondment of officials in Member States. Phare will contribute to the financing of institution building in all sectors to help the candidate countries to

- a) implement the *acquis* and to prepare for participation in EU policies such as economic and social cohesion
 - b) fulfil the requirements of the first Copenhagen criterion. In this area support may be made available to public authorities or to non-governmental organisations.
- **Investment support** (around 70% of Phare resources) will take two forms :
 - a) investment to strengthen the regulatory infrastructure needed to ensure compliance with the *acquis* and direct, *acquis* -related investments
 - b) investment in economic and social cohesion through measures similar to those supported in Member States through the European Regional Development Fund and the European Social Fund.

Phare will not support investment projects in the areas of transport, environment or agriculture eligible for ISPA or SAPARD respectively. Exceptions may be made where investments in these sectors form an indispensable part of integrated industrial reconstruction or regional development programmes.

5.2 ISPA

The new pre-accession instrument for structural policies, ISPA, will provide assistance to Poland during the period 2000-2006 to contribute to the preparation for accession in the area of economic and social cohesion for :

- (a) **environmental measures** enabling the beneficiary countries to comply with the requirements of Community environmental law and with the objectives of the Accession Partnerships;
- (b) **transport infrastructure measures** which promote sustainable mobility, and in particular those that constitute projects of common interest based on the criteria of Decision No 1692/96/EC and those which enable the beneficiary countries to comply with the objectives of the Accession Partnerships; this includes inter-connection and interoperability of national networks as well as with the trans-European networks together with access to such networks.

Measures shall be of a sufficient scale to have a significant impact in the field of environmental protection or in the improvement of transport infrastructure networks. The total cost of each measure shall in principle not be less than 5 million. In duly justified cases, taking into account the specific circumstances concerned, the total cost of a measure may be less than 5 million.

5.3 SAPARD

The new pre-accession instrument for sustainable agriculture and rural development, SAPARD, will provide assistance to Poland during the period 2000-2006 in particular in the following two areas:

- (a) contributing to the implementation of the *acquis communautaire* concerning the common agricultural policy and related policies;
- (b) solving priority and specific problems for the sustainable adaptation of the agricultural sector and rural areas in Poland.

5.4 Role of International Financial institutions

Cooperation between Poland and the International Financial Institutions is receiving an impetus and a new focus through the Accession Partnership. The grant resources made available under the Accession Partnership serve as seed money and a catalyst for larger amounts of development finance from the IFIs. This process is developed by the Commission in liaison with the candidate countries, the EIB and the IFIs, in particular the EBRD and the World Bank with a view to facilitating the co-financing of projects relating to pre-accession priorities.

6 Conditionality

Community assistance for financing projects through the three pre-accession instruments PHARE, ISPA and SAPARD is conditional on respect by Poland of its commitments under the Europe Agreement, further steps towards satisfying the Copenhagen criteria and in particular progress in meeting the specific priorities of this Accession Partnership in 2000. Failure to respect these general conditions could lead to a decision by the Council on the suspension of financial assistance on the basis of Article 4 of Regulation (EC) No 622/98.

7 Monitoring

The implementation of the Accession Partnership is monitored in the framework of the Europe Agreement. As underlined by the European Council in Luxembourg it is important that the institutions of the Europe Agreement continue to be the framework within which the adoption of the acquis can be examined, in accordance with the same procedures, irrespective of whether or not negotiations have been opened. The relevant sections of the Accession Partnership are discussed in the appropriate subcommittee. The Association Committee discusses overall developments, progress and problems in meeting its priorities and intermediate objectives as well as more specific issues referred to it from the sub-committees.

The PHARE Management Committee ensures that financing decisions under all three pre-accessions instruments, PHARE, ISPA and SAPARD, are compatible with each other as well as with the Accession Partnerships as laid down in the Coordinating Regulation (Council Regulation (EC) No 1266/99, OJ L 161, 26.6.1999, p. 68).

The Accession Partnership will continue to be amended as necessary in accordance with Article 2 of Regulation (EC) No 622/98.

Annex 11

Accession Partnership for Poland, 2001

1 Introduction

At its meeting in Luxembourg in December 1997, the European Council decided that the Accession Partnership would be the key feature of the enhanced pre-accession strategy, mobilising all forms of assistance to the candidate countries within a single framework. In this manner, the Community targets its assistance towards the specific needs of each candidate so as to provide support for overcoming particular problems with a view to accession.

The first Accession Partnership for Poland was decided in March 1998. As provided for in Regulation (EC) No. 622/98 (article 2), the Accession Partnership was updated a first time in December 1999, taking into account further developments in Poland. The present revision is based on a proposal by the Commission following consultation with Poland, and draws on the analysis of the Commission's 2001 Regular Report on progress made by Poland towards accession.

2 Objectives

The purpose of the Accession Partnership is to set out in a single framework the priority areas for further work identified in the Commission's 2001 Regular Reports on the progress made by Poland towards membership of the Union, the financial means available to help Poland implement these priorities and the conditions which will apply to that assistance. The Accession Partnership provides the basis for a number of policy instruments which will be used to help the candidate States in their preparations for membership. These include *inter alia* the updated National Programme for the Adoption of the Acquis prepared by Poland, the pre-accession fiscal surveillance procedure, the Pre-accession Economic Programme, the Preaccession pact on organised crime as well as the National Development Plans, the Rural Developments Plans, a national employment strategy in line with the European Employment Strategy, and sectoral plans necessary for the participation in the Structural Funds after membership and for the implementation of ISPA and SAPARD before accession. Each of these instruments is different in nature and

is prepared and implemented according to specific procedures and may be supported by pre-accession aid. They are not an integral part of this Partnership but the priorities they contain will be compatible with it.

3 Principles

The main priority areas identified for each candidate State relate to their ability to take on the obligations of meeting the Copenhagen criteria which state that membership requires:

- that the candidate State 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;
- the ability to take on the obligations of membership, including adherence to the aims of political, economic and monetary union.

At its meeting in Madrid in 1995, the European Council stressed the need for the candidate States to adjust their administrative structures to ensure harmonious operation of Community policies after accession and at Luxembourg, in 1997, it stressed that incorporation of the *acquis* into legislation is necessary, but not in itself sufficient; it is necessary to ensure that it is actually applied. The Feira and Gothenburg European Councils in 2000 and 2001 respectively confirmed the vital importance of the applicant countries' capacity to implement and enforce the *acquis*, and added that this required important efforts by the applicants in strengthening and reforming their administrative and judicial structures.

4 Priorities and Intermediate Objectives

The Commission's Regular Reports have highlighted, besides the progress already made, the extent of the efforts which still have to be made in certain areas by candidate States to prepare for accession. This situation requires the definition of intermediate stages in terms of priorities, each to be accompanied by precise objectives to be set in collaboration with the states concerned, the achievement of which will condition the degree of assistance granted and the progress of the negotiations under way with Poland. The priorities listed in the revised Accession Partnership have been selected on the basis that it is realistic to expect that Poland can complete or take them substantially forward over the next two years (2002 – 2003). Within this list, issues that require particularly urgent action have been highlighted as such. The progress made in meeting the priorities of the 1999 Accession Partnership is assessed in the 2001 Regular Report. This assessment has been used in formulating the priorities for the current Partnership.

Poland submitted an updated version of its National programme for the Adoption of the *Acquis* (NPAA) in June 2001. The NPAA sets out a timetable for achieving priorities and intermediate objectives, based on the 1999 Accession Partnership, as well as necessary administrative structures and financial resources.

The Accession Partnership indicates the priority areas for Poland's membership preparations. Poland will nevertheless have to address all issues identified in the 2001 Regular Report. It is also important that Poland fulfils the commitments of legislative approximation and the implementation of the *acquis* in accordance with the commitments made under the Europe Agreement, and in the context of the negotiation process. It

should be recalled that incorporation of the *acquis* into legislation is not in itself sufficient; it will also be necessary to ensure that it is actually applied to the same standards as those which apply within the Union. In all of the areas listed below there is a need for credible and effective implementation and enforcement of the *acquis*.

Drawing on the analysis of the Commission's Regular Report, the following priorities and intermediate objectives have been identified for Poland. These priorities are presented in accordance with the structure of the Regular Report.⁹

4.1 Political criteria

Democracy and the rule of law

- Improve the functioning of the judicial system by measures to upgrade recruitment, training, logistical and clerical support; improve public access to the law; review degree of immunity in line with international standards; establish a national training standard for magistrates.
- Continue to implement civil service legislation and establish permanent training capacity for the civil service, in particular related to *acquis* issues.
- Implement a comprehensive anti-corruption policy.

4.2 Economic criteria

- Maintain macroeconomic and budgetary stability.
- Make further progress on the institutional framework for the market economy and sound economic policy management (in particular on issues relating to public expenditure management and further fiscal decentralisation).
- Continue improving the competitiveness of the Polish economy and upgrading of skills in particular in rural and eastern border regions, in particular through SME development and human resources development measures.
- Make further progress on structural reforms, including improving the functioning of labour markets and continuing the process of privatisation of State-owned firms, in particular in the energy sector and the remaining State-owned financial institutions.
- Continue restructuring of the steel sector (e.g. by implementing measures as part of a comprehensive sectoral programme for restoring viability, including control of State-aid and appropriate reductions in capacity); complete restructuring of the coal sector.
- Restructure the Polish railways aiming at financial sustainability.
- Continue improving the functioning of the land market and complete development of property register.

4.3 Ability to assume the obligations of membership

Free movement of goods

- **In need of particularly urgent action:** adoption and implementation of secondary legislation in the field of pharmaceuticals.
- Continue transposition of New Approach directives and adopted related European standards.

⁹ The order of presentation is that used from the 2000 Regular Reports.

- Adopt and implement the outstanding legislation on standardisation.
- Continue in parallel to the deletion of the pre-market approval system, the transposition and implementation of legislation in the field of foodstuffs and the rationalisation and reinforcement of the food control administration, as well as the training of inspectors and food operators.
- Continue transposition and implementation of traditional sectoral legislation, notably in the field of medical devices, chemicals and motor vehicles.
- Establish well-functioning market surveillance system and ensure implementing structures for all sectors.
- Adopt and implement a programme for the elimination of outstanding non-tariff market access barriers.
- Abolish by end 2002 National Preference Clause for Public Procurement by introducing access to award procedures in Poland for all Community companies. Implement SIMAP (Public Market Information System).
- Proceed with screening of legislation in the non-harmonised area to ensure that it is in compliance with Articles 28-30 of the EC Treaty and complete administrative arrangements for the future monitoring in this area.

Free movement of persons

- Reinforce the administrative structures for the co-ordination of social security systems. Complete alignment of mutual recognition of professional qualifications and diplomas and introduction of the administrative structures required.
- With respect to professional qualifications obtained before harmonisation, Poland should give priority to introducing measures to ensure that all its professionals can, from accession, meet the requirements laid down by the directives.

Freedom to provide services

- Develop monitoring and regulatory bodies, in particular for financial services.

Free movement of capital

- **In need of particularly urgent action:** amend the sectoral legislation restricting foreign direct investments, abolish remaining restrictions.
- Strengthen surveillance and regulatory bodies including the Financial Intelligence Unit.
- Liberalise progressively short-term capital movements.
- Ensure implementation of the recommendations of the Financial Action Task Force.
- Company law
- **In need of particularly urgent action:** implement Copyright and Neighbouring Rights Law and amendments.
- **In need of particularly urgent action:** Continue to upgrade intellectual and industrial Property enforcement at administrative and judicial level; increase efforts to fight against piracy and counterfeiting and intensify training for enforcement bodies including judges and prosecutors; ensure better co-ordination among enforcement bodies.

- Take the necessary steps to ensure equal level of protection of industrial property rights with regard to pharmaceuticals.

Competition policy

- In need of particularly urgent action: improve transparency and flow of data especially with regard to information on state aid so as to ensure a credible enforcement record.
- Adopt and implement programme for alignment of existing aid in special economic zones.
- Analyse in depth and realign with the obligations under the acquis state aid granted to the sensitive sectors, in particular the automotive and steel industries.
- Reinforce the anti-trust and State aid authorities and procedures and ensure co-ordination and training at all levels.
- Ensure the enforcement of the anti-trust and State aid rules. Increase awareness of the rules among all market participants and aid grantors. Intensify the training of the judiciary in the specific fields of anti-trust and State aid.

Agriculture

- In need of particularly urgent action: Upgrade the capacity of agricultural administration and complete preparations for the enforcement and practical application of the management mechanisms of the Common Agricultural Policy, in particular the Integrated Administration and Control System, the Paying Agency and preparation for setting-up the milk quota management system.
- Reinforce the administrative structures needed for the design, implementation, management, monitoring, control and evaluation of EC funded rural development programmes.
- In need of particularly urgent action: align and implement veterinary legislation and food safety standards.
- Upgrade inspection arrangements in particular at the future external borders and continue to implement the comprehensive development programme of phytosanitary and veterinary administration border posts. Complete system of animal identification and registration. Implement national laboratory plans for testing and diagnostic facilities, in particular the national reference laboratory; ensure adequate education on disease surveillance and EC animal health legislation at all levels.
- Continue the up grading of agri-food processing establishments so that they are in a position to respect EC food safety standards and legislation. Implement food hygiene, control system, animal waste treatment, modernise dairy farms, residue and zoonosis control programmes.

Fisheries

- Complete the establishment of adequate administrative structures and equipment at central and regional level that can ensure the implementation of the Common Fisheries Policy, including management of resources, inspection and control of

fishing activities, the market policy, structural programmes co-financed by the Financial Instrument for Fisheries Guidance, a fishing vessel register and a management plan for the fleet capacity in accordance with available fish resources.

Transport policy

- Continue legal alignment and reinforce administrative capacity in road transport (in particular access to the profession, technical and safety standards, axle weight and dimensions) and maritime transport (in particular ship reporting, maritime safety standards and classification requirements); continue alignment and establish the necessary administrative structures in air transport (in particular air safety and air traffic management).
- Continue legislative alignment and restructuring in the railways sector with a view to the implementation of the revised railways acquis, devote particular attention to the setting-up of an independent infrastructure manager and regulatory body.

Taxation

- Ensure legislative alignment with particular attention to VAT and excise duty rates, including the transitional VAT regime.
- Eliminate discriminatory duties against imports from the EC - Ensure that new tax measures and existing laws comply with the principles of the Code of Conduct for business taxation.
- Implement national strategy for the improvement of tax and revenue collection and reinforce administrative capacity including control and enforcement procedures and administrative co-operation and mutual assistance.
- **In need of particularly urgent action:** Develop IT systems so as to allow for the exchange of electronic data with the Community and its Member States.

Economic and Monetary Union

- Consolidate the independence of the National Bank of Poland.

Statistics

- Further improve quality and coverage of statistics; ensure adequate resources are available to further strengthen statistical capacities, including at regional level.
- Further adapt and harmonise agricultural statistics and statistical systems.

Social policy and employment

- Complete alignment and ensure proper implementation of EC legislation in the fields of labour law, equal treatment for women and men and health and safety at work. Strengthen the related administrative and enforcement structures, including the labour inspectorates. Adopt legislation against discrimination and develop a timetable for its implementation.
- Align the national system for surveillance and control of communicable diseases and health monitoring and information with those of the EU.
- Continue to support social partners' capacity-building efforts, in particular with a view to their future in the elaboration and implementation of EU employment and social policy, including the European Social Fund, notably through autonomous bipartite social dialogue.

- Prepare a national strategy, including data collection, with a view to future participation in the European strategy on social inclusion.

Energy

- Continue preparations for the internal energy market (complete the alignment of electricity and gas directives, including the elimination of price distortions and consolidating the regulator).
- Continue the alignment of oil stock requirements in a non-discriminatory and transparent manner, and make progress in ensuring the actual constitution of stocks, including the necessary investments, towards the level of 90 days.
- Step up the improvement of energy efficiency and the use of renewable energy sources and strengthen the relevant institutions in this area.
- Implement the recommendations contained in the Council report on "Nuclear Safety in the Context of Enlargement" with due regard to the priorities assigned in the report.

Telecommunications and information technologies

- **In need of particularly urgent action:** Complete alignment with the acquis and ensure transparent and effective implementation.
- Consolidate national regulatory authority for telecommunications.

Culture and audio-visual policy

- Complete alignment of legislation and continue to strengthen the capabilities of the independent television/radio regulatory authority.

Regional policy and co-ordination of structural instruments

- Establish National Development Plan and define the implementation structures of the final plan.
- Define the bodies in charge of the implementation of Structural Funds and the Cohesion Fund, in particular the Managing and Paying authorities; establish a clear division of responsibilities.
- Ensure effective inter-ministerial co-ordination and clarify responsibilities for regional policy issues.
- Set up the required monitoring and evaluation systems for Structural Funds, in particular for ex-ante evaluation and for the collection and processing of the relevant statistical information and indicators including regional statistics for the purposes of ex-ante evaluation.
- Improve the budgetary system according to structural funds standards; establish financial control arrangements for Structural Funds management, establish and properly staff future managing and paying authorities for Structural Funds management.
- Develop the technical preparation of projects eligible for Structural and Cohesion Funds assistance (project pipeline).

Environment

- Complete transposition of the acquis, with a special emphasis given to water quality (by adopting the Act on Water and related ministerial regulations) and industrial pollution.
- Continue implementation of the acquis, in particular as regards air quality (including improvement of monitoring network), waste management (by achieving full implementation of the directive on waste and the hazardous waste directive, by drawing up waste management plans and by improving the recovery and selection system), water quality (by giving special emphasis to waste water treatment in agglomerations above 100000 (population equivalent), by establishing the inventory for discharges of dangerous substances, by fully implementing the directives on drinking water, on quality of surface water and on nitrates pollution from agricultural sources) and industrial pollution (including the issuing of integrated permits under the IPPC directive).
- Continue strengthening the administrative, monitoring and enforcement capacity at national, regional and local level, with particular emphasis on permitting and planning and the establishment of the institutional structures to implement directives in the field of chemicals (also accredited laboratories) as well as in the field of nature protection.
- Continue the integration of environmental protection requirements into the definition and implementation of all other sectoral policies with a view to promoting sustainable development.

Consumers and health protection

- Continue alignment of legislation, strengthen market surveillance and enforcement including through a strengthening of consumer organisations and consumer awareness.

Co-operation in the field of justice and home affairs

- Ensure due implementation of the Schengen Action Plan.
- Continue preparation for future participation in the Schengen Information System by developing national databases and registers.
- Continue efforts in upgrading the equipment at border crossing points, but also at the green border and blue border and in particular at the future external border of the Union; allocating adequate national budgetary and administrative resources; align visas.
- Ensure full co-operation between national and EU law enforcement agencies by providing necessary administrative and logistical support; ensure the alignment of data protection practices; align cross-border surveillance, ensure exclusively civilian co-ordinated crime fighting services.
- Adopt and implement a strategy to combat organised crime (from prevention to prosecution); combat trafficking in human beings; adopt and implement a national antidrugs strategy; including the establishment of a National drugs Focal Point to co-operate with the European Monitoring Centre on Drugs and Drug Abuse; effectively address money-laundering and economic crime.
- Improve the internal co-operation within the police, with other law enforcement agencies and with the judiciary in particular to strengthen the fight against organised crime and eliminate overlapping investigations.

- Take the necessary steps in order to ensure the implementation of the Community instruments in the area of judicial co-operation in civil matters.
- Ensure that the pre-requirements to the conclusion of a co-operation agreement with Europol are met.
- Take the necessary steps to complete alignment with the Convention on the Protection of the Communities' Financial interests and its Protocols.

Customs Union

- **In need of particularly urgent action** fully implement the Business Strategy for the Customs Service on schedule, in particular the implementation of the IT strategy of the Polish customs administration. Develop IT systems so as to allow for the exchange of computerised data between the EC and Poland.
- Strengthen integrated border management - including co-operation with the national partner services and neighbouring countries to establish integrated joint working procedures.
- Implement the integrated tariff and the modernisation strategy for the customs administration including regional levels.
- Ensure uniform application of the Customs code throughout the country.
- Complete alignment regarding simplified procedures; strengthen the administrative and operational capacity of Polish customs (notably as regards border management and coordination with other law enforcement bodies).

External relations

- Take the necessary measures to ensure that any international treaties or agreements including bilateral investment treaties incompatible with the *acquis* are renegotiated or terminated by accession.

Financial control

- **In need of particularly urgent action:** complete Public Internal Financial Control policy paper and relevant secondary legislation at national and regional level; set up a central unit for co-ordination and harmonisation of the methodology for financial management and control as well as for internal audit throughout the government; set up internal audit/control units in spending centres.
- Introduce functional independence for internal auditors at both central and decentralised levels. Strengthen public internal financial control functions at all levels through enhancement of the administrative capacity.
- Strengthen the concept and practice of managerial accountability.
- Bring the activities of the Supreme Chamber of Control in line with international and EC standards.
- Consolidate anti fraud unit.
- Continue efforts to ensure the correct use, control, monitoring and evaluation of EC preaccession funding as a key indicator of Poland's ability to implement the financial control *acquis*.

5 Programming

For the period 2000-2006, in addition to Phare, financial assistance to Poland comprises support for pre-accession measures for agriculture and rural development through the preaccession instrument SAPARD (Council Regulation (EC) No 1268/99, OJ L 161, 26.6.1999, p.87); and support for infrastructure projects in the fields of environment and transport through the structural instrument ISPA (Council Regulation (EC) No 1267/99, OJ L 161, 26.6.1999, p. 73), which gives priority to measures similar to the cohesion fund in the preaccession period. Under these national allocations, Poland can also fund part of its participation in community programmes including the Research and Technological Development Framework Programmes and programmes in the areas of Education and Enterprise. In addition Poland will have access to funding from multi-country and horizontal programmes directly related to the *acquis*. Joint financing by the applicant States is systematically required for all investment projects. Since 1998 the Commission has worked with the European Investment Bank and the International Financial Institutions, in particular the European Bank for Reconstruction and Development and the World Bank, with a view to facilitating the co-financing of projects relating to pre-accession priorities.

6 Conditionality

Community assistance for financing projects through the three pre-accession instruments Phare, ISPA and SAPARD is conditional on respect by Poland of its commitments under the Europe Agreement, further steps towards satisfying the Copenhagen criteria and in particular progress in meeting the specific priorities of this revised Accession Partnership. Failure to respect these general conditions could lead to a decision by the Council on the suspension of financial assistance on the basis of Article 4 of Regulation (EC) No 622/98.

7 Monitoring

The implementation of the Accession Partnership is monitored in the framework of the Europe Agreement. As underlined by the European Council in Luxembourg, it is important that the institutions of the Europe Agreement continue to be the framework within which the adoption and implementation of the *acquis* can be examined. The relevant sections of the Accession Partnership are discussed in the appropriate sub-committee. The Association Committee discusses overall developments, progress and problems in meeting the Partnership's priorities and intermediate objectives as well as more specific issues referred to it from the sub-committees.

The PHARE Management Committee ensures that actions financed under all three preaccession instruments, PHARE, ISPA, and SAPARD, are compatible with each other as well as with the Accession Partnerships as laid down in the Co-ordinating Regulation (Council Regulation (EC) No 1266/99, OJ L 161, 26.6.1999, p. 68).

Annex 12

Twinning Projects in Hungary, 1998-2002¹⁰

1998

HU97/IB-JH-01	Border management	F, D, A	0.426	12 months
HU97/IB-JH-02	Training of law enforcement bodies	D, A, F, E	1.552	13 months
HU98/IB-AG-01	CAP implementation / support to fully compatible statistical information system and land information	D, F	1.337	24 months
HU98/IB-AG-02a	Planning capacity for structural and agri-environmental development schemes	D	0.320	12 months
HU98/IB-AG-02b	Planning capacity for structural and agri-environmental development schemes	E	0.252	12 months
HU98/IB-EN-01	Legal approximation in the environmental field (waste, air, water)	F, D, A	0.716	18 months
HU98/IB-EN-02	Central Environmental Protection Fund	D, A	0.880	24 months
HU98/IB-EN-03	Habitats Directive	FIN, E	0.299	12 months
HU98/IB-FI-01	State Aid monitoring system	F	0.300	12 months
HU98/IB-FI-03	Modernisation of the tax system	A, UK, I	0.384	12 months
HU98/IB-FI-07	Monitoring system for foreign aid	F	0.354	18 months
HU98/IB-FI-08	Support to state audit office	UK, D, DK	0.699	24 months
HU98/IB-JH-01	Fight against organised crime	UK, NL, D, I, F	1.454	18 months
HU98/IB-JH-02	Asylum and refugees	D, NL, DK	0.470	24 months
HU98/IB-OT-01	Development of testing and certification bodies	S	0.440	16 months
HU98/IB-OT-02	Development of a market surveillance system	UK, S	0.450	17 months

¹⁰ A = Austria, D = Germany, DK = Denmark, E = Spain, F = France, Fin = Finland, I = Italy, NL = The Netherlands, S = Sweden, UK = United Kingdom, Others = Belgium, Greece, Ireland, Luxembourg, Portugal.

HU98/IB-SPP-01/02	Establishment of a coherent framework for regional development / Preparation of operation of pre-accession aid (ISPA, SAPARD)	F, A, E, FIN, UK	2.568	24 months
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Total: 17**1999**

HU99/IB-AG-01	Development of Agricultural Statistics	E, S	0.800	19 months
HU99/IB-CO-01	Social security of migrant workers	NL, E	0.920	18 months
HU99/IB-FI-02	Harmonisation of the tax system	FIN, A	0.550	12 months
HU99/IB-FI-03	Accounting, with special regard to government finances	F, S	0.520	12 months
HU99/IB-JH-01	Capacity improvement in the fields of fair and efficient refugee status determination, and reception and care/maintenance of asylum seekers	S, NL	0.400	12 months
HU99/IB-SO-01	Support for the National Public Health and Medical Officer Service	S, UK	0.300	12 months

Total: 6**2000**

HU00/IB-EN-01	Air Quality Network	D, A	0.500	14 months
HU00/IB-EN-02	Waste management planning	B, UK	0.607	18 months
HU00/IB-FI-01	Approximation of Customs Legislation	E	0.716	12 months
HU00/IB-SO-01	Drug Information Focal Point	E	0.850	12 months
HU00/IB-SO-02	Health and Safety at Work	FIN, D	0.600	13 months
HU00/IB-SPP-01	Regional Preparatory Programme (RPP) for the Implementation of Structural Funds Regulations	I, D	4.000	22 months
HU00/IB-AG-01/02	Food hygiene control for certain products/Animal Welfare	F, NL	1.400	18 months

Total: 7**2001**

HU01/IB-AG-01	Pesticides residues	GR	0.600	15 months
HU01/IB-AG-02	Forestry Information system	D, A	1.700	26 months
HU01/IB-EN-01	Environmental Legislation	I	0.750	21 months
HU01/IB-EN-02	Hazardous waste	F	0.750	21 months
HU01/IB-EN-03	Seveso Directive	DK	0.488	14 months
HU01/IB-EN-04	IPPC Directive	D	0.700	21 months
HU01/IB-EY-01	Energy Market Liberalisation	E	0.700	14 months
HU01/IB-EY-02	Renewable Energy and Energy Statistics	E	0.500	14 months
HU01/IB-FI-01	Health financing	D	0.700	

HU01/IB-JH-01	"Filter system" for Border Management	F, A	1.000	16 months
HU01/IB-JH-02	Training of judges and prosecutors	D, F	2.000	23 months
HU01/IB-OT-01	Market surveillance	S, UK	1.000	15 months
HU01/IB-SO-01	Social dialogue	DK	1.749	18 months
HU01/IB-SO-02	Establishing a policy of equal opportunities	DK	0.900	22 months
HU01/IB-SPP-01	Establishing the Managing Authorities for Structural Funds	UK, IRL	3.000	22 months
HU01/IB-SPP-02	Strengthening ISPA/Cohesion Fund Agencies	UK, GR	0.800	15 months
HU01/IB-SPP-03	Strengthening Audit, Payment and Financial Control functions	F	1.197	22 months
HU01/IB-TR-01	Road Traffic Control acquis	UK, A	0.758	14 months

Total: 18**2002**

HU02/IB-AG-07	Training of Border Inspection Posts Staff – Phytosanitary field	NL, D	0,407	
HU02-AG-01	Pre-accession introduction of Common Market Organisation procedures	NL	1,700	19 months
HU02-AG-02	TSE (Transmissible Spongiform Encephalopathy) control	D	0,800	12 months
HU02-AG-03	Completing preparations for Structural funds in Agriculture	F, UK	0,550	14 months
HU02-AG-04	Improvement of qualification and certification of seeds, propagation material and feeds	D, NL	0,500	15 months
HU02-AG-05	Assistance in the establishment of the Food Safety Agency	D	0,750	15 months
HU02-EN-01	Accidental Water Pollution Control System/Implementation of the Water Framework Directive; Monitoring of Surface and Groundwaters	D, F	1,000	14 months
HU02-EN-02	Institutional strengthening of the Environmental Inspectorate	D	0,900	21 months
HU02-IB-AG-06	Training of Border Inspection Posts' Staff – Veterinary field	GR	0,412	12 months
HU02-JH-01	Development and Institutionalisation of the Coordination Forum on Drug Affairs	NL, UK	0,500	16 months
HU02-JH-02	Improving Prison Conditions for Better Re-socialisation of Juvenile Offenders	NL	0,737	
HU02-SO-01	Human resources development in occupational safety and health	NL	0,920	
HU02-SO-02	Modernising the Hungarian Public Employment Service (PES)	S, DK	0,600	24 months
HU02-SO-04	Increasing effectiveness of policies and programmes promoting the Roma integration	E	0,500	20 months

Total: 14**Total number of projects, 1998-2002: 62**

Annex 13

Twinning Projects in Poland, 1998-2002¹¹

1998

PL98/IB-AG-01	Integrated administration and control system (Ministry of Agriculture)	D, A	1.300	21 months
PL98/IB-AG-02	Reform and strengthening of the veterinary administration	F, D	1.657	26 months
PL98/IB-AG-03	Implementation of an animals identification and registration system	D, DK	0.500	18 months
PL98/IB-EN-01	Implementation of environmental legislation and strategies (water, air, waste)	F, D, UK	3.970	24 months
PL98/IB-JH-01	Improving the efficiency of the court system and the public prosecutor's office	F, D, NL	1.500	36 months
PL98/IB-JH-02	Eastern border management and infrastructure	UK, F, NL, D	1.500	13 months
PL98/IB-OT-01 (Phase 1 and 2)	Preparation for structural funds	UK, D, F, FIN, IRL, DK	6.751	4 and 24 months
PL98/IB-OT-02	Industrial restructuring	E, UK	1.097	16 months

Total: 8

1999

PL99/IB-AG-01	Preparation for the implementation of the Common Agricultural Policy	UK, NL, S	3.300	24 months
PL99/IB-AG-02	Phytosanitary administration for future external border	NL, F	2.090	12 months
PL99/IB-AG-03	Veterinary and sanitary control at prospective EU external borders. Computerised veterinary controls system	D, F	0.650	15 months
PL99/IB-CO-01	Inclusion of the Polish social security system in the Co-ordination of social security systems of the Member States	S	1.982	18 months
PL99/IB-EC-01	Structures and Systems for Certification and Standardisation in the EU Single Market	F, D	1.500	24 months
PL99/IB-EN-01	Strengthening the public admin. Including Inspectorate Protection in the area of env. Leg. Enforcement vis a vis the admin. System of PL	NL, UK	2.018	24 months

¹¹ A = Austria, D = Germany, DK = Denmark, E = Spain, F = France, Fin = Finland, I = Italy, NL = The Netherlands, S = Sweden, UK = United Kingdom, Others = Belgium, Greece, Ireland, Luxembourg, Portugal.

PL99/IB-FI-01	Enhancement of the Internal financial control of public spending	F	2.070	18 months
PL99/IB-FI-02	Improved Tax Administration	S, F	2.000	18 months
PL99/IB-FI-03	Transformation of the environment of the Polish Customs Administration in preparation for adoption of the "Acqu Communautaire"	UK,D,F,NL	3.450	19 months
PL99/IB-FI-04	Liberalisation of capital movements	F, I	1.225	18 months
PL99/IB-JH-01(a)	Third Pillar Obligations (Fight against organised crime)	F, NL, UK	1.911	20 months
PL99/IB-JH-01(b)	Third Pillar Obligations (Border guard questions and a of visa, migration and asylum policies)	D, NL, DK	3.050	13 months
PL99/IB-OT-01(a)	Development of official human resources and capacities effective alignment and reform (I)	UK, E, DK	3.650	25 months
PL99/IB-OT-01(b)	Development of official human resources and capacities effective alignment and reform (II)	F, IRL, P	1.884	12 months
PL99/IB-OT-02	Efficient enforcement of antitrust law and transparent state aid control and ex post reporting	S, DK	1.760	18 months
PL99/IB-OT-03	Approximation of Polish Telecommunications and postal regulation to the requirements of the EU internal market	UK, S	1.662	18 months
PL99/IB-SO-01	Further adoption and implementation of the EU Health Safety Legislation	F	2.015	24 months
PL99/IB-TR-01	Preparation of a legal basis and establishing the road Inspection in Poland	F, D	2.000	21 months

Total: 18**2000**

PL00/IB-AG-01	Fisheries administration	D, UK	0.600	18 months
PL00/IB-AG-02	Institution Building for rural development	D, I	0.900	15 months
PL00/IB-AG-03	Institution Building for agri-environment and afforestation	F, D	0.900	18 months
PL00/IB-AG-04	Institution Building for early retirement	F, GR	1.850	21 months
PL00/IB-AG-05	Border inspection posts phase II	D, F	0.700	14 months
PL00/IB-AG-06	Phytosanitary administration	NL	1.800	15 months
PL00/IB-AG-07	Food control administration	FIN	1.000	21 months
PL00/IB-AG-08 (a)	CAP Common market organisations (Ministry of Agriculture)	F	1.498	21 months
PL00/IB-AG-08 (b)	CAP common market organisations (Agricultural Market Agency)	NL	1.883	21 months
PL00/IB-AG-09	Preparation for selected CAP instruments	I, D	3.000	16 months
PL00/IB-EC-01	National SME development	F, I	1.000	24 months
PL00/IB-EC-02	Certification phase II	F	0.557	18 months
PL00/IB-EC-03	Competition and consumer protection	F, FIN	1.706	18 months
PL00/IB-EC-04	Intellectual and industrial property rights	E	1.438	20 months
PL00/IB-EN-01	Strengthen environmental impact assessment	D	1.599	18 months
PL00/IB-EN-02	Air quality assessment systems	D	0.790	21 months
PL00/IB-EN-03	Pollution prevention and control at regional level	E, DK	0.400	17 months

PL00/IB-FI-01	National Bank of Poland	F, I	2.000	24 months
PL00/IB-FI-02	Public finance	FIN	1.708	21 months
PL00/IB-FI-03	Internal financial control at regional level	F	1.850	24 months
PL00/IB-FI-04	Tax administration	UK, S	1.709	16 months
PL00/IB-FI-05	Custom	UK, NL	1.400	18 months
PL00/IB-JH-01	Integrated cadastre system	D, F	1.975	27 months
PL00/IB-JH-02	Border and visa policy	D, NL	1.500	14 months
PL00/IB-JH-03	Twinning for the police services	NL, UK	1.594	14 months
PL00/IB-JH-04	Fight against drugs	F, NL	0.520	12 months
PL00/IB-OT-01	Parliamentary law procedures	F, E	1.095	15 months
PL00/IB-OT-02 (a)	Strengthening regional policy administration – Dolnoslaskie	E	0.636	20 months
PL00/IB-OT-02 (b)	Strengthen regional policy administration - Kujawsko-Pomorskie	F	0.636	18 months
PL00/IB-OT-02 (c)	Strengthen regional policy administration – Lubuskie	D	0.636	17 months
PL00/IB-OT-02 (d)	Strengthen regional policy administration – Lodzkie	UK	0.636	18 months
PL00/IB-OT-02 (e)	Strengthen regional policy administration – Malopolskie	E	0.636	18 months
PL00/IB-OT-02 (f)	Strengthen regional policy administration – Mazowieckie	F	0.636	18 months
PL00/IB-OT-02 (g)	Strengthen regional policy administration – Opolskie	E	0.636	18 months
PL00/IB-OT-02 (h)	Strengthen regional policy administration – Pomorskie	UK	0.636	18 months
PL00/IB-OT-02 (i)	Strengthen regional policy administration – Swietokrzyskie	UK	0.636	18 months
PL00/IB-OT-02 (j)	Strengthening regional policy administration – Wielkopolskie	D	0.636	16 months
PL00/IB-OT-02 (k)	Strengthen regional policy administration - Zachodniopomorskie	D	0.636	16 months
PL00/IB-OT-03	Strengthen acquis implementation at regional level	DK	1.735	24 months
PL00/IB-SO-01	Social dialogue	DK	1.630	22 months
PL00/IB-SO-02	National vocational training system	F	0.750	18 months
PL00/IB-ST-01	Regional statistics	F	1.000	30 months
PL00/IB-TE-01	Telecom universal service	E	1.530	14 months
PL00/IB-TR-01	Transport administration and acquis	UK, E	2.200	22 months

Total: 44**2001**

PL01/IB-AG-01	Fisheries market organisation	E	0.799	20 months
PL01/IB-AG-02	Agricultural Advisory System	UK, IRL	1.999	26 months
PL01/IB-AG-03	Farm standards	DK	1.900	27 months

PL01/IB-AG-04	Organic farming	I	1.500	26 months
PL01/IB-AG-05	Animal Feed Control System	I	2.000	25 months
PL01/IB-AG-06	Classification of Europ. animal carcasses	DK	1.589	24 months
PL01/IB-AG-07	IACS and Animal identification & Registration System	DK, F, I	2.000	
PL01/IB-AG-07	IACS and Animal identification & Registration System	DK, F, I	2.000	
PL01/IB-EC-01	Insurance supervision	E	1.950	20 months
PL01/IB-EC-02	National Export Development System	NL, UK	1.300	26 months
PL01/IB-EC-03	Certification and Standards – Phase III	F, D	1.570	24 months
PL01/IB-EC-06 A	Market surveillance Pharmaceuticals	E	0.800	14 months
PL01/IB-EC-06 B	Market surveillance Medical devices	E	0.800	14 months
PL01/IB-EC-07	Food safety system	D	0.562	18 months
PL01/IB-EC-08	Competition policy and consumer protection	D, A	1.650	21 months
PL01/IB-EN-01	Water resources protection vis-à-vis agricultural impacts	UK	1.650	26 months
PL01/IB-EN-02	European Natura 2000 Network	F	1.600	26 months
PL01/IB-EN-03	Biological safety system	D, E	1.760	26 months
PL01/IB-EN-04	Control of Seveso II Accidents	A	0.700	17 months
PL01/IB-EY-01	Energy market regulation	DK	0.600	20 months
PL01/IB-FI-01 A	Modernisation of Polish tax administration – Rationalisation of administrative activities	F, S	2.000	20 months
PL01/IB-FI-01 B	Modernisation of Polish tax administration – Tax audits and prevention of money laundering	D, UK	0.610	20 months
PL01/IB-FI-03	Customs organisation	NL, UK, D	1.200	20 months
PL01/IB-FI-04	Public Procurement system	I	0.650	15 months
PL01/IB-JH-01 A	Institution Building for Border Policy	D	1.000	14 months
PL01/IB-JH-01 B	Institution Building for Migration and Visa Policy	A	1.000	14 months
PL01/IB-JH-02	Justice – Organised crime and international co-operation	E	1.500	14 months
PL01/IB-JH-03	Twinning for the police services	D	2.000	17 months
PL01/IB-OT-01	Audio-visual Policy	F	1.700	18 months
PL01/IB-OT-02	Chemicals directives and administration	S	1.100	17 months
PL01/IB-OT-03	Development of programming and management capacities for ESF implementation	FIN, UK	1.830	22 months
PL01/IB-OT-04	Strengthening co-ordination and management capacities for Structural Funds	F	2.000	24 months
PL01/IB-ST-01	Statistical Information System	D	1.500	30 months

Total: 33

2002

PL02-AG-02	Implementation of milk quota system in Poland	NL, A	1,000	21 months
PL02-AG-03	Preparation of Agricultural Market Agency as paying agency	NL, GR	0,800	21 months
PL02-AG-04	Institution Building for the Financial Instrument for Fisheries Guidance (FIFG)	S, F	0,850	
PL02-AG-05	EAGGF	I	1,100	14 months
PL02-EC-01	Medicinal products surveillance and registration system	D	0,900	21 months
PL02-EC-01	Medicinal products surveillance and registration system	D	0,900	
PL02-EC-02	Strengthen the food control administration	F	1,950	
PL02-EC-02	Strengthen the food control administration	F	1,950	26 months
PL02-EN-01	Implementation of the Water Framework Directive	D	1,500	26 months
PL02-EN-02	Monitoring of drinking water quality	I	0,824	14 months
PL02-EN-04	Control of waste shipments	D	0,821	18 months
PL02-EY-01	Sustainable and efficient energy conservation Policy	D, DK	1,400	22 months
PL02-FI-01	Institutional development of tax collection and taxpayer's control	UK	0,750	15 months
PL02-FI-02	Poland's Customs Border as Part of the Future Eastern EU Border	UK, NL, D	0,800	20 months
PL02-FI-03	Public finance management	F	1,700	22 months
PL02-FI-04	Financial intelligence unit	UK	0,562	14 months
PL02-FI-05	Paying Authority and Certifying Body	UK	1,599	20 months
PL02-JH-01	Twinning for border management and visa policy	D	1,000	
PL02-JH-02	Twinning for asylum administration	D	1,200	
PL02-JH-03	Fight against organised and economic crime	D	0,999	
PL02-JH-04	Improvement of judicial system	F	0,543	14 months
PL02-OT-01	Development of ESF management capacities	UK, FIN	0,550	
PL02-OT-02	Preparation for the Cohesion fund	E	1,000	
PL02-OT-03 a	Preparation for CSF and ERDF; developing effective programming and management of CSF and ROP (Project merged with PL02-OT-03 a)	UK	0,500	
PL02-OT-03 b	Preparation for CSF and ERDF (Project merged with PL02-OT-03 a)	UK	0,500	
PL02-OT-03 c	Preparation for CSF and ERDF	D, F	0,998	20 months
PL02-OT-04	Risk assessment and chemicals control	A, NL	1,250	
PL02-SO-01	Equal treatment women and men	DK, A	0,500	21 months
PL02-SO-02	Occupational Health and Safety regarding biological agents at work	D	1,130	
PL02-SO-03	Co-ordination of social security systems	E	1,100	
PL02-SO-04	Strengthen administration for benefits in kind	UK	0,990	
PL02-SO-05	Recognition of qualifications for medical professions	NL	1,000	15 months

PL02-SO-06	Strengthening anti-discrimination policies	A	0,449	18 months
PL02-TR-01	Civil aviation and Railway sector management	E	0,500	

Total: 34

Total number of projects, 1998-2002: 137

Annex 14

SIGMA, TAIEX and other institution-building initiatives

1 Introduction

The twinning exercise is not the only instrument aimed at the reform of public administrations in the applicant countries. There are several programmes that were even in place before the introduction of twinning and continued to operate throughout the accession period. The 2003 Comprehensive Monitoring Report (CMR) for the accession countries indicates the need for further efforts to improve general administrative and judicial capacities, so as to reliably enforce the *acquis communautaire*.

In addition, the 2003 CMR notes that the management of public funds, including public internal financial control, remains to be improved, and it points to the need for a continued reform of the judiciary and further efforts to combat fraud and corruption.

Article 34 of the Act of Accession establishes the Transition Facility to assist the new Member States to strengthen administrative capacities. The present contract, under the Transition Facility, extends the Sigma programme and TAIEX to assist the ten new EU Member States in pursuing their administrative reforms in line with the CMR.

2 The OECD Sigma service

The Sigma programme is a joint initiative of the OECD and the European Community, principally financed by the EU's Phare programme. The instrument was launched in 1992 to help CEECs modernise their public management systems and is located within the OECD's Public Management Service. The programme has expanded to advise the Western Balkans and currently it is therefore governed by conventions with both DG Enlargement and EuropeAid. The contract on the Western Balkans also includes cooperation with the European Agency for Reconstruction.

The programme complements other Community assistance on institution-building, especially twinning projects and TAIEX. Sigma aims to improve general administrative capacities. This dimension of administrative reforms is not directly addressed by the other instruments that are at the Commission's disposal. Thus Sigma is an important element in helping candidates to reliably implement and enforce the *acquis communautaire* and manage assistance stemming from Community funds. It also aims to protect the Community's financial interests by encouraging reforms that undermine corruption and introduce efficient audit and monitoring functions. The objectives of Sigma can therefore be summarized as follows:

- public administration reform,
- management and control of financial resources,
- fight against fraud and corruption.

2.1 Public Administration Reform

The specific objectives of under the administrative reform pillar of Sigma are to improve the overall administrative framework and the professionalism of civil servants, through:

- enhancing civil service legislation, human resource development strategies (incl. training strategies) and management of human resources;
- enhancing the legal framework of administration (e.g. administrative procedure laws, conflict of interest rules);
- upgrading administration of legal processes within the administrative justice system;
- improving strategy, co-ordination and management of policy processes including legislation;
- introducing a more coherent legal business environment including regulatory and supervisory frameworks/capacities;
- providing conceptual and methodological support for decentralised organisation and management;
- enhancing professionalisation through institutionalisation of ethics codes, service and accountability.

2.2 Management and Control of Financial Resources

The specific objectives of building block II, are to enhance the allocation, control, supervision, and reporting of financial resources through:

- strengthening of the budgetary decision-making, budget execution and treasury systems including co-ordinated expenditure planning for operational and capital expenditures within medium term frameworks;
- improving the operation and control of resource flows from the central budget to lower levels of government and other State entities;
- improving the operation and control of revenues, including European Union own resources;
- ensuring correct implementation and improving complaints systems and the transparency of procedures;
- enforcing acquis compliant public internal financial control and internal audit standards;
- improving external audit;
- supporting the networking of relevant institutions as appropriate in the area of external audit and public internal financial control.

2.3 Fight against Fraud and Corruption

The specific objectives und the fight against fraud and corruption heading are to enhance the allocation, control, supervision, and reporting of financial resources through:

- strengthening the Anti-Corruption and Anti- Fraud Structures (among others, the Anti-fraud Co-ordination Service AFCOS);
- introducing an appropriate legal regime to support administrative reliability (e.g. Conflict of Interest Legislation, ethics codes)

2.4 Programme Functions

In order to reach these objectives, the SIGMA Programme employs a number of operational delivery mechanisms, including:

- advice on reforms, design and implementation of strategic development plans;
- peer reviews/assistance;
- analysis and assessment of legal frameworks, methodologies, systems and institutions;
- training
- methodological, technical and strategic input to optimise Commission assistance.

The programme also supports the participation of the State Audit Institutions (SAIs) of the beneficiary countries within the activities of the networks of SAI Presidents, including the technical working groups and workshops, together with the European Court of Auditors. It will also support other networks as requested by the Commission.

3 The TAIEX office

In June 1995, the Cannes European Council received the Commission's White Paper on 'Preparation of the associated countries of central and eastern Europe for integration into the internal market of the Union' (CEC 1995). In order to follow up the objectives of the White Paper, the Commission set up a technical information exchange office (TAIEX) for an initial two-year period. The office went operational in 1996 and provided technical assistance to CEECs in the areas of legislation covered by the White Paper. The mandate of TAIEX was quickly expanded to range across the whole *acquis* and later it was opened to other applicants countries such as Turkey, Malta and Cyprus. Currently, the office is also advising countries in the Western Balkans on technical issues deriving from the *acquis*.

3.1 Objectives

The overall idea of this instrument was to provide a "one stop shop" that would assist the countries in understanding and drafting legislation related to the Single Market. In addition, TAIEX was also designed to address candidates' with the implementation and enforcement of the *acquis communautaire*. The instruments first enabled the following services: documentation, information and advice on Single Market legislation; workshops and seminars; study visits to the European Commission and Member States; expertise to advise the beneficiary countries and; finally, the creation of databases on the deployment and results of technical assistance provided. As an exception from the rule, TAIEX assistance remained largely demand-driven after 1998 even though the overall direction of the EU's enlargement strategy pointed towards accession-driven grants. In 1999 the programme foresaw the following components: Technical assistance, seminars and workshops (EUR 9,000,000); Development and updating of databases (EUR 2,000,000); Information, translation and interpretation (EUR 250,000). The member states participate by sending experts into the applicant countries on basis of the so-called peer review system that supports the accession negotiations with reports on the candidates' compliance with the *acquis*. The TAIEX mandate to provide assistance covered the following groups of beneficiary countries:

- Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovak Republic, Slovenia
- Bulgaria, Romania and Turkey [and now Republic of Croatia]
- Turkish Cypriot Community in the northern part of Cyprus
- Former Yugoslav Republic of Macedonia, [Republic of Croatia], Bosnia and Herzegovina, Republic of Albania, Serbia and Montenegro and Kosovo (as defined in UN Security Council Resolution 1244 of 10 June 1999)

3.2 Function

The Commission sees the role of TAIEX as that of catalyst, channelling requests for assistance as well as that of a facilitator acting as a broker between the concerned institutions and the EU member states for the delivery of appropriate expertise (cf. CEC 2004c: 6). It addresses a wide range of recipients in the candidates' institutions, including civil servants, Members of Parliaments and civil servants working in Parliaments and Legislative Councils; professional and commercial associations representing social partners, as well as representatives of trade unions and employers' associations; the Judiciary and Law Enforcement authorities; interpreters, revisers and translators of legislative texts. Similar to the twinning exercise, TAIEX aims at improving enforcement and implementation capacity at sectoral level.

4 Administrative Capacity Plans

The Administrative Action Plans were prepared by the Commission in 2001 and implemented in 2002 (*see* CEC 2002). All actions financed under the heading of this initiative were principally financed through Phare. The objectives derived from the priorities set in the revised Accession Partnerships with the respective candidate. The purpose of the Action Plans was to identify the next steps that were required for each country in order to achieve an adequate level of administrative and judicial capacity by the time of accession. It took into account for each country and for each priority area three specific aspects:

- Actions taken/envisaged by the candidate country to implement the priority in question;
- Community actions already under way/planned support to support administrative and judicial capacity building related to the priority area concerned;
- Monitoring actions underway/required to assess the state of preparation in each priority area.

In this way, the Commission sought to take into account the candidate countries' individual situation and their envisaged accession dates. In areas where the Commission services identified the need for additional supplementary actions, a supplementary institution building facility constituting an additional allocation of up to €250 million was put aside from the budget of the existing Phare programme.

4.1 Procedure

The country teams within DG Enlargement were asked to draw up a table of supplementary actions including proposed *supplementary community assistance* and

proposed *monitoring actions* in those areas where there is a considerable need for additional monitoring. The first heading included technical assistance, twinning projects and investments programmes, whereas the monitoring function also included peer reviews by member state officials. The co-ordination unit within DG Enlargement decided then over the final Action Plans for each country in conjunction with the respective country unit¹².

4.2 Content

The Commission Communication on the “Action Plans for administrative and judicial capacity” gives further details on the actual administrative structures that were still in need of significant enhancement during 2002. Under the heading of political criteria, the Commission for example pointed to the establishment of a civil service office, the development of a civil service code of ethics, the training of staff, the strengthening of human resources management departments, and the development of impact assessment or quality control capacity. The economic criteria included functioning land market and property registers in Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, and Slovenia. It also pointed to the implementation and enforcement of bankruptcy legislation in Bulgaria, the Czech Republic and Lithuania. In this way, the Commission sought to refocus the candidates’ attention on the issue of administrative capacity.

¹² Unpublished archive document. Note for the file on the “Preparation of Action Plan for reinforcing the administrative and judicial capacity of each of the negotiating countries: initial guidelines”.

PAGE

NUMBERING

AS ORIGINAL

Annex 15

Phare logframe matrix

The excerpt from the programming guide 2004 below describes the application of the logframe matrix within Phare (CEC 2004b). This instrument was developed by USAID in the late 1960s as a means to assist in planning, management and evaluation of development projects. It has been adopted by a number of development agencies including GTZ and SIDA and became a cornerstone of the reform of external aid programmes since the early 1990s when the Commission introduced it as a basic element of Project Cycle Management (PCM) (see CEC 2004a). As a result, logframe matrixes have been used in Phare and other aid programmes since the early 1990s. The rationale behind this tool is to recognize the specific characteristics and requirements of the different stages of the project cycle. It is designed to ensure a consistent analytical approach to project design and management. In addition, the logframe matrix provides an essential tool to monitoring and evaluation efforts concerning external aid. The specification of targets, means and objectives is presented in a way that facilitates evaluation of projects on the ground.

GUIDANCE ON PREPARING A STANDARD ANNUAL LOGFRAME

Please note

- You should prepare a logframe before you complete your project fiche. This will help you to develop a coherent project with measurable goals that take full account of assumptions and risks.
- This brief guidance has been largely rewritten to reflect the training material developed for the project design workshops delivered in Bulgaria, Romania and