

Croatia becomes a candidate for EU Membership - Frequently asked questions on the Accession Process

Following their application in March 2003, and the Commission's recommendation that the EU open accession negotiations with Croatia, the second former Yugoslav republic was awarded candidate status on 18th June, after Slovenia, which joined the EU on 1st May this year. The European Council agreed that Croatia meets the political criteria, and moves from the status of applicant to candidate country for EU membership. "The achievement of candidate status by Croatia should be an encouragement to the other countries of the Western Balkans to pursue their reforms", the EU leaders stated, repeating their affirmation that "the future of the Western Balkans rests within the European Union".

This Memo provides background information on the enlargement process. It is based on the experience of the accession negotiations which took place so far with the ten countries which joined the EU on 1 May as well as Bulgaria and Romania. It does not prejudice the general negotiating framework on Croatia, which is yet to be agreed. .

1. What criteria must be fulfilled to become a member of the EU?

In order to join the Union, the candidate countries need to fulfil the economic and political conditions known as the 'Copenhagen criteria', according to which a prospective member must:

- be a stable democracy, respecting human rights, the rule of law, and the protection of minorities. Fulfilling this criterion is key for the start of accession negotiations.
- have a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union.
- adopt and enforce the common rules, standards and policies that make up the body of EU law.

The EU assists candidates in their efforts to implement the requirements for EU membership through a country-specific pre-accession strategy. This includes various kinds of financial assistance to improve their infrastructure and economy.

2. What are the negotiations about?

The negotiations start with a *screening process*, that is, a careful and very detailed analysis of the legislation of the candidate country, to identify the existing differences from the *acquis communautaire* that will need to be corrected.

In the case of Croatia, as requested by the European Council, the negotiations will be prepared by "*an examination of the acquis, which might best be undertaken in the framework of the Stabilisation and Association Agreement with Croatia*".

The main purpose of the negotiations is to ensure that the candidate country is able to adopt and implement the *acquis communautaire* by the time of accession. In some cases, where specific difficulties make it impossible to apply the *acquis* fully from the date of accession, the EU can accept transitional arrangements. Such arrangements must be limited in scope and duration. Under similar arrangements in previous accession negotiations, new Member

States have been able to phase in their compliance with certain laws and rules by a date agreed during the negotiations.

Throughout the negotiations and up to accession, the Commission monitors the actual progress made by a candidate country in preparing for accession. The Commission informs the Member States and the candidate country of its assessment on a continuous basis, and regularly publishes reports. This monitoring is an integral part of the accession process as progress in the negotiations needs to go hand in hand with progress on the ground.

3. Who are the actors in the accession process?

When dealing with accession negotiations, the European Union acts as an Intergovernmental Conference. In concrete terms this means that the Member States are the parties to the accession negotiations and that each EU decision must be taken unanimously. The Presidency of the EU, (which currently rotates among the Member States every six months), presents the negotiating positions agreed by the Member States and chairs negotiating sessions at the level of ministers or their deputies. Each applicant appoints a Chief Negotiator, with a supporting team of experts.

The European Commission presents draft negotiating positions to the Member States. The Commission is in close contact with the candidate countries in order to seek solutions to problems arising during the negotiations. Within the Commission, the work is coordinated by the Directorate General for Enlargement.

The European Parliament is kept informed of the progress of the negotiations and gives its assent to the resulting Accession Treaty. Each Member State has to ratify the treaties of accession. Depending on the constitutional requirements in each country, this usually requires an act of Parliament, preceded in some cases by a referendum. The debates on ratification provide an opportunity for representatives of the people in each member state to express their view.

4. What is the pre-accession strategy?

In order to help the candidate countries carry out the reforms required for fulfilling the accession criteria and prepare for managing and absorbing EU funds on accession, the Union provides financial and technical assistance as part of its pre-accession strategy. It defines for each candidate country the short- and medium-term priorities to be met. Pre-accession financial support is devoted to meeting these priorities.

Specific EU programmes serve this purpose. The candidate countries of Central Europe which joined the EU on 1 May 2004 benefited from pre-accession financial assistance, under programmes such as PHARE, which supported mainly institution building, ISPA, devoted to the development of environment and transport infrastructure and SAPARD for agricultural and rural development support. For Cyprus, Malta and Turkey, the EU developed other pre-accession instruments.

Information can be found on the website:

<http://europa.eu.int/comm/enlargement/negotiations/index.htm>