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REPORT

on the state of preparedness for EU membership of Bulgaria
(2005/2204(INI))

Committee on Foreign Affairs

Rapporteur: Geoffrey Van Orden

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the state of preparedness for EU membership of Bulgaria (2005/2204(INI))

The European Parliament,

- having regard to the Treaty of Accession of the Republic of Bulgaria and Romania to the European Union, signed on 25 April 2005,
 - having regard to its relevant resolutions and reports since the beginning of the accession negotiations,
 - having regard to the Presidency Conclusions of the Brussels European Council of 16-17 December 2004,
 - having regard to the Commission's 2005 Comprehensive Monitoring Report for Bulgaria (COM(2005)0534),
 - having regard to the letter of EU Commissioner Olli Rehn to the Bulgarian government of 7 November 2005,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A6-0342/2005),
- A. whereas, following the closure of accession negotiations on 14 December 2004, Bulgaria signed the Accession Treaty on 25 April 2005 and ratified it on 11 May 2005,
- B. whereas Bulgaria remains on course to assume the obligations for membership in time to meet our common objective of her accession to the EU on 1 January 2007, by which time she must have fulfilled the conditions laid down in the Treaty of Accession,
- C. whereas, as the European Parliament has repeatedly emphasised, the accession of Bulgaria should depend exclusively on its own merits and should not be linked to the candidacy of any other country or indeed be disadvantaged by unrelated concerns about the course of future EU enlargement; nevertheless expresses its continued hope that the accession of Romania and Bulgaria will be able to take place at the same time,
1. Welcomes the ratification of Bulgaria's Treaty of Accession by many Member States and urges the speedy completion of the ratification process by the remainder;
 2. Congratulates successive Bulgarian governments on their steady commitment and progress towards EU accession, and welcomes the elements of continuity in Government and the National Assembly's determined prioritisation of accession requirements following the Bulgarian general election in June 2005;
 3. Welcomes the generally positive but in parts critical assessment of Bulgaria's progress

towards accession in the Commission's 2005 Monitoring Report and urges the Bulgarian Government and authorities to show increased and visible determination concerning those areas highlighted as needing 'increased efforts' and, before April 2006 (when a further Monitoring Report will be prepared), to demonstrate in a concrete manner that it has taken effective action to remedy areas identified as being of 'serious concern';

4. Notes that Bulgaria is as close, or in many cases closer, to fulfilling accession criteria fourteen months before accession, as any of the new Member States were at the same stage in the accession process of the fifth enlargement;
5. Recognises that the prospect of timely accession is a major incentive to increased effort and acceleration of the pace of reform; urges the Bulgarian authorities to deliver tangible results, thereby ensuring that the target date for accession of 1 January 2007 is achievable; at the same time notes that the changes underway are beneficial in themselves, not merely as a prerequisite of EU accession, and that the process of modernisation and reform must continue for many years after accession and this should be reflected in the conditions for cohesion funding;
6. Welcomes the arrival of 18 Bulgarian Parliamentary Observers to the European Parliament and looks forward to continuing the fruitful cooperation between Parliament, Commission and Council in decisions relating to Bulgaria's progress towards EU membership;
7. Recalls the exchange of letters between the President of the European Parliament and the President of the Commission on the full association of the European Parliament with any consideration of activation of one of the safeguard clauses in the Treaty of Accession; notes that the Parliament will take a position on these issues and especially the timing of accession, in the light of the state of implementation of the necessary reforms and on the basis of the Commission's detailed assessment of the situation next spring; expects therefore the Commission and Bulgaria to work closely with the Parliament in this regard;
8. Recognises Bulgaria's significant contribution to the stability of the wider south-east European region and her continuing role in the promotion of regional security and prosperity;

Political criteria

9. Notes that Bulgaria continues to fulfil the political criteria, and urges Bulgaria to channel maximum political, financial and administrative energy into practical implementation of legislation and strategies, in order to deliver tangible results; reminds the Bulgarian government of the need to step up its efforts to develop a sufficient administrative and judicial capacity to implement and enforce the *acquis*, with particular reference to the Anti-Corruption Strategy and the urgently needed continued reform of the judiciary;
10. Strongly endorses the view that the rule of law is vital to the establishment of public trust and confidence and also provides the foundation for economic progress and

therefore greater prosperity;

11. Recognizes that due to the progress that has been made in combating certain categories of serious crime such as drug trafficking, people trafficking and currency counterfeiting, crime rates in Bulgaria have been lowered at the level of many Member States, and encourages Bulgaria to continue its efforts;
12. At the same time expresses concern at the brazen nature of Bulgarian organised criminal elements, their contempt for the law and challenge to the authority of the State, and their involvement with apparent impunity in a series of high-profile murders in recent years; notes with concern the small proportion of serious criminal cases that result in penal convictions;
13. Regrets that, while ranking better than one Member State and the other three EU candidates in the international "Corruption Perceptions" ranking, Bulgaria nevertheless does not score well and that, to date, there have been few successful convictions of high-level officials for corruption;
14. Encourages high-level officials, as a sign of their commitment, to distance themselves publicly from all kinds of corruption; strongly encourages high-level officials to support regulations demanding the disclosure of their personal assets and income-tax declarations;
15. Welcomes the initiatives taken for improved coordination of the work of the various Ministries and operational agencies engaged in the fight against organised crime and corruption and the planned improvements in the organisation and management of the police and security services; applauds the adoption of a range of new measures, notably the Criminal Procedure Code, and urges their speedy and effective implementation; reiterates, however, the strategic importance of further reform of the judiciary as the prerequisite for all other modernising initiatives; furthermore recognises that several Member States have provided excellent specialised assistance, and requests that those Member States with special expertise in combating organised crime should offer urgent additional support; notes that satisfactory results will only be achieved if efforts are enhanced not only at national but also at local levels;
16. Calls therefore for additional steps including: Constitutional amendment to provide clearer division of responsibilities and greater effectiveness in the prosecution and investigation of crime; greater control and accountability of the Chief Prosecutor and his deputies; improved measures to facilitate investigation of corruption in the judiciary, especially by insisting on increased cooperation within and between the respective bodies; an improved appointments system for judges; improved salaries, resources and opportunities for 'fast track' promotion for the police; and serious attention to the seizure of assets of those involved in organised crime;
17. Notes Bulgaria's strategic location at an EU external border and recommends further concerted efforts to improve all aspects of border control, including measures relevant to the fight against organised crime, human trafficking and drug trafficking as well as

to public health, such as animal disease control; urges the Bulgarian authorities to ensure the availability of sufficient human resources to guarantee implementation of the border control acquis; and calls also for neighbouring countries, especially in the Western Balkans, to step up their activities;

18. Calls for more resources to be directed to improvement of orphanages and schools for disadvantaged children and those with special needs, including disabled persons, and to more rapid and effective implementation of the deinstitutionalisation plan, given that Bulgaria has a relatively high percentage of children in care; requests the Commission to undertake research and monitoring on the status of disabled persons living in residential institutions; wishes to encourage changes in the law and practice of adoption to reduce further the number of Bulgarian children adopted internationally and to promote national adoption including establishment of a unified national register for potential adopters, as well as encouraging foster care in line with international best practice; calls for continued reform of psychiatric care; urges also the establishment of a juvenile court system backed by appropriate structures and accommodation;
19. Welcomes the practical measures taken by Bulgaria to improve the integration of Roma into mainstream society especially in relation to education, housing and healthcare; calls for more attention to the "Action Plan for the Implementation of the Framework Programme for Equal Integration of Roma into the Bulgarian Society 2005-2006"; notes that discrimination problems still face many Roma people and that Roma women are especially vulnerable to trafficking and prostitution; insists that efforts to ensure access to quality education and to overcoming segregation must be reinforced and properly resourced, and that progress will be judged by reference to visible improvements; emphasises, however, that integration is a two-way process, with the Roma themselves recognising the need to adapt;
20. Calls for action to be taken to effectively implement the Strategy for Decentralisation so that local administrative structures are considerably strengthened and have the necessary capacity to play a full and active role in Bulgaria's reforms;

Economic criteria

21. Commends Bulgaria on taking action, as called for in Parliament's last Report, to further consolidate her economic performance via substantial structural reforms and sound fiscal policies, and encourages further specific efforts to reduce the current account deficit; stresses that a strong focus on economic progress is essential in order to master the challenges and opportunities of EU membership;
22. Welcomes the Commission's verdict on the positive effects of the privatisation programme in Bulgaria; notes that the share of the private sector reached 67% of GDP in the first half of 2005, an increase of 2.2% from the same period in 2004; calls for greater transparency in the processes of public procurement, tendering and contracting;
23. Welcomes the notable progress in the creation of a business environment conducive to investment and growth, and the targeting of private sector, state and European funding to develop effective and equitable legal, administrative and regulatory structures for economic activity; continues to emphasise the relevance of a reliable judiciary and

public administration for a healthy business climate and a strong decentralised infrastructure, particularly for the benefit of SMEs;

24. Recommends measures to bring greater flexibility to the labour market, to encourage innovation, to increase mobility of the workforce and to improve education and training programmes; at the same time wishes to see steps taken to assess the true level and nature of unemployment, given manpower shortages in some sectors;
25. Reminds Bulgaria that it needs to make increased efforts in all areas of the internal market, as pointed out in the latest Comprehensive Monitoring Report on Bulgaria, so as to guarantee its effective functioning;

Acquis communautaire

26. Welcomes progress made by Bulgaria in the agricultural sector but urges immediate action to ensure that control and paying agencies are in place to address concerns over outstanding legislative commitments in this field; stresses the need for a strong focus on improvements in land use and on resolving issues of land ownership; encourages advantage to be taken of the enormous potential for efficient organic farming;
27. Calls on Bulgaria to ensure that the highest standards of animal welfare are respected in all legislative and practical measures, for example in the transportation and slaughter of animals; in particular, calls for vigorous action to enhance Bulgaria's capacity to meet challenges in relation to animal health, veterinary services and phytosanitary controls, most especially where there is an associated risk to public health, as in the case of avian flu, or to the safety of food supplies;
28. Stresses that the management and control of pre-accession assistance must be substantially enhanced in order to prepare Bulgaria for more efficient use of EU Structural Funds; in particular, efforts to accredit the Phare- and ISPA-related Extended Decentralised Implementation System must be accelerated; at the same time the Commission should target further assistance into those areas of greatest need;
29. Stresses the crucial importance of ensuring energy supplies at a level which will meet future requirements both nationally and in the region; underlines the importance of new generating capacity on a sustainable basis, as well as of energy conservation efforts, and of the Kyoto Protocol targets; and calls on the Council once again to be prepared to view the closure dates for Units 3 and 4 of the Kozloduy Nuclear Power Plant flexibly until new generation capacity can come on stream in Bulgaria, without in any way compromising safety requirements, which remain an absolute priority;
30. Calls for effective measures to prevent pollution, illegal logging of woods and the demand for illegal timber on the part of the trading industry;
31. Reminds Bulgaria that urgent attention is needed to improve the implementation and enforcement of the protection of intellectual and industrial property;

32. Reiterates its support for the Bulgarian nurses held in custody since 1999 in Libya and currently under sentence of death; expresses its dismay at the further delay in the appeal process by the Libyan Supreme Court; calls upon the Libyan authorities at the highest level to respond to the widespread international appeals for early and satisfactory resolution of this appalling situation;
34. Urges those Member States which have not yet ratified the Treaty of Accession of Bulgaria to the European Union to do so as soon as possible;

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35. Instructs its President to forward this resolution to the Council and the Commission and the governments and parliaments of the Member States and the government and National Assembly of the Republic of Bulgaria.

PROCEDURE

Title	State of preparedness for EU membership of Bulgaria				
Procedure number	2005/2204(INI)				
Basis in Rules of Procedure	Rule 45				
Committee responsible Date authorisation announced in plenary	AFET 17.11.2005				
Committee(s) asked for opinion(s) Date announced in plenary	DEVE 17.11.2005	INTA 17.11.2005	BUDG 17.11.2005	CONT 17.11.2005	ECON 17.11.2005
	EMPL 17.11.2005	ENVI 17.11.2005	ITRE 17.11.2005	IMCO 17.11.2005	TRAN 17.11.2005
	REGI 17.11.2005	AGRI 17.11.2005	PECH 17.11.2005	CULT 17.11.2005	JURI 17.11.2005
	LIBE 17.11.2005	AFCO 17.11.2005	FEMM 17.11.2005	PETI 17.11.2005	
Not delivering opinion(s) Date of decision	DEVE 14.11.2005	INTA 23.11.2005	BUDG 11.11.2005	CONT 14.11.2005	ECON 15.11.2005
	EMPL 0.0.0000	ENVI 27.10.2005	ITRE 23.11.2005	IMCO 21.11.2005	TRAN 22.11.2005
	REGI 21.11.2005	AGRI 14.11.2005	PECH 21.11.2005	CULT 23.11.2005	JURI 24.10.2005
	LIBE 14.11.2005	AFCO 10.11.2005	FEMM 24.11.2005	PETI 23.11.2005	
Enhanced cooperation Date announced in plenary	-				
Motion(s) for resolution(s) included in report	-				
Rapporteur(s) Date appointed	Geoffrey Van Orden 19. 10. 2005				
Previous rapporteur(s)					
Discussed in committee	14.11.2005		22.11.2005		
Date adopted	23.11.2005				
Result of final vote	for: 52 against:0 abstentions: 6				
Members present for the final vote	Vittorio Agnoletto, Angelika Beer, Monika Beňová, André Brie, Elmar Brok, Philip Claeys, Simon Coveney, Véronique De Keyser, Giorgos Dimitrakopoulos, Camiel Eurlings, Alfred Gomolka, Klaus Hänsch, Richard Howitt, Anna Ibrisagic, Toomas Hendrik Ilves, Jelko Kacin, Georgios Karatzaferis, Ioannis Kasoulides, Helmut Kuhne, Joost Lagendijk, Vytautas Landsbergis, Cecilia Malmström, Francisco José Millán Mon, Pasqualina Napolitano, Baroness Nicholson of Winterbourne, Vural Öger, Cem Özdemir, Justas Vincas Paleckis, Alojz Peterle, Tobias Pflüger, João de Deus Pinheiro, Paweł Bartłomiej Piskorski, Poul Nyrup Rasmussen, Michel Rocard, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Jacek Emil				

	Saryusz-Wolski, György Schöpflin, Gitte Seeberg, Hannes Swoboda, István Szent-Iványi, Konrad Szymański, Antonio Tajani, Paavo Väyrynen, Geoffrey Van Orden, Ari Vatanen, Josef Zieleniec
Substitutes present for the final vote	Alexandra Dobolyi, Árpád Duka-Zólyomi, Kinga Gál, Marie Anne Isler Béguin, Tunne Kelam, Jaromír Kohlíček, Alexander Lambsdorff, Janusz Onyszkiewicz, Doris Pack, Aloyzas Sakalas, Pierre Schapira, Inger Segelström, Csaba Sándor Tabajdi, Marcello Vernola
Substitutes under Rule 178(2) present for the final vote	Thomas Wise
Date tabled – A6	25.11.2005 A6-0342/2005