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## REPORT

on the extent of Romania's readiness for accession to the European Union  
(2205/2005(INI))

Committee on Foreign Affairs

Rapporteur: Pierre Moscovici

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the extent of Romania's readiness for accession to the European Union (2205/2005(INI))

*The European Parliament,*

- having regard to the conclusions of the Brussels European Council of 16 and 17 December 2004,
  - having regard to the Treaty of accession signed by Romania and the European Union on 25 April 2005,
  - having regard to the regular reports of the Commission on the progress made by Romania towards accession, covering the years 1998 to 2004, and the Commission's strategy document on the progress made in the process of enlargement (COM (2005)0534),
  - having regard to all its resolutions and previous reports, from the beginning of the enlargement process to the present day,
  - having regard to the general progress report of 25 October 2005 on the extent of the countries' readiness for accession to the European Union (COM (2005)0534),
  - having regard to Rule 45 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A6-0344/2005),
- A. whereas in 2000 Romania and Bulgaria were among the candidate countries for accession alongside other countries which have since become members, and whereas the fifth enlargement of the European Union was not complete and should be finalised, in the interest of Romania and the Union and in compliance with the commitments made on both sides,
- B. whereas signature of the Treaty of accession opened up a new phase in Romania's accession to the Union, whereas from now on Romania is participating in the work of the European Council and the Council as an observer, and whereas 35 Romanian observers began working with us on 26 September this year,
- C. whereas since the Commission's last report significant improvements can be seen,
- D. whereas progress has not been satisfactory in certain areas, and whereas Romania must take immediate steps to make good these shortcomings in order to join the Union on 1 January 2007,
- E. whereas the prospect of accession acts as a powerful catalyst for reform by mobilising various actors in political, economic, social and civil life,
- F. whereas the actual date of accession will be determined on the basis of a Commission recommendation after rigorous analysis of Romania's state of readiness,

1. Reaffirms that Romania's accession is a common objective of the European Union and Romania, making it possible, together with the accession of Bulgaria, to complete the fifth enlargement of the Union which began with the great liberation movement in Central and Eastern Europe;
2. Maintains that it is Parliament's wish to see Romania and Bulgaria join the European Union on 1 January 2007, in so far as the conditions laid down in the Treaty of accession are fulfilled by each of these two countries;
3. 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 Romania to work closely with the Parliament in this regard;
4. Also expresses its wish that the accession of Romania and Bulgaria should take place in solidarity;
5. Points out that the reform effort that the Union has requested from Romania is in the interest of both sides, enabling Romania to benefit fully from the advantages of accession and ensuring that accession takes place in the best possible conditions;
6. Recognises Romania'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
7. Notes the assessment of Romania's preparations for accession as set out in the Commission progress report, and shares its conclusions;

in that context:

- welcomes the significant advances, particularly in the fields of freedom of expression, justice, the integration of minorities, the protection of children, the restoration of property and competition policy;
- points out that efforts must be continued, particularly to complete the reform of public administration; to ensure that the legal system functions properly; to place relations between citizens and institutions on a sound and transparent footing; to combat crime and illegal trafficking; to move forward with the integration of Roma; and to finish implementing the 'acquis communautaire';
- is concerned at persistent reports of ill-treatment by law-enforcement personnel, including excessive use of force and use of lethal force, where many of the victims are Roma; calls on Romania to improve the judicial review of such cases;
- is concerned at persistent delays in a number of areas, such as improving administrative capacity, combating corruption and implementing the 'acquis

communautaire' in certain areas of agriculture, public contracts and the environment;

8. Considers it as one of the highest priorities to combat corruption, particularly high-level corruption, corruption at every level of the judiciary, law-enforcement agencies and the public administration, as well as large-scale corruption, which must be pursued with determination at all levels, by rigorous enforcement of the law and successful prosecutions as well as proper understanding of the gravity of this problem and its consequences;
9. Points out that the Romanian external border will become an external border of the European Union;
10. Stresses the need to continue reform of the legal system by complying with the objectives and timetable set out in the Action Plan and ensuring, with the requisite financial and human resources, that it is effectively implemented, particularly as regards combating illegal trafficking (especially drug trafficking and trafficking in human beings), and by tightening up financial control;
11. Strongly encourages the Romanian parliament to adopt without delay the revised Penal Code proposed by the government which aims at removing criminal defamation provisions and at bringing the code into line with the legislation of all EU Member States;
12. Considers that the adoption by the Romanian parliament of the law on mediation would be a step forward on the way to reducing the number of pending judicial cases;
13. Also draws attention to the need to strengthen human and material resources to substantially improve the management and security of frontiers, in order to combat such illegal trafficking and fight organised crime and illegal immigration;
14. Notes that in spite of encouraging economic results, poverty remains widespread and the standard of living is still well below the European Union average, necessitating further effort for cohesion and solidarity;
15. Considers it particularly urgent for action to be taken to strengthen the administrative capacity of the institutions and set up the machinery for financial management and control, so as to enable the funding allocated to be used in an effective and transparent way; strongly insists that concerted and sustained efforts still need to be made towards administrative reform, which is key to the successful implementation of the acquis communautaire;
16. Asks the Romanian Government for further efforts in the implementation of legislation on the environment, and calls for consultation with neighbouring countries and vigorous application of standards in the spirit of relevant EU proposals under consideration (e.g. the management of waste by extractive industries) with special attention to large-scale mining projects with substantial environmental implications as in the case of Rosia Montana;
17. Refers to the disastrous effects of the floods in the summer of this year, which have been

the heaviest ones for the last 100 years and temporarily affected more than 60% of the country, causing severe damage and completely destroying the homes of many people in several regions; calls on the Commission to consider the extent to which pre-accession assistance funds could be used to help those people and regions which have been severely hit by the floods;

18. Enjoins Romania to adopt and implement veterinary legislation, so as to safeguard food safety and prevent the transmission of animal diseases;
19. Emphasises the need to speed up the implementation of the law on the restitution of property;
20. Considers it equally urgent to implement the law on intellectual property to prevent piracy and counterfeiting;
21. Warmly welcomes the significant improvements made by the Romanian authorities in the area of the protection of children; nevertheless urges the Romanian Government to respond as soon as possible to the applications for international adoption made during the moratorium of June 2001, taking account of the real emotional distress felt by the adoptive parents and the legal framework of Romania; calls on the Romanian Government to continue its efforts to improve the situation of children in orphanages;
22. Draws attention to the urgent need to protect people with a learning disability whose living and care conditions still are not satisfactory, in particular disabled persons with intellectual disabilities and mental health problems living in residential care; calls for immediate action by the Romanian Government to dismantle the large residential institutions for disabled persons in favour of smaller, community-based residential services with substantial earmarked funding support from the Commission; stresses however the vital need to take all necessary measures to implement the 2002 Law on Mental Health and Protection of People with Psychological Disorders;
23. Calls on the Romanian authorities to ensure that the use of force and firearms by the services of law and order complies with Union legislation and to see that those responsible for abuse are prosecuted and, where appropriate, punished for their misdeeds;
24. Notes that implementation of the anti-discriminatory laws and measures adopted by Romania on behalf of the Roma is a step forward, but considers that the effort to achieve integration, particularly through applying a policy of zero-tolerance on racism against Roma as well as ensuring better access to quality education and the employment market, must be continued while making sure that the media is fully involved;
25. Expresses its disappointment over the continued delay in the adoption of the law on minorities; expresses disquiet that discriminatory measures are still contained in the electoral laws and repeated in the draft law on minorities; expresses its wish that the law on minorities is approved as soon as possible respecting the political criteria;
26. Reiterates that additional measures need to be taken to ensure the protection of the Hungarian minority in accordance with the principles of subsidiarity and self-

governance; calls on the Romanian Authorities to fully sustain higher education for the Hungarian minority by providing the financial means needed;

27. Calls on the Commission to continue to monitor the preparations for accession with rigour and objectivity and to help the Romanian authorities fulfil their commitments, while taking care to follow developments, not only in terms of commitments given but also in terms of their implementation at local level, in the areas where changes have been requested in its previous reports;
28. Repeats its demand to be regularly informed by the Commission of its monitoring work and to be fully involved in the final decision on any use of the safeguard clauses;
29. Approves the Commission's approach, in which the decision on whether to postpone the date of accession will be taken on the basis of the results obtained by Romania by the spring of 2006;
30. Reaffirms its wish, supported by a strong political will, to see Romania join the Union on 1 January 2007, but points out that fulfilment of this aim depends first on the Romanian authorities' ability to fulfil the commitments made in the accession treaty, failing which the safeguard clauses will be activated;
31. Calls on the Romanian authorities to satisfactorily make good the shortcomings identified as particularly serious, to enable Romania to join in accordance with the intended timetable;
32. Calls on the Member States of the Union that have not yet done so to ratify the Treaty of accession of Romania to the European Union as soon as possible;
33. Instructs its President to forward this resolution to the Council and Commission, and the governments and parliaments of the Member States and of Romania.

## PROCEDURE

<b>Title</b>	Extent of Romania's readiness for accession to the European Union				
<b>Procedure number</b>	2005/2205(INI)				
<b>Basis in Rules of Procedure</b>	Rule. 45				
<b>Committee responsible</b> Date authorisation announced in plenary	AFET 17.11.2005				
<b>Committee(s) asked for opinion(s)</b> 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	
<b>Not delivering opinion(s)</b> Date of decision	DEVE 14.11.2005	INTA 23.11.2005	BUDG 11.11.2005	CONT 14.11.2005	ECON 15.11.2005
	EMPL 15.11.2005	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	
<b>Enhanced cooperation</b> Date announced in plenary	-				
<b>Motion(s) for resolution(s) included in report</b>	-				
<b>Rapporteur(s)</b> Date appointed	Pierre Moscovici 19.10.2005				
<b>Previous rapporteur(s)</b>	Pierre Moscovici				
<b>Discussed in committee</b>	14.11.2005                      22.11.2005				
<b>Date adopted</b>	23.11.2005				
<b>Result of final vote</b>	for:    55 against:    2 abstentions:    5				
<b>Members present for the final vote</b>	Vittorio Agnoletto, Angelika Beer, André Brie, Elmar Brok, Simon Coveney, Ryszard Czarnecki, 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,				



	Pierre Moscovici, Pasqualina Napoletano, Baroness Nicholson of Winterbourne, Raimon Obiols i Germà, Vural Öger, Alojz Peterle, Tobias Pflüger, João de Deus Pinheiro, Paweł Bartłomiej Piskorski, Poul Nyrup Rasmussen, Michel Rocard, Raül Romeva i Rueda, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Jacek Emil Saryusz-Wolski, György Schöpflin, Gitte Seeberg, István Szent-Iványi, Konrad Szymański, Antonio Tajani, Paavo Väyrynen, Inese Vaidere, Geoffrey Van Orden, Ari Vatanen, Jan Marinus Wiersma, Josef Zieleniec	
<b>Substitutes present for the final vote</b>	Alexandra Dobolyi, Árpád Duka-Zólyomi, Kinga Gál, Marie Anne Isler Béguin, Tunne Kelam, Jaromír Kohlíček, Janusz Onyszkiewicz, Doris Pack, Aloyzas Sakalas, Inger Segelström, Csaba Sándor Tabajdi, Maria Elena Valenciano Martínez-Orozco, Marcello Vernola,	
<b>Substitutes under Rule 178(2) present for the final vote</b>	Thomas Wise	
<b>Date tabled – A6</b>	25.11.2005	A6-0344/2005