

EUROPEAN PARLIAMENT

2004



2009

Session document

FINAL
A6-0421/2006

27.11.2006

REPORT

on the accession of Romania to the European Union
(2006/2115(INI))

Committee on Foreign Affairs

Rapporteur: Pierre Moscovici

CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....	3
OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS	8
OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY.	12
PROCEDURE.....	15

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the accession of Romania to the European Union (2006/2115(INI))

The European Parliament,

- having regard to the Treaty of Accession of the Republic of Bulgaria and Romania to the European Union¹, signed on 25 April 2005,
 - having regard to all its previous resolutions and reports since the beginning of the enlargement process, in particular its most recent resolution of 14 June 2006 on the accession of Bulgaria and Romania²,
 - having regard to the Presidency conclusions of the Brussels European Council of 15/16 June 2006,
 - having regard to the conclusions of the General Affairs and External Relations Council on enlargement of 17 October 2006,
 - having regard to the Commission's monitoring report on Romania of 26 September 2006 (COM(2006)0549) and its previous monitoring reports,
 - having regard to the exchange of letters between the President of the European Parliament and the President of the Commission on the full involvement of the European Parliament in any consideration of activation of one of the safeguard clauses in the Treaty of Accession,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality (A6-0421/2006),
- A. whereas Romania's accession to the European Union is a major historical development, accompanied by a profound change in the economic, social and civil landscape of the country, and whereas this accession will have positive effects on the Romanian population and on the development and cohesion of the European Union,
- B. whereas the integration of Romania into the European Union will contribute to the stability and prosperity of south-east Europe,
- C. whereas the incorporation of Romania into the European Union will strengthen the political and cultural dimension of the process of European integration,
- D. whereas the first stage of the fifth enlargement in 2004 proved beneficial for both the old

¹ OJ L 157, 21.6.2005, p. 11.

² *Texts Adopted*, P6_TA(2006)0262.

and new Member States, and whereas this will undoubtedly also be true of the current stage of enlargement, which will bring the fifth enlargement to a conclusion,

- E. whereas, since the Commission report in May 2006, further significant improvements can be noted, as detailed in the Commission's most recent monitoring report of 26 September 2006,
- F. whereas Romania is continuing its efforts to fulfil the conditions set in the Treaty of Accession, so as to become a member of the Union on 1 January 2007, together with Bulgaria, and whereas Parliament has consistently expressed its desire to see these two countries join at the same time,
 - 1. Commends the Commission on the conscientious and rigorous nature of its work on monitoring the reforms undertaken by Romania;
 - 2. Congratulates Romania and welcomes its accession on 1 January 2007, looks forward to the arrival in due course of its 35 Members of the European Parliament as well as its Commissioner and officials in the EU institutions, and recognises the excellent contribution made by Romania's Observers in the European Parliament since September 2005;
 - 3. Highlights the fact that the current enlargement of the European Union, like previous ones, embodies the ideas of European unity and solidarity, benefiting all parties and making it possible to promote the values of democracy, equality, pluralism and non-discrimination;
 - 4. Welcomes the fact that the Commission's report of 26 September 2006 recommended that Bulgaria and Romania should join simultaneously;
 - 5. Welcomes the considerable progress made by the country since the May 2006 report and therefore approves the proposed date of 1 January 2007 for Romania's accession, but reminds the Romanian authorities that they need to keep up the pace of reforms after accession;
 - 6. Commends the efforts made by Romania to ensure the introduction of a large number of reforms in preparation for its accession and congratulates the Romanian authorities on the extensive progress made in a short space of time;
 - 7. Points out that the reform process is beneficial for Romania in the context of EU accession, while also contributing to the economic prosperity and security of the country;
 - 8. Notes that substantial progress has been made in the areas identified by the Commission in its May 2006 report as requiring immediate action, namely reform of the justice system, the fight against corruption, the introduction of paying agencies and the Integrated Administration and Control System, TSE and the interconnectivity of tax collection systems;
 - 9. Notes with satisfaction that Romania has a viable market economy with GDP growth of almost 7% and an unemployment rate of around 5.5%;

10. Encourages Member States to open their labour markets to Romanian workers from 1 January 2007, in accordance with the full spirit of the right of free movement of workers guaranteed by Community law;
11. Stresses, with a view to the forthcoming financial transfers from the EU and the need for co-financing by Romania, that the likely budget redeployments must not take place exclusively at the expense of, or lead to reductions in, social expenditure;
12. Urges the Romanian Government to consolidate the reforms it has undertaken, and urges the Romanian authorities to step up their efforts, particularly in the fields of child protection, integration of minorities, in particular the Roma and Hungarian minorities, and the treatment of the mentally handicapped; calls on Romania in this respect to take immediate steps to remedy the shortcomings by fulfilling the requirements of the Commission's 2005 and 2006 Comprehensive Monitoring Reports and Parliament's resolutions adopted in 2004 and 2005;
13. Notes that since the Commission's May 2006 report, progress has been made on the minority issue; recalls that its position on minorities in Romania is based on the principles of respect, recognition and support for minorities, and on the eradication of all forms of violence and discrimination against them; wishes to see the law on minorities approved as soon as possible, respecting the political criteria; notes that the European Monitoring Centre on Racism and Xenophobia will continue its monitoring with respect to the fight against racism and related discrimination after accession, as it does for all Member States;
14. On the Roma minority:
urges the Romanian authorities to consolidate the reforms they have undertaken in the fields of protection against institutional violence, the improvement of living standards and accommodation, and access to employment and health care system, by ensuring adequate funding;
15. On the Hungarian minority:
invites the Romanian authorities to take into account the expectations of the Hungarian minority, in accordance with the principles of subsidiarity and cultural self-governance, in particular by ensuring adequate funding for the improvement of education standards;
16. Suggests that the Committee on Civil Liberties, Justice and Home Affairs carry out monitoring, from 1 January 2007, of the reforms undertaken on adoption and child protection in Romania;
17. Expresses its concern at the serious and continuing problem of violence against women, which is having major implications in terms of trafficking in women and their sexual exploitation inside and outside the country (800 000 victims annually, according to statistics produced by the Ministry of Justice and Home Affairs), and domestic violence, and calls on the Government to take decisive measures in response to this problem, in respect of prevention, awareness and countermeasures in cooperation with the general public, the relevant NGOs, the judiciary and the police at regional, national and international level;

18. Notes that Romania needs to speed up the processing of claims relating to the restitution of properties confiscated by the communist regime, with special regard to church and community properties, in order not to remain blocked at the level of legislation; stresses that, to that end, it is necessary to set up a functional Property Fund;
19. Requests the Romanian authorities to make further efforts in the implementation of the legislation on protection of the environment, and calls for consultation with neighbouring countries and vigorous application of standards in the spirit of the relevant EU legislation (e.g. Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries¹), with special attention being paid to large-scale mining projects having substantial environmental implications, as in the case of Rosia Montana;
20. Notes that the Commission has identified three areas in which substantial progress had been made since its May 2006 report, but that further efforts are still needed:
 - reform of the justice system and the fight against corruption;
 - absorption and management of Union aid in the agricultural sector and from Structural Funds;
 - application of the *acquis communautaire* in certain areas of food safety;
21. Stresses that, among the three areas concerned, the finalisation of the reform of the justice system and the fight against corruption are essential and should therefore be the focus of special attention from the Romanian authorities;
22. Supports the introduction by the Commission of mechanisms to verify and support progress in these areas, based in particular on the identification of specific criteria, and strongly urges the Romanian Government to take all necessary measures to meet the expectations set out, so that recourse to safeguard clauses can be avoided;
23. Points out that, although temporary measures may be applied during the first three years following accession, equivalent measures were applied during the previous enlargement process to the benefit of all parties concerned; hopes that these mechanisms will apply only to very specific areas identified by the Commission and for a limited period; points out that appropriate measures to ensure the proper functioning of EU policies can only be lifted when the benchmarks, as set by the Commission, have been fully met;
24. Awaits the Commission report due in June 2007 on the country's progress in reforming the judiciary and combating corruption; calls on Romania to do all in its power to take the appropriate measures;
25. Insists that the Commission should report systematically to Parliament on the progress made by Romania in the coming months and that Parliament be (closely) associated in the monitoring mechanism proposed by the Commission after accession;

¹ OJ L 102, 11.4.2006, p. 15.

26. Stresses that the Romanian Government must be aware of the need to make full use of the remaining time available so as to continue its efforts to consolidate the results achieved;
27. Urges speedy ratification of the Accession Treaty by the two remaining Member States that have yet to do so;
28. Calls on the Commission to provide appropriate funding for information campaigns to improve the level of public awareness as regards the accession of Romania (and Bulgaria);
29. Instructs its President to forward this resolution to the Council and the Commission and to the governments and parliaments of the Member States and of Romania.

22.11.2006

OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

for the Committee on Foreign Affairs

on the accession of Romania
(2006/2115(INI))

Draftswoman: Kinga Gál

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Notes with satisfaction the significant improvements achieved by Romania in the field of justice and home affairs since the Commission's monitoring reports on the state of preparedness for EU membership of Bulgaria and Romania of May 2006;
2. Notes that despite the serious efforts undertaken by Romania in recent months to meet the EU accession criteria, progress in some areas has still not been completely satisfactory and urges Romania to take immediate steps to overcome the shortcomings; considers that the mere adoption of a legislative framework is insufficient and should be followed up by adequate implementation at all levels;
3. Calls on the Romanian Government and authorities to make full use of the remaining months before accession in order to implement without delay all the commitments made, and to maintain such efforts after accession in order to produce concrete results especially in the following fields:
 - Romania needs to maintain the current pace of implementation of judicial reforms in order to ensure further tangible results, transparency and efficiency in the judicial process, notably by enhancing the capacity and accountability of the Superior Council of Magistracy; further progress is needed in order to ensure a fully consistent interpretation and application of the law in all courts; the impact of the new civil and penal procedures codes should be monitored; the managerial shortcomings in the Public Ministry must be addressed;

- in the field of public administration, Emergency Ordinances should be limited to exceptional circumstances and replaced by laws in order to preserve the Parliament's legislative role and oversight powers and to guarantee the non-discriminatory nature of electoral laws;
 - Romania needs to continue its efforts to fight corruption, especially at local level, in order to demonstrate the sustainability and irreversibility of the positive progress already made;
 - ongoing efforts are required to bring into operation the integrated border management system, continue the implementation of the legislative framework relating to the fight against money laundering and facilitate the social reintegration of victims of human trafficking; it is also necessary to combat ill-treatment in custody and prisons, and rigorously monitor the application of the legal framework, including the new Criminal Code and new Criminal Procedure Code;
 - as concerns child protection, the treatment of people with disabilities and the mental healthcare system, the promotion of good quality services and increased access to education and employment must be a priority in order to improve the living conditions and treatment of children and such people in their everyday lives;
 - as concerns the restitution of properties confiscated by the communist regime, Romania needs to speed up the processing of claims; greater political will is necessary as concerns the restitution of properties with special regard to church and community properties, in order not to remain blocked at the level of mere legislation; the setting up a functional Property Fund is necessary to achieve this aim;
4. Acknowledges the significant progress accomplished by Romania in relation to child protection, but reiterates its concern at the high number of abandoned children each year, many of them in paediatric clinics, invisible in legal terms and therefore extremely vulnerable to trafficking in human beings; urges the Romanian authorities to take the necessary measures to guarantee systematic registration of births; considers that all abandoned children have the right to the opportunity of having a family and calls the Romanian authorities to authorise international adoptions if necessary, in accordance with The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption; reiterates its repeated calls for the cases of the 1092 abandoned children for whom an application for adoption had been lodged to be resolved in the best interests of the child and taking into account the established relations between these children and their prospective adoptive families;
5. Calls on the Romanian Government to take further steps in the field of protection of minority communities, since the Commission's monitoring report of September 2006 states that only limited progress can be reported in that field and since implementation is not fully satisfactory; notes that the Commission report mentions that the European Monitoring Centre on Racism and Xenophobia (EUMC, the expected future EU Fundamental Rights Agency) will continue its monitoring after accession of Bulgaria and Romania with respect to the fight against racism and related discrimination and to the support of positive integration of minority communities; in this context:

- the draft law on the statute of national minorities, which is being discussed in the Romanian Parliament, should be adopted as soon as possible in accordance with the relevant European standards in a form that is acceptable to the national minorities, ensuring the preservation, development and expression of ethnic, cultural, linguistic and religious identities of national minorities;
 - concerning the situation of Roma minority, further efforts are needed to improve their living conditions, desegregate Roma settlements and promote equality in employment through strict implementation of non-discrimination policies in order to improve access to the labour market; specific cases of institutional violence against Roma and assault against Roma, such as police raids, which should be investigated by the competent authorities, continued to be reported months prior to accession; further efforts are also necessary to improve equal access to desegregated quality education and health care;
 - as concerns the Hungarian minority, additional measures need to be taken, as requested in previous resolutions of the European Parliament, to ensure that this minority is protected in accordance with the principles of subsidiarity, cultural self-governance and administrative self-governance, the latter being applicable to all citizens and local communities, without distinction on ethnic grounds; the Romanian authorities should fully support higher education for the Hungarian minority by providing the necessary financial means;
6. Calls on the Commission to closely monitor, prior to and post accession, the implementation of Romania's commitments as regards minority protection;
 7. Welcomes the Commission's initiative to closely monitor the implementation of the commitments made by Romania ; calls on the Commission to inform the European Parliament about the functioning of the cooperation and verification mechanism in the field of justice and the fight against corruption and on the progress made by Romania regarding the benchmarks in this field and all the other fields considered by the Commission;
 8. Calls on the Commission to fully involve it and its relevant committees if it considers whether to activate the safeguard clause provided for in Article 38 of the Act concerning the conditions of Accession relating to mutual recognition in the area of criminal law under Title VI of the Treaty on European Union and in civil matters under Title IV of the Treaty establishing the European Community.

PROCEDURE

Title	Accession of Romania
Procedure number	2006/2115(INI)
Committee responsible	AFET
Opinion by Date announced in plenary	LIBE 18.5.2006
Enhanced cooperation – date announced in plenary	
Drafts(wo)man Date appointed	Kinga Gál 20.6.2006
Previous drafts(wo)man	
Discussed in committee	12.9.2006 5.10.2006 6.11.2006 22.11.2006
Date adopted	22.11.2006
Result of final vote	+: 39 –: 0 0: 0
Members present for the final vote	Roberta Angelilli, Edit Bauer, Johannes Blokland, Mihael Brejc, Giusto Catania, Carlos Coelho, Fausto Correia, Panayiotis Demetriou, Agustín Díaz de Mera García Consuegra, Kinga Gál, Elly de Groen-Kouwenhoven, Lilli Gruber, Lívia Járóka, Timothy Kirkhope, Ewa Klamt, Magda Kósáné Kovács, Barbara Kudrycka, Stavros Lambrinidis, Claude Moraes, Inger Segelström, Ioannis Varvitsiotis, Donato Tommaso Veraldi, Stefano Zappalà, Tatjana Ždanoka
Substitute(s) present for the final vote	Ignasi Guardans Cambó, Bárbara Dührkop Dührkop, Sophia in 't Veld, Sylvia-Yvonne Kaufmann, Vincent Peillon, Marie-Line Reynaud
Substitute(s) under Rule 178(2) present for the final vote	Pilar Ayuso, Iratxe García Pérez, Esther Herranz García, Mary Honeyball, Antonio López-Istúriz White, Ana Mato Adrover, Manolis Mavrommatis, María Isabel Salinas García, Alejo Vidal-Quadras
Comments (available in one language only)	

9.10.2006

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Foreign Affairs

on the accession of Romania
(2006/2115(INI))

Draftswoman: Rodi Kratsa-Tsagaropoulou

SUGGESTIONS

The Committee on Women's Rights and Gender Equality calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- having regard to its Declaration of 5 September 2006 on international adoption in Romania¹,
- 1. Expresses its concern at the deteriorating situation regarding gender equality pinpointed by the Commission in its May 2006 progress report on Romania;
- 2. Welcomes the setting up of a Romanian parliamentary equal opportunities committee (Decision 39/2004) for the purpose of implementing and monitoring compliance with the principle of equality under Romanian law and promoting it in all government policy areas;
- 3. Welcomes the recent positive steps towards the transposition of Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions², and urges public authorities to step up the process of adopting all the "acquis communautaire" relating to equal treatment and to implement it efficiently and fully;
- 4. Notes that Romania has ratified The Hague Convention on Intercountry Adoption, which provides vital safeguards for combating child trafficking and gives primacy to the rights of the child and stresses that in June 2001 the Romanian authorities introduced a moratorium (backdated to 1 December 2000) on international adoptions, which since 1

¹ Texts Adopted of that date, P6_TA(2006)0336.

² OJ L 269, 5.10.2002, p. 15.

January 2005 has been replaced by a law on the protection of childhood and therefore resulted in the sudden interruption of several thousands of adoption applications;

5. Points out to the Romanian authorities that:

1. In paragraph 23 of its resolution of 15 December 2005 on the extent of Romania's readiness for accession to the European Union, Parliament urged the Romanian Government to settle the cases of applications for international adoption made during the moratorium of June 2001,
2. Parliament has adopted a written declaration with 408 signatures calling on the Romanian authorities to resume without delay consideration of pending cases, in the best interests of the children;

urges the Romanian authorities to take due account of Parliament's opinions;

6. Welcomes the efforts to incorporate women into public life, both in the Romanian Government and among the observers sent to the European Parliament, but calls for greater efforts to be made in this area, underlining the need to improve women's representation at all political levels (only 10.66% of those elected at the last parliamentary elections were women), and urges all the political parties, state-government organisations and the social partners to promote the involvement of women in all decision-making procedures and organisations;
7. Expresses its concern at the serious and continuing problem of violence to women, which is having major implications in terms of trafficking in women and their sexual exploitation inside and outside the country (800 000 victims annually, according to statistics produced by the Ministry of Justice and Home Affairs) and domestic violence, and calls on the Government to take decisive measures in response to this problem, in respect of prevention, awareness and countermeasures in cooperation with the general public, the relevant NGOs, the judiciary and the police at regional, national and international level;
8. Stresses the important role which National Equal Opportunities Agency is called upon to play and stresses the need to ensure the independent nature of its budget and its competences, to staff it with the adequate human resources and to improve coordination between the Agency and the other authorities involved;
9. Underlines the need to develop gender statistics by collecting disaggregated data in all sectors of activity, in order to establish national gender policies;
10. Stresses the need to change the situation of Roma women and girls by reducing their marginalization and vulnerability, specifically in matters of health care, employment, housing, education, and participation in political and public life.

PROCEDURE

Title	The accession of Romania
Procedure number	2006/2115(INI)
Committee responsible	AFET
Opinion by Date announced in plenary	FEMM 18.5.2006
Enhanced cooperation – date announced in plenary	0.0.0000
Drafts(wo)man Date appointed	Rodi Kratsa-Tsagaropoulou 22.6.2006
Previous drafts(wo)man	
Discussed in committee	12.9.2006 4.10.2006
Date adopted	4.10.2006
Result of final vote	+:17 –:0 0:0
Members present for the final vote	Emine Bozkurt, Hiltrud Breyer, Edite Estrela, Věra Flasarová, Lissy Gröner, Zita Gurmai, Rodi Kratsa-Tsagaropoulou, Urszula Krupa, Siiri Oviir, Marie Panayotopoulos-Cassiotou, Amalia Sartori, Eva-Britt Svensson, Corien Wortmann-Kool, Anna Záborská
Substitute(s) present for the final vote	Lidia Joanna Geringer de Oedenberg, Anna Hedh, Bernadette Vergnaud
Substitute(s) under Rule 178(2) present for the final vote	
Comments (available in one language only)	...

PROCEDURE

Title	Accession of Romania to the European Union				
Procedure number	2006/2115(INI)				
Committee responsible Date authorisation announced in plenary	AFET 18.05.2006				
Committee(s) asked for opinion(s) Date announced in plenary	LIBE 18.05.2006	FEMM 18.05.2006			
Not delivering opinion(s) Date of decision	PETI 20.11.2006	AFCO 18.5.2006	JURI 21.6.2006	CULT 29.5.2006	PECH 13.6.2006
	AGRI 30.5.2006	REGI 30.5.2006	TRAN 15.5.2006	IMCO 12.7.2006	ITRE 30.5.2006
	ENVI 16.5.2006	EMPL 21.6.2006	ECON 15.5.2006	CONT 20.6.2006	BUDG 05.7.2006
	INTA 30.5.2006	DEVE 28.8.2006			
Rapporteur(s) Date appointed	Pierre Moscovici 18.01.2005				
Previous rapporteur(s)	-				
Discussed in committee	13.11.2006	22.11.2006			
Date adopted	23.11.2006				
Result of final vote	+ 51 - 0 0 1				
Members present for the final vote	Panagiotis Beglitis, Bastiaan Belder, André Brie, Elmar Brok, Philip Claeys, Véronique De Keyser, Giorgos Dimitrakopoulos, Alfred Gomolka, Klaus Hänsch, Richard Howitt, Anna Ibrisagic, Georgios Karatzaferis, Helmut Kuhne, Vytautas Landsbergis, Francisco José Millán Mon, Pierre Moscovici, Pasqualina Napoletano, Baroness Nicholson of Winterbourne, Tobias Pflüger, Paweł Bartłomiej Piskorski, Mirosław Mariusz Piotrowski, Bernd Posselt, Raúl Romeva i Rueda, Jacek Emil Saryusz-Wolski, György Schöpflin, Gitte Seeberg, Marek Siwiec, István Szent-Iványi, Charles Tannock, Paavo Väyrynen, Jan Marinus Wiersma, Luis Yañez-Barnuevo García, Josef Zieleniec				
Substitute(s) present for the final vote	Laima Liucija Andrikienė, Francisco Assis, Alexandra Dobolyi, Árpád Duka-Zólyomi, Kinga Gál, Milan Horáček, Tunne Kelam, Jaromír Kohlíček, Alexander Lambsdorff, Doris Pack, Aloyzas Sakalas, Csaba Sándor Tabajdi				
Substitute(s) under Rule 178(2) present for the final vote	Adamos Adamou, Panayiotis Demetriou, Antonio López-Istúriz White, Marios Matsakis, Neil Parish, Luisa Fernanda Rudi Ubeda, Kyriacos Triantaphyllides				
Date tabled	27.11.2006				
Comments (available in one language only)					