

COMMISSION OPINION**of 19 February 2003****on the applications for accession to the European Union by the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty on European Union, and in particular Article 49 thereof,

Whereas:

- (1) The Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia have applied to become members of the European Union.
- (2) In its opinions of 30 June 1993 on the Republic of Cyprus and Malta (updated for Malta on 17 February 1999), and of 15 July 1997 on the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia, the Commission has already had an opportunity of expressing its views on certain essential aspects of the problems arising in connection with these applications.
- (3) The European Council meeting in Copenhagen in December 1993 laid down for the first time the political, economic and *acquis* criteria for membership, which have guided the accession process and the Commission's regular assessments of the readiness of the applicant States. The political criteria require applicant States to ensure the stability of institutions guaranteeing democracy, the rule of law, human rights and the respect for and protection of minorities; these requirements are enshrined as constitutional principles in the Treaty on European Union and have been emphasised in the Charter of Fundamental Rights of the European Union. The economic criteria require the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. The *acquis* criterion refers to the ability to take on the obligations of membership arising from the Union's legislation, the *acquis communautaire*, including adherence to the aims of political, economic and monetary union.
- (4) The terms for the admission of these States and the adjustments to the Treaties necessitated by their accession have been negotiated in Conferences between the Member States and the applicant States.
- (5) The Commission, in its Strategy Paper and Report on the progress towards accession by each of the candidate countries adopted on 9 October 2002, considered that the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia fulfil the political criteria for membership and that they will have fulfilled the economic and *acquis* criteria and will be ready for membership from the beginning of 2004; on this basis, the Commission recommended to conclude the accession negotiations with these countries by the end of 2002 with the aim to sign the Treaty of Accession in spring 2003.
- (6) These negotiations were completed at the European Council meeting in Copenhagen on 13 December 2002, and it is apparent that the provisions so agreed are fair and proper; this being so, the European Union's enlargement, while preserving its internal cohesion and dynamism, will enable it to take a fuller part in the development of international relations.
- (7) The Commission hopes to see a re-united Cyprus acceding to the European Union on the basis of a comprehensive settlement, as the best outcome for all concerned.

- (8) In so far as the Treaty of Accession transposes the principles governing the institutional balance of the Union of 15 to a Union of 25, these provisions are acceptable for the period up until the enforcement of the provisions which will follow the Intergovernmental Conference provided for in the Declaration on the future of the Union attached to the Treaty of Nice.
- (9) In joining the European Union, the applicant States accept, without reserve, the Treaty on European Union and all its objectives, all decisions taken since the entry into force of the Treaties establishing the European Communities and the Treaty on European Union and the options taken in respect of the development and strengthening of those Communities and of the Union.
- (10) It is an essential feature of the legal order introduced by the Treaties establishing the European Communities that certain of their provisions and certain acts adopted by the institutions are directly applicable, that Community law takes precedence over any national provisions which might conflict with it, and that procedures exist for ensuring the uniform interpretation of Community law; accession to the European Union implies recognition of the binding nature of these rules, observance of which is indispensable to guarantee the effectiveness and unity of Community law.
- (11) The Commission calls on the acceding States to pursue vigorously the improvements that still need to be made in the context of the political and economic criteria for membership and in relationship to the adoption, implementation and enforcement of the *acquis*; the Commission will continue to monitor the implementation of the commitments and obligations taken on by the acceding States, and will assist them with the available instruments.
- (12) One of the objectives of the European Union is to deepen the solidarity between their peoples while respecting their history, their culture and their traditions.
- (13) Enlargement of the European Union through the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia will help to strengthen safeguards for peace and freedom in Europe.
- (14) Enlargement is a continuous, inclusive and irreversible process; the accession negotiations with Bulgaria and Romania should continue on the basis of the same principles that have guided the negotiations so far, and the results already achieved in these negotiations should not be brought into question.

HEREBY DELIVERS A FAVOURABLE OPINION:

on the accession to the European Union of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic.

This opinion is addressed to the Council of the European Union.

Done at Brussels, 19 February 2003.

Günter VERHEUGEN
The Commissioner responsible for enlargement

For the Commission
Romano PRODI
The President