



# **THE ROAD TO BRUSSELS. THE EU ADHESION PROCESS**

**by**

**Saul Alanoca**

**Sr. Trade Adviser.**

**EU TRIM Project**

**Montenegro 2009**



**TRIM MNE**

**EU approximation in trade and single market policies**

***An EU-funded project managed by the Delegation of the European Commission to Montenegro***



# THE ROAD TO BRUSSELS. THE EU ADHESION PROCESS

1. EU ADHESIONS AND ENLARGEMENT 1957-2007
2. PRE-ADHESION STAGES AND EC SUPPORT
3. COPENHAGEN CRITERIES AND NEGOTIATIONS PRINCIPLES
4. NEGOTIATION MECHANISMS AND SCREENING

**Key words:** EU enlargement, adhesion process, Economic & Political process, EU acquis, internal market, IPA, Pre-adhesion support, Copenhagen criteria.

\* The presentation and opinions presented are of the only responsibility of the author



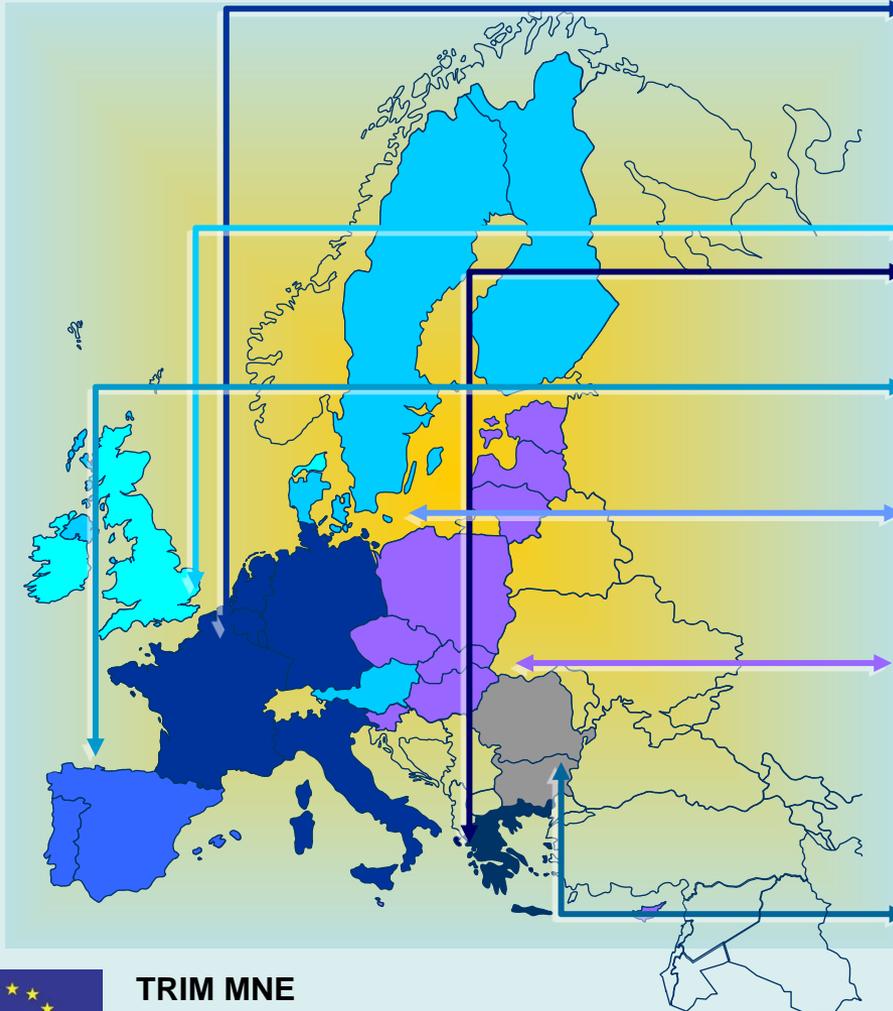
**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



# 1. EU ADHESIONS 1957-2007



•1957- Belgium, France, Germany,  
•Holland, Italy and Luxembourg

1973 –Denmark, Ireland and UK

1981-Greece

1986- Portugal and Spain

1995- Austria, Finland and Sweden

2004- Cyprus, Estonia, Hungary,  
Latvia, Lithuania, Malta,  
Poland, Rep. Check, Slovenia and  
Slovakia

2007- Bulgaria and Romania



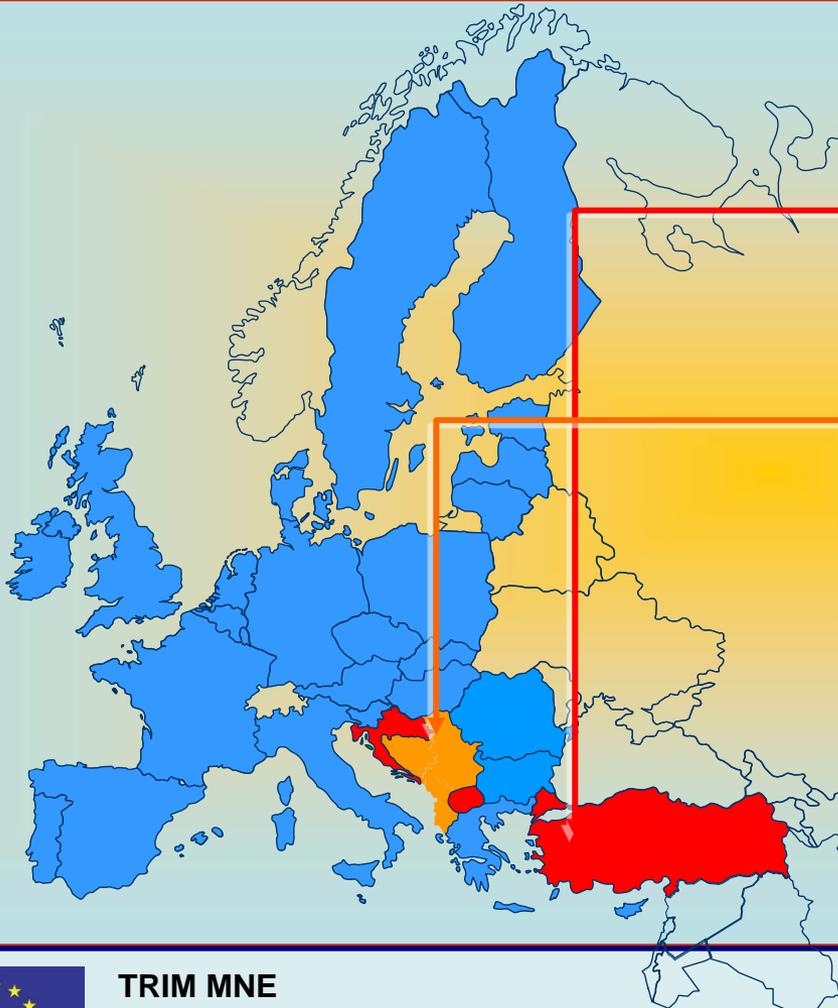
TRIM MNE

EU approximation in trade and single market policies

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## Candidates and potential candidates



**Candidate countries**  
Turkey, Croatia and Macedonia

**Potential candidates**  
Albania, Bosnia & Herzegovina  
Kosovo, Montenegro, Serbia



**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## **2. PRE-ADHESION STAGES AND EC SUPPORT**

**Adhesion Preparation – 3 phases**

**Goal- increase a political dialogue or know each better**

- **Stabilization Association Agreement (SAA)-a process to become closer to EU conditions, includes economic and social principles.**
- **EU partnership, twining and National Program for adoption of the acquis**
- **EC Instrument of Pre-Accession Assistance (IPA)- 11,5 Billion euro for 2007-2013. For the Western Balkans it is estimated at 500 million per year.**



**TRIM MNE**

**EU approximation in trade and single market policies**

***An EU-funded project managed by the Delegation of the European Commission to Montenegro***



## L'ACQUIS- 35 Chapters

- The 35 chapters are part of overall negotiation process for EU Adhesion
- Chapters 1-4 (goods, labour, services, capital) pillars of the EU Internal market
- Other selected chapters:

**Chap 5-Public markets**

**7. IPR**

**8. Competition Policy**

**Chap 9. Financial Services**

**11. Agri.&Rural Dev.12. SPS policy**

**Chap 14. Transport Policy**

**15. Energy**

**16. Fiscal policy**

**Chap 17. Eco & Monetary Pol.**

**18. Statistic**

**20. Industrial Pol&Enterp.**

**Chap 22. Reg. Pol. & Struc.Funds**

**24. JFS**

**27. Environment**

**Chap 28. Consumer Protection**

**29. Custom Union**

**30. External Relations**

**Chap 33. Fin. & Budgetary issues**

**34. Institutions**

**35. Questions divers**



**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## Internal Market Creation

- The creation of the internal market- **one of the corner stones of EU (Chap-1-4)**
- **Goal-** establish a common area with common values where exist a free movement of production factors, i.e. goods, labor, services and capital)
- The overall IM **process is gradual** and has not finished yet. It requires a strong harmonization of laws and regulations and high internal coordination.
- Free movement of **goods** is one of the most advanced elements. It implies a reduction of **technical barriers** to trade in industrial products, i.e.
- Improvement and harmonization of **standards and certification** procedures
- Protection of intellectual and industrial property rights (**IPR**)
- Opening of **public procurement** to IM competition: publication in the OJEC
- Contracts over 5 ml euro for Pub. works; Pub. supplies (hospital equip., R&D, schools, others) for 200.000 eu; also water, energy, transport & telecom sectors.



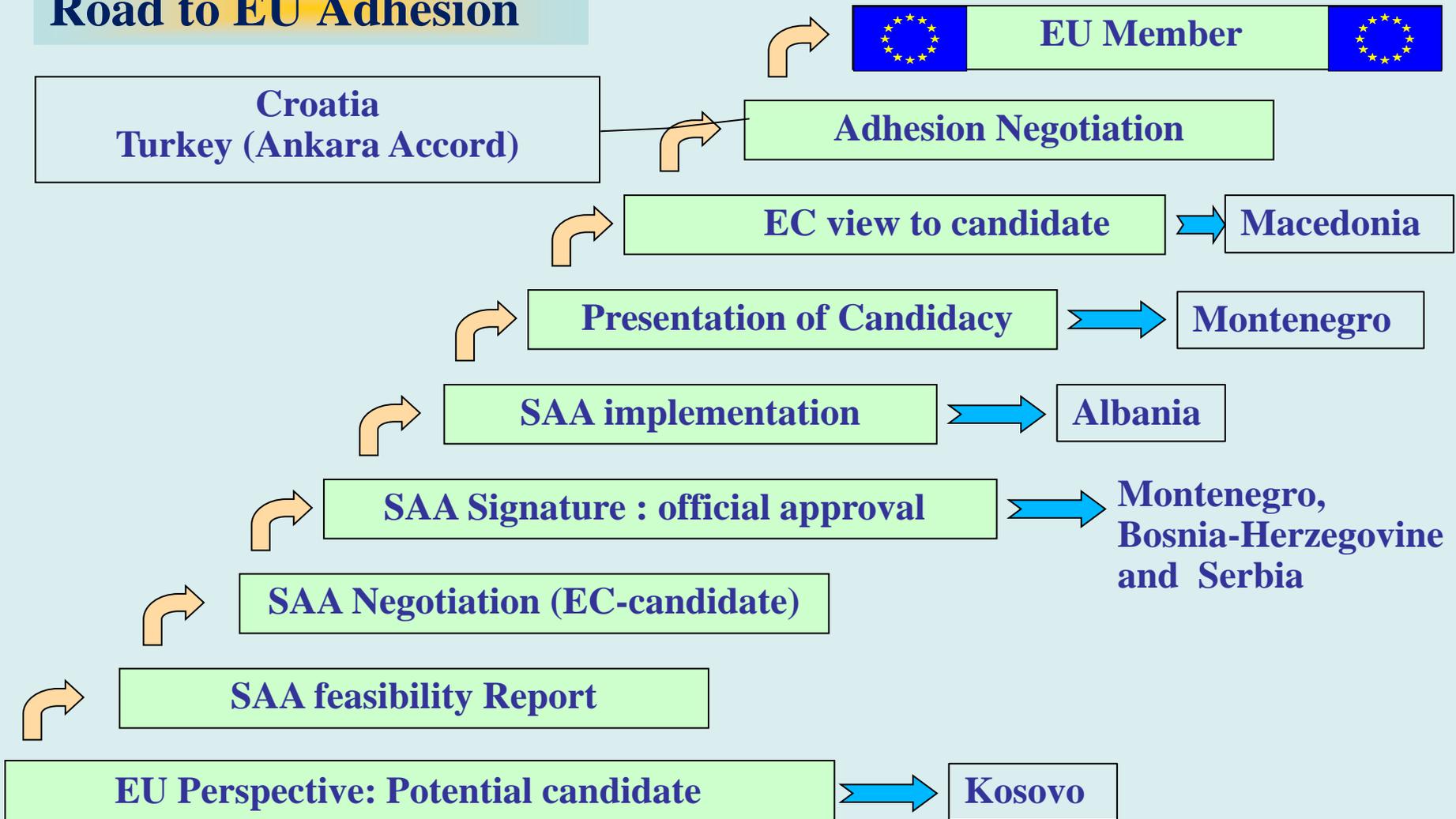
TRIM MNE

EU approximation in trade and single market policies

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



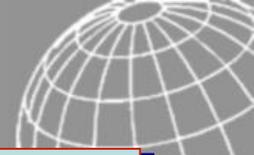
## Road to EU Adhesion



**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## Approaching the EU-open accession negotiations

- Croatia- in October 2005. 22 chapters open and 7 preliminary close
- Turkey- in October 2005. 10 chapters open and 1 preliminary close
- Macedonia- Candidate since December 2005. No chapter open
- Montenegro- Presented candidacy 15 December 2008
- **Other Balkan countries:**
- Albania-SAA signed June 2006
- Bosnia & Herzegovina-SAA signed June 2008
- Kosovo-Consideration on a possible specific accord. (Resolution 1244 UNSC)
- Montenegro- SAA signed October 2007
- Serbia- SAA signed April 2008. SAA under conditions of full cooperation to International Penal Tribunal on the former Yugoslavia





## Turkey case- 1964-2008 (44 years)

- 1964 signed a Association Treaty with the EEC
- 1987 presented the application for EU membership (13 year later)
- 1999 the EU recognized Turkey as candidate country (12 year later)
- 2005 EU negotiations started (6 years later and 18 years after application). 10 chapters are open, and one is “preliminary” close.
- **The country presents pros and cons among EU member countries:**
- **Pros-** Incorporation of EU political and social values, big market, EU influence in neighboring regions, i.e. Balkans, Middle East and Central Asia.
- **Cons-** “Non-European”, big country with different values, historical past
- Two EU members (Au, Fr) will require national referendum on adhesion



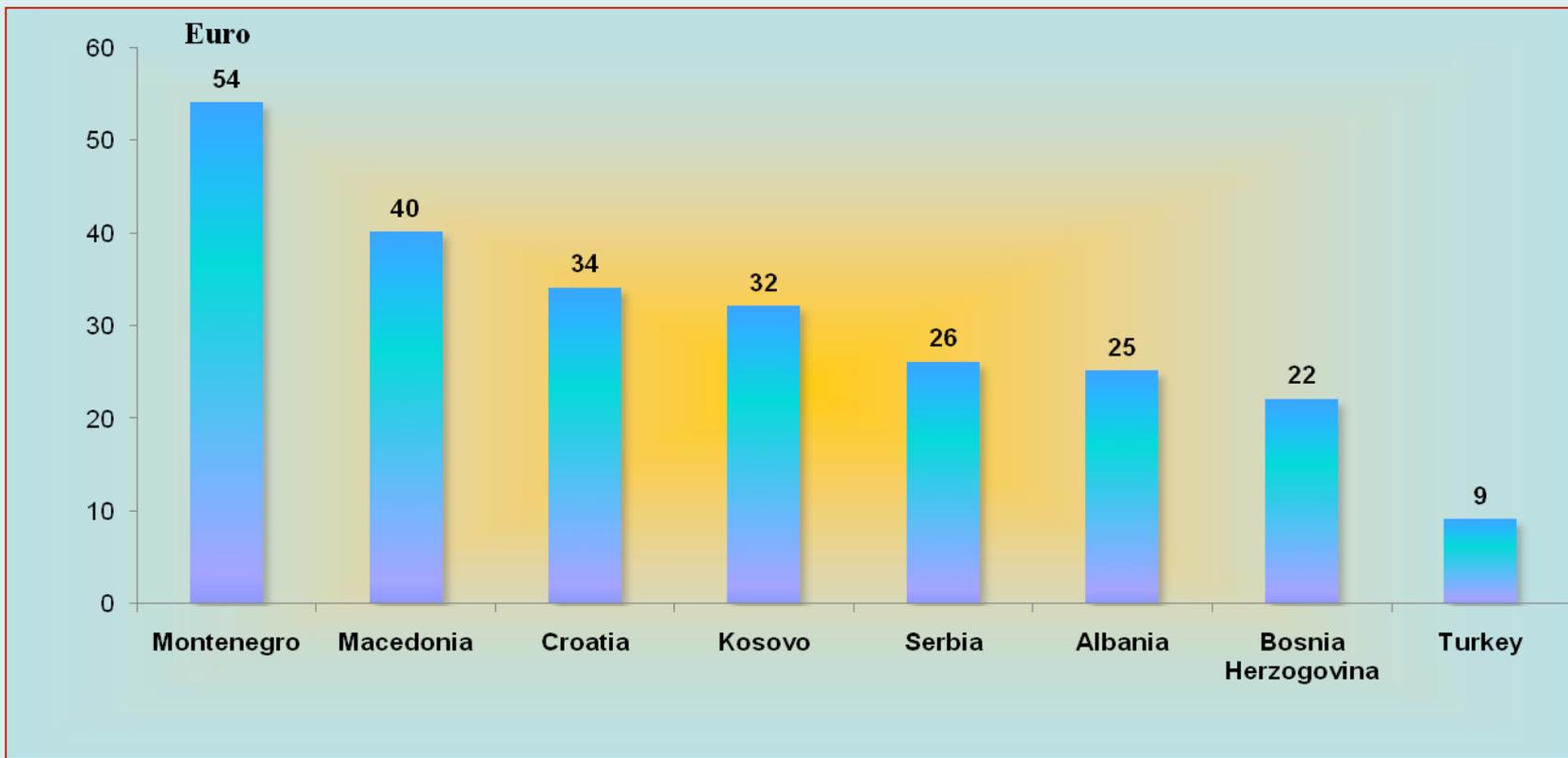
TRIM MNE

EU approximation in trade and single market policies

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## IPA-Instrument of Pre-Adhesion Assistance (Financial allocation per habitant per year)



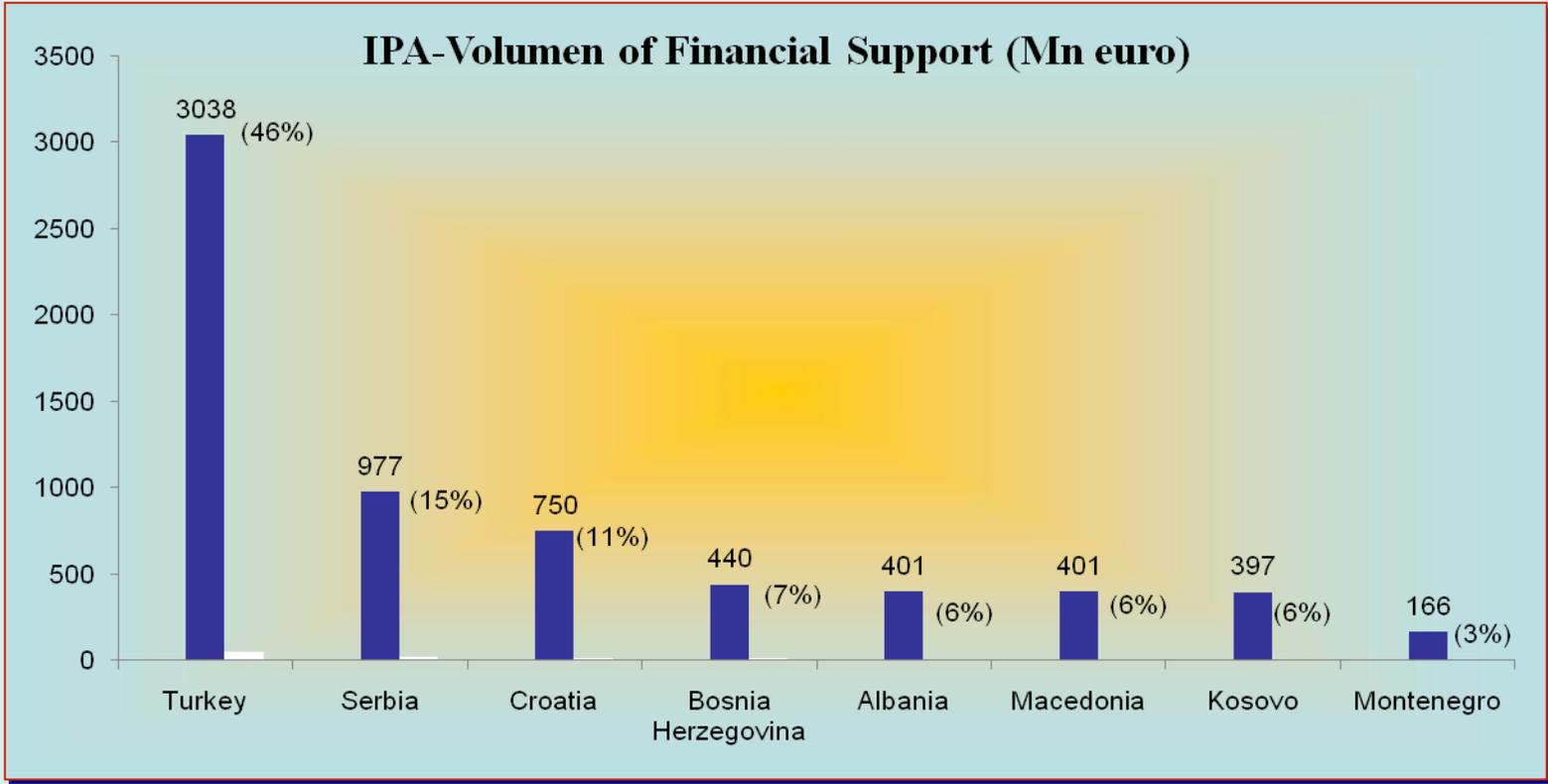
**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



# IPA-Financial Support



## TRIM MNE

EU approximation in trade and single market policies

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



### 3. THE COPEHANGEN CRITERIES

- **Two articles of the Treaty of EU are based for EU Adhesion :**
- **Art.49.** Every European State that respect the principles of the art.6.para 1, can request to become member of the EU
- **Art.6.1.** Union is based on the principles of freedom, democracy, respect of human rights, rule of law and fundamental liberties, principles that are common to member states.

#### **Criterion:**

1. **Political Criterion**-Institution Stability and guaranty of democratic rights. Respect of Human Rights & Rule of Law. Respect & protection of minorities
2. **Economic Criterion** – Functioning market economy, capable of support competition from the Union internal market forces
3. **Adoption and implementation of the *acquis communautaire***
4. **Absorption capacity of the EU**



TRIM MNE

EU approximation in trade and single market policies

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## Negotiation Mechanism

### Who take part in the negotiation process?

**European Council** : Member States, Presidency, SGC

**European Commission (EC)**

**Candidate Country**: Chef and negotiation team, Unit of Inter-Ministerial Coordination

### Main Stages of negotiation

**Screening**- multilateral and bilateral (Concordance Tables)

**Screening reports**- determination of open criteria for negotiations (yes or no)

**Negotiation position** of the candidate country

**Common position of EU**- open chapter and closing criteria

**Closing the chapter** (**preliminary**). Revised common position

**Follow up commitments** on implementation and closing negotiations



**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*



## SCREENING-Analytic diagnostic

### Candidate

Provides information on the **stage harmonization** with the **acquis communautaire**

DG Enlargement + DG specialized (agri, trade, environment, JLS...)

### Commission

- **multilateral screening** - Explain the **35 chapters of the acquis** to candidates
- **bilateral screening** - negotiation **specific areas** by candidate
- **Screening report publication**-one by country and chapter (**Concordance Tables**)

TRIM MNE

EU approximation in trade and single market policies

An EU-funded project managed by the Delegation of the European Commission to Montenegro





# OPENING-NEGOTIATIONS BY CHAPTER

## GIC PREPARATION

Opening Ref. criteria

Working Group Enlargement

### COUNCIL

- Screening report analyse
- Evaluation of **harmonization** and **implementing capabilities**
- Invitation to candidat to present its **negotiation position**

Consensus

### CANDIDATE

- Negotiation position
- **Requests** on exceptions and transition periods

COM present analytical doc. & impact studies

Working Group Enlargement

### COUNCIL

- Analyse COMs **common project position**
- Adoption of EUs **Common closing position**, including criteria

Consensus

Closing Reference Criteria

### Presidency

Inform on EU's **common position** to candidate



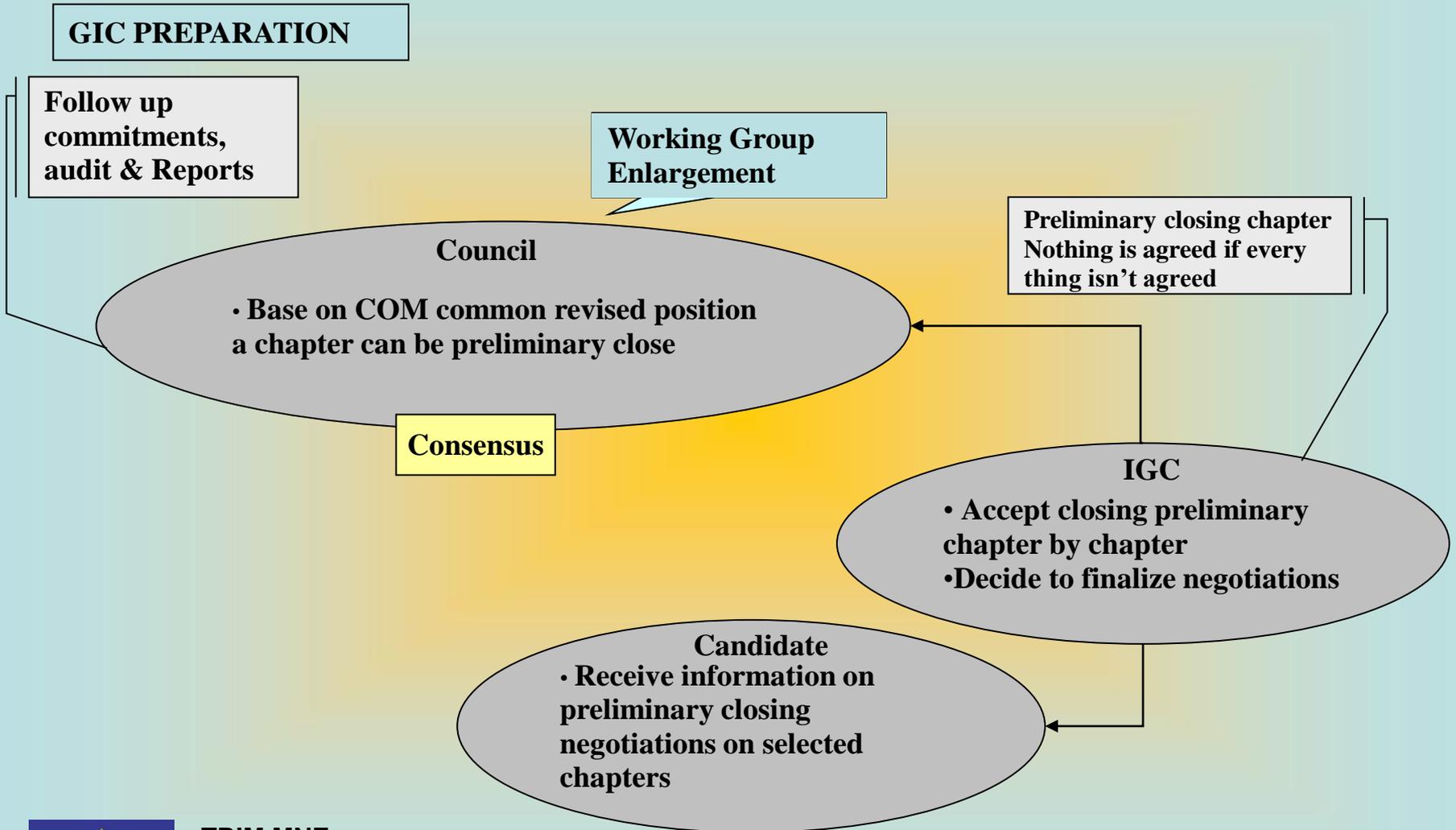
TRIM MNE

EU approximation in trade and single market policies

An EU-funded project managed by the Delegation of the European Commission to Montenegro



# CLOSING-NEGOTIATIONS BY CHAPTER





**PUNO HVALA!**

**THANKS FOR YOUR ATTENTION!**

[saul.alanoca@free.fr](mailto:saul.alanoca@free.fr)



**TRIM MNE**

**EU approximation in trade and single market policies**

*An EU-funded project managed by the Delegation of the European Commission to Montenegro*