

Conclusions of the Helsinki European Council: extract concerning preparations for enlargement (10–11 December 1999)

Caption: On 10 and 11 December 1999, the Helsinki European Council decides to open accession negotiations with Bulgaria, Latvia, Lithuania, Malta, Slovakia and Romania. By stating that, ‘in the negotiations, each candidate State will be judged on its own merits’, the European Council consolidates the principle of differentiation.

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Helsinki European Council (10-11 December 1999) Presidency Conclusions

Introduction

1. The European Council met in Helsinki on 10 and 11 December 1999. It adopted the Millennium Declaration. It has taken a number of decisions marking a new stage in the enlargement process. Steps have also been taken to ensure that the Union itself will have effective, reformed institutions, a strengthened common security and defence policy and a competitive, job-generating, sustainable economy.
2. At the start of proceedings, the European Council and the President of the European Parliament, Mrs Nicole Fontaine, exchanged views on the main items under discussion, in particular enlargement, institutional reform and employment.

I. Preparing for enlargement

The enlargement process

3. The European Council confirms the importance of the enlargement process launched in Luxembourg in December 1997 for the stability and prosperity of the entire European continent. An efficient and credible enlargement process must be sustained.
4. The European Council reaffirms the inclusive nature of the accession process, which now comprises 13 candidate States within a single framework. The candidate States are participating in the accession process on an equal footing. They must share the values and objectives of the European Union as set out in the Treaties. In this respect the European Council stresses the principle of peaceful settlement of disputes in accordance with the United Nations Charter and urges candidate States to make every effort to resolve any outstanding border disputes and other related issues. Failing this they should within a reasonable time bring the dispute to the International Court of Justice. The European Council will review the situation relating to any outstanding disputes, in particular concerning the repercussions on the accession process and in order to promote their settlement through the International Court of Justice, at the latest by the end of 2004. Moreover, the European Council recalls that compliance with the political criteria laid down at the Copenhagen European Council is a prerequisite for the opening of accession negotiations and that compliance with all the Copenhagen criteria is the basis for accession to the Union.
5. The Union has made a firm political commitment to make every effort to complete the Intergovernmental Conference on institutional reform by December 2000, to be followed by ratification. After ratification of the results of that Conference the Union should be in a position to welcome new Member States from the end of 2002 as soon as they have demonstrated their ability to assume the obligations of membership and once the negotiating process has been successfully completed.
6. The Commission has made a new detailed assessment of progress in the candidate States. This assessment shows progress towards fulfilling the accession criteria. At the same time, given that difficulties remain in certain sectors, candidate States are encouraged to continue and step up their efforts to comply with the accession criteria. It emerges that some candidates will not be in a position to meet all the Copenhagen criteria in the medium term. The Commission's intention is to report in early 2000 to the Council on progress by certain candidate States on fulfilling the Copenhagen economic criteria. The next regular progress reports will be presented in good time before the European Council in December 2000.
7. The European Council recalls the importance of high standards of nuclear safety in Central and Eastern Europe. It calls on the Council to consider how to address the issue of nuclear safety in the framework of the enlargement process in accordance with the relevant Council conclusions.
8. The European Council notes with satisfaction the substantive work undertaken and progress which has

been achieved in accession negotiations with Cyprus, Hungary, Poland, Estonia, the Czech Republic and Slovenia.

9. (a) The European Council welcomes the launch of the talks aiming at a comprehensive settlement of the Cyprus problem on 3 December in New York and expresses its strong support for the UN Secretary-General's efforts to bring the process to a successful conclusion.

(b) The European Council underlines that a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition. In this the Council will take account of all relevant factors.

10. Determined to lend a positive contribution to security and stability on the European continent and in the light of recent developments as well as the Commission's reports, the European Council has decided to convene bilateral intergovernmental conferences in February 2000 to begin negotiations with Romania, Slovakia, Latvia, Lithuania, Bulgaria and Malta on the conditions for their entry into the Union and the ensuing Treaty adjustments.

11. In the negotiations, each candidate State will be judged on its own merits. This principle will apply both to the opening of the various negotiating chapters and to the conduct of the negotiations. In order to maintain momentum in the negotiations, cumbersome procedures should be avoided. Candidate States which have now been brought into the negotiating process will have the possibility to catch up within a reasonable period of time with those already in negotiations if they have made sufficient progress in their preparations. Progress in negotiations must go hand in hand with progress in incorporating the *acquis* into legislation and actually implementing and enforcing it.

12. The European Council welcomes recent positive developments in Turkey as noted in the Commission's progress report, as well as its intention to continue its reforms towards complying with the Copenhagen criteria. Turkey is a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States. Building on the existing European strategy, Turkey, like other candidate States, will benefit from a pre-accession strategy to stimulate and support its reforms. This will include enhanced political dialogue, with emphasis on progressing towards fulfilling the political criteria for accession with particular reference to the issue of human rights, as well as on the issues referred to in paragraphs 4 and 9(a). Turkey will also have the opportunity to participate in Community programmes and agencies and in meetings between candidate States and the Union in the context of the accession process. An accession partnership will be drawn up on the basis of previous European Council conclusions while containing priorities on which accession preparations must concentrate in the light of the political and economic criteria and the obligations of a Member State, combined with a national programme for the adoption of the *acquis*. Appropriate monitoring mechanisms will be established. With a view to intensifying the harmonisation of Turkey's legislation and practice with the *acquis*, the Commission is invited to prepare a process of analytical examination of the *acquis*. The European Council asks the Commission to present a single framework for coordinating all sources of European Union financial assistance for pre-accession.

13. The future of the European Conference will be reviewed in the light of the evolving situation and the decisions on the accession process taken at Helsinki. The forthcoming French Presidency has announced its intention to convene a meeting of the conference in the second half of 2000.

The Intergovernmental Conference on institutional reform

14. The European Council welcomes the Presidency's report on the issues raised in relation to the Intergovernmental Conference and setting out the main options the Conference will be confronted with.

15. Appropriate steps will be taken to enable the Intergovernmental Conference to be officially convened in early February. The Conference should complete its work and agree the necessary amendments to the

Treaties by December 2000.

16. Following the Cologne Conclusions and in the light of the Presidency's report, the Conference will examine the size and composition of the Commission, the weighting of votes in the Council and the possible extension of qualified majority voting in the Council, as well as other necessary amendments to the Treaties arising as regards the European institutions in connection with the above issues and in implementing the Treaty of Amsterdam. The incoming Presidency will report to the European Council on progress made in the Conference and may propose additional issues to be taken on the agenda of the Conference.

17. Ministers who are members of the General Affairs Council will have overall political responsibility for the Conference. Preparatory work shall be carried out by a Group composed of a representative of each Member State's Government. The representative of the Commission shall participate at the political and preparatory level. The General Secretariat of the Council will provide secretariat support for the Conference.

18. The European Parliament will be closely associated and involved in the work of the Conference. Meetings of the preparatory Group may be attended by two observers from the European Parliament. Each session of the Conference at ministerial level will be preceded by an exchange of views with the President of the European Parliament, assisted by two representatives of the European Parliament. Meetings at the level of Heads of State or Government dealing with the IGC will be preceded by an exchange of views with the President of the European Parliament.

19. The Presidency will take the necessary steps to ensure that candidate States are regularly briefed within existing fora on the progress of discussions and have the opportunity to put their points of view on matters under discussion. Information will also be given to the European Economic Area.

Effective institutions

20. Substantial changes in the Council's working methods are necessary and must be gradually introduced starting now so that by the time of enlargement, the Council can smoothly accommodate a larger membership. The European Council approves the operational recommendations attached in Annex III. The Council, the Presidency and the Secretary-General/High Representative will be responsible for ensuring that these recommendations are observed and enforced in practice, without calling into question arrangements and programming already made by the incoming Presidency.

21. The European Council recalls its commitment in support of reforming the Commission's administration, especially financial and personnel management, in order to enhance efficiency, transparency and accountability and thus ensure the highest standards of public administration. The Commission will present a comprehensive programme of administrative reforms in early 2000. The European Council calls for rapid implementation of these administrative reforms.

Transparency

22. Transparency of the European institutions is an important element in bringing the Union closer to its citizens and improving efficiency. Progress has been achieved during the Finnish Presidency, especially in the area of access to documents and rapid communication using modern information technologies. The European Council welcomes the Commission's intention to table in January 2000 the proposal on general principles governing the right of access to European Parliament, Council and Commission documents.

Subsidiarity and better lawmaking

23. The European Council welcomes the Commission's report entitled "Better law-making" which confirms the priority attached to the principles of subsidiarity and proportionality and to full application of the

relevant Treaty Protocol.

Combating Fraud

24. The establishment of the Union's Anti-Fraud Office (OLAF) marks an important new step in the fight against fraud. The Commission will present by June 2000 a communication with a view to further developing a comprehensive strategy for the protection of the financial interests of the Community.

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