

The fifth enlargement

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After the fall of the Communist regimes, the countries of the former Eastern bloc declared that they wished to join the European Community. However, at this time, the legacy of the socio-economic systems and structures made more rapid integration of the countries of Eastern Europe into the Community difficult. In order to help them move towards liberal democracy and a market economy, the Community, and then the European Union, concluded Association Agreements with them with a view to their future accession. The Essen European Council (9–10 December 1994) set out a ‘pre-accession’ strategy in order to prepare the countries of Central and Eastern Europe (CEECs) for the progressive adoption of the Community *acquis*, the entire body of legislation adopted by the Community. It also ‘confirm[ed] that the next phase of enlargement of the Union w[ould] involve Cyprus and Malta’. The Copenhagen European Council (21–22 June 1993) had previously spelt out the political and economic conditions to be met for accession to the European Union in the ‘Copenhagen criteria’.

Thereupon, one country after another applied for accession: Hungary (31 March 1994), Poland (5 April), Romania (22 June 1995), Slovakia (27 June 1995), Latvia (13 October 1995), Estonia (24 November 1995), Lithuania (8 December 1995), Bulgaria (14 December 1995), the Czech Republic (17 January 1996) and Slovenia (10 June 1996). The Madrid European Council (15–16 December 1995) established a timetable. Accession negotiations would begin six months after the conclusion of the Intergovernmental Conference (IGC) leading to the Treaty of Amsterdam. They would involve Cyprus, which had had an Association Agreement with the European Economic Community (EEC) since 19 December 1972 and had applied for accession on 3 July 1990, and Malta, which had been associated with the EEC since 5 December 1970 and became an applicant country on 16 July 1990, as well as the 10 associated applicant countries of Central and Eastern Europe (CEECs). The Council instructed the European Commission to report back to it on the various applications for accession.

Immediately after the Amsterdam European Council (16–17 June 1997), and without awaiting the signing of the Amsterdam Treaty on 2 October 1997, the Santer Commission submitted its report on 16 July 1997 with ‘Agenda 2000: for a stronger and wider Union’, which contained ten opinions on the applications for accession of the CEECs. After analysing the capacity of each state to meet the Copenhagen economic and political criteria, the Commission considered that only a first group of six countries might be eligible to accede in around 2002–2003 and suggested that negotiations should begin only with them (Cyprus, the Czech Republic, Estonia, Hungary, Poland and Slovenia). The Luxembourg European Council (12–13 December 1997), however, wishing to avoid any discrimination between applicants, decided to include all ten applicant states from Central and Eastern Europe, along with Cyprus, in the enlargement process, while opening negotiations only with the six countries selected by the Commission.

An annual European Conference of Heads of State or Government of the EU Member States and of the applicant countries was established as a multilateral forum for political cooperation in which to address matters of general interest and to develop cooperation in the areas of the common foreign and security policy (CFSP), justice and home affairs (JHA) and economic and regional cooperation. The first conference was held in London on 12 March 1998 under the UK Presidency. It condemned the Serb repression in Kosovo and decided to involve the applicant countries in the Fifteen’s action plan to combat crime.

The negotiations were launched in Brussels on 30 March 1998 at the ministerial meeting that opened the process of accession to the EU of the ten CEECs and Cyprus. The negotiations were conducted by the Council, assisted by the Commission. The latter began by drawing up an inventory of the Community *acquis*, the legislative texts that the future Member States would have to incorporate into their national law. That amounted to about 20 000 legal acts accounting for 80 000 pages of the *Official Journal of the European Communities*. An ‘accession partnership’ was established between the Union and each applicant country. Each country received a ‘road map’ which set out the objectives to be achieved in order to satisfy the accession criteria and the ‘pre-accession’ financial aid conditional on respect for the commitments entered into. From the end of 1998 onwards, the Commission reported back to the Council on a regular basis on the progress made by each applicant country.

The accession conferences began on 10 November 1999 in the form of six separate intergovernmental conferences, one with each of the six selected states. The Helsinki European Council (10–11 December 1999) also decided to open conferences with the other six applicants (Bulgaria, Latvia, Lithuania, Romania and Slovakia, along with Malta, which officially reactivated its application for accession in 1998 under the pro-European government of Eddie Fenech Adami, despite the decision taken in 1996 by Malta's Socialists to freeze the accession negotiations). They were to begin in February 2000. The Council also recognised the countries of the former Yugoslavia as 'potential candidates' for Union membership.

The Helsinki European Council also took an important decision concerning Turkey. On 12 September 1963, Turkey had signed an Association Agreement with the European Economic Community, supplemented by an additional protocol in 1970. This agreement provided for accession after a period of 30 years. Turkey had submitted an application to that effect on 14 April 1987. The 1963 treaty was replaced by the Customs Union agreement of 1995, which came into force on 1 January 1996. The Luxembourg European Council (12–13 December 1997) had not, however, selected Turkey as an applicant country for various reasons: lack of democracy, risk of an influx of Turkish workers, and the issue of Cyprus, where the northern part of the island remained separate from the south after the intervention of the Turkish army in 1974. The Turks then proclaimed the Turkish Republic of Northern Cyprus, a title recognised in 1983 by Turkey alone and the reason for Greek hostility, at that time, towards its accession to the Union. In Helsinki, the Fifteen decided to give some satisfaction to Turkey by granting it the status of 'candidate State', offering it the benefits of pre-accession but without opening accession negotiations or setting a date for accession.

The Nice European Council (7–9 December 2000) decided to speed up accession negotiations with the 12 candidate countries and devised a strategy based on a timetable specifying the various chapters to be addressed over the next two years, while not fixing the accession dates called for by the candidate countries. After the European Parliament had called for the new Member States to take part in the June 2004 European elections and the Commission had put forward a proposal to that effect, the Göteborg European Council (15–16 June 2001) set the objective of completing negotiations by the end of 2002 for those countries that were ready, so as to enable them to take part in the European elections as Member States. The Commission, which reported regularly on the rate of progress of the negotiations and the reforms achieved in the candidate countries, considered that Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia might be ready. Only Bulgaria and Romania needed to make further progress. The Laeken European Council (14–15 December 2001) agreed with the Commission's report. The Commission considered that, if the candidate countries pursued their efforts to bring themselves into line with the European Union, especially in the area of administrative and judicial capacity, the drafting of the accession treaties might begin in the first half of 2002.