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I forbindelse med det kommende rådsmøde (almindelige anliggender og eksterne forbindelser) den 9.-10. december 2002 vedlægges Formandskabets udkast til kommenteret dagsorden vedrørende dagsordenens punkt 10 om forberedelse af Det Europæiske Råds møde i København.



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 December 2002

15256/02

LIMITE

**POLGEN 74
ELARG 411**

NOTE

From : The Presidency

To : General Affairs and External Relations Council

Subject : *European Council (12-13 December 2002)*
– *Annotated draft agenda*

In line with the Seville European Council conclusions, the General Affairs and External Relations Council at its meeting on 18 November, acting on a Presidency proposal, drew up an annotated draft agenda for the meeting of the European Council on 12-13 December 2002 consisting of two items: Enlargement and the Functioning of the Council in view of enlargement (cf. doc 14257/02).

Progress achieved in work on the various issues arising in connection with those items has enabled the Presidency to draw up the revised annotated draft agenda reproduced hereafter.

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The Presidency intends to limit the agenda to the following items:

- I. Enlargement
- II. Functioning of the Council in view of enlargement

The European Council will also take stock of the progress so far concerning the follow-up to the Prestige disaster.

The European Council will hear a progress report on work in the European Convention from its President, Mr. Valéry Giscard d'Estaing.

The meeting will be preceded by an exposé by the President of the European Parliament, Mr. Pat Cox, followed by an exchange of views.

I. ENLARGEMENT

Completing the first stage of the enlargement process

- *Conclusion of accession negotiations with [Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Slovak Republic and Slovenia]. The Union looks forward to welcoming these countries as new members from 1 May 2004.*
- *The Union endorses the result of the negotiations as set out in Annex I of these conclusions¹.*

[p.m.: language on the final outcome of negotiations]

- *Monitoring up to accession of the commitments undertaken will give further guidance to the Acceding Countries in their efforts to assume the responsibilities of membership and will give the necessary assurance to current Member States. Safeguard clauses provide for measures to deal with difficulties that may arise during the first three years after accession.*

¹ Annex I will refer to the sum total of agreements as set out in the summary conclusions of all the preceding Accession Conferences, and – if necessary – the agreements reached in the margins of the Copenhagen European Council

- *All efforts should be directed at completing the drafting of the treaty in view of the assent of the European Parliament and the signing of the Treaty in Athens on 16 April 2003.*
- *The Accession Treaty will foresee that Commissioners from new Member States will join the current Commission from accession. A new Commission, which shall take office on 1 November 2004 shall be approved by the newly elected European Parliament. On the same date, the Nice Treaty provisions concerning the Commission and voting in the Council will enter into force. The above arrangements will guarantee the full participation of the new Member States in the institutional framework of the Union.*
- *Finally, the new Member States will participate fully in the next Intergovernmental Conference. The new Treaty will not be signed before Accession.*
- **[p.m.: language on Cyprus]**

Bulgaria and Romania

- *The successful conclusion of accession negotiations with ten candidates lends new dynamism to the accession of Bulgaria and Romania as part of the same inclusive and irreversible enlargement process. The Union welcomes the important progress achieved by these countries, which is duly reflected in the advanced state of accession negotiations.*
- *The Union looks forward to consolidating the results achieved so far, and following the Conclusions of the European Council in Brussels and depending on further progress in complying with the membership criteria, the objective is to welcome Bulgaria and Romania as members of the European Union in 2007. The Union confirms that accession negotiations with these countries will continue on the basis of the same principles that have guided the accession negotiations so far and that each candidate country will be judged on its own merits. The Union will declare the irreversibility of the enlargement process and acknowledge that the results reached in the negotiations with Bulgaria and Romania will not be put into question.*

- *The roadmaps put forward by the Commission provide Bulgaria and Romania with clearly identified objectives and give each country the possibility of setting the pace of its accession process. It is essential that Bulgaria and Romania seize this opportunity by stepping up their preparation, including fulfilling and implementing the commitments undertaken in the accession negotiations. In this context, the Union underlines the importance of judicial and administrative reform that will help bring forward Bulgaria's and Romania's' overall preparation for membership. This will ensure that the process will be successfully brought forward building on the results reached so far. Future Presidencies and the Commission will make sure that the pace of accession negotiations on all remaining chapters, including chapters with financial implications, is maintained and matches the efforts of Bulgaria and Romania.*

- *The Union underlines its resolve to assist Bulgaria and Romania in these efforts. The Union endorses the Commission's communication on roadmaps for Bulgaria and Romania, including the proposals for a significant increase in pre-accession assistance. The high level of funding to be made available should be used in a flexible way, targeting the priorities identified, including in key areas such as Justice and Home Affairs. Further guidance in their pre-accession work will be provided by the revised Accession Partnerships to be presented to them next year.*

- *Furthermore, Bulgaria and Romania will participate at the next Intergovernmental Conference as observers.*

- **[p.m.: language on Turkey]**

II. FUNCTIONING OF THE COUNCIL IN VIEW OF ENLARGEMENT

The Presidency

- *The European Council is expected to take note of an initial report from the Presidency on the Presidency of the Union requested at Seville. This report sets out the main lines of thinking pursued by the governments of the Member States within the general context of work underway on this subject, in particular in the Convention and in the perspective of the next steps for revising the Treaties (IGC). Discussions to date have revealed a large measure of agreement on the objectives which any reform should aim at: to maintain the institutional balance and equality between Member States as well as to reinforce the continuity, the efficiency, the consistency and the transparency of the Council's activities. From that starting point various approaches have been suggested, which will be further examined during future work with a view to identifying common orientations. The discussions in this respect will continue to be followed attentively by the European Council, which may take up the question again when appropriate.*

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- *[The European Council will express its deep regret with regard to the serious accident of the oil tanker PRESTIGE off the north west coast of Spain and will express its deep concern about the subsequent damage to the marine environment and the threat to the livelihood of thousands of persons. The European Council will welcome the rapid response from the Council and the Commission. The Union is determined to pursue its efforts and to support international efforts in particular within the IMO. The European Council will stress the need for rapid implementation of the Council conclusions.] [to be confirmed after the Council (Environment) on 9 December]*