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REPORT

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003– 2003/2203(INI))

Committee on Foreign Affairs, Human Rights, Common Security and Defence
Policy

Rapporteur: Baroness Nicholson of Winterbourne

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PROCEDURAL PAGE

By letter of 5 November 2003 the Commission forwarded to Parliament its Regular Report on Romania's progress toward accession (COM(2003) 676), which had been referred to the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy for information.

At the sitting of 28 January 2004 the President of Parliament announced that the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy had been authorised to draw up an own-initiative report on the subject under Rule 47(1), and all the Committees interested had been asked for their opinions (C5-0534/2003).

The Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy had appointed Baroness Nicholson of Winterbourne rapporteur at its meeting of 7 October 2003.

The committee considered the draft report at its meetings of 21 January, 18 and 19 February 2004.

At the latter meeting it adopted the motion for a resolution unanimously.

The following were present for the vote: Elmar Brok (chairman), Baroness Nicholson of Winterbourne (1st vice-chairperson and rapporteur), Geoffrey Van Orden (2nd vice-chairman) and Christos Zacharakis (3rd vice-chairman), Ole Andreasen, Per-Arne Arvidsson, Bastiaan Belder, Michael Cashman (for Glyn Ford), Gérard Caudron (for Pedro Marset Campos), John Walls Cushnahan, Véronique De Keyser, Gianfranco Dell'Alba (for Francesco Enrico Speroni pursuant to Rule 153(2)), Rosa M. Díez González, Andrew Nicholas Duff (for Bob van den Bos), Hélène Flautre (for Joost Lagendijk), José María Gil-Robles Gil-Delgado (for José Pacheco Pereira pursuant to Rule 153(2)), Alfred Gomolka, Giorgos Katiforis (for Alexandros Baltas), Catherine Lalumière, Jules Maaten (for Joan Vallvé), Minerva Melpomeni Malliori (for Giovanni Claudio Fava pursuant to Rule 153(2)), Cecilia Malmström, Mario Mauro (for Armin Laschet), Emilio Menéndez del Valle, Raimon Obiols i Germà, Arie M. Oostlander, Jacques F. Poos, Jannis Sakellariou, José Ignacio Salafranca Sánchez-Neyra, Jürgen Schröder, Elisabeth Schroedter, Patsy Sørensen (for Reinhold Messner pursuant to Rule 153(2)), Ioannis Souladakis, The Earl of Stockton (for David Sumberg), Charles Tannock, Paavo Väyrynen, Demetrio Volcic, Karl von Wogau, Peder Wachtmeister (for Michael Gahler pursuant to Rule 153(2)), Jan Marinus Wiersma.

The opinions of the Committee on Budgets, the Committee on Industry, External Trade, Research and Energy, the Committee on Employment and Social Affairs, the Committee on Agriculture and Rural Development, the Committee on Regional Policy, Transport and Tourism and the Committee on Women's Rights and Equal Opportunities are attached. The Committee on the Environment, Public Health and Consumer Policy decided on 27 November 2003 and the Committee on Legal Affairs and the Internal Market and decided on 6 November 2003 not to deliver an opinion.

The report was tabled on 24 February 2004.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on Romania's progress towards accession (COM(2003) 676 – C5-0534/2003 – 2003/2203(INI))

The European Parliament,

- having regard to the Regular Report 2003 of the Commission about Romania's progress towards accession and the Strategy Paper (COM(2003) 676 – C5-0534/2003)¹
 - having regard to the conclusions of the Copenhagen European Council of December 2002 as well as the Brussels European Council of December 2003,
 - having regard to all its resolutions and reports since the beginning of the accession process,
 - having regard to Rule 47(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinions of the Committee on Budgets, the Committee on Industry, External Trade, Research and Energy, the Committee on Employment and Social Affairs, the Committee on Agriculture and Rural Development, the Committee on Regional Policy, Transport and Tourism and the Committee on Women's Rights and Equal Opportunities (A5-0103/2004),
- A. whereas Romania has shown good efforts on the way to accession to the European Union,
- B. whereas the evaluation of Romania is subject to strict compliance with the Copenhagen criteria and the conclusions of the Helsinki Council of 1999 as well as to the principle of differentiation,
- C. whereas Romania has contributed in a co-operative manner in the work of the Convention to prepare the future of the enlarged EU and also participates in the IGC,

Political situation and criteria

1. Deplores that despite progress in a number of areas, Romania currently faces serious difficulties fulfilling the requirements of the political Copenhagen-criteria; states that finalising accession negotiations at the end of 2004 and becoming a member in 2007 is impossible unless Romania fully implements the following:
 - anti-corruption measures, especially addressing corruption at the political level and implementing anti-corruption laws,
 - independence and functioning of the judiciary, especially limiting the powers of the Ministry of Justice and providing more resources to the judiciary,
 - freedom of the media, especially taking decisive action against the harassment and

¹ Not yet published in OJ.

- intimidation of journalists and curbing the economic control of the media which has resulted in self censorship,
- measures to stop ill-treatment at police stations, starting with the publication of the 2002- report of the Council of Europe's Committee for the Prevention of Torture on the conditions at police stations;
 - recognises the right of families affected by the moratorium to receive a reply to their requests; considers that the failure to reply in 3 years constitutes an infringement of the most basic human rights;
2. Calls on the Commission together with the Romanian government to develop action plans accompanied by clear benchmarks on these reforms in order to better evaluate the progress made;
 3. Takes note of the constitutional reform and in particular the changes which are likely to strengthen the role of parliament in legal decision-making; demands that the government refrains from using emergency ordinances and use the normal channels of legislation through parliament which are designed to provide consultation, proper debate and effective parliamentary control; calls on the Romanian parliament to avail itself of the financial means needed to hire sufficient parliamentary research staff with legal expertise and support staff for parliamentary parties, in order that greater attention may be paid to the quality of legislation;
 4. Welcomes that the executive has taken legal steps to increase the transparency of the policy-formulation process and to involve stakeholders in society into the process; calls on the authorities, however, to actually implement these laws and to open up their procedures;
 5. Welcomes the Judicial System Reform Strategy and action plan adopted by the Romanian government and calls on Romania to provide sufficient human and financial resources to effectively implement them; calls, furthermore, for the strengthening of the independence and professionalism of the judiciary, the assistants of which should be offered adequate further training; urges on the government to strengthen the Supreme Council of Magistrates and to remove the power of the General Prosecutor to bring extraordinary appeals in criminal cases and rather to formalise a coherent system of possibilities for appeal;
 6. Welcomes the strengthening of the independence of the Members of the Court of Auditors resulting from a constitutional amendment in October 2003; welcomes the increase in staffing levels in the Court of Auditors; calls for appropriate training for the staff of the Court of Auditors in order to impart knowledge of internationally recognised auditing standards and of the *aquis communautaire*; advises the Romanian Parliament to adopt a formal procedure for dealing with the results of audits by the Court of Auditors; calls on the Commission to monitor the development of the Court of Auditors into an independent external auditing authority and, where appropriate, to provide assistance as regards technical aspects of management;
 7. Supports Romania's efforts to root out the high level of corruption in state and society; strongly urges the Romanian government to make use of the cooperation agreement concluded between Europol and the Romanian government to render the fight against

- corruption more effective; takes the resignation of three ministers as a sign that this issue is taken seriously by the highest level of government; is, however, concerned that in general the services within the administration responsible for corruption appear to be too passive in investigating such cases; acknowledges that the legal framework to fight corruption is in place and calls on the Romanian authorities to focus attention on the enforcement of the existing legislation; in this context urges the government to further increase the staff at the National Anti-Corruption Prosecutor's Office (NAPO) and to give to all of the prosecutors permanent status rather than having them seconded by other government bodies; asks the government to provide further training for all the staff as well as to strengthen the office's operational independence in particular by eliminating the responsibility of political appointees and politicians to decide on the launching of anti-corruption investigations; notes that first and foremost there must be the political will to eradicate corruption, for only this will lead to a change in attitudes;
8. Calls on the Romanian government to safeguard the independence of the media and to make every effort to track down the perpetrators of physical attacks on journalists;
 9. Asks the Commission to carry out a study of the working conditions and the security of journalists in Romania in order to assess the degree of freedom of the press;
 10. Welcomes the steps which Romania has taken concerning the physical situation of institutional care and the fulfilment of the National Child Protection Strategy; calls for further development of alternative support services for children with special needs; considers as paramount the setting up of an effective child protection system that protects children's rights, has the interests of the children exclusively at heart and does not pander towards corruption in the process; urges the Romanian Government to continue the reform process within the Commission guidelines;
 11. Considers that EU institutions as well as politicians in the EU and further afield were misled as to the process in which children are identified to be suitable for adoption; has evidence that numerous children are deprived of a suitable family setting by the authorities against their will and also disregarding the wishes of their foster families, whose interest in an adoption is denied;
 12. Recognises, that at the same time there has been insufficient attention given to the domain of community services for disabled adults; calls on the Romanian authorities to give more attention to preparing disabled people for independent life in the community and ensuring adequate level of support to promote the social inclusion of disabled persons and the promotion of a coherent policy on the social and professional inclusion of persons with disabilities developed in close partnership with representative organisations of disabled people;
 13. Welcomes Romania's decision not to ratify the bilateral agreement with the USA on the non-extradition of US citizens to the International Criminal Court and also the decision of the Romanian Parliament to await a joint solution between the EU and the US before taking any other step;
 14. Notes that the Romanian government authorised the publication of a report by the Council of Europe's European Committee for the Prevention of Torture; calls on the government to act decisively regarding its main findings that detainees in police custody

are often ill-informed about their rights, have difficulty accessing legal advice, and are often subject to various forms of ill-treatment; calls on the government to authorise without delay the publication of two reports by the Council of Europe on children detained by public authorities and on police stations, prisons and mental hospitals;

15. Hopes that the pre-accession process will show its benefits to the lower strata of society in Romania, where in many areas simple civilisational assets are missing, such as running water and lavatory systems; calls on the Commission to carefully analyse health statistics of the UN and the WHO and support measures to improve the living conditions in Romania;
16. Supports the Romanian government in the implementation of the Roma strategy and asks for regular monitoring of the results achieved and for these findings to be used to adopt further resolute steps as part of this strategy to address the problem of the Roma, in particular their evident lack of integration into society and their suffering of mostly appalling living conditions;
17. Underlines the importance of peaceful coexistence with minorities and to this end asks the government to solve questions around property rights of churches and to develop education in the mother tongue of the Csango minority;
18. Hopes that the government takes steps to allow the Hungarian minority population living in Romania to use their own language in the Schools as well as at the University;
19. Points to the cases of child marriages as a behaviour that is manifestly incompatible with a modern understanding of human rights and social norms; calls on the Romanian authorities to continue to confront the problem of organised crime and in particular that of the trafficking in women and children for sexual exploitation and calls on the EU Member States, Romania and the countries of South-eastern Europe, on the basis of existing regional initiatives, to coordinate their legislation and policing to end this illegal trade in such a manner as to ensure that the perpetrators face the same penalty wherever they are caught; calls on the government to consider further measures to improve police efficiency and to combat inappropriate use of force by the police against suspects;
20. Notes with concern that Romania remains seriously affected by trafficking in human beings as a country of origin, transit and destination for victims, despite the 2001 Law for Combating Trafficking, which criminalizes trafficking and provides assistance and protection to victims; notes that lack of sufficient resources and "men"power in the judicial system and calls on the authorities in co-operation with the Commission and NGOs to carry out more information campaigns focused on potential victims of trafficking;

Economic criteria

21. Congratulates Romania on the progress in achieving macro-economic stability in the framework of a significant GDP growth in 2002 and the first half of 2003; expects that these gains will be invested in the continuing modernisation of the economy in order to improve the competitiveness of Romania and its ability to withstand the pressures in the Single Market; is concerned, however, that regional income disparities are further increasing with Bucharest having nearly three times the GDP per capita levels of the

- poorest region; asks the government to focus particular attention on economically backward regions;
22. Recalls that poverty is a huge problem in Romania (up to 30% are affected by poverty), with the social protection system failing completely as regards families with 3 or more children; firmly believes that a national integrated strategy on promoting social inclusion should be developed as soon as possible; asks the Romanian government in the meantime to secure the financing of local strategies and initiatives; regrets that only little progress has been made in the reform of the pension system;
 23. Welcomes that the Romanian economy is approaching the status of a functioning market economy and calls on the Romania to pursue its structural reform programme with enhanced vigour so that it is soon able to cope with competitive pressures within the Union;
 24. Supports the Romanian authorities in their efforts to complete their privatisation agenda; calls on the Romanian government to strengthen financial discipline across enterprises by ceasing to tolerate arrears to the budget and the energy utilities; is concerned that many non-viable enterprises are still allowed to survive and prevent the market mechanisms from taking their course; calls on the government to continue the restructuring or closing down of such enterprises; hopes that the judicial reform strategy will increase real legal security for investors and further improve the overall business climate;
 25. Congratulates Romania on its successful conclusion of the stand-by agreement with the IMF and welcomes the efforts of Romania to establish a 'pre-cautionary stand-by' agreement with the IMF as a form of on-going co-operation;
 26. Believes that despite the progress made by the Romanian Authorities in provisionally closing 22 out of 31 chapters of the accession negotiations, a concerted effort is needed for two endemic structural problems: eradication of corruption affecting all aspects of society *and* vigorous implementation of structural reform;
 27. Is of the view that Romania's road to accession is rather difficult, partly because of its late start of privatisation and restructuring of public enterprises, and partly because the business environment is neither apt to generating indigenous business, nor attractive to foreign direct investment; in this context, therefore, two priorities have to be asserted urgently: restructuring of key sectors such as energy, mining and transport *and* establishing a pricing mechanism for natural gas, which would reflect short and long-term costs;

Acquis criteria

28. Welcomes the fact that Romania overall is making substantial progress in the alignment with the acquis in most areas and has already provisionally closed 22 chapters; yet asks the Romanian government to be vigilant that legal texts in all cases increase the transposition with the acquis; calls on Romania to focus its efforts for legislative alignment in particular on the areas of free movement of services, competition policy, fisheries, taxation and regional policy,

29. Calls on the Romanian government to continue the alignment in the field of agriculture, to make structural reform in agriculture their top priority and to endeavour to implement a rural development policy which helps to offer alternative employment to the many small subsistence farmers;
30. Points out that under the PHARE Programme 2.286 billion euro were allocated to Romania during the 1992 to 2003 period and 356.9m have been foreseen for 2004; under the SAPARD Programme 162.2m were allocated to Romania in 2003 and 168.4m have been foreseen for 2004; under the ISPA Programme 255.1m were allocated in 2003 and 451.2m will be distributed to Romania and Bulgaria in 2004; is concerned that large parts of these pre-accession aid funds will be lost if the absorption rate cannot be considerably increased, in particular for the SAPARD Programme, where implementation of funds was only 33% in 2003; welcomes the fact that improvements in the country's administrative capacity to programme, manage and control the Community's pre-accession funds have been made; underlines the necessity for continuous further efforts;
31. Reminds Romania that the credibility of commitments in the negotiations rests in particular on a thorough administrative reform; therefore calls on the Romanian government to increase its efforts to build-up the administrative capacity in all areas of law; asks in particular the prime minister for strong political leadership in this area in order to prepare Romania to be able to implement EU laws; calls the Romanian government to put particular emphasis on improving implementation and enforcement in the areas of competition, company law, agriculture, fisheries, transport and Justice and Home affairs;
32. Calls on Romania to substantially increase its legislative alignment in the area of regional policy and structural instruments and to make more efforts to have the administrative infrastructure at all levels to implement the Regional and Structural Funds; reminds Romania that having the instruments in place is indispensable for Romania to benefit from the substantial funds after but also from the pre-accession funds prior to accession;
33. Regrets the lack of progress made in transposing horizontal legislation in the field of environment; urges the Romanian authorities to ensure that the protection of the environment is incorporated in all relevant areas, thereby improving the level of public health and quality of life;
34. Is concerned about reports that a contract for the construction of a motorway has been awarded by the Romanian government without public tendering in violation of the EU acquis in public procurement and the principles of a market economy; calls on the Commission to investigate this issue thoroughly and report to Parliament;
35. Calls on Romania to substantially improve administrative capacity in the area of environment where legislative alignment is quite advanced but enforcement remains inadequate; in particular draws attention to the planned gold-mining project in Rosia Montana and demands that environmental impact assessments are carefully conducted in order to evaluate the risks involved, notably as regards potential cyanide contamination and rehabilitation after closure;
36. Expects projects initiated by the Romanian authorities before accession not to prejudge the effectiveness of EU environmental legislation upon Romania's accession to the EU;

37. Notes with regret that the general state of health in the country remains broadly worse than the EU average, despite the progress made regarding the existing body of legislation on public health; calls on the Commission to intensify its preparatory work and to call for improved standards, training and laboratory capacity;
38. Considers that the situation in the veterinary and food safety sector in general is alarming; is particularly concerned at the inadequate or non-existent testing for disease in dead animals and insufficient alignment of processing plants with EU standards;
39. Notes that there has been a slight improvement in the absorption rate of the pre-accession funds during the reporting period, but that the overall capacity for programming, operational management and financial control remains insufficient; is concerned about this in view of the needs for Romania to administer steadily increasing funds in the next years of the pre-accession strategy and substantial funds after accession; and stresses the need for further improvements in this area; notes that some of the EU financial assistance may be lost if there is not enough proven take-up capacity;
40. Takes note of the exchange of letters between the Romanian Prime Minister and the Commission; calls on the Commission to conduct a detailed analysis and on-going monitoring of the issues mentioned in this report and report back to Parliament; therefore recommends Commission and Council to reorient the accession strategy with Romania in order to give full priority to guide this country to the establishment of the rule of law, which is the most important of the political criteria of Copenhagen; Calls on the Commission to urgently establish a plan for increased and effective monitoring of the implementation of the parts of the acquis already adopted by Romania, in particular in the field of Justice and Home Affairs, complemented by clear benchmarks, the introduction of regular review periods and assistance in the combat against corruption; in addition requests the Romanian Government to strictly adhere to human rights;
41. Reminds the Romanian authorities that pursuant to Art. 49 of the EU Treaty the European Parliament's assent is a precondition to Romania's accession, hence that the European Parliament will have to be convinced that Romania fulfils all the Copenhagen criteria;
42. Instructs its President to forward this resolution to the Council and Commission, and the governments and parliaments of the Member States and of Romania.

EXPLANATORY STATEMENT

Romania is a candidate country to the European Union, which is part of the on-going enlargement process. It aims to join the EU in the year 2007 together with its neighbouring country Bulgaria. Romania has so far closed 22 out of the 31 negotiation chapters and aims at accelerating its reform process in order to close accession negotiations in the year 2004.

As has been outlined in the Commission Report of 2003, there remain several problematic points regarding Romania's fulfilment of the Copenhagen criteria. Romania has tried to alleviate many concerns through reform programmes and strategies in the area of corruption and strengthening the rule of law, a centre piece of which has been the amendment of the Romanian constitution, adopted in autumn 2003. Although there have been concerns as to the means with which the majority in the national referendum was secured, the EP certainly supports the changes made.

The Romanian government has to ensure that the accession process benefits all of society and should aim to reduce the substantial regional disparities in the country.

Romania has so far not received the stamp of approval concerning the full functioning of its market economy and needs to persevere in its efforts of economic reform in all areas.

Likewise the Romanian government needs to substantially intensify its legal adaptation program as well as its process of strengthening the administrative and judicial capacity in order to be able to apply the EU acquis. In this regard especially the improvement of judicial independence and the reduction of the influence of the executive on judicial decisions should be a high priority. This would also increase Romania's attractiveness for foreign investors who often complain about legal uncertainty, corruption and the slow bureaucratic handling of economic affairs.

22 January 2004

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003 - 2003/2203(INI))

Draftsman: Reimer Böge

PROCEDURE

The Committee on Budgets appointed Reimer Böge draftsman at its meeting of 16 December 2003.

It considered the draft opinion at its meeting of 20 January 2004.

At the last meeting it adopted the following suggestions unanimously.

The following were present for the vote: Terence Wynn (chairman), Reimer Böge (vice-chairman and draftsman), Anne Elisabet Jensen (vice-chairwoman), Joan Colom i Naval, Den Dover, Bárbara Dührkop Dührkop, Göran Färm, Esko Olavi Seppänen and Kyösti Tapio Virrankoski.

SUGGESTIONS

The Committee on Budgets calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

Financial aspects

1. Points out that under the PHARE Programme 2.286 billion euro were allocated to Romania during the 1992 to 2003 period and 356.9m have been foreseen for 2004; under the SAPARD Programme 162.2m were allocated to Romania in 2003 and 168.4m have been foreseen for 2004; under the ISPA Programme 255.1m were allocated in 2003 and 451.2m will be distributed to Romania and Bulgaria in 2004; is concerned that large parts of these pre-accession aid funds will be lost if the absorption rate cannot be considerably increased, in particular for the SAPARD Programme, where implementation of funds was only 33% in 2003; welcomes the fact that improvements in the country's administrative capacity to programme, manage and control the Community's pre-accession funds have been made; underlines the necessity for continuous further efforts.
2. Reminds that Heading 7 of the current financial perspective *Pre-accession strategy* foresees the possibility of a closer partnership with neighbouring countries, some of which could be future members of the Union.
3. Reminds that future enlargements, and other developments for closer partnerships¹ should fit within the framework of the financial perspective beyond 2006; points out that insufficient financial resources could limit the ambitions and the role of the Union.

¹ Report of Pasqualina NAPOLETANO on relations with our neighbours to the east and south : "European Parliament resolution on Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours" (COM(2003) 104 - 2003/2018(INI)).

30 January 2004

OPINION OF THE COMMITTEE ON INDUSTRY, EXTERNAL TRADE, RESEARCH AND ENERGY

for the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003 - 2003/2203(INI))

Draftsman: W.G. van Velzen

PROCEDURE

The Committee on Industry, External Trade, Research and Energy appointed W.G. van Velzen draftsman at its meeting of 20 October 2003.

It considered the draft opinion at its meetings of 26 November 2003, 19 and 27 January 2004.

At the last meeting it adopted the following suggestions unanimously.

The following were present for the vote: Luis Berenguer Fuster (chairman), Yves Piétrasanta (vice-chairman), W.G. van Velzen (Draftsman), Sir Robert Atkins, Ward Beysen (for Marco Cappato), Hiltrud Breyer (for Nuala Ahern), Felipe Camisón Asensio (for Jaime Valdivielso de Cué), Giles Bryan Chichester, Nicholas Clegg, Willy C.E.H. De Clercq, Concepció Ferrer, Francesco Fiori (for Umberto Scapagnini), Colette Flesch, Glyn Ford (for Gary Titley), Norbert Glante, Roger Helmer (for Bashir Khanbhai), Hans Karlsson, Helmut Kuhne (for Rolf Linkohr), Caroline Lucas, Eryl Margaret McNally, Erika Mann, Hans-Peter Martin (for Harlem Désir), Ana Miranda de Lage, Angelika Niebler, Reino Paasilinna, Paolo Pastorelli, Godelieve Quisthoudt-Rowohl, Imelda Mary Read, Mechtild Rothe, Christian Foldberg Rovsing, Konrad K. Schwaiger, Esko Olavi Seppänen, Claude Turmes, Alejo Vidal-Quadras Roca, Myrsini Zorba and Olga Zrihen Zaari.

SUGGESTIONS

The Committee on Industry, External Trade, Research and Energy calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Believes that despite the progress made by the Romanian Authorities in provisionally closing 22 out of 31 chapters of the accession negotiations, a concerted effort is needed for two endemic structural problems: eradication of corruption affecting all aspects of society *and* vigorous implementation of structural reform;
2. Is of the view that Romania's road to accession is rather difficult, partly because of its late start of privatisation and restructuring of public enterprises, and partly because the business environment is neither apt to generating indigenous business, nor attractive to foreign direct investment; in this context, therefore, two priorities have to be asserted urgently: restructuring of key sectors such as energy, mining and transport *and* establishing a pricing mechanism for natural gas, which would reflect short and long-term costs;
3. Stresses the fact that despite its progress towards a functioning market economy, Romania still needs to tackle the deep rooted problem of a culture geared to a command economy, without a transparent environment for private business coupled with an unpredictable fiscal regime and lack of rule of law; in this context, institution-building and public sector reform - both seeking to develop a culture of accountability and enforcement of law - assume priority to which EU should play a more active role;
4. Is persuaded of the urgent need for setting up the fundamental principles of a modern industrial policy to be based on the full protection of industrial and intellectual property rights, the proper environment supporting small and medium-sized enterprises and the proper implementation of liberalisation of the telecommunications market coupled with the establishment of a regulatory body, while stress should be placed on the separation of regulatory responsibilities from those of ownership;
5. Notes with interest that Romania is a producer of primary energy (coal, oil, hydro and gas) and that its export potential exists but not efficiently developed because its pipeline facilities are not connected to any EU country yet; considers therefore the proposals of the Commission in this context appropriate and stresses the need for the implementation of the specific measures concerning nuclear safety proposed in the 2003 Regular Report;
6. Believes that the EU should concentrate on devising a monitoring mechanism concerning EU funding, which would concentrate on the correct application of the subsidiarity principle and specifying the final beneficiary, avoiding thus the intermediation of government-sponsored bodies;

22 January 2004

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

for the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003 - 2003/2203(INI))

Draftsman: Miet Smet and Harald Ettl

PROCEDURE

The Committee on Employment and Social Affairs appointed Miet Smet and Harald Ettl draftspersons at its meeting of 22 October 2003.

It considered the draft opinion at its meetings of 16 December 2003 and 22 January 2004.

At the latter meeting it adopted the following suggestions unanimously.

The following were present for the vote: Theodorus J.J. Bouwman, chairman; Marie-Hélène Gillig and Winfried Menrad, vice-chairpersons; Miet Smet and Harald Ettl, draftspersons; Anne André-Léonard, Elspeth Attwooll, Regina Bastos, Hans Udo Bullmann (for Jan Andersson), Ieke van den Burg, Luigi Cocilovo, Proinsias De Rossa, Carlo Fatuzzo, Ilda Figueiredo, Anne Elisabet Jensen (for Marco Formentini), Karin Jöns, Jean Lambert, Thomas Mann, Mario Mantovani, Claude Moraes, Neil Parish (for Raffaele Lombardo, pursuant to Rule 153(2)), Manuel Pérez Álvarez, Bartho Pronk, Lennart Sacrédeus, Herman Schmid, Elisabeth Schroedter (for Jillian Evans), Helle Thorning-Schmidt and Barbara Weiler.

SUGGESTIONS

The Committee on Employment and Social Affairs calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Recognises the progress which has been made by Romania in order to fulfil the social acquis; points out, nevertheless, that transposition of large parts of the acquis under secondary legislation will be required, in relation in particular to the protection of expectant and nursing mothers, youth-employment protection and directives on mass redundancies; calls on the Romanian government to adopt the necessary rules and regulations in this connection without delay, and comprehensively to transpose the social protection provisions of the acquis;
2. Welcomes the new Labour Code but stresses that efforts should be concentrated now on strengthening administrative capacity and implementation through secondary legislation;
3. Warns that despite sustained economic growth, unemployment is still high in Romania; efforts are urgently needed to fight long-term unemployment (21.8%) and youth unemployment (21.2%);
4. Underlines that labour market mismatches (including skills and professional mismatches) hamper the improvement of access to employment and the balance between job loss and job creation; urges that the restructuring of the economy be accompanied by adequate restructuring of the education system and by sufficient active training and retraining policies for the employed and the unemployed in order to encrease employability;
5. Urges the Romanian government to build up the necessary structures in the ministries responsible, and to provide the staff training and expansion needed to meet the required operating standards of future European Social Fund management;
6. Continues to stress the importance of an autonomous social dialogue; asks the social partners and the Romanian government to renew the 2002 Social Pact; regrets that employers' organisations and trade unions fail to represent a single voice in protecting and representing their interests at national level due to fragmentation and the lack of sufficiently developed structures; welcomes the Romanian collective bargaining system, however a number of major problems still have to be solved (e.g. the right to negotiate collective agreements, the criteria and procedures as regards trade union representativeness, the procedure for registering collective agreements and limits on the right to strike);
7. Recalls that poverty is a huge problem in Romania (up to 30% are affected by poverty), with the social protection system failing completely as regards families with 3 or more children; firmly believes that a national integrated strategy on promoting social inclusion should be developed as soon as possible; asks the Romanian government in the meantime to secure the financing of local strategies and initiatives; regrets that only little progress has been made in the reform of the pension system;
8. Welcomes the improvements in access to education for disadvantaged groups, with

special focus on the Roma; underlines that there is still a lack of access to housing of an acceptable standard and asks for further reforms to increase employment opportunities for Roma, especially for those who have not completed compulsory education;

9. Recalls that trafficking in human beings - women and girls for sexual exploitation, children and disabled people for exploitation as street beggars or thieves - is still a serious problem for Romania as a country of origin, of transit and of destination; is aware of the fact that victims of trafficking are living in degrading conditions;

10. Welcomes the progress in the field of health and safety at work, in particular the positive developments with regard to the administrative capacity of the labour inspectorate; underlines the importance of social dialogue at all levels in this field; urgently calls for implementation of the acquis and improvements in working conditions rather than a system based on offering higher rates of pay and risk premiums for hazardous working conditions.

29 January 2004

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003 - 2003/2203(INI))

Draftsman: Karl Erik Olsson

PROCEDURE

The Committee on Agriculture and Rural Development appointed Karl Erik Olsson draftsman at its meeting of 4 November 2003.

It considered the draft opinion at its meetings of 25 November 2003 and 26-27 January 2004.

At the latter meeting it adopted the following suggestions unanimously.

The following were present for the vote: Friedrich-Wilhelm Graefe zu Baringdorf (chairman), Karl Erik Olsson (draftsman), Niels Busk, Francesco Fiori, Georges Garot, Lutz Goepel, Willi Görlach, María Izquierdo Rojo, Elisabeth Jeggle, Salvador Jové Peres, Hedwig Keppelhoff-Wiechert, Heinz Kindermann, Véronique Mathieu, Hans-Peter Mayer (for Michl Ebner), Xaver Mayer, Jan Mulder (for Giovanni Procacci), Mikko Pesälä and Dominique F.C. Souchet.

EXPLANATORY STATEMENT

With the accession of 10 new Member States on 1 May 2004, the EU will be carrying out its most significant enlargement to date, in terms of size (largest number of countries and largest number of new EU citizens at a single time) and in the historical and political sense.

The desire to integrate the whole of Europe cannot, however, be fulfilled without another enlargement, primarily to include Bulgaria and Romania, for which membership should be a reality as of 2007.

An important social and socio-economic aspect of both the first large-scale enlargement and the subsequent accession of Bulgaria and Romania is the major significance and importance of agriculture in the new EU. The new common agricultural policy must, more than previously, prove its effectiveness as a catalyst for the development of quality, food safety, animal welfare, new forms of production and new forms of rural economic activity which counteract depopulation and actually make rural areas attractive by providing good social conditions and job opportunities for the population.

The aim is to complete negotiations on the agricultural chapter with Romania in 2004. In that connection, the Commission's strategy document and report on Romania's progress towards accession is an enormously valuable tool for identifying those areas in which further effort is needed to enable Romania to comply with current Community legislation (*acquis communautaire*).

Romanian agriculture is in dire straits. Apart from the major structural difficulties which already existed, there have been a number of years with an exceptionally poor harvest. With 4 million farms of less than 2 hectares, supporting an estimated 8-10 million people who have no access to any other form of employment, the structural problem in Romanian agriculture is exceptionally difficult to resolve. It would seem impossible to restructure this area of agriculture without major social problems without first creating scope within the economy to deal with the employment issue. The preferable solution would be new businesses in rural areas but a certain degree of relocation of population seems difficult to avoid.

Even though a strategy has been adopted fully to prepare the agricultural sector for Romanian membership of the EU, there are nevertheless a number of very large, important areas in which progress is inadequate and too sluggish. This applies in particular to legislative and administrative progress towards setting up a paying agency and the integrated administration and control system (IACS).

The draftsman takes the view that the strategy adopted should be accompanied by a consistent plan of action to resolve the numerous problems, otherwise there is a real risk that Romania will be unable to conclude negotiations on the agricultural chapter in accordance with the current timetable and may, therefore, risk further postponement of accession.

In the meantime, the Commission bears a great responsibility and it should do everything in its power to ensure that the negotiations with Romania can be completed in 2004, and the draftsman takes the view that the Commission should, therefore, consider taking further steps to spur on and step up the work on the necessary reforms and adjustments.

SUGGESTIONS

The Committee on Agriculture and Rural Development calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Welcomes Romania's adoption of a strategy for agriculture and rural development with a view to the country's accession to the EU;
2. Is satisfied that Romania has set objectives for setting up institutional and legislative frameworks for the EAGGF's Guarantee and Development Sections; considers, however, that 2007 is too late should the country's accession take place in the same year, as anticipated;
3. Hopes that the progress made towards setting up the integrated administrative and control system is an expression of the system's ability to be fully operational as of scheduled accession in 2007; considers that setting up such a system is a vital condition for accession;
4. Considers it exceptionally important to make a concerted effort to boost rural development and job creation; calls on Romania and the Commission to ensure more effective use of SAPARD aid without delay;
5. Welcomes the progress made on TSE and animal by-products;
6. Considers that the situation in the veterinary and food safety sector in general is alarming; is particularly concerned at the inadequate or non-existent testing for disease in dead animals and insufficient alignment of processing plants with EU standards;
7. Regrets the lack of progress on the adoption of a veterinary framework law;
8. Regrets the fact that lack of resources and skills in the administrative bodies is a major decisive obstacle to Romania's compliance with the *acquis communautaire*; calls on the Romanian authorities and the Commission jointly to draw up new initiatives with a view to stepping up and making more effective the alignment of those structures.

26 January 2004

OPINION OF THE COMMITTEE ON REGIONAL POLICY, TRANSPORT AND TOURISM

for the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003) – 2003/2203(INI))

Draftman: Rijk van Dam

PROCEDURE

The Committee on Regional Policy, Transport and Tourism appointed Rijk van Dam draftsman at its meeting of 25 November 2003.

It considered the draft opinion at its meeting of 20-21 January 2004.

At this meeting it adopted the following suggestions by 43 votes to 1.

The following were present for the vote: Paolo Costa (chairman), Rijk van Dam (vice-chairman and draftsman), Gilles Savary, Helmuth Markov (vice-chairmen), Sylviane H. Ainaridi, Pedro Aparicio Sánchez (for Danielle Darras), Rolf Berend, Graham H. Booth (for Alain Esclopé), Philip Charles Bradbourn, Felipe Camisón Asensio, Luigi Cocilovo, Christine de Veyrac, Jan Dhaene, Den Dover (for Margie Sudre), Jacqueline Foster, Mathieu J.H. Grosch, Konstantinos Hatzidakis, Ewa Hedkvist Petersen, Juan de Dios Izquierdo Collado, Georg Jarzembowski, Dieter-Lebrecht Koch, Ioannis Koukiadis (for Giovanni Claudio Fava pursuant to Rule 153(2)), Constanze Angela Krehl (for Garrelt Duin), Giorgio Lisi, Sérgio Marques, Emmanouil Mastorakis, Erik Meijer, Rosa Miguélez Ramos, Bill Miller (for John Hume), Enrique Monsonís Domingo, Francesco Musotto, Josu Ortuondo Larrea, Peter Pex, Wilhelm Ernst Piecyk, Samuli Pohjamo, Alonso José Puerta, Reinhard Rack, Carlos Ripoll y Martínez de Bedoya, Dana Rosemary Scallon, Ingo Schmitt, Elisabeth Schroedter (for Nelly Maes), Brian Simpson, Renate Sommer, Ulrich Stockmann, Herman Vermeer, Brigitte Wenzel-Perillo (for Ari Vatanen).

SUGGESTIONS

The Committee on Regional Policy, Transport and Tourism calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Regrets that chapter 21 on regional policy and co-ordination of structural instruments remains to be concluded;
2. Welcomes the fact that Romania is making significant efforts to upgrade its transport infrastructure along the Trans-European Transport Network guidelines;
3. Stresses that the country needs to improve its infrastructure strategy and its administrative capacity to programme, implement and maintain the significant investment needed; calls on the Government to find the most appropriate financial resources for funding infrastructure projects in all transport sectors;
4. Notes that further progress has been achieved in harmonising Romanian legislation on land transport with the *acquis* in most of sub-areas such as road transport, railways and inland waterway transport; stresses the importance of the restructuring of the Romanian inland shipping fleet in order to ensure the viability of this sector and its competitiveness with other transport modes;
5. Demands that Romania focuses further attention on ensuring the reinforcement and strengthening of its administrative structures in order to ensure adequate administrative capacity for enforcement of the *acquis* in the road, railway and aviation sectors;
6. Affirms that enhancing the performance of the administrative institutions responsible for maritime safety must continue to be a priority and that efforts should be sustained to ensure that Romania will meet its objective of removing the Romanian flag from the Paris Black list of ships at the date of accession;
7. Insists that Romania takes decisive measures against corruption at all levels, pursue public administration reforms and makes sure that it can create and maintain the necessary structures for the efficient programming, implementation and management of the European Funds;
8. Notes that the institutional framework for regional policy and co-ordination of structural instruments is still not clearly defined and specific arrangements for financial management and control have to be made;
9. Emphasises that some progress can be seen concerning the application of the partnership principle; recalls that further attention should be paid to clarifying the role of regional levels of administration and re-enforcing inter-ministerial co-operation. Considers that supplementary measures will have to be taken in order to fully implement the partnership principle in the regional planning system as well as in the successive implementation and follow-up phases, including as well social and environmental partners;
10. Points at the requirement of the use of a tachograph in HGV's for both national and

international transports; calls on Romania to have all HGV's on their territory equipped with such a device before the date of accession;

11. Reiterates that Roumenia should ensure that effective administrative structures and ressources exist in order to properly apply strategic and environmental impact procedures in the framework of the Structural Funds planning exercise and of the transport infrastructures development;
12. Considers that all the necessary measures have to be taken in order to ensure that cultural or linguistic minorities will be associated in the Structural Funds development planning in the framework of the EU cohesion policy;

23 January 2004

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND EQUAL OPPORTUNITIES

for the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

on Romania's progress towards accession
(COM(2003) 676 – C5-0534/2003 – 2003/2203(INI))

Draftsperson: Patsy Sörensen

PROCEDURE

The Committee on Women's Rights and Equal Opportunities appointed Patsy Sörensen draftsperson at its meeting of 4 November 2003.

It considered the draft opinion at its meetings of 4 December 2003 and 20 January 2004.

At the last meeting it adopted the following suggestions unanimously.

The following were present for the vote: Anna Karamanou (chairperson), Marianne Eriksson (vice-chairperson), Patsy Sörensen (Draftsperson), Ulla Maija Aaltonen, Regina Bastos, Lone Dybkjær, Lissy Gröner, Mary Honeyball, Christa Klaß, Rodi Kratsa-Tsagaropoulou, Astrid Lulling, Thomas Mann, Maria Martens, Elizabeth Montfort (for Robert Goodwill pursuant to Rule 153 (2)), Christa Prets, Amalia Sartori, Olle Schmidt (for Johanna L.A. Boogerd-Quaak), Joke Swiebel, Elena Valenciano Martínez-Orozco.

SUGGESTIONS

The Committee on Women's Rights and Equal Opportunities calls on the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Welcomes the progress made on gender equality; transposition of EU legislation into the Labour Code has given women and men equal access to employment, although more detailed provisions are required to ensure maternity protection; welcomes also that the Labour Code prohibits direct and indirect discrimination, but regrets that it does not refer specifically to discrimination based on sex and gender;
2. Recognises the positive effects of implementing the National Action Plan for Equal Opportunities through the creation of a national training programme on gender-related legislation for the Ministry of Labour's staff in central and territorial departments;
3. Notes with satisfaction that Romania was first among the acceding and candidate countries to create a functioning anti-discrimination body; hopes that the National Centre for Gender Equality, which is under preparation, will become operational in 2005 as planned;
4. Is aware of the fact that the further development of the administrative structures and capacity to implement the new legislation is essential for achieving de facto gender equality; calls therefore upon the Commission to continue to enhance its support in this area;
5. Notes with concern that Romania remains seriously affected by trafficking in human beings as a country of origin, transit and destination for victims, despite the 2001 Law for Combating Trafficking, which criminalizes trafficking and provides assistance and protection to victims; notes that lack of sufficient resources and "men"power in the judicial system and calls on the authorities in co-operation with the Commission and NGOs to carry out more information campaigns focused on potential victims of trafficking;
6. Regrets that women remain under-represented in political life, with 11 per cent women deputies, 9 per cent women senators and 2 women out of 22 Ministers in the Government; also regrets that on the other hand, women are over-represented in unemployment and poverty, in particular among minorities, such as the Roma or persons over the age of 45; calls on the Government to make wise use of the financial possibilities the EU offers to bring down the number of unemployed women;
7. In spite of great progress in many policy areas related to gender and child protection, a number of specific problems remain to be tackled by the Government, such as the high number of abortions often caused by lack of knowledge about or availability of anti-conceptives, the high level of domestic violence against women and the plight of women from minorities and forced marriages of underage girls.