

TREATY

BETWEEN

THE KINGDOM OF BELGIUM, THE CZECH REPUBLIC, THE KINGDOM OF DENMARK, THE FEDERAL REPUBLIC OF GERMANY, THE REPUBLIC OF ESTONIA, THE HELLENIC REPUBLIC, THE KINGDOM OF SPAIN, THE FRENCH REPUBLIC, IRELAND, THE ITALIAN REPUBLIC, THE REPUBLIC OF CYPRUS, THE REPUBLIC OF LATVIA, THE REPUBLIC OF LITHUANIA, THE GRAND DUCHY OF LUXEMBOURG, THE REPUBLIC OF HUNGARY, THE REPUBLIC OF MALTA, THE KINGDOM OF THE NETHERLANDS, THE REPUBLIC OF AUSTRIA, THE REPUBLIC OF POLAND, THE PORTUGUESE REPUBLIC, THE REPUBLIC OF SLOVENIA, THE SLOVAK REPUBLIC, THE REPUBLIC OF FINLAND, THE KINGDOM OF SWEDEN, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

(MEMBER STATES OF THE EUROPEAN UNION)

AND

THE REPUBLIC OF BULGARIA AND ROMANIA,

CONCERNING THE ACCESSION OF THE REPUBLIC OF BULGARIA AND ROMANIA TO THE EUROPEAN UNION

HIS MAJESTY THE KING OF THE BELGIANS,

THE REPUBLIC OF BULGARIA,

THE PRESIDENT OF THE CZECH REPUBLIC,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

HIS MAJESTY THE KING OF SPAIN,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF CYPRUS,
THE PRESIDENT OF THE REPUBLIC OF LATVIA,
THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,
HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,
THE PRESIDENT OF THE REPUBLIC OF HUNGARY,
THE PRESIDENT OF MALTA,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,
THE PRESIDENT OF THE REPUBLIC OF POLAND,
THE PRESIDENT OF THE PORTUGUESE REPUBLIC,
THE PRESIDENT OF ROMANIA,
THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,
THE PRESIDENT OF THE SLOVAK REPUBLIC,
THE PRESIDENT OF THE REPUBLIC OF FINLAND,
THE GOVERNMENT OF THE KINGDOM OF SWEDEN,
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

UNITED in their desire to pursue the attainment of the objectives of the European Union,

DETERMINED to continue the process of creating an ever closer union among the peoples of Europe on the foundations already laid,

CONSIDERING that Article I-58 of the Treaty establishing a Constitution for Europe, like Article 49 of the Treaty on European Union, affords European States the opportunity of becoming members of the Union,

CONSIDERING that the Republic of Bulgaria and Romania have applied to become members of the Union,

CONSIDERING that the Council, after having obtained the opinion of the Commission and the assent of the European Parliament, has declared itself in favour of the admission of these States,

CONSIDERING that, at the time of signature of this Treaty, the Treaty establishing a Constitution for Europe was signed but not yet ratified by all Member States of the Union and that the Republic of Bulgaria and Romania will join the European Union as constituted on 1 January 2007,

HAVE AGREED on the conditions and arrangements for admission, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS,

Karel DE GUCHT
Minister for Foreign Affairs

Didier DONFUT
State Secretary for European Affairs, attached to the Ministry of Foreign Affairs

THE REPUBLIC OF BULGARIA,

Georgi PARVANOV
President

Simeon SAXE-COBURG
Prime Minister

Solomon PASSY
Minister of Foreign Affairs

Meglana KUNEVA
Minister of European Affairs

THE PRESIDENT OF THE CZECH REPUBLIC,

Vladimír MÜLLER
Deputy Minister for Union Affairs

Jan KOHOUT
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Czech Republic to the European Union

HER MAJESTY THE QUEEN OF DENMARK,

Friis Arne PETERSEN
Permanent Secretary of State

Claus GRUBE
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Kingdom of Denmark to the European
Union

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

Hans Martin BURY
Minister of State for Europe

Wilhelm SCHÖNFELDER
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Federal Republic of Germany to the
European Union

THE PRESIDENT OF THE REPUBLIC OF ESTONIA,

Urmas PAET
Minister for Foreign Affairs

Väino REINART,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Republic of Estonia to the European Union

THE PRESIDENT OF THE HELLENIC REPUBLIC,

Yannis VALINAKIS
Deputy Minister for Foreign Affairs

Vassilis KASKARELIS
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Hellenic Republic to the European Union

HIS MAJESTY THE KING OF SPAIN,

Miguel Angel MORATINOS CUYAUBÉ
Minister for External Affairs and Cooperation

Alberto NAVARRO GONZÁLEZ
Secretary of State for the European Union

THE PRESIDENT OF THE FRENCH REPUBLIC,

Claudie HAIGNERÉ
Minister with responsibility for European Affairs, attached to the Minister for
Foreign Affairs

Pierre SELLAL
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the French Republic to the European Union

THE PRESIDENT OF IRELAND,

Dermot AHERN
Minister for Foreign Affairs

Noel TREACY
Minister of State for European Affairs

THE PRESIDENT OF THE ITALIAN REPUBLIC,

Roberto ANTONIONE
Under Secretary of State for Foreign Affairs

Rocco Antonio CANGELOSI
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Italian Republic to the European Union

THE PRESIDENT OF THE REPUBLIC OF CYPRUS,

George IACOVOU
Minister for Foreign Affairs

Nicholas EMILIOU
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Republic of Cyprus to the European Union

THE PRESIDENT OF THE REPUBLIC OF LATVIA,

Artis PABRIKS
Minister for Foreign Affairs

Eduards STIPRAIS
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Republic of Latvia to the European Union

THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,

Antanas VALIONIS
Minister of Foreign Affairs

Albinas JANUSKA
Under-secretary at the Ministry of Foreign Affairs

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

Jean-Claude JUNCKER
Prime Minister, Ministre d'Etat, Minister for Finance

Jean ASSELBORN
Deputy Prime Minister, Minister for Foreign Affairs and Immigration

THE PRESIDENT OF THE REPUBLIC OF HUNGARY,

Dr. Ferenc SOMOGYI
Minister for Foreign Affairs

Dr. Etele BARÁTH
Minister without portfolio responsible for European Union Affairs

THE PRESIDENT OF MALTA,

The Hon Michael FRENDO
Minister for Foreign Affairs

Richard CACHIA CARUANA
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Malta to the European Union

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

Dr. B.R. BOT
Minister for Foreign Affairs

Atzo NICOLAÏ
Minister for European Affairs

THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA,

Hubert GORBACH
Vice Chancellor

Dr. Ursula PLASSNIK
Federal Minister for Foreign Affairs

THE PRESIDENT OF THE REPUBLIC OF POLAND,

Adam Daniel ROTFELD
Minister of Foreign Affairs

Jarosław PIETRAS
Secretary of State for European Affairs

THE PRESIDENT OF THE PORTUGUESE REPUBLIC,

Diogo PINTO DE FREITAS DO AMARAL
Minister of State and Foreign Affairs

Fernando Manuel de MENDONÇA D'OLIVEIRA NEVES
Secretary of State for European Affairs

THE PRESIDENT OF ROMANIA,

Traian BĂSESCU
President

Călin POPESCU - TĂRICEANU
Prime Minister

Mihai - Răzvan UNGUREANU
Minister of Foreign Affairs

Leonard ORBAN
Chief Negotiator with the European Union

THE PRESIDENT OF THE REPUBLIC OF SLOVENIA,

Božo CERAR
State Secretary at the Ministry of Foreign Affairs

THE PRESIDENT OF THE SLOVAK REPUBLIC,

Eduard KUKAN
Minister of Foreign Affairs

József BERÉNYI
State Secretary of Foreign Affairs

THE PRESIDENT OF THE REPUBLIC OF FINLAND,

Eikka KOSONEN
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Republic of Finland to the European Union

THE GOVERNMENT OF THE KINGDOM OF SWEDEN,

Laila FREIVALDS
Minister for Foreign Affairs

Sven-Olof PETERSSON
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Kingdom of Sweden to the European Union

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND,

Sir John GRANT KCMG

Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the United Kingdom of Great Britain and
Northern Ireland to the European Union

WHO, having exchanged their full powers found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. The Republic of Bulgaria and Romania hereby become members of the European Union.
2. The Republic of Bulgaria and Romania become Parties to the Treaty establishing a Constitution for Europe and to the Treaty establishing the European Atomic Energy Community as amended or supplemented.
3. The conditions and arrangements for admission are set out in the Protocol annexed to this Treaty. The provisions of that Protocol shall form an integral part of this Treaty.
4. The Protocol, including its Annexes and Appendices, shall be annexed to the Treaty establishing a Constitution for Europe and to the Treaty establishing the European Atomic Energy Community, and its provisions shall form an integral part of those Treaties.

Article 2

1. In the event that the Treaty establishing a Constitution for Europe is not in force on the date of accession, the Republic of Bulgaria and Romania become Parties to the Treaties on which the Union is founded, as amended or supplemented.

In such event Article 1(2) to (4) shall become applicable from the date of entry into force of the Treaty establishing a Constitution for Europe.

2. The conditions of admission and the adjustments to the Treaties on which the Union is founded, entailed by such admission, which will apply from the date of accession until the date of entry into force of the Treaty establishing a Constitution for Europe, are set out in the Act annexed to this Treaty. The provisions of that Act shall form an integral part of this Treaty.
3. In the event that the Treaty establishing a Constitution for Europe enters into force after accession, the Protocol referred to in Article 1(3) shall replace the Act referred to in Article 2 (2) on the date of entry into force of the said Treaty. In such event, the provisions of the aforementioned Protocol shall not be considered as creating a new legal effect, but as preserving, under the conditions laid down in the Treaty establishing a Constitution for Europe, the Treaty establishing the European Atomic Energy Community and that Protocol, the legal effects which have already been created by the provisions of the Act referred to in Article 2(2).

Acts adopted prior to the entry into force of the Protocol referred to in Article 1(3) on the basis of this Treaty or the Act referred to in paragraph 2 shall remain in force and their legal effects shall be preserved until those acts are amended or repealed.

Article 3

The provisions concerning the rights and obligations of the Member States and the powers and jurisdiction of the institutions of the Union as set out in the Treaties to which the Republic of Bulgaria and Romania become Parties shall apply in respect of this Treaty.

Article 4

1. This Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional requirements. The instruments of ratification shall be deposited with the Government of the Italian Republic by 31 December 2006 at the latest.

2. This Treaty shall enter into force on 1 January 2007 provided that all the instruments of ratification have been deposited before that date.

If, however, a State referred to in Article 1(1) has not deposited its instrument of ratification in due time, this Treaty shall enter into force for the other State which has deposited its instrument. In that case, the Council, acting unanimously, shall decide immediately upon such adjustments as have become indispensable to this Treaty, to Articles 10, 11(2), 12, 21(1), 22, 31, 34 and 46, Annex III, point 2(1)(b), 2(2) and 2(3) and Annex IV, section B, of the Protocol referred to in Article 1(3) and, as the case may be, to Articles 9 to 11, 14(3), 15, 24(1), 31, 34, 46 and 47, Annex III, point 2(1)(b), 2(2) and 2(3) and Annex IV, section B, of the Act referred to in Article 2(2); acting unanimously, it may also declare that those provisions of the aforementioned Protocol, including its Annexes and Appendices and, as the case may be, of the aforementioned Act, including its Annexes and Appendices, which refer expressly to a State which has not deposited its instrument of ratification have lapsed, or it may adjust them.

Notwithstanding the deposit of all necessary instruments of ratification in accordance with paragraph 1, this Treaty shall enter into force on 1 January 2008, if the Council adopts a decision concerning both acceding States under Article 39 of the Protocol referred to in Article 1(3), or under Article 39 of the Act referred to in Article 2(2) prior to the entry into force of the Treaty establishing a Constitution for Europe.

If such a decision is taken with respect to only one of the acceding States this Treaty shall enter into force for that State on 1 January 2008.

3. Notwithstanding paragraph 2, the institutions of the Union may adopt before accession the measures referred to in Articles 3(6), 6(2) second subparagraph, 6(4) second subparagraph, 6(7) second and third subparagraphs, 6(8) second subparagraph, 6(9) third subparagraph, 17, 19, 27(1) and (4), 28(4) and (5), 29, 30(3), 31(4), 32(5), 34(3) and (4), 37, 38, 39 (4), 41, 42, 55, 56, 57 and Annexes IV to VIII of the Protocol referred to in Article 1(3). Such measures shall be adopted under the equivalent provisions in Articles 3(6), 6(2) second subparagraph, 6(4) second subparagraph, 6(7) second and third subparagraphs, 6(8) second subparagraph, 6(9) third subparagraph, 20, 22, 27(1) and (4), 28(4) and (5), 29, 30(3), 31(4), 32(5), 34(3) and (4), 37, 38, 39(4), 41, 42, 55, 56, 57 and Annexes IV to VIII of the Act referred to in Article 2(2), prior to the entry into force of the Treaty establishing a Constitution for Europe.

These measures shall enter into force only subject to and on the date of the entry into force of this Treaty.

Article 5

The text of the Treaty establishing a Constitution for Europe drawn up in the Bulgarian and Romanian languages shall be annexed to this Treaty. Those texts shall be authentic under the same conditions as the texts of the Treaty establishing a Constitution for Europe drawn up in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish and Swedish languages.

The Government of the Italian Republic shall remit to the Governments of the Republic of Bulgaria and Romania a certified copy of the Treaty establishing a Constitution for Europe in all the languages referred to in the first paragraph.

Article 6

This Treaty, drawn up in a single original in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Irish, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, the texts in each of these languages being equally authentic, shall be deposited in the archives of the Government of the Italian Republic, which will remit a certified copy to each of the Governments of the other Signatory States.

В ПОТВЪРЖДЕНИЕ НА КОЕТО, долуподписаните упълномощени представители подписаха настоящия договор.

EN FE DE LO CUAL, los plenipotenciarios abajo firmantes suscriben el presente Tratado.

NA DŮKAZ ČEHOŽ připojili níže podepsaní zplnomocnění zástupci k této smlouvě své odpisy.

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne traktat.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diesen Vertrag gesetzt.

SELLE KINNITUSEKS on nimetatud täievolilised esindajad käesolevale lepingule alla kirjutanud.

ΣΕ ΠΙΣΤΩΣΗ ΤΩΝ ΑΝΩΤΕΡΩ, οι κάτωθι υπογεγραμμένοι πληρεξούσιοι υπέγραψαν την παρούσα Συνθήκη.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Treaty.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent traité.

DÁ FHIANÚ SIN, chuir na Lánchumhachtaigh thíos-sínithe a lámh leis an gConradh seo.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente trattato.

TO APLIECINOT, Pilnvarotie ir parakstījuši šo Līgumu.

TAI PALIUDYDAMI šią Sutartį pasirašė toliau nurodyti įgaliotieji atstovai.

FENTIEK HITELÉÜL az alulírott meghatalmazottak aláírták ezt a szerződést.

B'XIEHDA TA' DAN il-Plenipotenzjarji sottoscritti iffirmaw dan it-Trattat.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder dit Verdrag hebben gesteld.

W DOWÓD CZEGO niżej podpisani pełnomocnicy złożyli swoje podpisy pod niniejszym Traktatem.

EM FÉ DO QUE, os plenipotenciários abaixo-assinados apuseram as suas assinaturas no final do presente Tratado.

DREPT CARE subsemnații plenipotențiarilor au semnat prezentul tratat.

NA DÔKAZ TOHO splnomocnení zástupcovia podpísali túto zmluvu.

V POTRDITEV TEGA so spodaj podpisani pooblaščenici podpisali to pogodbo.

TÄMÄN VAKUUDEKSI ALLA MAINITUT täysivaltaiset edustajat ovat allekirjoittaneet tämän sopimuksen.

SOM BEKRÄFTELSE PÅ DETTA har undertecknade befullmäktigade ombud undertecknat detta fördrag.

Съставено в Люксембургна двадесет и пети април две хиляди и пета година.

Hecho en Luxemburgo, el veinticinco de abril del dos mil cinco.

V Lucemburku dne dvacátého pátého dubna dva tisíce pět.

Udfærdiget i Luxembourg den femogtyvende april to tusind og fire.

Geschehen zu Luxemburg am fünfundzwanzigsten April zweitausendfünf.

Kahe tuhande viienda aasta aprillikuu kahekümne viiendal päeval Luxembourgis.

Έγινε στο Λουξεμβούργο, στις είκοσι πέντε Απριλίου δύο χιλιάδες πέντε.

Done at Luxembourg on the twenty-fifth day of April in the year two thousand and five.

Fait à Luxembourg, le vingt-cinq avril deux mille cinq.

Arna dhéanamh i Lucsamburg, an cúigiú lá fíchead d'Aibreán sa bhliain dhá mhíle is a cúig.

Fatto a Lussemburgo, addì venticinque aprile duemilacinque.

Luksemburgā, divtūkstoš piektā gada divdesmit piektajā aprīlī.

Priimta du tūkstančiai penktų metų balandžio dvidešimt penktą dieną Liuksemburge.

Kelt Luxembourgban, a kettőezer ötödik év április huszonötödik napján.

Magħmul fil-Lussemburgu, fil-ħamsa u ghoxrin jum ta' April tas-sena elfejn u ħamsa.

Gedaan te Luxemburg, de vijfentwintigste april tweeduizend vijf.

Sporządzono w Luksemburgu dnia dwudziestego piątego kwietnia roku dwutysięcznego piątego.

Feito em Luxemburgo, em vinte e cinco de Abril de dois mil e cinco.

Întocmit la Luxemburg la douăzecișicinci aprilie anul două mii cinci.

V Luxembourggu, petindvajsetega aprila leta dva tisoč pet.

V Luxemburgu dňa dvadsiateho piatego apríla dvetisícpäť.

Tehty Luxemburgissa kahdentenakymmenentenäviidentenä päivänä huhtikuuta vuonna kaksituhattaviisi.

Som skedde i Luxemburg den tjugofemte april tjugohundra fem.

Pour Sa Majesté le Roi des Belges
Voor Zijne Majesteit de Koning der Belgen
Für Seine Majestät den König der Belgier

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

За Република България

Za prezidenta České republiky

For Hendes Majestæt Danmarks Dronning

Für den Präsidenten der Bundesrepublik Deutschland

Eesti Vabariigi Presidendi nimel

Για τον Πρόεδρο της Ελληνικής Δημοκρατίας

Por Su Majestad el Rey de España

Pour le Président de la République française

Thar ceann Uachtarán na hÉireann
For the President of Ireland

Per il Presidente della Repubblica italiana

Για τον Πρόεδρο της Κυπριακής Δημοκρατίας

Latvijas Republikas Valsts prezidentes vārdā

Lietuvos Respublikos Prezidento vardu

Pour Son Altesse Royale le Grand-Duc de Luxembourg

A Magyar Köztársaság Elnöke részéről

Għall-President ta' Malta

Voor Hare Majesteit de Koningin der Nederlanden

Für den Bundespräsidenten der Republik Österreich

Za Prezydenta Rzeczypospolitej Polskiej

Pelo Presidente da República Portuguesa

Pentru Președintele României

Za predsednika Republike Slovenije

Za prezidenta Slovenskej republiky

Suomen Tasavallan Presidentin puolesta
För Republiken Finlands President

För Konungariket Sveriges regering

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern
Ireland
