TREATY

BETWEEN


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,


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

Meglena 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 FRENDU 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 Affaires 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.
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) of the said Treaty.

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 1, 1(2), 12, 2(1), 21, 31, 34 and 46, Annex III, point 2(1), 2(2) and 2(3)
and 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.
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, допулписаните упълномощени представители подписаха настоящия договор.

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

ΝΑ ΔΥΚΑΖ ΤΗΝ ΕΙΔΗΣΗ πήροντες nιże podepsani zplnomocnění zástupci k této smlouvě své podpisy.

TIL BEKRÆFTELSE HERAF har undertegnede befudmægtigede underskrevet denne traktat.

ΤΙΛ ΒΕΚΡΕΪΤΣΗ ΝΑ ΕΡΑΦ har undertegnede befudmægtigede underskrevet denne traktat.

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

SELLE KINNITUSEKS on nimetatud täieliklised esindajad käsiolevale lepingule alla kirjutanud. ΣΕ ΠΙΣΤΩΣΗ ΤΩΝ ΑΝΩΤΕΡΩ, οι κάτωθι υπογραμμένοι πληρεξούσιοι υπέγραψαν την παρούσα συνθήκη. IN WITNESS WHEREOF the undersigned Plenipotentaries 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 Lánchumhachtairgh thios-sínithe a lámh leis an gConradh seo. IN FEDE DI CHE, i plenipotenziairi sottoscritti hanno apposto le loro firme in calce al presente trattato.

TO APLIECINOT, Pilnvarotie ir parakstijuši šoLīgumu.

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 subsemnaţii plenipotenţiari au semnat prezentul tratat.

NA DÔKAZ TOHO splnomocnení zástupcovia podpisali túto zmluvu.

V POTRDITEV TEGA so spodaj podpisani pooblaščenci podpisali to pogodbo.

TÄMÄN VAKUudeksi ALLA MAINITUT täysivaltaiset edustajat ovat allekirjoittaneet tämän sopimuksen.

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

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.

 Za 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

Fur den Bundespraesidenten der Republik Oesterreich

Za Prezydenta Rzeczypospolitej Polskiej

Pelo Presidente da Republica Portuguesa
Pentru Președintele
României
Za predsednika Republike Slovenije

Dr. Janez Janša

Za prezidenta Slovenskej republiky

Edvard Hribar

Josef Bajčičk

Suomen Tasavallan Presidentin puolesta För Republiken Finlands President

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

[Signature]

[Signature]