

Medlemmerne af Folketingets Europaudvalg
og deres stedfortrædere

Bilag 1	Journalnummer 400.C.2-0	Kontor EUK	20. september 2005
------------	----------------------------	---------------	--------------------

Hermed fremsendes til orientering erklæringstekst vedr. Ankara Protokollen om udvidelse af EU - Tyrkiet associeringsaftalen til at omfatte de ti nye medlemslande. Erklæringen ventes vedtaget snarest. Som udenrigsministeren redegjorde for i Europaudvalget den 1. september, er erklæringen en moderklæring til den erklæring som Tyrkiet fremsatte i forbindelse med undertegnelsen af Protokollen i juli. Udvalget modtog den 6. september skriftlig referat fra det uformelle udenrigsministermøde den 1. - 2. september. Tyrkiet anførte bl.a. i sin erklæring, at undertegnelse af Protokollen ikke indebar anerkendelse af Cypern. Undertegnelse af Protokollen var et af flere krav til Tyrkiet for at påbegynde tiltrædelsesforhandlinger.

Erklæringen indeholder de hovedelementer, som fremgik af referatet fra det uformelle udenrigsministermøde. Med teksten erklærer EU landene at Tyrkiet fuldt ud skal gennemføre Ankara Protokollen på en ikke diskriminerende måde - d.v.s. ikke diskriminere Cypern. Det vil blive overvåget nøje at Tyrkiet lever op til disse forpligtelser og manglende efterlevelse vil forsinke forhandlingerne. Det slås fast, at anerkendelse af alle medlemsstater er en nødvendig del af tiltrædelsesprocessen, og at normalisering af forbindelserne mellem Tyrkiet og alle EU medlemslande så hurtigt som muligt er vigtig. Rådet vil sikre opfølgning vedr. alle emner i erklæringen i 2006. Endelig erklæres, at EU landene i denne sammenhæng støtter FN generalsekretærens bestræbelser på at nå til en samlet løsning på Cypern problemet, og at en løsning vil bidrage til fred, stabilitet og harmoniske forbindelser i regionen.

Som nævnt af udenrigsministeren i Europaudvalget den 1. september vil forhandlingsrammen blive forelagt m.h.p. forhandlingsoplæg i Europaudvalget den 30. september forud for udenrigsministerrådsmødet den 3. oktober.

**DECLARATION BY THE EUROPEAN COMMUNITY
AND ITS MEMBER STATES**

1. The European Community and its Member States acknowledge the signature by Turkey of the Additional Protocol to the Agreement establishing an Association between the European Community and its Member States on the one part and Turkey on the other, in accordance with the conclusions of the European Council of December 2004. They regret that Turkey felt it necessary to make a declaration regarding the Republic of Cyprus at the time of signature.
2. The European Community and its Member States make clear that this declaration by Turkey is unilateral, does not form part of the Protocol and has no legal effect on Turkey's obligations under the Protocol.
3. The European Community and its Member States expect full, non-discriminatory implementation of the Additional Protocol, and the removal of all obstacles to the free movement of goods, including restrictions on means of transport. Turkey must apply the Protocol fully to all EU Member States. The EU will monitor this closely and evaluate full implementation in 2006. The European Community and its Member States stress that the opening of negotiations on the relevant chapters depends on Turkey's implementation of its contractual obligations to all Member States. Failure to implement its obligations in full will affect the overall progress in the negotiations.
4. The European Community and its Member States recall that the Republic of Cyprus became a Member State of the European Union on 1st May 2004. They underline that they recognise only the Republic of Cyprus as a subject of international law.
5. Recognition of all Member States is a necessary component of the accession process. Accordingly, the EU underlines the importance it attaches to the normalisation of relations between Turkey and all EU Member States, as soon as possible.
6. The Council will ensure a follow-up on the progress made on all these issues in 2006.
7. In the context of this declaration, the European Community and its Member States agree on the importance of supporting the efforts of the UN Secretary General to bring about a comprehensive settlement of the Cyprus problem in line with relevant UNSCRs and the principles on which the EU is founded, and that a just and lasting settlement will contribute to peace, stability and harmonious relations in the region.