

II. DECLARATIONS

A. JOINT DECLARATION BY THE PRESENT MEMBER STATES

Joint Declaration on the full application of the provisions of the Schengen *acquis*

It is understood that the agreed procedures for the future full application by the Republic of Croatia of all provisions of the Schengen *acquis* - as they will be included in the Treaty concerning the accession of Croatia to the Union ('Croatia's Treaty of Accession') - are without prejudice to and have no implications for the decision to be taken by the Council for the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania.

The decision of the Council on the full application of the provisions of the Schengen *acquis* in Bulgaria and Romania shall be taken on the basis of the procedure laid down in that respect in the Treaty concerning the accession of Bulgaria and Romania to the Union and in line with the Council Conclusions of 9 June 2011 on the completion of the process of evaluation of the state of preparedness of Bulgaria and Romania to implement all provisions of the Schengen *acquis*.

The agreed procedures for the future full application by Croatia of all provisions of the Schengen *acquis* - as they will be included in Croatia's Treaty of Accession - do not create a legal obligation in any other context than that of Croatia's Treaty of Accession.

B. JOINT DECLARATION BY VARIOUS PRESENT MEMBER STATES

Joint Declaration by the Federal Republic of Germany and the Republic of Austria on the free movement of workers: Croatia

The wording of paragraph 12 of the transitional measures on the free movement of workers under Directive 96/71/EC in Annex V, Section 2, to the Act of Accession is understood by the Federal Republic of Germany and the Republic of Austria in agreement with the Commission as meaning that 'certain regions' may, where appropriate, also comprise the entire national territory.

C. JOINT DECLARATION BY THE PRESENT MEMBER STATES AND THE REPUBLIC OF CROATIA

Joint Declaration on the European Development Fund

The Republic of Croatia will accede to the European Development Fund as of the entry into force of the new Multiannual Financial Framework of Cooperation following its accession to the Union and will contribute to it as of 1 January of the second calendar year following the date of its accession.

D. DECLARATION BY THE REPUBLIC OF CROATIA

Declaration by the Republic of Croatia concerning the transitional arrangement for the liberalisation of the Croatian agricultural land market

Having regard to the transitional arrangement with respect to the acquisition of agricultural land in the Republic of Croatia by natural and legal persons from the EU/EEA, as provided for in Annex V of the Act of Accession,

Having regard to the provision which stipulates that the Commission, at the request of the Republic of Croatia, shall decide upon the extension of the seven-year transitional period for an additional three years, provided that there is sufficient evidence that, upon expiry of the seven-year transitional period, there will be serious disturbances or a threat of serious disturbances on the agricultural land market of the Republic of Croatia,

The Republic of Croatia declares that, should the above-mentioned extension of the transitional period be granted, it will endeavour to carry out the necessary steps to liberalise the acquisition of agricultural land in the specified areas before the expiry of the fixed three-year period.

III. EXCHANGE OF LETTERS

between the European Union and the Republic of Croatia on an information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding accession

Letter No 1

Sir,

I have the honour to refer to the question concerning an information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding the accession of your country to the European Union which was raised in the framework of the accession negotiations.

I hereby confirm that the European Union is able to agree to such a procedure, in the terms set out in the Annex to this letter, which could be applied in respect of the Republic of Croatia as of the date on which the Accession Conference declares that the accession negotiations have been finally concluded.

I would be obliged if you could confirm that your Government is in agreement with the contents of this letter.

Yours faithfully,

ANNEX

Information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding accession**I.**

1. In order to ensure that the Republic of Croatia is kept adequately informed, any proposal, communication, recommendation or initiative which is intended to lead to the adoption of a legal act of the European Parliament and Council, the Council, or the European Council shall be brought to the knowledge of Croatia after being transmitted to the Council or the European Council.
2. Consultations shall take place pursuant to a reasoned request by Croatia, which shall set out expressly therein its interests as a future member of the Union and its observations.
3. Administrative decisions shall not, as a general rule, give rise to consultations.
4. Consultations shall take place within an Interim Committee composed of representatives of the Union and of Croatia. Save for a reasoned objection from the Union or Croatia, consultations may also take place in the form of an exchange of messages by electronic means, in particular in common foreign and security policy matters.
5. On the Union side, the members of the Interim Committee shall be the members of the Permanent Representatives Committee or persons designated by them for this purpose. Where appropriate, the members of the Interim Committee may be the members of the Political and Security Committee. The Commission shall be adequately represented.
6. The Interim Committee shall be assisted by a Secretariat, which shall be that of the Accession Conference, continued for this purpose.
7. Consultations shall take place as soon as the preparatory work carried out at Union level with a view to the adoption of the acts mentioned in paragraph 1 has produced common guidelines enabling such consultations to be usefully arranged.
8. If serious difficulties remain after consultations, the matter may be raised at ministerial level at the request of Croatia.
9. The above provisions shall apply *mutatis mutandis* to the decisions of the Board of Governors of the European Investment Bank.
10. The procedure laid down in the above paragraphs shall also apply to any decision to be taken by Croatia which might affect the commitments resulting from its position as a future member of the Union.

II.

11. The Union and Croatia shall take the necessary measures to ensure that the latter's accession to the agreements or conventions and protocols referred to in Articles 3(4), 6(2) and 6(5) of the Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaties on which the European Union is founded, hereinafter referred to as 'the Act of Accession', coincides so far as possible with the entry into force of the Treaty of Accession.
12. With regard to the negotiations with the co-contracting parties of the protocols referred to in the second subparagraph of Article 6(2) of the Act of Accession, the representatives of Croatia shall be associated with the work as observers, side by side with the representatives of the present Member States.
13. Certain non-preferential agreements concluded by the Union, which remain in force after the date of accession, may be the subject of adaptations or adjustments in order to take account of the enlargement of the Union. These adaptations or adjustments will be negotiated by the Union in association with the representatives of Croatia in accordance with the procedure referred to in paragraph 12.

III.

14. The institutions shall, in due course, draw up the texts referred to in Article 52 of the Act of Accession. To that end, Croatia shall provide the institutions with translations of those texts in a timely manner.
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Letter No 2

Sir,

I have the honour to acknowledge receipt of your letter which reads as follows:

I have the honour to refer to the question concerning an information and consultation procedure for the adoption of certain decisions and other measures to be taken during the period preceding the accession of your country to the European Union which was raised in the framework of the accession negotiations.

I hereby confirm that the European Union is able to agree to such a procedure, in the terms set out in the Annex to this letter, which could be applied in respect of the Republic of Croatia as of the date on which the Accession Conference declares that the accession negotiations have been finally concluded.

I would be obliged if you could confirm that your Government is in agreement with the contents of this letter.’.

I have the honour to confirm that my Government is in agreement with the contents of this letter.

Yours faithfully,
