



**COUNCIL OF
THE EUROPEAN UNION**

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ELARG 55

"A" ITEM NOTE

from : Permanent Representatives' Committee
on : 19 September 2005
to : Council

No. prev. doc. : 11356/1/05 REV 1 ELARG 45

No. Cion prop. : 10690/05 ELARG 35

Subject : Enlargement: Turkey
- Draft Declaration by the European Community and its Member States
- Draft negotiating framework

1. In the light of the proceedings of the Permanent Representatives' Committee, the Council and the Representatives of the Governments of the Member States are invited to adopt the declaration as set out in Annex.

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**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.
