

Who's Afraid of Austria, Sweden and Finland?

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The magic year 1992', or rather the beginning of 1993, has brought to the European Community something quite different from what was expected. The changing of the years has not seen the complete implementation of the long-awaited single market nor the much desired ratification of the Maastricht Treaty. Instead, the new year will start with a fresh round of negotiations aimed at the enlargement of the European Community. These are enlargement negotiations which, for a long time, were made ultimately dependent on realizing the abovementioned projects that have now failed to meet their deadline. In more academic terms, it looks as if the debate on the widening' versus the deepening' of the European Community has been won by the wideners'. But has it really?

In times past the European Community seemed successful in delaying its enlargement process by offering would-be applicant countries something short of EC membership but, nonetheless, something to warm their hands on. A whole new dimension has been added to the existing arsenal of external policy instruments of the Community. New types of association, trade and cooperation agreements have been negotiated that were designed not so much to prepare aspirant countries for future EC membership, but to satisfy their basic needs with intermediary agreements. Such agreements would require ample time to be implemented, not least of all to be negotiated.

Examples of this approach to enlargement are numerous. It finds its expression in Jacques Delors' surprise bid to the EFTA countries in January 1989 to create a far-reaching European Economic Area (EEA) with common decision-making institutions. It also lies at the heart of Commissioner Andriessen's attempt to introduce a model of affiliated membership' or partners-members' as it has been called more recently.¹ The Europe Agreements' with countries in Central Europe containing the non-binding reference to future membership should also be mentioned in this context. For the CIS republics, the Commission is proposing new partnership and cooperation agreements' that are not as broad as the Europe Agreements, but more elaborate than the traditional trade and cooperation agreements.

At the same time, the prospect of enlargement has re-emphasized the European Community's focus on its own internal integration process. A wider Community, the Commission stated in its Lisbon Summit report on enlargement, must not be a dilution of the Community's achievements.² In particular, the EC remained visibly committed to the realization of the single market by making its completion by the end of 1992 a condition for future enlargement. An enlarged Community that would fail to implement an effective single market, would limit the profits that have aroused the interest of potential members in the first place. Moreover, the Commission acknowledged that widening must not be at the expense of deepening. Statements to this effect had already been made at the European Council in Maastricht where it was first pronounced that the accession negotiations could start on the basis of the Maastricht Treaty, but only after agreement had been reached on the future financing of the EC. Consequently, the Lisbon Summit in June 1992 agreed with the main thrust of the Commission's report and stated firmly that official negotiations would be opened immediately after the ratification of the Maastricht Treaty and once an agreement on its financing, the Delors II' package, had been assured.³

It remains to be seen whether the EC's endeavour to slow down the enlargement process has been effective by offering intermediary agreements to likely candidates and by giving precedence to its internal integration process. The fact is that the number of countries in the Community's waiting-room has increased rapidly over the past months. Let us first look at how this can be explained. What is the dynamic behind the current flow of applications?

One explanation is that through their various accords with the EC, the applicant countries expose themselves to the Community's commanding *acquis communautaire* without having a say in its formulation. The only way to take part in the shaping of this *acquis* is by becoming a full player in the game; something which the EFTA countries, in particular, have discovered throughout the negotiations on the EEA. Whilst it is the Community's *acquis* that draws countries closer to the EC, it is the Community's decision-making autonomy that makes these countries finally opt for EC membership. Furthermore, the European Community's strategy to enlarge with a group of countries in parallel creates fear among some countries of being left outside any particular group. It is not without reason that Cyprus and Malta, two comparably small economies in the Mediterranean, applied for EC membership at the same time. Nor is it surprising that Finland, Switzerland and Norway have rushed their applications in an effort to catch up with the earlier approaches of Austria and Sweden.

To the extent that one can speak of a Community policy on enlargement as outlined above, this policy has been largely overtaken by events. The growing queue of countries wishing to join the EC is testimony of the Community's inability to freeze the number of applications. Moreover, the twelve EC governments decided at the European Council in Edinburgh last December to revoke one of their most quoted statements on enlargement. Contrary to what had been agreed in Lisbon, the conclusions of the UK Presidency read that enlargement negotiations will be opened with Austria, Sweden and Finland at the beginning of 1993; in other words *before* the full ratification of the Maastricht Treaty.⁴ It is no longer the start of the accession negotiations but the conclusion of those negotiations which has been made dependent upon the ratification of the Treaty. The bottom-line argument remains unchanged; no Maastricht Treaty, no enlargement. But things are not always what they seem. By opening up the official negotiations earlier than anticipated in Lisbon, this new Community approach could pave the way to a win-win situation.

First of all, the accession negotiations may push the British government and the people of Denmark to ratify the Treaty of Maastricht. Both the United Kingdom and Denmark were once full members of EFTA and now take a special interest in welcoming their former associates to the EC. By maintaining the entry into force of the Maastricht Treaty as a condition for future enlargement, the ratification process in these two countries is given an extra incentive. In the possible case of non-ratification of the Maastricht Treaty as well, the ongoing negotiations with the three EFTA countries will serve a useful purpose. The negotiations might be called to the rescue of the Maastricht Treaty by generating pressure on the EC countries to find ways out of the impasse. If a settlement is not reached on the Maastricht Treaty itself, then the negotiations are likely to spur the search for other means of deepening the Community in order to accommodate its future enlargement.

It is difficult to assess the extent to which this envisioned win-win situation is behind the Community's change in position. What is more certain to have been of decisive influence in today's EC package-dealing', is the division of national interests. Without disregarding the interests of the United Kingdom and Denmark during whose terms of Presidency enlargement reached the top of the EC agenda, enlargement has been pushed, notably by the Germans. The German interest in a broadened Community stems partly from its troublesome unification process. Economically, the German republic would be more than pleased to share its heavy financial burden with the richest of applicant countries, viz. the EFTA countries. From a geopolitical perspective, broadening of the Community's horizons with countries to the north and east would relieve Germany from some of the political over-attention it has been receiving as an enlarged major European country.

Other than for reasons of national self-interest, the decision taken at Edinburgh for an early opening of the enlargement negotiations was made possible by the solution - at least at EC level - of the Danish problem'. In addition, an agreement was reached on the Delors II'

package which had been made a condition for further enlargement at the Lisbon Summit along with the ratification of the Maastricht Treaty.

Immediately after the opening of the entry negotiations with Austria, Sweden and Finland, the newly expressed concern of the European Community has become how to prevent *l'Europe à la carte*. This concern has grown particularly strong in the aftermath of the concessions made to the United Kingdom and Denmark in various policy areas of the European Union. A multi-speed enlargement process is considered imperative, but the idea of different speeds within the European Community is unpopular. The basic conditions of EC membership that have been singled out by the Commission are merely the tip of the iceberg of what is needed to offset the diversity and heterogeneity of a broadened Community.⁵ Therefore, the European Community is now in the business of drawing one line for all applicant countries. No opt-out clauses, no safeguard measures, no permanent derogations, will be tolerated. The experience of the EEA negotiations has taught us that the EC is very likely to succeed in this respect. With the conclusion of the EEA agreement, the EFTA countries have agreed to create new institutions whose powers take after their EC equivalents. Back in 1960, when EFTA was established as a loose intergovernmental organization, this would never have been thought possible.

In conclusion, it appears that with the European Council Summit in Edinburgh, the first battle over the future design of the European Community has been won by the wideners'. It is most unlikely, however, that Edinburgh has brought to an end the debate on deepening versus widening. Once the first EFTA countries, including possibly Norway, have entered the European Community, new applications from other parts of Europe may well have been added to the waiting list. Along with the ongoing accession negotiations they would continue to feed the debate. Moreover, it is a clear sign of times to come that the composition of the new Commission has seen the EC's external relations portfolio divide to include a Commissioner responsible for its future enlargement. The wideners' may have won the first battle, but one battle does not win a war.

1 *Europe and the Challenge of Enlargement*, Agence Europe, *Europe Documents*, No. 1790, 3 July 1992, p.7.

2 *Ibid.*, p.2.

3 *European Council in Lisbon 26/27 June 1992; Conclusions of the Presidency*, Agence Europe, 28 June 1992, p.5.

4 *European Council in Edinburgh 11/12 December 1992; Conclusions of the Presidency*, Agence Europe, 13 December 1992, p.5.

5 *These conditions include a European identity, democratic status, respect of human rights and acceptance of the Community's acquis.*