



SECRETARIAT WORKING PARTY

TASK-FORCE  
ON THE  
" INTERGOVERNMENTAL CONFERENCE "

WORKING PARTY SECRETARIAT

JF/bo/271/97

Luxembourg, 26 February 1997

**No 36**  
**BRIEFING**  
**NO**  
**THE 1996 INTERGOVERNMENTAL CONFERENCE**  
**AND THE ENLARGEMENT OF THE EU**

(First update)

PE 166.669  
Or. FR

These briefings have been drafted by the Parliament Secretariat Task Force on the Intergovernmental Conference. Their purpose is to gather together, in an organized, summary form, the proposals and suggestions which the authorities in the Member States, the Union's institutions and specialist commentators have put forward on the issues likely to be on the IGC 96 agenda. Briefings will be updated as negotiations proceed.

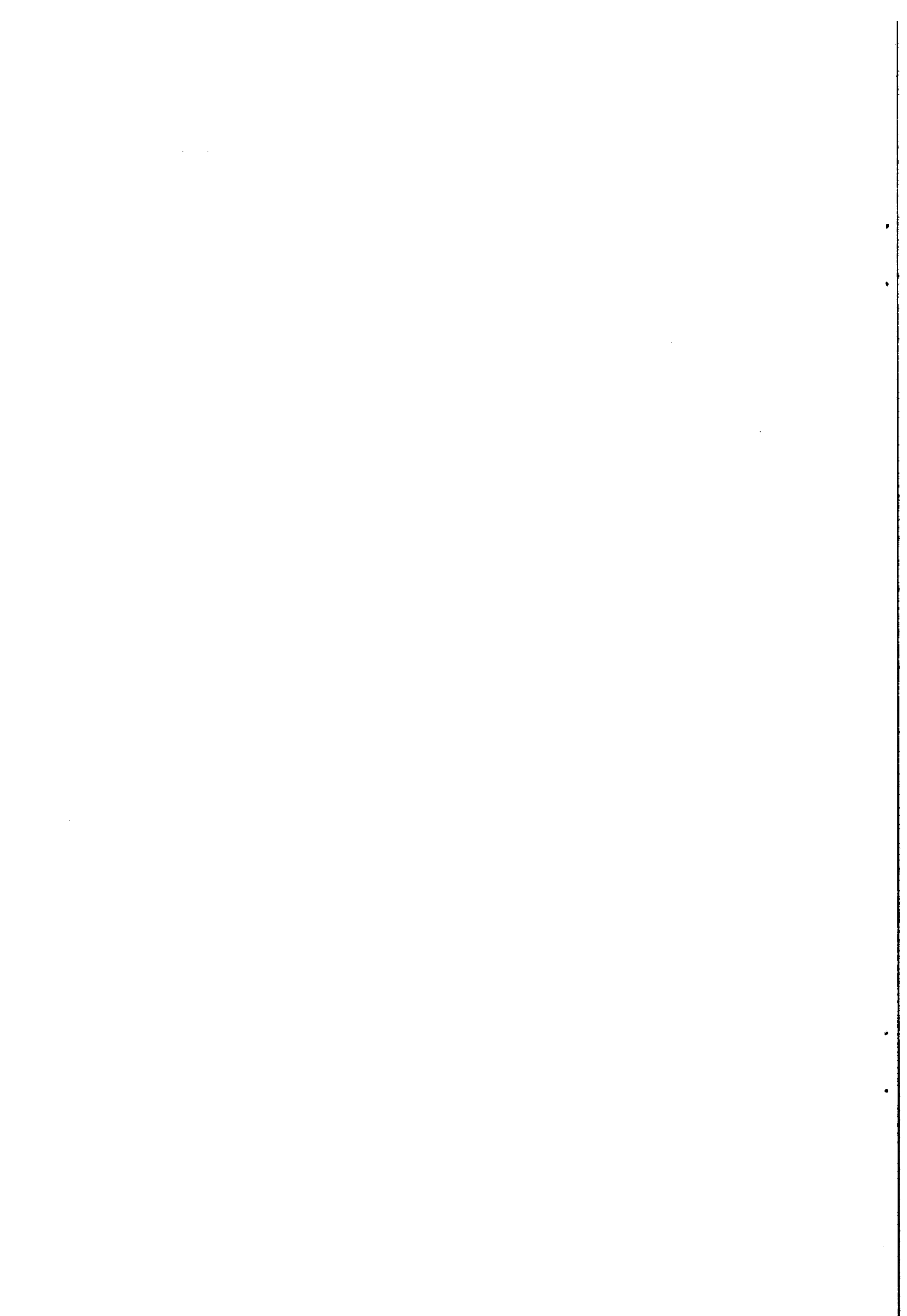
**Already out:**

1. The Court of Justice
2. The Commission
3. The Court of Auditors, ESC and COR
4. Differentiated integration
5. The common foreign and security policy
6. The role of the national parliaments
7. The hierarchy of Community acts
8. Codecision procedure
9. CJHA
10. European citizenship
11. WEU, security and defence
12. Public services
13. Social policy
14. The European Parliament
15. The European Council
16. The Council of the European Union
17. The budget and the IGC
18. The IGC and transparency
19. Subsidiarity and the allocation of powers
20. The Union's legal personality and external representation
21. Commitology
22. Fundamental rights
23. The IGC and the democratic nature of the Union
24. The coherence of the external action of the EU under the first and second pillars
25. The 1996 IGC and the effectiveness of the Union
26. Europol
27. The IGC and the Schengen Convention
28. Combating fraud
29. Energy
30. Tourism and the IGC
31. Economic and social cohesion
32. European environment policy and the IGC
33. The CAP and the IGC
34. Civil protection and the IGC
35. Non-discrimination on sexual grounds
36. The 1996 IGC and the enlargement of the EU
- 36a. Accession of CEECs - agricultural aspects
37. Employment and the IGC
38. The IGC and the EMU
39. Asylum Policy and Immigration
40. Social Exclusion and the IGC
41. The Child and the IGC
42. The Fight against Drugs and the IGC
43. The IGC and the Fight against Racism
44. Youth and the IGC

**BRIEFING  
ON  
THE 1996 INTERGOVERNMENTAL CONFERENCE  
AND THE ENLARGEMENT OF THE EU**

Contents

	<u>Page</u>
<b>1. Introduction/Conference agenda</b> .....	4
<b>2. Positions of the Institutions</b>	
2.1 Position of the European Council and the Council of the Union .....	5
2.2 Position of the Commission .....	6
2.3 Position of the Parliament .....	8
<b>3. Positions of the Member States</b>	
3.1 Austria .....	10
3.2 Belgium .....	11
3.3 Denmark .....	12
3.4 Finland .....	13
3.5 France .....	13
3.6 Germany .....	15
3.7 Greece .....	16
3.8 Ireland .....	17
3.9 Italy .....	18
3.10 Luxembourg .....	19
3.11 The Netherlands .....	19
3.12 Portugal .....	20
3.13 Spain .....	20
3.14 Sweden .....	21
3.15 United Kingdom .....	22
<b>4. Positions of the States of Central and Eastern Europe</b>	
4.1 Bulgaria .....	23
4.2 Czech Republic .....	24
4.3 Estonia .....	24
4.4 Hungary .....	25
4.5 Latvia .....	26
4.6 Lithuania .....	27
4.7 Poland .....	28
4.8 Romania .....	29
4.9 Slovakia .....	30
4.10 Slovenia .....	31
<b>5. Position of the Reflection Group</b> .....	31
<b>6. Conclusions</b> .....	33



**BRIEFING  
ON  
THE 1996 INTERGOVERNMENTAL CONFERENCE  
AND THE ENLARGEMENT OF THE EU**

**1. Introduction/Conference agenda**

At the Copenhagen summit (21/22 June 1993), the European Council offered full membership of the EU to the associated Central and Eastern European states on condition of their full acceptance of the "acquis communautaire" and the EU's ability to cope with new Member States. According to the European Council, membership requires in particular that the prospective Member State has stable institutions which guarantee democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy and the capacity to cope with competitive pressure and market forces within the Union. Moreover, membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political integration, economic and monetary union.

This position has been reconfirmed at the summits in Essen, Cannes, and Madrid, Florence and Dublin in December 1994, June 1995, December 1995, June 1996 and December 1996 respectively. Moreover, at the Essen summit an accession strategy for Central and Eastern European states was produced and in Cannes a White Paper concerning their integration into the internal market of the EU was approved by the Council of Ministers.

In the meantime Hungary, Poland, Romania, Slovakia, Lithuania, Estonia, Latvia, Bulgaria, the Czech Republic, and Slovenia have applied for full membership.

Following the political decision of the European Council of Madrid of December 1995 it is expected that the Council of Ministers will decide to commence accession negotiations six months after the end of the IGC, after having consulted the Commission and the European Parliament as required by Article O of the Treaty on EU.

Eastern enlargement has not been scheduled for discussion during the 1996 IGC. However, the Essen European Council has pointed out that it will be one of the main tasks of the 1996 IGC to prepare the Union for further enlargement.

The institutional questions involved will be central to the final phase of negotiations, particularly with regard to the size of Commission, the role of the European Parliament, the collective involvement of the national Parliaments, voting procedures within the Council and the way in which the Court of Justice operates.

The Union needs to improve its ability to take decisions and to act. This is already the case and it will become more so as the Union continues to grow. The Dublin Summit

heavily underlined the fact that the future of the Union and the enlargement to which it is committed.

## **2. Positions of the EU Institutions**

### **2.1 Position of the European Council and the Council of the Union**

Sources: Presidency Conclusions of the European Council in Madrid of December 1995; Draft Mandate for the 1996 IGC of 16 January 1996 (Council of the Union); Presidency Conclusions of the European Council in Turin of 29 March 1996. Presidency conclusions of the European Council of Florence of 21 and 22 June 1996; Presidency conclusions of the European Council in Dublin of 13 and 14 December 1996.

- The European Council pointed out in Madrid that one of the main areas where results should be achieved is enabling the Union to function better and preparing it for enlargement. The IGC should thus examine the ways and means to improve the efficiency and democracy of the Union. The Union must also preserve its decision-making ability after further enlargement. Given the number and variety of the countries involved, this calls for changes to the structure and workings of the institutions. It may also mean that flexible solutions will have to be found, fully respecting the single institutional framework and the "acquis communautaire".
- "Following the conclusion of the IGC and in the light of its outcome ..., the Council will, at the earliest opportunity, take the necessary decisions for launching the accession negotiations. The European Council hopes that the preliminary stage of negotiations will coincide with the start of negotiations with Cyprus and Malta six months after the conclusion of the 1996 IGC."
- In Turin the European Council emphasised that future enlargement, which represents a historic mission and a great opportunity for Europe, is also a challenge for the Union in all its dimensions. In this perspective, institutions, as well as their functioning, and procedures have to be improved in order to preserve its capacity for action, while maintaining the "acquis communautaire" and developing it and also respecting the balance between the institutions. It is essential to sustain the very nature of European construction, which has to preserve and develop its features of democracy, efficiency, solidarity, cohesion, transparency and subsidiarity.
- In Florence, the European Council asked that the forthcoming Irish Presidency should prepare a general framework with a view to revising the Treaties for the Dublin meeting, with particular reference to the following objectives:
  - bringing the Union closer to its citizens;
  - strengthening and extending the scope of CFSP;
  - ensuring, also with a view to enlargement, the smooth running of the institutions, while respecting the balance between them and the effectiveness of the decision-making procedure.

Recalling its Madrid conclusions, the Florence European Council reaffirmed that the Commission's opinions and reports on enlargement should be available as soon as possible after the conclusion of the IGC.

- The Irish Presidency's 'framework document' was submitted to the Dublin Summit where it met with a favourable reception from the European Council; it enables the IGC negotiations to enter their final phase.
- The Florence and Dublin Summits noted the Council report on relations with the countries of Central and Eastern Europe, stressing the importance of the accession preparation strategy.
- The Dutch Presidency believes that enlargement requires in-depth preparation, not only on the part of the candidate countries, but also on that of the Union itself. Amongst the areas where improvement is required, the new President in Office of the Council, Mr Mierlo, highlights the need for institutional reforms, making political union a reality, granting European Parliament more significant powers, and attending to the field of justice and home affairs. The countries of Central and Eastern Europe, for their part, need to make stepwise preparations for participation in the common market.
- Five association Councils will take place in the first half of 1997 with Slovakia, Bulgaria, Romania, Poland and Hungary respectively.
- Majority support for extending qualified majority voting to the Council and for co-decision was forthcoming at the first meeting of the representatives of the Ministers of the EU countries at the IGC on 13 and 14 January 1997. A reasoned reweighting of votes within the Council seems to be more and more likely accepted. However, disagreements between Member States on the subject of reducing the size of the Commission remain.

Following the joint Franco-German common position of December 1995, the concept of 'enhanced cooperation' has appeared on the IGC agenda.

The Heads of State or Government ask the Conference to examine whether and how to introduce rules either of a general nature or in specific areas in order to enable a certain number of Member States to develop an **enhanced cooperation**. This would be open to all, compatible with Union's objectives, while preserving the "acquis communautaire", avoiding discrimination and distortions of competition and respecting the single institutional framework.

## 2.2 Position of the Commission

Sources: Report of 10 May 1995 on the operation of the Treaty on EU; Commission position of 6 December 1995 on the Reflection Group report; Commission opinion of 28 February 1996 "Reinforcing Political Union and preparing for enlargement"

The Commission believes that it is difficult to forecast the length of the accession negotiations to be conducted by the EU Presidency with each Member country, even if they begin in 1998.

In April 1996, the Commission sent a questionnaire on all the Union's areas of activity to the countries of Central and Eastern Europe. On the basis of the replies, the Commission is examining and assessing this data, in order to draw up a series of opinions. These opinions will be presented on a country by country basis 'as soon as possible after the conclusion of the IGC'.

- With regard to enlargement the Commission considers that the Conference will have to address three issues:
  - a) the institutional implications of the increased number of Member States;
  - b) the need to eschew unanimous voting;
  - c) the incorporation of a system of flexibility, enabling the Union to move ahead without being held back by its slowest members.
  
- In order to adapt the institutions the Commission proposes several institutional changes:
  - a) **The Commission**  
The Commission takes the view that, in the context of enlargement, the number of its Members should be reduced to one per Member State. The Commission is aware that its composition and structure will have to be re-examined, when the number of Member States is further increased. The Conference should fix an appropriate procedure for doing this.
  - b) **The Council**  
The Conference should examine various ways of extending the scope of the Presidency's powers of action, and the order of rotation of the half-yearly periods.  
The Commission considers that, in order to maintain the existing balance, there is justification, when enlargement comes, for either adapting the weighting of votes or introducing a new system which makes a reference to both a majority of the Member States and a majority of the Union's population.
  - c) **The European Parliament**  
Parliament itself proposed limiting its membership to 700. The Commission agrees.
  
- The Commission believes that the European Parliament should participate in legislative power, in co-decision with the Council, as a general rule.



- The Commission takes the view that the EU must make it possible to develop forms of cooperation or integration between those of its members wishing to progress faster and farther in the attainment of the objectives of the Treaty on EU. The Commission believes that enhanced cooperation could be a useful contribution to European integration, on condition that certain criteria are respected: the maintenance of the single institutional system; compatibility with the Union's objectives and added value contributions; safeguarding the single market the policies accompanying it and Community policies; respect for citizens' rights and the *acquis communautaire*. Enhanced cooperation must remain permanently open to those Member States not participating at the outset; enhanced cooperation must be viewed as a last-resort solution.

### 2.3 Position of the Parliament

Sources: Bourlanges and Martin report on the functioning of the Treaty on EU with a view to the 1996 IGC (adopted on 17 May 1995); Resolution of 14 December 1995 on the agenda for the 1996 IGC with a view to the Madrid European Council; Resolution of 13 March 1996 on the basis of the Dury/Maij-Weggen report on (i) Parliament's opinion on the convening of the IGC, and (ii) evaluation of the work of the Reflection Group and definition of the political priorities of the European Parliament with a view to the IGC; resolution of 16 January 1987 on the general framework for a draft revision of the Treaties.

- With a view to enlargement the most important elements of the positions adopted by Parliament are:

a) **The Commission**

Parliament stresses that at present, there should continue to be at least one Commissioner per Member State; however, the Commission's structure and composition must be adapted to its new tasks and to the needs of enlargement so that its collegiate responsibility and effectiveness are to be maintained.

This could be done by:

- a greater presidentialization of working methods;
- an internal restructuring of the Commission.

Parliament 'warns against a certain tendency to strengthen the powers of the Council at the expense of the other institutions' and stresses the need to maintain the Commission's monopoly of the right of initiative in legislative matters and its executive powers.

b) **The Council**

The present system of six-month Presidencies of the Council and the European Council should be maintained, but there should be greater flexibility in their operation.

Further extension of qualified majority voting is required if the EU is to function effectively. For certain areas of particular sensitivity, unanimity will remain necessary, i.e. Treaty amendment, "constitutional decisions" (enlargement, own resources, uniform electoral system) and Article 235. The system of voting within the Council may need to be adjusted. However, this should not be done on the basis of a "double majority" of States and population.

**c) The European Parliament**

The number of Members of the European Parliament should be 700.

With regard to institutional questions, Parliament believes that the consultation mechanisms are currently too complex; it proposes that in the future that there be only three legislative procedures: co-decision, consultation and assent.

With regard to extending the scope of the co-decision procedure, the general trend is favourable. Parliament regrets that the Irish Presidency did not uphold the Commission and Parliament proposal to extend co-decision to 'all standard secondary legislation', nor refer to extending the assent procedure to all constitutional issues such as reform of the Treaties, Article 235 and own-resources; the application of co-decision to budgetary matters; an enhanced European Parliament role in the appointment of the President and Members of the Commission and of the Members of the Court of Justice and the Court of Auditors.

Parliament wishes to see the efficiency of the conciliation procedure improved.

**d) The European Court of Justice**

More flexible internal operating arrangements should be introduced to permit the Court of Justice and the Court of the First Instance to face up to the increase in their workload and the prospect of enlargement.

The European Parliament believes that the terms for referrals to the Court of Justice should be widened so as to enable the European Parliament to bring actions before the Court on the same terms as the other European institutions. Parliament believes that the judges of the Court of Justice should have a single non-renewable term.

Furthermore, in his first official speech as President of the European Parliament, Mr José Maria Gil-Robles said that there are three challenges which must be tackled in order to create a Union characterised by greater freedom, greater equality and greater solidarity:

- . the reform of the European institutions;
- . the completion of EMU;
- . enlargement.

He said that enlargement must take place within the framework of a Union which should be 'a model of geographical, social and political cohesion', adding that the EU is neither a marketplace, nor a trading area, but a community seeking the common interest, driven by its determination to achieve integration.

- Furthermore, the European Parliament believes that in view of the EU's growing diversity, greater 'flexibility' could be called for in the future. However, the President of Parliament, addressing the first Ministerial meeting of the IGC on 20 January 1997, stated that he preferred the term 'enhanced cooperation' to 'flexibility', since it was not a question of creating a new intergovernmental system, but of deepening integration in certain new areas.

Mr Gil-Robles believed that if 'flexibility' were to be included in the new Treaty, this should only be done with the explicit approval of the European Parliament, and in the context of a range of criteria which would make it the exception to the rule.

The notion of flexibility should not be confused with an 'à la carte Europe', since its goal should at all times be to facilitate the implementation of 'enhanced integration'. The European Parliament suggests to the members of the IGC that the application of 'flexibility' should be subject to the following criteria:

- . there should be single institutional framework;
- . it should be last-resort solution;
- . it should not apply to Community policies;
- . any Member State which so desired should be able to take part in such 'enhanced integration' at any time.

- Finally, Parliament reserves the right to put forward any proposals which may prove necessary in order to take better account of the implications of the enlargement including the financial prospects of enlargement and not to undermine the principles of competition, cooperation and solidarity which have always been fundamental to European integration.

### **3. Positions of the Member States**

#### **3.1 Austria**

Sources: Guidelines (of the Austrian government) on the subjects likely to be dealt with at the 1996 IGC; 1996 IGC - basic position of Austria (28 March 1996); Austria's basic position on the IGC (22 May 1996).

- In view of its geographical and historical situation, Austria is interested in specific prospects for enlargement. In this context institutional reform is necessary to consolidate and strengthen the Community's capacity to act and the efficiency of action in the field of economic, social and environmental policy. Austria favours the strengthening of the European Parliament; improving the transparency of EU procedures and total respect for the principle of subsidiarity.

- with regard to models for differentiated integration, the 'guidelines' single out four principles to be observed:
  - . differentiated integration should remain the exception not the rule: phased integration should be the model to follow;
  - . the single institutional framework must be respected;
  - . differentiated integration should not be allowed in political areas where certain Member States wish to secure competitive advantages;
  - . the different levels of integration should remain open to those Member States not taking part. Agreements establishing integration at various levels should include transitional agreements.

### 3.2 Belgium

Sources: Government policy paper to the Belgian Parliament on the 1996 IGC (28.7.1995); "Memorandum" of the Benelux countries for the 1996 IGC (March 1996)

According to the Policy paper of the Belgian Government:

- during the IGC Belgium will be guided primarily by its wish to consolidate the Union;
- consolidation must enable the Union to continue to expand without risking dissolution or compromising economy and monetary union. With this in mind, and with regard to the institutional adjustments required for expansion, Belgium assumes that each country will have to be able to have a say in the decision-making process which will thus need to improve its efficiency;
- the Union should first adapt its working methods, and its policies cannot be extrapolated unconditionally as regards their substance;
- the IGC is not the forum for discussing renegotiation of the Union's system of finance and enlargement must be incorporated not by dismantling any existing policies but by introducing special transitional measures in the final accession Treaties;
- the new Member States will have to accept the "acquis communautaire" in its entirety and share all of the Unions's objectives, if necessary by setting up a multi-speed arrangement managed by the Commission;
- the Belgium Government rejects the idea of "Europe à la carte". With regard to models for differentiated integration, Belgium singles out the following principles to be observed:
  - . differentiation is not an end in itself but a last resort to protect the progress of integration from any veto;
  - . it should create a "traction effect";

- . the target scope of differentiation must be carefully selected and suited to the task;
  - . institutional derogations must be minimised;
  - . the efficient operation of the market must not be compromised; Belgium emphasises this position within the "Memorandum" of the three Benelux countries.
- According to this memorandum, the following additional principles have to be observed:
    - . compatibility with the objectives of the Treaty on EU;
    - . central role of the Commission in applying the criteria and the modalities concerning the differentiated integration;)
  - on preparations for enlargement, the Belgian Government considers that the applicant countries should make similar efforts to comply with the conditions for accession laid down by the Copenhagen European Council in June 1993 with regard to arrangements for democracy and the market economy. The EU should also be preparing for enlargement, and here the paper proposes transitional mechanisms for a limited period and subject to certain criteria.

### 3.3 Denmark

Sources: Agenda for Europe: the 1996 IGC. Report of the Danish Foreign Ministry, June 1995; Basis for negotiations - Open Europe: the 1996 IGC (11 December 1995)

- Denmark has a political, economic and security-policy interest in seeing the countries of Central and Eastern Europe become part of the EU. Enlargement can help to consolidate democracy in these countries. On the economic level, enlargement will lead to sustained progress throughout Europe by increasing trade. Enlargement will also provide the basis for greater cross-frontier cooperation on common problems. This applies particularly to the environment, where there is a need for greater effort.
- The IGC must above all lay the foundations for the enlargement. Therefore the Treaty must be adapted so that enlargement can become a permanent and effective EU cooperation. In addition, there will be a need after the IGC for reforms in a number of specific areas, e.g. agricultural and structural policies.
- The Danish Government intends to work for a result at the IGC which will make it possible to embark with all speed on negotiations for the accession of the countries of Central and Eastern Europe, including the Baltic States.
- After the IGC, accession negotiations with the applicant countries should all begin at the same time.

- Denmark will try to ensure that when the time comes transitional agreements are made which take account of the particular conditions in these countries and give them increasing access to EU markets.

### 3.4 Finland

Sources: Memorandum of the Foreign Ministry of 18 September 1995 on the views of the Finnish Government concerning the 1996 IGC; Initial considerations and objectives of the Finnish Government for the 1996 IGC of 27 February 1996

The Finnish Government is of the view that:

- one of the areas where results should be achieved is enabling the Union to function better and to prepare it for enlargement;
- institutional changes will therefore be needed.  
Finland is entirely willing to examine the possibility of extending qualified majority voting within the Council, and believes that there needs to be more Parliament/Council co-decision. With regard to the weighting of votes within the Council, Finland is in favour of retaining the current balance. With regard to the composition of the Commission, there should be one Commissioner per Member State.
- the objectives for the Union's development and the timetable this will require should be defined jointly, respecting the right of all the Union's Member States to take part in the decision-making process on an equal footing. The EU cannot be based on differing classes of membership. The Member States may only in exceptional cases decide by common agreement that a given country should observe a different speed or timetable in its progress towards fulfilment of the jointly agreed objectives;
- with regard to differentiated integration, the Finnish government lists 'ten commandments' which must be respected if recourse is to be had thereto, namely: it must be open to all Member States: a minimum number of States must take part; differences between Member States must be respected; integration must produce added value; it must maintain the *acquis*; it must be temporary in character; it must be viewed as a last resort; the Treaty may not be modified by the application of a flexibility clause; non-interference; common role of the institutions, particularly the Commission, which must play a 'surveillance' role and 'concern itself with the interests of the non-participant countries'.

### 3.5 France

Sources: Proposals put forward by President Chirac during his presidential campaign; Letter from the President of the French Republic, Jacques Chirac, and the Chancellor of

the Federal Republic of Germany, Helmut Kohl (6 December 1995); "Orientations of France for the IGC" - published in the "Figaro" on 20 February 1996; "Common Foreign and Security Policy" - Guidelines adopted by the Foreign Ministers of France and Germany on 27 February 1996; Governmental Declaration on the IGC of 13 March 1996 by Michel Barnier, Minister for European Affairs; Franco-German position of 17 October 1996 on flexibility.

- France welcomes enlargement of the EU and believes that the European continent is about to discover its unity at last.
- With regard to the fact that accession negotiations with the countries of Central and Eastern Europe cannot start without a previous institutional reform of the EU, France is very keen for the IGC to be as short as possible and concentrate on the essential items of institutional reform in order to avoid a delay of the political integration of Europe. Therefore, France has established the following three priorities:
  - a) to reform the institutions of the EU with a view to enlargement;
  - b) to bring the Union closer to its citizens;
  - c) to create a true common foreign and security policy.
- According to the Governmental Declaration, the institutions of the EU should become more democratic, more transparent and more close to the national parliaments and the citizen.

On institutional issues, France does not agree with extending the co-decision procedure to cases where cooperation currently applies, nor to all legislative acts. It opposes the strengthening the role of the European Parliament in appointing the Union's institutions, and also in its choice of its own seat. France believes that majority voting could be extended within the Council, but asks that the weighting of votes be reviewed at the same time.
- Furthermore, the French Government believes that in order to prepare the EU for enlargement, reinforced cooperation between some of the Member States should be permitted.

France has proposed that provision be made within the Treaty for a general clause allowing those States willing and able to do so to pursue enhanced cooperation, within the Union's single institutional framework. France believes that such a clause would enable the process of European integration to be deepened. France furthermore believes that it is possible simultaneously to postulate common principles for enhanced cooperation in the three Maastricht pillars (economic integration, common foreign and security policy) and to provide a certain range of different arrangements to take account of the specific characteristics of each area.
- With regard to CFSP, France believes that the time has come when we need to remind ourselves that European integration will remain incomplete until it is extended to security and defence, and therefore proposes that a Higher Representative for CFSP be instituted.

- The accession negotiations with the countries of Central and Eastern Europe are supposed to commence in 1998.

### 3.6 Germany

Sources: Coalition agreement of the government parties - CDU, CSU, FDP - of 11 November 1994 for the current legislative period; Joint declaration of 15 July 1995 by the German and Italian Foreign Ministers regarding the 1996 IGC; Letter from the President of the French Republic, Jacques Chirac, and the Chancellor of the Federal Republic of Germany, Helmut Kohl (6 December 1995); "Common Foreign and Security Policy" - Guidelines adopted by the Foreign Ministers of France and Germany on 27 February 1996; "German objectives for the IGC" (26 March 1996); Letter of the German and French Foreign Ministers, 17 October 1996, on flexibility.

Moreover, particular mention should be made of the proposals presented by the CDU/CSU group in the Bundestag as the political and parliamentary base of the present government led by Helmut Kohl. (Manifesto of the CDU/CSU group in the Bundestag of 1 September 1994; Discussion paper on strengthening the European Union's ability to act in the field of CFSP of 13 June 1995).

- Germany believes that with a view to enlargement, the IGC should focus on a few priority objectives such as the institutional reform of the EU and the introduction of a system of "differentiated integration".
- On the question of "differentiated integration", the German Government believes that all Member States should be able to participate on the same terms in the progress of European integration. However, where one of the partners faces temporary difficulties in keeping up with the pace of progress in the Union, it would be desirable and feasible to introduce a general clause in the Treaties enabling those Member States which have the will and the capacity to do so to develop closer cooperation among themselves within the single institutional framework of the Union.  
Germany, like France, believes that this general clause should respect certain fundamental principles:
  - . deepening of the Union should be not only the objective, but also the pre-condition;
  - . no Member State would have the right of veto;
  - . no Member State willing and able to participate should be excluded;
  - . the objective should be to have as many participants as possible;
  - . the *acquis communautaire* would be respected;
  - . there would be no amendment of the Treaty with reference to the enhanced cooperation clause;
  - . enhanced cooperation would, in general, be applied in fields governed by unanimity.



- Germany believes several countries of Central and Eastern might join the EU around the year 2000.
- The Manifesto of the CDU/CSU group in the Bundestag advocates a multi-speed Europe and states that a key aim would be to move Germany away from the dangers of nationalism and transform it into a focus of stability at the heart of Europe. The process of integration should be led by a "hard core" of five states (Germany, France, The Netherlands, Belgium and Luxembourg), with cooperation focusing on the new policies set down in the Treaty on EU. This "hard core" would be open to other Member States such as Spain, Italy, and Great Britain once they had resolved "current problems" and if they wished to take part in the project.

### 3.7 Greece

Sources: "Towards a citizens' Europe - democracy and development": memorandum for the 1996 IGC (January 1995); Conclusions of the inter-ministerial committee of the Greek Government (Athens, June 1995); Memorandum of the Greek Government of 24 January 1996 for the IGC: positions and reflections of Greece; "For a democratic European Union with Political and Social Content" - Greece's Contribution to the 1996 IGC (Athens, 22 March 1996); contribution of the Greek delegation to the meeting of Ministers' representatives, 30 May 1996.

- One of the main objectives of the Greek Government is to ensure that the institutional, political and economic conditions necessary for the EU's successful enlargement to Cyprus, Malta and the countries of Central and Eastern Europe have been met. In the view of the Greek Government there is an imminent need to reform and further develop the institutional system of the EU in order to make it more democratic, efficient and transparent, while also capable of facing the challenges of the future enlargement. The development and adjustment of the institutional system must be based on certain basic principles, including:
  - . institutional unity and equality of all member states/reinforcement of the single institutional framework.
  - . the preservation of the basic institutional balance, as has been shaped by the Treaties and historical experience.
  - . the preservation of the institutional, legal and political "acquis communautaire".

For Greece, the IGC's response to the demand for increased legitimacy for the way in which the Union operates constitutes a fundamental key to the success of the entire undertaking.

Greece believes that the Union needs to be brought closer to its citizens. At institutional level, it believes that this can only be achieved by assigning roles and powers more clearly, simplifying procedures and using more transparent and efficient working methods.

In this context, Greece supports consolidating and strengthening the role of the European Parliament.

- Greece opposes any notion of a two- or three-speed Europe, such as the notion of "differentiated" or "flexible" integration, a "multi-speed" Europe, or a "hard core" Europe. It will not accept any proposals contrary to the principle of the equal rights and duties of all the peoples of Europe, and especially not in the economic field. Total opposition is expressed to any idea of allowing new Member States to join and then relegating them to second-class status.

Greece believes that the method of "temporary transitional provisions" which is provided for in the Treaty and has been successfully tested is the answer to the problems posed by the need for a deepening of the unification and enlargement process. This is the method which ensures the unity of goals as well as institutional unity and contributes to the cohesion of the EU without hindering the acceleration of unification;

- enlargement should not be a pretext for the reversal of the economic and social conditions that support the present equilibrium within the EU. Enlargement must be associated with the issue of own resources in cases where the accession of certain countries will cause excessive pressure on the Community budget and Funds;
- new Member States must respect human rights, constitutional democracy and free competition.

### 3.8 Ireland

Source: "Challenges and opportunities abroad" - White Paper on foreign policy (March 1996)

- The Irish Government considers that enlargement will enhance European stability and confidence and, in the case of the countries of Central and Eastern Europe, open up new markets with significant potential. However, the Government would not accept an enlargement process which altered the essential character of the Union to that of an expanded free trade area.
- With a view to enlargement an institutional reform of the EU will be needed.
- Some degree of flexibility in the process of integration may be necessary in order to ensure that the new Member States can be absorbed without hindering the continued development of the Union. However Ireland would be firmly opposed to proposals leading to the creation of an exclusive hard core of Member States which would result in the fragmentation of the Union and work to the detriment of its coherence.

- The timing of accession by the countries of Central and Eastern Europe will depend on a number of factors, most notably:
- the pace and complexity of enlargement negotiations;
- the capacity of the applicants to assume the demands of membership.
- Conditions which must be met by candidate states include the achievement of stable democracy, the rule of law, human rights and the protection of minorities; the existing of a functioning market economy; and the capacity to cope with competitive pressure and market forces within the Union.
- It is likely that some applicants will be members of the Union early in the next decade. But it is most unlikely that all of the countries concerned will accede to the Union at the same time. Each application for membership will be considered on its own merits.

### 3.9 Italy

Sources: Italian Government statement of 23 February 1995 on foreign policy guidelines; Italian Government statement of 23 May 1995 on the IGC to review the Maastricht Treaty; Joint declaration of 15 July 1995 by the German and Italian Foreign Ministers regarding the 1996 IGC; Position of the Italian Government on the IGC for the revision of the Treaties (18 March 1996); Italian delegation draft on flexibility (14 January 1997).

- The Italian Government believes that the success of the IGC is a prerequisite for future enlargement of the Union.
- It considers that the gradual adoption of Community legislation by Central and Eastern European countries is a matter requiring careful attention and that the Union should likewise seek to foster integration by developing basic facilities and intensifying cooperation.
- The institutional system will need to be adjusted as well to the requirements of a Union that has fifteen members and is likely to be further enlarged. Within this framework, priority must be given to assessing the operation and composition of the Institutions and bodies of the Union, and simplifying the Treaty and the procedures laid down in it.
- With regard to enlargement, Italy believes that deepening is called for in the field of integration, in accordance with the objectives and rules of the Treaty, when confronted with situations which prevent all the Member States from acting as one.

The approach proposed by Italy rests on the fundamental principle that possible differentiated integration should not prejudice the Union's common policies and their future development, nor lead to any kind of marginalization of those members

of the Union which are not involved from the start. Differentiated agreement should be the exception, not the rule.

### 3.10 Luxembourg

Sources: Luxembourg Government memorandum of 30 June 1995 on the 1996 IGC; "Memorandum" of the Benelux countries for the 1996 IGC (March 1996)

- Luxembourg accepts that, for reasons recognized as objectively valid by the Commission and the Council, some member states may wish to move at a different speed from others. It believes that different speeds of integration will be inevitable in the event of future enlargement. However, this phenomenon should be viewed in the light of the 1976 Tindemans report, in other words not as a "Europe à la carte", since all are agreed on the final objective to be achieved in common and are therefore committed to it.
  
- (Concerning the common position of the three Benelux countries see also 3.2)

### 3.11 The Netherlands

Sources: Note on the enlargement of the EU: the opportunities and obstacles (published November 1994 and debated in Parliament February 1995); "Memorandum" of the Benelux countries for the 1996 IGC (March 1996)

- Eastern enlargement should happen as soon as possible, whilst safeguarding the Union's cohesion and stability, and after the appropriate and institutional adjustments have been made. As regards its attitude towards future accession negotiations, the Dutch Government announces that it will be guided not only by the objective of safeguarding cultural values but also by the democratic principles and fundamental rights set out in the Treaty on EU, subject to the following four aims:
  - a) the achievement in Central and Eastern Europe of a stable security policy, socio-economic development and democratic stability;
  - b) the maintenance of Germany's active participation in the process of European integration, as well as in the joint European and Atlantic security structures;
  - c) the maintenance of the internal market and a common legal system, and hence a European Union capable of acting decisively;
  - d) the achievement of the above objectives at a reasonable cost.
  
- (Concerning the common position of the three Benelux countries see also 3.2)

### 3.12 Portugal

Source: "Portugal and the IGC for the revision of the Treaty on EU". Document published by the Ministry of Foreign Affairs in March 1996; the Portuguese Government proposal on flexibility (25 November 1996).

- Portugal supports the process of East and southwards integration.
- With a view to enlargement the IGC must essentially endeavour to guarantee efficient, cohesive and integrated action by a Union enlarged to a large number of new Member States.
- Portugal believes it to be of the utmost importance that any readjustment of the Institutions, of its mechanisms and procedures should preserve the essential institutional balance, the single institutional framework and that it should respect the principle of the participation of all the Member States in the Union's decision-making process.
- With regard to 'enhanced cooperation', Portugal proposes including a general clause on enhanced cooperation in the Treaty, while stressing the need to preserve the single institutional framework.

### 3.13 Spain

Sources: Spain and the 1996 IGC - document on the 1996 IGC: starting points for a discussion (presented in March 1995); Reflection paper of 4 July 1995 on the WEU - Contributions to the 1996 IGC; "Elements of a Spanish position to the 1996 IGC" (28 March 1996); Spanish Government proposal on simplifying and improving the codecision procedure (25 September 1996).

- The Spanish Government states that the next enlargement is a political imperative, as well as a new opportunity for Europe.
- Spain believes that the major issue is neither when enlargement should happen (after the end of the IGC) nor which countries should be admitted (the republics of the former USSR are not considered eligible, at least under present circumstances, with the exception of the Baltic republics), but rather how enlargement should take place. Enlargement will require both a genuine deepening of the EU via the IGC and the resolution of the problems which will arise in its wake.
- With regard to the codecision procedure, Spain believes that both the way in which it operates and the component parts of its three stages should be simplified.
- Spain considers the concepts of "variable geometry" or "reinforced solidarity" to be the most practical means of superseding the antithesis between widening and

deepening of the Union. Any such compromise would, however, be subject to the following conditions:

- case-by-case authorisation;
  - "last resort" status;
  - openness to all;
  - temporariness of the differences in the degree of integration;
  - the existence of accompanying measures to strengthen global coherence and ensure the convergence of those lagging behind;
  - preservation of the entire "acquis communautaire";
  - retention of the single institutional framework;
  - compatibility with political stability in Europe.
- Spain rejects any system of differentiated integration which might lead to a "Europe à la carte".

### 3.14 Sweden

Sources: Note of July 1995 on the fundamental interests of Sweden with a view to the 1996 IGC; Report of the Swedish Government of 30 November 1995; Declaration by Mr Lund, Swedish member of the Group of Personal Representatives of the EU Foreign Ministers to the IGC (January 1997).

- Sweden has a great interest in enlarging the EU towards the East and thinks that once the IGC is completed the negotiations for enlargement should begin with a large number of countries at the same time and should be completed as each respective country is fully prepared for accession. It is particularly important to Sweden that the Baltic States should be treated in the same way as the other Central and Eastern European countries.
- On the institutional question, Sweden considers that enlargement should be backed up by strengthening cooperation to give the EU the necessary capacity to take decisions and formulate policy both internally and in the international sphere, on matters relating to foreign, security or commercial policies;

With regard to institutional questions, Sweden's position is as follows:

- weighting of votes within the Council: Sweden states that it ready to examine proposals with a view to amending the weighting, but that it does not see any

- reason for starting again from scratch and overturning a system which has proved its value over the last 40 years;
  - qualified majority voting: Sweden can accept its extension, but wishes to reserve the right to consider such extension on a case-by-case basis;
  - powers of Parliament: Sweden wishes to decide on a case-by-case basis, whenever it is a question of extending the codecision procedure;
  - Commission: Sweden believes that the 'only realistic solution' for the future is that there should one Commissioner per Member State and if the 'larger' Member States were to give up their second Commissioner, this would allow 'room to be made' when the next enlargement takes place.
- The various concepts of differentiated integration should not be discarded automatically, since they allow a degree of flexibility which could be necessary to strengthen cooperation. "Europe à la carte" does not interest Sweden as it could damage the opportunities for bringing about the advantages of the single market.

### 3.15 United Kingdom

Sources: White Paper of the British Government of 12 March 1996: "A Partnership of Nations"- the British approach to the European Union Intergovernmental Conference 1996; Statement by the Secretary of State for Foreign and Commonwealth Affairs, Malcolm Rifkind, on the White Paper of 12 March 1996

- The British Government believes that the IGC is clearly important for the EU's future. But in the view of the United Kingdom it is not the only, or perhaps even the most important, challenge which the Union faces.
- Outside the scope of the IGC, the Member States must prepare for the enlargement of the Union to the East and South. That will involve reforming the Community's agricultural and regional policies. Meanwhile, the Member States cannot ignore the urgent need to strengthen Europe's competitiveness and thereby generate new jobs. There will also be hard choices to make on a single currency and on the Union's future financing. In the view of the British government these critically important matters do not fall within the scope of the IGC.
- Nevertheless, the United Kingdom proposes several institutional changes with a view to enlargement. According to the White Paper the Member States should argue constructively for Treaty changes to improve the operation of the Union, so that Europe can face and overcome the challenges ahead and, in particular, enlargement;
- The British Government believes that, especially with the prospect of enlargement, the EU should be able to respond more sensitively to the needs of an increasingly diverse membership. According to the White Paper the Union needs to accept a degree of flexibility or, as it is sometimes described, "variable geometry", without

falling into the trap of a two-tier Europe with a hard core either of countries or of policies.

- The British Government therefore wishes to see a 'flexible' Europe within which the only commitment common to all the Member States would be to respect the Single Market. For other policies, different flexible groupings of Member States could be formed. This à la carte integration is presented as a solution with regard to the rapid integration of the countries of Central and Eastern Europe, since the newcomers would have the option of adhering only to the policies of their choice.

#### **4. Positions of the States of Central and Eastern Europe**

##### **4.1 Bulgaria**

Source: "Position Paper" of the delegation of the Republic of Bulgaria for the second meeting of the Association Council Bulgaria - EU (24 January 1996); Third meeting of the President of the European Parliament and the Presidents of the Parliaments of the associated countries of Central and Eastern Europe in Brussels, 9 and 10 July 1996.

- Bulgaria shares the view that accession negotiations with the Central and Eastern European countries should commence immediately and simultaneously after the IGC. In Bulgaria's view it is of the utmost importance that the principle of starting on an equal footing should be observed in the course of the accession process.
- Bulgaria welcomes the decision of the Madrid Council that all Central and Eastern European countries shall be regularly informed about the progress of the IGC at special meetings every two months and believes that this mechanism will work effectively.
- With regard to the economy, Bulgaria believes that 'accession to the EU constitutes a guarantee of the irreversibility of the reform process'. In political terms, the progressive integration of the countries of Central and Eastern Europe, and particularly Bulgaria, into the EU is a means of consolidating liberal, pluralist democracy and encouraging the political stability required for development.
- Mr Sendov, the President of the Bulgarian party, said at the third meeting of the President of the EP and the Presidents of the Central and Eastern European parliaments that it would be helpful if the IGC could consider how to improve participation by members of the parliamentary assemblies of the Central and Eastern European countries.
- The new President of the Bulgarian Republic, Mr Petros Stoyanov, told the European Parliament on 29 January 1997 that accession to the EU was the supreme objective of Bulgarian policy and that if any consensus existed in Bulgaria, it was on the country's integration into the EU. Bulgaria recognizes that the country is 'far from ready' to undertake proper accession negotiations with the EU, but asks



that the negotiations should begin at the same time as those with the other Central and Eastern European countries, because otherwise the Bulgarian population will lose confidence in the whole European integration process and in democratic values.

#### 4.2 Czech Republic

Source: "Memorandum" of the government of the Czech Republic presented with the application for membership of the Union on 23 January 1996

- The Czech Republic sees its future in membership of the EU such as it is and such as it will be shaped by the collective wisdom of its Member States in the months and years to come.

The Government of the Czech Republic has identified a series of priorities for implementing the White Paper on the Single Market. The Czech officials concerned undertake to harmonize the essential sectoral legislation between now and the end of 1997.

The government makes no comment on institutional reform, but would like to have a Commissioner in Brussels.

It accepts the 'acquis communautaire' in all areas, and is waiting for the IGC to complete its work so that accession negotiations can begin as soon as possible.

#### 4.3 Estonia

Source: "Aide Mémoire" of the Ministry of Foreign Affairs of Estonia (22 November 1995)

- Estonia believes that the 1996 IGC should primarily concentrate on the institutional reform preceding enlargement of the EU; the reviewing of the policies of the EU in different spheres should take place within the framework of the regular activity of the Union and after the 1996 Conference. Estonia is interested in a swift and productive IGC and in the subsequent commencement of accession negotiations with all prospective Member States six months after the end of the IGC;
- Estonia proposes several political and institutional changes:

##### **a) Institutional changes**

- **Council:** The Council should remain an institution where the role and importance of Member States would be defined as much as possible on the basis of sovereign equality. With regard to the decision-making process Estonia believes that in order to make the activity of the EU more efficient proposals to reduce the number of decisions to be decided unanimously are

justified. In Estonia's view it is also necessary to find new working methods for the Council. Concerning the Presidency of the Council Estonia supports a collective, one year Presidency, where, in principle, all participating Member States are treated equally;

- **Commission:** Estonia holds that each Member State should be represented by one Commissioner;
  - **The European Court of Justice:** An enlargement of the competence of the European Court of Justice to include, in addition to the present first pillar, Justice and Home Affairs;
- With respect to CFSP procedures, Estonia believes that the topics of the second pillar should remain in the competence of the sovereign Member States and the rule of taking decisions on issues of vital national interest by consensus should be maintained.
- Estonia has drawn up a Blue Paper on the action plan set up by the Estonian Government with a view to EU and accession.

#### 4.4 Hungary

Source: No official document published

The goal of Hungarian accession to the EU has been shared by all Hungarian governments since 1989, when the Communist regime came to an end. The Hungarian Parliament has been a major driving force in this connection. The Hungarian authorities are not against a possible extension of the powers of the European Parliament. Hungary believes that it is essential that the IGC establish structures and decision-making mechanisms which will facilitate the integration of the candidate countries; it will then be able to cope with enlargement.

Following the publication of the Commission's White Paper on the Single Market, the Hungarian Government has drawn up a strategy for systematically harmonizing its legislation with Community law. Hungary views its own integration and that of the other Central and Eastern European countries into the EU as a guarantee of and major factor in achieving regional stability. With regard to the third pillar, Hungary is ready to associate itself with EU action.

During an exchange of views on the prospects of Hungarian accession between the Hungarian and the President of the Commission on 16 September 1996, the former stated that 'thus far, the scheduled calendar has been respected' and expressed a wish to see his country included in the first group of accessions. He proposed setting up a pre-accession fund to assist the candidate countries with their preparations.

## 4.5 Latvia

**Source:** No official document published; however, based on the expressed opinions of Member States, material prepared by the Reflection Group and the current political situation in Europe, Latvian governmental experts have established a preliminary standpoint.

- the IGC should concentrate on institutional reforms while not overshadowing the political urgency of enlargement;
- accession negotiations should start with all prospective Member States simultaneously after the end of the working sessions of the IGC;
- the model of integration should anticipate the acquisition of full member state status. Potential participation within different common initiatives should be determined by the readiness of each individual country to fulfil the necessary criteria;
- The Latvian position on institutional and political change is as follows:
  - Council: The voting system in the Council could be reformed in accordance with the "double majority" principle, where the first criterion would be a qualified majority, taking into account representation of the population, while the second criterion would represent the interests of small countries by granting one vote to each Member State.

Unanimity should be preserved on issues concerning annexes and changes to the Treaties, as well as on questions of enlargement.

The revised system of the Presidency should be based on groups of countries on a regional basis, including both small and large countries. In each Presidency countries from the Northern, the Southern and, for example, the Central-Eastern region of the EU should be included. The term of the Presidency could be extended to 18 months.

- Commission: Each Member State should be represented by one Commissioner. However, the establishment of a fixed number would be acceptable. Some members could become Deputy Commissioners.
- Parliament: A fixed number of seats (not exceeding 750) would be efficient. Changes in the existing representation should be made by proportionally decreasing the number of parliamentarians from each Member State.
- European Court of Justice: Each Member State should have the right to its own representative in the Court of Justice. Latvia supports the extension of the competence of the Court of Justice.

- As regards the Common Foreign and Security Policy, Latvia supports the creation of a CFSP planning and analysis unit located within the Secretariat of the Council, in which the representatives from the Commission would also take part.

#### 4.6 Lithuania

Source: No official paper published. However, there is a unofficial document (non paper) concerning the 1996 IGC drafted by Lithuanian governmental experts; Declaration made by President of the Republic of Lithuania at the joint meeting of the Committees on Foreign Affairs, Security and Defence Policy and on External Economic Relations (October 1996).

- According to this non-paper, EU enlargement and the problems directly related to enlargement are the most important issues for Lithuania in the context of the 1996 IGC. Among the issues to which Lithuania attaches particular significance are institutional reform, the strengthening of the Common Foreign and Security Policy and questions of security and defence policies (EU/WEU/NATO relations).
- Lithuania believes that EU enlargement is an essential factor for political and economic security and stability in Europe. It expects the 1996 IGC to prepare the Union for enlargement. In this context, Lithuania proposes institutional and political changes:
  - With regard to institutional reform, Lithuania would be in favour of extending of qualified majority voting with regard to matters which do not affect vital interests of the EU Member States. It would also support the introduction of the principle of "positive abstention";
  - With regard to the common Foreign and Security Policy, Lithuania supports the creation of a planning, analysis and evaluation body.
- At a joint meeting of the Committee on Foreign Affairs, Security and Defence Policy and the Committee on External Economic Relations on 17 October 1996, the President of the Republic of Lithuania, Mr Brazauskas, expressed his country's great desire to join both the EU and NATO; he referred to the economic and political progress made, and said that for Lithuania, EU accession was 'a historic opportunity and a political necessity'. He claimed that the 'legislative filter' was working, and enabled all the laws currently still being prepared to be harmonized with European standards.
- Lithuania anticipates that accession negotiations with all associated countries will commence six months after the end of the IGC.
- Taking into account the need to encourage the process of EU enlargement, accession negotiations should not last long and should lead to full EU membership of the associated countries with transitional periods in the first Community pillar if

required and full participation in the second and third EU pillars from the date of signing the accession agreements.

#### **4.7 Poland**

Source: No official document published. Third meeting between the President of the European Parliament and the Presidents of the parliaments of the countries of Central and Eastern Europe (9 and 10 July 1996).

- Poland has high hopes and expectations of the outcome of the IGC. Poland expects the IGC to produce: greater political and economic security throughout Central Europe, an enhancement of work at second and third pillar level, no dilution or division of its members into different categories, greater possibilities for majority voting and additional powers for the EU Presidency.

Poland believes that the measure of the success of the Conference will be the creation of conditions allowing admission to the EU of all the candidate countries. Poland hopes for a speedy outcome to negotiations on institutional reform.

- As regards Institutional reform, Poland favours retaining the existing decision-making mechanism while taking account of the growing number of participants. The extension of majority voting within the Council should be carried out on a case by case basis.

Cohesion of the EU requires each Member States to have its own Commissioner and constant verification of the scope of the Commissions executive authority is needed.

A ceiling on the number of deputies to the Parliament should be imposed as well.

- As regards the Common Foreign and Security Policy, Poland believes the CFSP, while remaining intergovernmental, should obtain procedural and financial support ensuring effective internal co-operation and more rapid decision-making on policy matters with regard to third states. Poland supports the project to create a common policy analysis unit for the CFSP as an intellectual and organisational support for further co-operation.

- As regards cooperation in the fields of justice and home affairs, efforts should be made to simplify the institutional hierarchy of the Third Pillar. Poland believes that issues connected with justice (e.g. criminal prosecution) should be resolved at national level.

- Poland is aware that the integration of the countries of Central and Eastern Europe involves considerable difficulties as regards sectoral adaptation, not only for the candidate countries but also for the Member States. It therefore undertakes that it will respect to the utmost the key measures identified in the White Paper on pre-accession strategy, present by the Commission in May 1995. A resolution adopted in 1995 by the Polish Government conferred new powers and responsibilities on

the Minister responsible for European integration, with a view to coordinating the adaptation of Polish law to Community law.

- At the EU/Poland Association Council of 17 July 1996, Poland submitted its government's pre-accession strategy to the EU Member States. This provides for negotiations starting in 1998 and ending in the year 2000. Poland asks the EU to lay down an indicative calendar for the opening, progress and conclusion of the negotiations, so that Poland may 'the better organize its preparations for accession'.

#### 4.8 Romania

Source: A Romanian view of the 1996 IGC and the enlargement process (published by the Romanian government)

- According to the government's paper, the IGC is seen by Romania as a turning point which will greatly affect Romania's future, since it will ultimately create the conditions to allow the Union to accommodate and to integrate the countries of Central and Eastern Europe.
- Although the issue of enlargement does not appear as a separate item on the agenda of the IGC, Romania believes that it will underpin the entire debate and the final outcome of the IGC.
- Romania shares the views expressed in the Commissions contribution to the IGC that enlargement and deepening are two perfectly compatible processes and that a construction based on solidarity and openness is not destined to weaken or dilute the Union.
- A major task of the IGC should be the adaption of the EU institutions for enlargement and making them ready for transitional arrangements. In this context Romania stresses that the institutional balance established through the provisions of the Treaty on the EU is a good one and that it does not need major changes or adjustments. Nevertheless, Romania believes in the need for increased transparency and democracy in the activities and functioning of the institutions.
- As regards the Common Foreign and Security Policy, Romania also calls for the establishment of a centre for policy analysis and planning, at the conceptual level, that would ensure a longer term focus for and coherence of the goals pursued.
- As regards Justice and Home Affairs, whatever the final decisions on the further harmonization of immigration and asylum policies and on a common approach to specific civil and criminal matters, these decisions should under no circumstance create new restrictions on the freedom of movement of Romanian citizens.

- Romania believes that the first round of negotiations should involve all associated countries that officially applied for accession and would generally meet the criteria for full membership. Subsequently, a certain degree of flexibility would have to be applied to cope with the differences between the prospective member states, either in the form of differentiated transition periods or in the form of a variable speed membership.

#### 4.9 Slovakia

Source: Position paper of the Slovak Republic on the questions raised by the reflection group (October 1995) Position paper of the Slovak Republic for the second Slovak Republic - EU Association Council Meeting (27 February 1996)

- The Slovak Republic believes that talks with the countries of Central and Eastern Europe should begin as soon as possible after the conclusion of the 1996 IGC.
- Slovakia acknowledges that the simultaneous commencement of the discussions need not and, because of objective reasons, cannot mean identical progress and results. It is in its interest to be among those associated countries that proceed at the most rapid pace.
- Slovakia believes that what should be sought with regard to the relationship of the institutions to one another within the Union is a balanced position. For that reason, institutional reform is essential.
  - The European Parliament's role should be strengthened in the interests of democracy, set a maximum ceiling on a number of MPs, since the current representativeness requirement will no longer be practical when enlargement comes; simplify the decision-making procedure; preserve Parliament's right of initiative and increase its scope for controlling the Commission's activities; step up relations between the European Parliament and the national legislatures so as to highlight the latter's opinions and enhance their involvement in the process of European integration.
  - The Council must remain an institution which essentially represents the interests of the Member States.
  - The Presidency cannot satisfactorily be held by a single state in the context of an enlarged Europe, and Slovakia proposes establishing a rotating 'Presidential team', whose mandate would be extended to one year at least. It is important that all Member States should have turns in Presidency, so that they all bear the same degree of responsibility in the European project.
  - As regards the Commission, in order to preserve the idea of representing all the Member States, Slovakia proposes establishing deputy Commissioners, while limiting the number of full Commissioners.

- At the 5 September 1996 meeting of the joint EU/Slovak parliamentary committee, Slovakia stated that it had the lowest level of foreign debt of all the countries of Central and Eastern Europe.  
A committee of the Slovak national council has been set up to supervise all aspects of Slovak integration into Europe.

#### 4.10 Slovenia

Source: Slovenia has not published an official document on the IGC.

- The objective of the Republic of Slovenia is to achieve full membership of the European Union, this being seen as the best case scenario for the social and economic development of the country, for the strengthening of its identity and for the assertion of fundamental national interests within a wider, stable and open Europe;
- The European Association Agreement between Slovenia and the EU was signed on 10 June 1996 and ratified by Parliament on 24 October. Since then, Slovenia has been able to participate fully in the structured dialogue between the EU and the associated countries.
- Slovenia envisages full membership of the Union around the year 2001.

#### 5. Position of the Reflection Group

Source: Report of 5 December 1995

- According to the report, the next enlargement represents both a political imperative and a new opportunity for Europe, but at the same time it presents the Union with a major challenge requiring an adequate response:
  - a) firstly, in the framework of the IGC, through the reforms designed to improve the Union's functioning in general and institutional reform in particular;
  - b) secondly, in view of the impact which enlargement will have on applicant countries and on the Union.
- The next enlargement will be different from the previous ones because of the large number of applicant countries and the heterogeneity of their political, economic and social situations. To ensure that the next enlargement does not weaken, change the nature of or actually break up the Union, the reforms needed to cope with the challenges involved must first be made.

The enlargement negotiations cannot begin until the IGC has been concluded satisfactorily. The success of the former thus depends on the success of the latter.



- In order to enable the Union to work better and to prepare it for enlargement the IGC should examine the ways and means to improve the efficiency and democracy of the Union. Therefore, the Reflection Group proposes several institutional changes:

**a) The Commission**

Concerning the composition of the college the Group identifies basically two possible approaches:

- to retain the present system under the Treaty;
- to ascertain the appropriate number of Commissioners to perform the Commissions duties consistently and effectively. They would then be fewer than the number of Member States.

**b) The Council**

Unanimity should remain the rule for decisions on primary law. In the case of Community legislation, a large majority in the Group is prepared to consider making qualified-majority voting the general rule.

Concerning the Presidency the Group has considered different possible arrangements. One proposal has been the idea of a team-Presidency consisting for instance of four Member States acting for a period of at least 12 months.

**c) The European Parliament**

In the view of the Reflection Group it seems appropriate to fix a maximum number of seats. A majority accept a maximum of 700 in an enlarged Union, as the European Parliament itself proposes in its report.

**d) The European Court of Justice**

With a view to enlargement of the Union some take the view that the number of Judges should be fewer than the number of Member States in order to ensure efficiency and consistency. Others take the line that all States should have a Judge at the Court. A middle course put forward is that not only Judges should count but Advocates-General as well.

- Concerning differentiated integration the Group rejects any formula which could lead to a "Europe à la carte". As regards the guidelines to allow flexibility, there is a large majority view supporting the following criteria:

- a) flexibility should be allowed only when it serves the Union's objectives and if all other solutions have been ruled out, and on a case-by-case basis;
- b) differences in the degree of integration should be temporary;
- c) no-one who so desires and fulfils the necessary conditions previously adopted by all can be excluded from full participation in a given action or common policy;

- d) provision should be made for ad hoc measures to assist those who want to take part in a given action or policy but are temporarily unable to do so;
- e) when allowing flexibility the necessary adjustments have to be made to maintain the "acquis communautaire", and a common basis should be preserved to prevent any sort of retreat from common principles and objectives;
- f) a single institutional framework has to be respected, irrespective of the structure of the Treaty.

## **6. Conclusions**

To summarise the positions of the parties involved in enlargement, clearly there is agreement that any conditions concerning eastward enlargement will be discussed within the formal negotiations for accession of Central and Eastern European states. Therefore, there is a lack of concrete statements regarding conditions for accession which go beyond those conditions already mentioned at the European Council of Copenhagen.

After consultation of all parties involved, the 1996 IGC provides the opportunity to prepare the Union for Eastern enlargement. In this context a discussion has evolved concerning, in particular, institutional reform as well as modifications to the decision-making process. As far as the progress of this discussion is concerned, the relevant fact sheets published by the EP's Task Force should be referred to.

The parties involved have adopted different positions in the area of differentiated integration. While a majority of the member states considers a move towards a multi-speed Europe as likely and possibly inevitable, others, namely Portugal and Greece, reject such an approach.

No agreement exists about the exact commencement date of the enlargement negotiations following the termination of the 1996 IGC. However, according to the Presidency Conclusions of the Madrid European Council, the preliminary stage of negotiations will probably coincide with the start of negotiations with Cyprus and Malta, that is six months after the conclusion of the 1996 IGC.

\* \* \* \* \*

*For further information concerning this note, please contact Mr. GOLLAN, DG IV, Division for Relations with the Countries of Central and Eastern Europe, EAS 259, Brussels, Tel.: 3701*