

COMMISSION
of the European Communities

The Enlarged Community

Outcome of the negotiations with the applicant States

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Brussels, 22 January 1972

THE ENLARGED COMMUNITY

Outcome of the negotiations with the
applicant States

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CORRIGENDA

- Section 21 : — Last paragraph, read:
Following requests by certain applicant States, it was also agreed to suspend certain CCT duties and to allow tariff quotas in respect of tea, paper pulp, newsprint, unwrought lead, unwrought zinc, mimosa extract, phosphorus, plywood panels, etc. and alumina.
- Section 69 : — Subtitle, read as follows:
Anglo-Irish Free Trade Area and quantitative restrictions
- Paragraph 3, read:
Ireland will be able to maintain quantitative restrictions on imports and exports of certain products
- Section 75 : — First paragraph, third subpara, read:
— wine in quantities exceeding 2 litres.
- Section 85 : — Replace the first and second paragraphs by the following:
On 22 January 1972 the ceremonial signing of the Final Act of the Conference with the countries applying for membership, of the Treaty of Accession and the other texts drawn up by the Conference, took place in the Egmont Palace in Brussels.
- By signing the Final Act, the Plenipotentiaries of His Majesty the King of the Belgians, Her Majesty the Queen of Denmark, the President of the Federal Republic of Germany, the President of the French Republic, the President of Ireland, the President of the Italian Republic, His Royal Highness the Grand Duke of Luxembourg, Her Majesty the Queen of the Netherlands, His Majesty the King of Norway, Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and the Council of the European Communities adopted the texts which were drawn up by the Conference between the European Communities and the States which had applied for accession to these Communities.
- These texts were then signed by the Plenipotentiaries of the Member States and of the four applicant countries.

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**Speech made by Mr Franco Maria Malfatti,
President of the Commission, at the signing
of the Acts of Accession,**

Brussels, 22 January 1972

More than forty years ago Winston Churchill compared the idea of European unity to a spark rising from a human hearth and flying upward. Among innumerable sparks, he said, that flash and fade away, there now and again gleams one that lights up not only the immediate scene but the whole world.

We representatives of the Community of Six are proud to have made today's historic meeting possible, having fanned the spark into a flame. It is now for the Community of Ten to transform it into the great flame of united Europe.

The signatures placed today under the Acts of Accession are the culmination of a political process pregnant with extraordinary and positive implications. The beginning was more than ten years ago, and today we are creating the dimensions and the conditions that are required if our Community is to develop and complete the political design which inspired the Treaties of Rome and Paris. We are consequently aware that the responsibilities resting on the Community's institutions, on the Governments and the peoples of the ten countries of the new Community must be measured by the immense hopes that are raised by the idea of European unity.

Like all great ideas in history, the idea of Europe has in the course of time been supported on different grounds and for different reasons.

In the immediate postwar period it stemmed mainly from the agonizing contemplation of two civil wars in Europe which have so cruelly scarred our recent history. Today, the idea of European unity draws its strength from the feeling that it is the answer to the worries of the present, the only effective way to banish the uncertainties of the future and to make realities of our hopes, that it offers a chance of playing a part in the building of a better world.

It is not only the headlong pace of scientific and technical progress, the evident need of wider continental dimensions for

rapid and harmonious development in the economic and social fields, and the aim of a better quality of life that are thrusting us along the road to the unification of Europe. We are also being driven on by the need to rebuild from the bottom up, and on more solid and broader foundations, the splintered sovereignty of the peoples of Europe, preventing the decay of this noble continent, which has been the cradle of modern civilization.

Our edifice is not, and cannot be, built for trade alone. For the system we have so laboriously built up in our Community of Six and which we will continue to build up in the Community of Ten will be unable to provide satisfactory answers to the complex problems of our era or to guarantee fully the existence of the Community unless we operate with all our strength and with an unflinching will to achieve the economic integration and political unification of our countries.

The difficulties we will encounter are of course many and serious, but the difficulties we will encounter if we do not advance would be greater and more serious. United, we will be able to write a new chapter of history, to be a powerful factor working in the cause of liberty, of security, of progress and of peace in the world. Divided, we will be no more than spectators on the fringe of history.

We must, of course, be realistic, but not in order to restrain our imagination. We must, of course, be pragmatic, but not in order to curb our ardour; we must, of course, be prudent, but not in order to undermine our courage.

Our edifice is revolutionary and original. It is revolutionary when compared with earlier historic experiments, for the unifying process we have set in motion is a joint venture undertaken by all the Member States, linked within the Community by complete equality of rights and duties. It is original because it is characterized by an institutional structure for which no equivalent can be found in earlier models. This structure rests on a European Parliament consisting of representatives of the peoples of the Community—and the strengthening of the democratic features and powers of this Parliament call for action by all the member countries of the new Community; it rests further on a Council consisting of the representatives of the Member States and endowed with a power of decision; on a Commission with real powers of its own, whose duty it is to propose and watch

over Community rules and to share in shaping the acts of the Council; and, finally, a Court of Justice which ensures that Community law is observed.

These, then, are the essential features of the edifice which we must defend and strengthen in a democratic framework, since it is they which confer on the budding Community its particular character.

The new Community is not, and does not seek to be, a new block, but a wide community of free and peaceful States and peoples each of which is bringing to the common edifice its own genius, its own glorious heritage. It is a Community of the democratic countries that are amongst the most highly developed in the world, and it is determined to make the process of unification irreversible in order to consolidate our friendships, in order to contribute decisively, on a footing of equality, to the development of the less favoured nations, and in order to develop, as a new element of equilibrium in a better international order, new cooperative relationships with all the peoples of the earth.

Never before has one generation had so many opportunities to contribute in concrete manner to the unity of Europe, the task to which so many eminent statesmen have in the past devoted their efforts and their thought.

This is the stirring challenge of our day, a challenge that we can, we must take up.

The future before the enlarged Community

by Mr Jean-François Deniau, member of the Commission

After the signature, on 22 January 1972, of the Treaty uniting to the Community of the Six, Great Britain, Denmark, Ireland and Norway, the Community will be neither wholly the same nor fundamentally different. It will not be the same inasmuch as the addition of four new members, among them Britain, make it an entity of very substantial size and weight in the world. It will not be different inasmuch as the negotiations now completed have produced a balanced Treaty in which account has been taken of the concerns and problems of the applicant countries, but formulas devised that leave fully intact what the Community has built up to date. It should be added that the negotiations proceeded in a genuine spirit of cooperation among all concerned—an encouraging point which may be most important for the future.

For so long as Britain and other European countries remained outside, the Community was incomplete, and uncertainty in this matter acted as a drag, both from the practical and from the political angle, on all plans for progress in depth. With Britain's entry the position is now clear-cut, and the new, enlarged Europe thus afforded a fresh opportunity, in the ability to seek new horizons and draw new breath—though it will have problems enough and to spare, some of them increased by the very fact of enlargement.

Internally, Community cohesion will sometimes be harder to secure with a larger number of members than before and a variety of often very special circumstances to be taken into consideration. Externally, the sheer size of the new Community, and its further ramifications through its numerous agreements of association, have already given rise to apprehensions and attacks.

One of the first tasks of the enlarged Community will thus be to frame for itself in relations to the Third World a role befitting its responsibilities. It must not present the image of a club of affluent countries engaged in working out their affairs among themselves : it must play a more active part vis-à-vis those countries that have not yet reached an adequate level of

development. And it must do so while duly preserving, and indeed reinforcing, the established Community arrangements in respect of the present associated countries, and pursuing alongside these an appropriate policy in respect of the other parts of the world.

Again, it will certainly need to negotiate changes in its relations with the United States and the other leading industrialized countries. This negotiation will yield sound and lasting results only if it is conducted on a basis of reciprocity and the acceptance of certain disciplines by all. Granted that it is well to establish at international level rules and terms of reference applying to all alike, to enable trends in trade to be carefully observed and where necessary corrected, by the same token it is unacceptable that the Community be placed under a sort of permanent supervision on plea of possible adverse effects on international trade. In a different context, the problem of the Community's relations with Eastern Europe is the risk of commitments liable to restrict its possibilities of internal development.

To acknowledge that the enlarged European Community means a changed situation for both ourselves and the rest of the world is merely stating the obvious. To agree to discuss the whole complex of our relations in order to strike a happier balance, on the basis of reciprocity, is straight common sense, and in the general interest as well. To preserve the Community's development potential and autonomy is an absolute essential, inseparable from the European idea itself and its deepest underlying grounds. The greatest danger to the European idea in the coming years is "freezing", *status quo*—call it what you will, but meaning inability to go ahead and do things, whether by reason of internal difficulties of decision-making or of external pressure or restriction.

Europe is meaningful only if it is able steadily, day after day, to push on into new fields and to make steady progress in them, or at any rate if no fresh field, no line of advance is ruled out, *a priori*. It has always needed pragmatism in its actions and vision in its aims, the two being indissociable. And what has been true in the past will be still more true in the future.

1. Recapitulation

1. The Preamble of the Treaty of Rome provides for the possibility of accession to the Community by any European State. The founder members declared that they were:

“Determined to establish the foundations of an ever closer union among the people of Europe”

and

“Resolved to strengthen the safeguards of peace and liberty by establishing this combination of resources, and calling upon the other peoples of Europe who share their ideal to joint in their efforts.”

Articles 237 of the EEC Treaty, 205 of the EAEC Treaty and 98 of the ECSC Treaty specify the conditions under which a candidate country's application can lead to accession to these Treaties.

Article 237 of the EEC Treaty specifies that:

“Any European State may apply to become a member of the Community. It shall address its application to the Council, which, after obtaining the opinion of the Commission, shall act by means of a unanimous vote.

“The conditions of admission and the adjustments to this Treaty necessitated thereby shall be the subject of an agreement between the Member States and the applicant State. Such agreement shall be submitted to all the contracting States for ratification, in accordance with their respective constitutional rules.”

Applications for accession

2. On the basis of these Articles the British Government had formulated an official application for accession on 10 May 1967. The day after the British application, the Danish Minister for Commerce and European Integration, Mr Tyge Dahlgaard, had handed a letter to Mr Renaat van Elslande, the President-in-office of the Council of the European Communities, in which Denmark applied for admission to the EEC as a member. On 11 May, Mr John Lynch, Prime Minister of Ireland, also had a letter handed to the President-in-office of the Council, in which Ireland applied for membership of the EEC. This application stressed the need for negotiations to be held parallel to those envisaged with the United Kingdom, particularly in view of the Anglo-Irish agreement of December 1965, setting up a free trade area. On 21 July 1967 Mr John Lyng, Norwegian Minister for Foreign Affairs, addressed a letter to the President-in-office of the Council, Mr Karl Schiller, in which his Government requested the opening of negotiations, with a view to Norway's accession.

The reasons for the United Kingdom's request for accession were explained in Mr George Brown's declaration on 4 July 1967 to the Council of Western European Union meeting in The Hague, when he said: "We in Britain are conscious that this is a decisive moment in our history. The issue will shape our future for generations to come. We believe the same is true for Europe as a whole. And we believe that the present opportunity may not easily come again. Unless Europe is united and strengthened she will not be able to meet the challenge of the world today." After mentioning the enormous economic advantages which enlargement would bring, Mr Brown said: "The advantages for all of us of this unity will reach far wider than Western Europe itself. We see this as a major step towards a reconciliation and a revival in that larger Europe which has remained too long divided between East and West."

The British Government's most important questions concerned firstly the transition period in the various fields—these were to be "very short" for Euratom and the ECSC and longer for the obligations under the EEC Treaty—and, secondly, the major problems of the British application, namely certain points of agricultural policy, the contribution to the Community's budgetary expenditure, sugar exports from the Commonwealth, special problems of New Zealand, and a number of other questions relating to the Commonwealth.

Commission Opinion of 29 September 1967

3. In accordance with the first paragraph of Article 237 (EEC), the Commission addressed to the Council, on 29 September 1967, a preliminary Opinion in which the chief problems involved in the enlargement of the Community were analysed.¹ This Opinion particularly stressed that the accession of new members such as the United Kingdom, Ireland, Denmark and Norway, whose political and economic structures and level of development are very close to those of the present Member States, could both strengthen the Community and afford it an opportunity for further progress, provided the new members accepted the provisions of the Treaties and the decisions taken subsequently.

First, the Commission was of the opinion that the new members should, as a general rule, accept the arrangements adopted by the founder members before extension, subject to any exceptional adjustments that may be made. In particular, they would have to accept:

- (1) The Community customs tariffs in their entirety and their gradual application to all third countries;

¹ This Opinion was published under No. 8220-1967 by the Publications Office of the European Communities.

- (2) The basic principles of the common policies with the provisions for their implementation;
- (3) The contractual obligations of the Communities towards third countries;
- (4) The institutional machinery of the Communities as established by the Treaties, subject only to those adjustments rendered necessary by the representation of the new Member States.

Furthermore, the Commission recommended to the new members that they agree with the founder members on the solution of a number of problems of vital importance for the harmonious development of an enlarged Community. These were in particular the relations to be established with European countries—notably any EFTA countries which did not join the Community—and with the Commonwealth countries.

Finally, the Commission considered that, if full advantage was to be taken of the opportunities which extension opened up for the Community, it was necessary that the Member States be in a position within the not too distant future to make progress along the road to political union.

The Council's work from 18 December 1967 to 22 July 1969

4. The Council session on 18 and 19 December 1967, devoted to considering the applications for membership from the United Kingdom, Denmark, Ireland and Norway, did not result in agreement to open negotiations with the applicant countries. This difference of opinion was a point of major concern throughout 1968, during which period Member States formulated a number of suggestions all aimed at making interim arrangements between the Community and the countries seeking membership.

For instance, on 19 January 1968, the three Benelux countries put a proposal before the other Member States and the Commission for the establishment:

- (a) in the economic field, of a procedure for consultation between the Community and the applicant countries;
- (b) in the political field, of closer cooperation in order to achieve the political unification of Europe.

Similarly, the meeting between the French President and the German Federal Chancellor in *Paris* on 16 February 1968 ended with a joint declaration in which the two Governments affirmed that, until enlargement became possible, they were willing to envisage such arrangements between the Community and the applicant countries as would help to expand trade in industrial and agricultural products and to facilitate subsequent adhesion to the Community of the countries which had requested it.

On 23 February 1968 the *Italian* Government drew up its own proposals, according to which the six Member States were to adopt measures to reduce the gap between the Community and the candidate countries and would, in particular:

- (a) ask the Commission to continue studying the matter of the applicants' membership;
- (b) authorize the Commission to propose suitable measures for coordinating short-term economic policies within the OECD;
- (c) reach agreement on participation of their Ministers of Economic Affairs and of Finance in the quarterly meetings of the WEU.

Finally, on 27 February 1968, the *Belgian* Government submitted a memorandum on technological cooperation in Europe. This document emphasized the need for joint action based on a clearly defined political will.

5. The *Commission* was requested by the Council to analyse the various proposals and rendered an Opinion to the Council on 2 April 1968. In this Opinion it said that the Member States would seem not to disagree on certain fundamental points, and suggested the general lines which could be followed in drafting an agreement that would pave the way to membership for the four applicant countries. The Commission believed that this agreement should:

- (a) be regarded as providing for a phase of adaptation, notably to facilitate as much as possible the rapid re-establishment of lasting economic equilibrium in the United Kingdom;
- (b) serve as a framework for endeavours to bring the Community and the applicant countries closer together, so that, not too long after their accession, they would be able to assume all the responsibilities and enjoy all the advantages of membership of the Community.

The Council session of 27 September 1968, which was devoted to this matter, was preceded by the submission of a memorandum from the *German* Government. This document stressed the need, so long as new members could not be admitted, for interim measures to strengthen ties between the Communities and the applicant countries and to facilitate and prepare the way for their ultimate membership. It recommended action in three fields: trade relations, technological cooperation, and permanent contacts.

Since no agreement was reached on these proposals, the matter was postponed to 4 and 5 November 1968. At this Council session, the French Foreign Minister explained the nature and limits of the arrangements he envisaged, stressing the fact that trade arrangements would not be a substitute for the procedure leading to membership.

During the first half of 1969 the work done by the Commission and Council on enlargement of the Community was mainly concerned with studies on the possibility of concluding arrangements with the applicant countries.

But from July 1969 on the task of examining the applications for membership was resumed by the Council, which asked the Commission to bring up to date the Opinion it had rendered on 29 September 1967.

Commission Opinion of 1 October 1969

6. The Commission submitted its supplementary Opinion on 1 October 1969, pointing out that the general lines and conclusions of its Opinion of 1967 were still valid.¹

However, as a result of developments since then, the Commission concluded that the close links existing between the problem of strengthening and the problem of enlarging the Community meant that it was no longer possible to deal with them separately and that they should therefore be considered simultaneously, because "only a strong Community can provide a suitable framework for receiving the applicant States."

The Commission affirmed that the aim of the negotiations should be to find solutions which would make it possible to establish conditions guaranteeing the cohesion and the dynamism essential to an enlarged Community, and expressed the opinion that these negotiations should be opened as soon as possible.

Conference of Heads of State or Government at The Hague

7. This Opinion has formed the basis of the work carried out since then, especially in preparing for the Summit Conference. On the initiative of the French Government and at the invitation of the Netherlands Government, the Heads of State or Government and the Ministers of Foreign Affairs of the Member States of the European Communities met at The Hague on 1 and 2 December 1969.

The guidelines laid down at the Conference were published in a communiqué from which the following extracts should be given here:²

... (4) ... "The European Communities remain the original nucleus from which European unity has been developed and intensified. The entry of other countries of this continent to the Communities—in accordance

¹ This Opinion was published under No. 4001/1969 by the Office for Official Publications of the European Communities.

² *Third General Report (1969)*, Annex — Documents on the Summit Conference.

