

'Impact of Political Union on the EEA' from Crocodile (February 1992)

Caption: In February 1992, in an article published in the Federalist monthly journal Crocodile as the Treaty on European Union is signed in Maastricht, Franz Blankart, State Secretary in the Swiss Confederation, emphasises the differences between Political Union, Economic and Monetary Union (EMU) and the European Economic Area (EEA).

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Impact of Political Union on the EEA

The impact of Political Union on the EEA is difficult to assess. As with the Economic and Monetary Union, Political Union is qualitatively very different from the EEA and does not leave much ground for comparison. Nevertheless, it might be useful to highlight some differences in order better to understand the political scope and depth of the EEA. I shall handle the following four points:

Foreign Affairs

The EEA Agreement: establishes the principle of a dialogue on foreign policy with a view to developing closer relations in spheres of mutual interest. This should take place at ministerial level, at the level of political directors, within the networks of diplomatic channels, at conferences and international organisations.

Impact of the Political Union on the EEA: In my opinion, the Political Union Treaty may have an impact on the political dialogue in the EEA in the sense that the EC will increasingly present common positions on foreign policy and security questions. This means that on several issues the EFTA countries will be faced with a Community which has one basic position. The consequences, as I see them, is that a growing pressure may be felt in individual EFTA capitals to move in the same direction as the EC.

The democratic dimension

The EEA Agreement: The democratic 'per se' is not raised in the EEA for basic following the three reasons: first, there is no transfer of legislative powers from the National Parliaments to the EEA Joint Committee; second, each EFTA country can refuse to adopt a new EC rule into EEA law; and, third, decision-making is a long negotiating process which may lead to the suspension of a part of an annex of the Agreement if views cannot be reconciled.

National Parliaments can be consulted before a new rule is adopted in the EEA Joint Committee. As a role of National Parliaments is 'de jure' maintained for the act of decision-taking, the role of the EEA Parliamentary body is limited mainly to the presentation of views in the form of reports or resolutions and to the examination of the annual report of the EEA Joint Committee on the functioning and the development of the EEA Agreement.

The Political Union on the EEA: The development toward a more democratic process in the EC has no direct impact on the EEA Agreement but explains better why it was so difficult for the EC to accommodate EFTA countries in terms of co-decision. The EC lacks a balanced co-decision in its own institutions; for this reason, among others, the EC and its Member States could not accept to extend such a right to a third party in an Association Agreement.

Reinforcement or extension of the EC competences

Political Union should strengthen existing powers of the EC with a wider application of the qualified majority-voting procedure in particular for research and development, environment, public health, education, professional training and youth, and consumer policy. Furthermore, the Political Union should attribute new competences to the EC or increase existing ones for: establishment and development of transeuropean networks for transport infrastructure, telecommunications, tourism, civil protection, culture, industrial competitiveness, immigration and refugees; except for this last area, all the other field will be dealt with at the EC level and their further development will be decided by qualified majority by the Council.

The EEA Agreement covers also most of these fields as they are related to the four freedoms or to horizontal fields or to flanking policies. A close cooperation is only foreseen in those flanking policies where EFTA countries fully participate financially, for example in the framework programme for research and development.

The areas where the EC will be able to decide by qualified majority are also covered by the EEA either by the taking over EC legislation or by commitment to strengthened cooperation. It is to be expected that the EC will give more attention to these areas in the future and progress faster in integrating its Member States. As most of these fields also cover the EEA, the EFTA countries will acquire a major interest to be associated with these developments. The areas where the EC will get new competences are also important for the EEA and the EFTA countries will gain by close cooperation with the EC. It is for instance hard to conceive that European networks for transport, telecommunications or energy be developed without associating the country which is at the geographical heart of Europe, namely Switzerland.

Recognition of the principle of subsidiarity

The Union Treaty recognizes the principle of subsidiarity as a key principle of action for the EC in areas where it does not have exclusive competence.

The EFTA countries also recognize and strongly insisted during the negotiations on the principle of subsidiarity, even if not expressly mentioned in the EEA Agreement.

There is a convergence of approach in this respect. It is important for the EFTA countries that only the tasks which can be better fulfilled at the EEA or the EC level be dealt with at that level.

Let me conclude with one sentence which expresses the richness of the process we are engaged in: financial, political, social and cultural interdependence have increased so much in Western Europe since the late 1950s that the deepening of the EC integration process can only take place in the future with a close association of its European neighbours.