

## The Single European Act

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It was felt that Europe should be more than the predominantly economic dimension of the Communities, and calls to relaunch the European integration process began to be heard in several quarters. From the 1970s onwards, various plans were produced with that aim, notably Belgian Prime Minister Leo Tindemans' Report on European Union in 1975, the Report on the European Institutions by the Committee of Three Wise Men in 1978 and the Draft European Act, presented in 1981 by the German and Italian Foreign Ministers, Hans Dietrich Genscher and Emilio Colombo. It was not until 1984, however, after the European Parliament had adopted the treaty drawn up by its Committee on Institutional Affairs under Altiero Spinelli, that substantive discussion of a new treaty got under way.

In June 1984, the Fontainebleau European Council established an ad hoc committee comprising personal representatives of the Heads of State or Government, chaired by James Dooge, and instructed it to bring forward suggestions for improving the functioning of both the Community system and political cooperation. Following submission of an interim report to the Dublin European Council of December 1984, the Milan Council of June 1985 convened an Intergovernmental Conference (IGC) with a remit to redefine the powers of the institutions, chart the European Economic Community's extension into new areas of activity and establish the single market. The IGC opened in Luxembourg on 9 September 1985 and submitted a draft treaty to the Luxembourg European Council meeting on 2 and 3 December of the same year.

The draft in its amended form was entitled the **Single European Act (SEA)** because it combined in one instrument both the amendments to the Treaties establishing the Communities and the provisions concerning political cooperation. The Act was adopted on 17 and 28 February 1986 in Luxembourg and The Hague respectively.

The SEA contained 34 articles and was published in 10 languages. Once the signatories had deposited their instruments of ratification in the archives of the Italian Government, the SEA came into force on 1 July 1987.

### Structure of the Single European Act

The SEA constituted the first substantive and comprehensive revision of the Treaties of Rome and Paris. Its structure is as follows:

Preamble

Title 1 — Common provisions

Title 2 — Provisions amending the Treaties establishing the European Communities

Title 3 — Treaty provisions on European cooperation in the sphere of foreign policy

Title 4 — General and final provisions

Protocols

Final Act

### Community institutional framework

The major changes introduced by the SEA concerned the Council and Parliament. The Council's adoption of certain decisions was facilitated, while Parliament was given a greater role in the decision-making process.

**Council** decisions concerning changes in the Common Customs Tariff, freedom to provide services, the free movement of capital, a common sea and air transport policy, the internal market, social policy, economic and social cohesion, research and technological development and the environment could now be taken by a qualified majority.

**Parliament**, which had previously been referred to in the Treaties as the ‘Parliamentary Assembly’ was now officially recognised by the name that it had given itself.

Parliament’s assent was required in order to conclude enlargement and association agreements, and Parliament was also offered a genuinely co-legislative role alongside the Council, via a new mechanism known as the cooperation procedure, applicable in some 10 areas of decision-making. In addition, the scope of the consultation procedure was extended to cover other matters.

The SEA also provided for the creation of a **Court of First Instance** as a constituent part of the Court of Justice of the European Communities.

### **Community policies**

The European Economic Community was given responsibilities in new areas: monetary capacity, social policy, economic and social cohesion, research and technological development and the environment. It thus acquired additional prerogatives to exercise in the interests of completing the single market — one enormous marketplace without internal borders, embracing all the Member States.

### **European Political Cooperation**

Outside the Community framework, the Member States agreed to lay the foundation for a European foreign policy based on cooperation. The SEA established, however, that the Communities and the European Political Cooperation process shared the aim of furthering **European Union**.

### **The institutional framework for European Political Cooperation**

Under the terms of the SEA, the main players in **foreign policy cooperation** were to be the European Council and the Council of the European Communities. This was an area in which Parliament and the Commission were to take a back seat. The SEA also provided for the establishment of other bodies including a Political Committee, a European Correspondents’ Group, working parties and a secretariat.

The **European Council** was made responsible for issuing general guidelines on European Political Cooperation (EPC) and expressing a common position on matters involving external relations.

The **Presidency of the Council** was given a role of initiating action and organising and coordinating the positions of the Member States in external relations. In the interests of continuity in EPC activities, the Member State holding the Presidency was to work together with its predecessor and successor states in what became known as the European ‘troika’.

The **Commission** was to be associated with EPC proceedings at all levels.

**Parliament** was to be kept informed of progress on political cooperation, receiving an annual report from the President of the Council, responsible for foreign affairs.

### **Aims of European Political Cooperation**

The Member States undertook to lay the foundation for a European foreign policy based on cooperation. They agreed to inform and consult one another on any foreign policy matters of general interest with a view to seeking a common position, and they made a further commitment to the ongoing development and definition of common objectives.