

Spain's negotiations to join the European Communities

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Vanessa Núñez Peñas

For a significant section of Spain in transition, the European Communities had always embodied an ideal of freedom and democracy that was evidently to be emulated, but it was clear that the door would remain shut until free elections had been held. So it was that, after the first democratic elections since the Second Republic had ended on 15 June 1977 with the victory of Adolfo Suárez's Union of the Democratic Centre (UCD), on the 28th day of the same month the Minister for Foreign Affairs, Marcelino Oreja, appeared in Brussels to submit Spain's application to join the Communities. Nevertheless, the path to membership was neither smooth nor short.

The official opening of the negotiations did not take place until 5 February 1979, with the first meeting held only on 15 June that year. The Spanish authorities, in particular the Ambassador to the European Communities, Raimundo Bassols, were aware that Spanish entry was liable to arouse far greater apprehension than the accession of Greece or Portugal, whose applications had been submitted to Brussels in June 1975 and March 1977 respectively. The strategy from the outset was therefore to try to engineer simultaneous, though distinct, negotiations, in order to avoid being left behind. In both agriculture and some industrial sectors, Spain was liable to present tough competition for some European economies.

Just one month after Spain's application was approved, it became clear at a meeting of the European Council in Luxembourg on 18 October 1977 just what difficulties Spanish accession negotiations would have to overcome: France was calling for the Commission to present a detailed study on the economic situation in the three southern candidate countries, together with an assessment of the potential costs of enlargement. The French insisted that there could be no new enlargement without a prior examination of its repercussions for Mediterranean agriculture and without guarantees for certain interests in countries liable to be affected by it. In view of this situation, the Federal Republic of Germany even raised the possibility of economic compensation for those Member States concerned.

The first clashes between individual national interests and relations among the existing Member States took place early on in the second European enlargement process. As a result, the Commission immediately set about drawing up a comprehensive study on its consequences and presented it to the Council on 20 April 1978. The 'General Considerations on the Problems of Enlargement' would come to be known as the *Fresco*. The document was a broad-stroke analysis conveying an overall picture — hence the nickname — of the difficulties that could arise in terms of economic, agricultural, energy, social and regional policy, while firmly recognising the need to proceed with enlargement to the south. There would also be problems with the functioning of the institutions and economic and monetary cohesion, while external relations would be affected to some extent too.

Based on this document and conversations held with the Spanish authorities, the Commission submitted its *Opinion on Spain's application for membership* to the Council on 29 November 1978. It called for accession negotiations to be opened as soon as possible, even though much of the document was given over to analysing the impact accession would have on various sectors of the economy. Importance was attached, in this regard, to the fixing of a transitional period. Whilst it was considered necessary to settle matters such as the dismantling of tariffs, the application of the common agricultural policy and value added tax as quickly as possible, the free movement of goods and persons was likely to be achieved later on in the designated ten-year transitional period.

Once the Council had signalled its approval in December 1978, the negotiations opened in Brussels on 5 February 1979, with Leopoldo Calvo-Sotelo and Marcelino Oreja co-chairing the Spanish delegation in their respective capacities as Minister for relations with the European Community and Minister for Foreign Affairs, and the French Foreign Minister, Jean François Poncet — since France held the Council Presidency at that time — their Community counterpart. Thus began a dual process: on the one hand, the examination of secondary legislation, the aim of which was to ensure that Community law was fully compatible with Spanish law; and, on the other hand, the identification of any problems, the first stage in the negotiations

proper. At this juncture, each of the parties voiced its opinion as to the manner in which the candidate country should adopt the body of Community law and, from the outset, the pace of negotiations was slower than anticipated.

Although meetings continued to be held with some regularity (virtually every other month), they brought little progress. The attempts by the Vice-President of the European Commission, Lorenzo Natali, in late 1980 to lay down a timetable to push the negotiations forward did nothing to diminish the sense of deadlock. It was not until the Belgian Presidency in the first half of 1982 that the talks received new impetus.

During the official visit to Brussels made by Leopoldo Calvo-Sotelo in January 1982, in his new capacity as Spanish Prime Minister, an ambitious agenda was set, which made the ministerial meeting of 22 March 1982 the deadline for closing the chapters on transport, the movement of capital, economic and financial matters, the approximation of laws, regional policy and the right of establishment and freedom to provide services. Not only were the specified goals achieved at this meeting, but a new channel of communication was established between the Council and the two candidate countries on the Iberian Peninsula as regards political cooperation.

This optimism was short-lived. The ministerial meeting of 21 June 1982 marked the beginning of a new period of sluggishness, in which the enlargement process became secondary to Member States' preoccupation with its potential financial cost. The European Council met in Brussels just a week later and ministers from all Member States echoed French concerns that enlargement should take place only following a reform of the Community. The Commission was then charged with producing a new study of the potential consequences of accession, in relation to both Spain and Portugal, with particular emphasis on its possible impact on own resources and the financing of the Community budget, Mediterranean agricultural products, the free movement of workers and fisheries.

In the midst of this fresh paralysis, early elections were held in Spain on 28 October 1982, which conferred a large absolute majority on the Spanish Socialist Party (PSOE), led by Felipe González. The new Socialist negotiating team, consisting of Fernando Morán as Minister of Foreign Affairs and Manuel Marín as Secretary of State for relations with the European Communities, would not be called upon to assume its role until the ministerial meeting of 13 December 1982, held just a few days after the Copenhagen European Council had considered the Commission's report on enlargement of the Community.

The European Council had reaffirmed its commitment to enlarging the Community to include Spain and Portugal and underlined the importance of moving the negotiations forward. It had called, more specifically, for the completion 'urgently and before March 1983 [of] the revision of existing arrangements relating to certain Mediterranean agricultural products', calling on the Commission 'to explore with the two candidate countries the introduction of certain measures in these countries before accession in order to prepare their economy for accession in particularly sensitive sectors'.

Under the German Presidency in first half of 1983, the negotiations finally took on a new life. Good relations between Felipe González and Helmut Kohl undoubtedly helped to give the negotiations a definitive boost, but this would not have been possible without the Socialist Government's grasp of the situation. They were aware, from the outset, that the enlargement of the European Community could not take place until the latter's agro-budgetary crisis had been resolved. And given that the FRG was the main contributor, the solution to all problems was to be found in Bonn.

During the European Council held in Stuttgart on 18 and 19 June 1983, at which the only solution to the Community's current shortage of resources was held to be an increase in the proportion of VAT earmarked for Community coffers, the FRG, the main contributor, proposed raising the VAT ceiling from 1 to 1.4 %, on condition that Spain and Portugal would finally be granted membership. Although no specific date was set, there was no doubt that this proposal gave the negotiations a decisive push. In order to ensure that both internal reform and enlargement went ahead, it was agreed that regular Special Councils would be held in the second half of the year, in which the Foreign, Finance and Agriculture Ministers of the ten Member States would participate.

On 21 June 1983, ministers gathered for a new session of negotiations and succeeded, for the first time since 22 March the previous year, in closing another chapter: taxation, following Spain's agreement to apply VAT as soon as its membership took effect. Subsequent meetings saw the closure of the chapters on monopolies (15 July 1983), Ceuta and Melilla (18 October 1983) and EURATOM (19 December 1983). There were now only 10 out of 21 chapters outstanding: external relations and patents, customs union, the ECSC, agriculture, fisheries, social affairs, own resources, institutions, the Canary Islands and Spain-Portugal relations.

However, the belief that all would now be plain sailing in the accession negotiations was shattered by the Athens European Council. It had become clear in November 1983 that the Special Council meetings launched in Stuttgart would not reach a happy conclusion: the differences between Member States ran very deep, with continual clashes as to how reform of the common agricultural policy and financing should be achieved.

And so the French Presidency began, awakening the Spanish public's greatest fears. In his statement to the European Parliament, Claude Cheysson, President-in-Office of the Council and French Foreign Minister, stressed that negotiations should conclude as quickly as possible, and this would require the determination of all. The success of the negotiations depended largely on finding a prior solution to the Community's internal problems. It was at the end of the first half of 1984 that the negotiations finally took a turn for the better, to the surprise of many.

A Hispano-French summit was held in Rambouillet in February 1984 with the aim of aligning both countries' positions on agriculture and fisheries and, on 21 February 1984, progress was made in the accession negotiations as a ministerial meeting succeeded in defining the Community's position on the agriculture chapter. No agreement was reached, but at least the stage of 'exploring mutual positions' had come to an end. It was not until the end of May, once the Council of the European Community had adopted new rules on fruit and vegetables, that France was prepared to address the agriculture chapter in Spanish accession negotiations.

Although the ministerial meeting of 10 April 1984 had seen the closure of the chapter on external relations and patents, it was at the meeting of 19 June that it really headed into the home straight. No chapters were closed, but Community negotiators gave the talks a significant boost by conceding some ground on industrial matters in return for Spain's doing likewise with regard to agriculture. It seemed that, in the coming months, progress would gradually be made in the remaining chapters.

At the start of the Irish Presidency in the second half of the year, Peter Barry set a final deadline of 30 September 1984 for the conclusion of the accession negotiations; however, the chapters that remained were the most contentious, especially those on agriculture, fisheries and the dismantling of tariffs. By the end of the Presidency, only a vague outline of an agreement had been reached, with the adoption, following the Dublin Council of 3 and 4 December 1984, of a reform of the Community wine market, in spite of the fact that the Greek Government had stated in the end that it would agree to enlargement only if a satisfactory position was adopted on the Integrated Mediterranean Programmes (IMP). A few weeks later, at the ministerial meeting of 18 December 1984, the chapters on customs union, the ECSC and institutions were finally closed.

The negotiations were coming to an end, evidence of which was the agreement at this last set of talks to appoint a team charged with drafting a definitive accession agreement. Only six chapters remained to be settled and, at the express wish of the Council, the negotiations were to close for good at the end of March 1985.

Italy held the Presidency in the first half of 1985, and Gaston Thorn left the Commission Presidency in the hands of Jacques Delors at the beginning of January, with Lorenzo Natali continuing to serve as Vice-President. The new Commission would present the Council with a package of proposals on agriculture, fisheries and social affairs at the beginning of February; however, it took a few more meetings for Member States to reach a definitive agreement on the Community position. The main sticking point was fisheries,

and negotiations grew so tense that both Fernando Morán and Felipe González stated publicly that the date set for accession was not viable.

Faced with this new impasse, Giulio Andreotti, the Italian Minister for Foreign Affairs, redoubled his efforts. From 17 to 21 March 1985, the Council met alongside ministerial gatherings involving Spain and Portugal, at which the package proposed by the Commission a month and a half earlier would be presented to the Spanish delegation. When it looked as though it would finally be adopted, France created a further obstacle by calling for the proposals relating to the marketing of Spanish wine and fisheries to be revised. Andreotti responded to this breakdown by proposing a new 'marathon' of negotiations on 28 and 29 March, at which, at four o'clock in the morning, a definitive agreement was finally reached and all outstanding chapters were closed.

That same afternoon, the European Council met in Brussels, where, subsequent to an agreement on the Integrated Mediterranean Programmes benefiting the south of Europe, Greece waived its reservations and the agreement on enlargement was finally complete. Welcoming the conclusion of the negotiations once and for all, the Council called for the drafting of the accession treaties to be completed as quickly as possible to enable the new Community of Twelve to come into being on 1 January 1986. Accordingly, on 12 June 1985, the Accession Treaties were signed in Lisbon and Madrid, and, bearing witness to this fact, the first headlines of 1986 proclaimed, 'Good morning, Europe'.