

# The EU's Integration Capacity: political precondition or technical evasion?

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## An old idea

"The prospect of a further enlargement even as all the consequences of the previous enlargement have not yet been resolved leaves some worrying questions unanswered. The Commission is therefore of the view that any new enlargement must be associated with a substantial improvement in the efficiency of the Community's decisional process and a reinforcement of the institutions." This European Commission opinion was not issued in 2006 but in 1976 and relates to Greece's candidacy for membership of the European Economic Community, the EEC.

Since its origins (with six member countries), Community building always aimed at opening up to other European countries. But this openness always came over as subject to a political prerequisite: the integration of the new member must be perceived as positive for Community dynamics.

Thus General de Gaulle twice opposed his veto to the admission of the United Kingdom into the EEC in 1963 and 1967, mainly on the suspicion that London would serve as Trojan Horse to American interests in Europe. And it is the French electorate who in the end passed the UK (along with Ireland and Denmark) fit for

integration into the EEC in the 1972 referendum.

The accession process, based on governmental or popular consent by each member State thus operates on the basis of ill-defined criteria.

In 1986, the admission into the EEC of Spain and Portugal raised the question, this time, of the economic (rather than political) integration capacity of two new member countries, relatively poor by comparison with the then Community average. In response, the first Community derogation was introduced (essentially concerned with fishing) and, more importantly, at the instigation of Jacques Delors, the Structural Funds were created. With a view to make up for the development gaps within the Communities, these funds continued the philosophy behind the European Regional Development Fund (ERDF), created in 1975 after the British accession.

With Chirac's diatribes against the 1986 enlargement still ringing in her ears, France shows scant interest in the stakes involved in the integration of new countries into the EEC.

### Originally an economy-driven concept

The "absorption capacity" first referred to a country's capacity to use up capitals flowing in from abroad. In Community-speak, it has mostly been called upon to limit the subventions to candidate countries to 4% of their Gross Domestic Product. This financial and allusively aggressive dimension to the term led the European Commission to opt (since November 2006) for the concept of "integration capacity".

## Copenhagen's "hidden criterion"

From EU  
conditional  
capacity to  
automatic  
integration  
into the  
Union

In anticipation of the enlargement to the East that was to follow the end of the Cold War, European Union (EU) membership criteria were defined at the Copenhagen European Council in **June 1993**. They are generally itemised as: stable democracy, viable market economy, acceptance of the community acquis, passing over an element also given prominence in the 1993 text: "The Union's capacity to absorb new members while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries."

Since the beginning of the 90s the bond between the political imperative to integrate the Central and Eastern European Countries (CEEC) and specific technical preconditions to any accession has been gradually tightened. This linkage is intended to prevent a slow down in the European momentum arising from a recent member State not being up to speed with the Community acquis. The accession process has thus focussed on the candidate countries who then fought their way through a daunting legislative obstacle course before joining the EU.

The prevalence of the technical over the political approach is, however,

only superficial. The evaluation of the Copenhagen criteria tends to be selective. Legal and economic hold-ups in the CEEC did not prevent their joint accession on 1 May 2004, though this accession was qualified by a period of restriction on the free movement of the workforce, which could last until 2011.

Likewise, although Bulgaria and Romania have joined the EU on 1 January 2007 (a one year postponement had been contemplated), these countries are subjected to a special monitoring procedure. As a reminder that the full integration capacity of these countries is not assured, they will have to give regular account of their progress in several domains; should their effort be deemed inadequate, the Commission will be able to impose safeguard clauses until 2010.

So a shift has taken place from the integration capacity OF the EU towards the integration capacity INTO the EU. This in no way calls into question the historical political mission that is the reunification of the European continent. But it is to be deplored that the institutional reforms aimed at reinforcing the Union's capacity to welcome these new member States have hitherto been sidestepped.

## 2005: the normative swing

### Put the negative referendums behind

The fears spawned by Union enlargement have been put forward as a key explanation to the rejection of the Project of Constitutional Treaty in France and the Netherlands in 2005. Paying due regard to the EU's "integration capacity" could therefore be a way to address the Union's internal crisis. This is posited by the champions of the concept – whose great diversity might account for its success. Indeed the proponents of further enlargements rely on it to defuse popular concerns so as not to compromise the accession process by more "nos" in the future. But,

conversely, enlargement opponents, appropriating the 2005 "nos", seek to capitalise on this a priori neutral condition to set in an extra hurdle for candidate countries. On the occasion of the opening of accession negotiations with Turkey (3 October 2005) for instance, it was stated that the EU will be sure to take into consideration "all the Copenhagen criteria, including the Union's integration capacity".

Within Community institutions, this normative swing aims to make good the long established link between the Union's deepening and her enlargement. The treaties of Amsterdam (1997) and Nice (2001) have not really prepared

Community institutions for massive enlargement, for all that it happened in 2004. In 2006, the European Parliament, then the European commission indicated that any future enlargement would have to come second to a prior institutional reform of the Union.

### On the new community agenda, an item that will not go away

The February 2006 Brok Report from the **European Parliament** got the process under way: it recommended that the Union's absorption capacity (cited by the Commission in November 2005) be adopted as a new accession criteria and asked for a special report on the subject from the Commission before the end of 2006. The Commission accordingly responded by looking afresh at the Union's integration capacity. It also proposed a pause in the enlargement process post 2007, which would no longer involve, in any case, mass accession at some inconveniently fixed date.

### The key to a "renewed consensus" on enlargement?

The conclusions of the 14-15 December European council broadly adopt the commission's recommendations. Enlargement is not in question but its pace will, henceforward be strictly adjusted to the Union's integration capacity. However the Heads of States and governments have not retained the need for institutional reform before any fresh enlargement.

Major differences remain between member States on the EU's purpose and the way to pursue the enlargement process. In this context, resorting to "integration capacity" seems useful in order to both preserve the Union's political dimension while sustaining popular support for enlargement.

Thus technical considerations have reverted to serving the political process but this time the enlargement policy will be discussed in a more democratic and transparent way.

The export of stability must not lead to internal paralysis

#### The three Cs (for components) of Integration Capacity according to the European Commission

**Consolidation** is of the essence. The assimilation of a candidate state must jeopardize neither: the efficient running of the institutions, nor the capacity to pursue ambitious common policies, nor a stable and sustainable funding of the Union. To this end regular impact studies will be conducted by the Commission throughout the accession process.

**Conditionality** will be stringent. From now on, a candidate country will only be able to enter the Union if it actually is ready fully to assume every one of its responsibility towards her.

**Communication** must be enhanced. A candidate country's integration capacity will be reinforced by the increased visibility of its adhesion process. Exchange on the subject with civil society, along with transparency in the publication of the candidacy follow-up are factors that should advance member States' acceptance of the candidates

## Proposals

### "Capacity" to be clarified and "integration" to be promoted

#### 1. Adopt clear capacity criteria

This could be a good time to clarify the modalities of enlargements to come. Though pressure is not so great right now, it will soon return with Croatia, the rest of the West Balkan states and Turkey.

As requested of the Commission by the European Parliament, a more in-depth analysis of the concept of integration capacity is needed. Some work has started on this with a study from the CEPS (cf. bibliography) which has identified six major criteria to measure integration capacity,

among which the impact on Community budget and on the running of Community institutions.

The review of the European budget in 2008-09 should thereafter make it possible, notably, to take in the impact of enlargements to come.

As for the institutions, a recent study by the OIE (cf. bibliography) show that the fear of a negative impact from the 2004 enlargement is today unfounded. It would however be wise to undertake this type of critical analysis rather before the accession of a member State.

## 2. Set in train an active comprehensive ongoing education programme...

The shift from a diplomatic to a democratic handling of enlargement seems desirable if citizens are not to be further estranged from the EU. For their part, and in partnership with Community institutions, member States should commit to better explain enlargements to come.

For, from a six members club to a 27 members Union over 50 years, Europe's enlargements are a success story. The problem does not lie

with enlargement but with the way it is perceived. Taking pride in the achievements of enlargement and providing a better knowledge of the candidate countries falls to the member States. The shocking absence of any proper celebration for the 2004 and 2007 enlargements must not be repeated.

This logic of responsible openness towards new courtiers need not either be attended by an artificial definition of external borders which would not today profit the European Union in any way. As we write, the European Parliament alone has, in its February 2006 Brok report, spoken in favour of a debate on this issue at European level.

## 3. ...While Developing alongside it a more ambitious Neighbourhood policy

The uncertainties caused by integration,

be they due to internal or candidate state failure must be played down. In this respect, a reinforcement of the European neighbourhood policy which would make it more operational is a must: 12 billion euros will be committed to it between 2007 and 2013 that is 32% more than on the period covered by the previous budget.

Integration capacity is a progressive notion, which supposes a greater European flexibility in partnerships with neighbours. The "no" ultimately opposed to a candidate country even though it had met all its obligations would have an appalling political price tag. This is the script that now needs to be taken with utmost seriousness since a March 2005 French law will make referendums compulsory prior to any accession after those of Romania, Bulgaria and Croatia.

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