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Europe's new structure

# Where does Switzerland fit in?

**Switzerland is at a turning-point in its history. The immense changes which have been taking place in Europe over the last few years have shaken to the core its institutions, its traditions and its sense of identity. They have obsessed its public opinion, divided its people and made its political and economic leaders dizzy.**

The Swiss keep asking themselves what type of Europeans they are: euro-optimists, euro-pessimists, euro-allergics, euro-fanatics, euro-undecided, euro-passive – or what? But they do all agree on the obvious fact that Switzerland is at the heart of Europe. And this certainty has enabled the government to work out what it thinks is the best way to ensure the future of the country: membership of the European Community in three or four years time and until then membership of the European Economic Area, which will group all the countries of western Europe. But this is the moment to take a closer look at the process of European integration and Switzerland's European policy as of now – in view of the fact that our direct democracy requires that the last word be spoken by the people.

The central driving force of integration on our continent is the European Community (EC), which is made up of twelve west European states – Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom. At the end of last year, the Twelve – meeting at Maastricht in the Netherlands – decided to deepen their cooperation by transforming the economic community set up in 1957 under the Treaty of Rome into a political, economic and monetary union. The Maastricht Treaty, if and when ratified, will result in the European Union, and it is planned to strengthen gradually the jurisdiction of the central authority in Brussels, to create a European central bank and a single currency,

to institute common foreign and security policies, as well as to adopt joint policies on immigration, the right to asylum, visas, prevention of drug trafficking and terrorism. But before that

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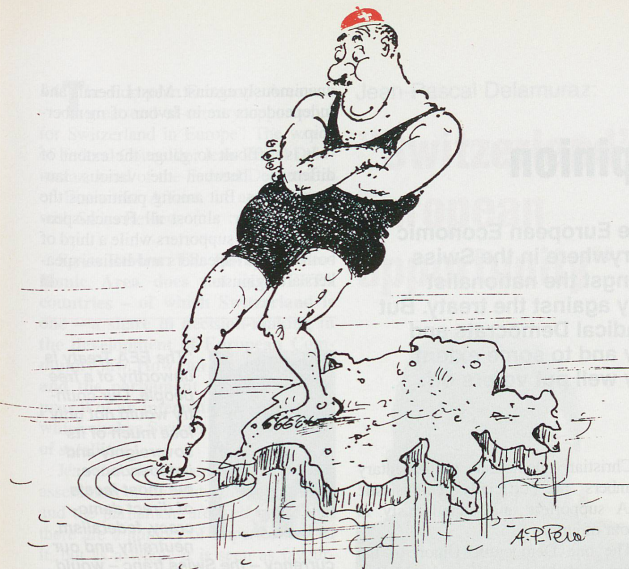
and from the beginning of 1993, the European single market – in preparation for the last six years by the EC – will become reality: free movement of persons, goods, capital and services throughout the twelve member-states with their 240 million inhabitants.

## Primacy of community law

These prospects engender much enthusiasm but also a degree of anxiety both within the European Community and outside it: enthusiasm because frontiers will start to disappear, citizens of member-countries will be able to travel, live and work wherever they like without hindrance; anxiety because all this represents a stride into the unknown and there is a risk that a European "fortress" may be created in the west of the continent. Both the enthusiasm and the anxiety have led the seven members of the European Free Trade Association (EFTA) – Austria, Finland, Iceland, Liechtenstein, Norway, Sweden and Switzerland – to come forward with a request to be associated with the single market. This idea has now resulted in the creation of the European Economic Area (EEA), which broadly speaking

means that the European Community's single market will be extended to all EFTA members. Two years of negotiations were needed to reach this objective.

If all the states concerned ratify the treaty – which in the case of Switzerland requires a favourable vote by the majority of the people and the cantons – the EEA will cover all west European states. It will be governed by more than 1,600 legislative acts which make up the "acquis" – or body of law – of the European Community. This will have primacy over national legislation in all the areas it covers. The EFTA states are now in a position where they must make many very substantial legislative adjustments in an extremely short period of time. Switzerland, for example, is obliged to make more than 60 major legislative adjustments before the beginning of 1993 – when the EEA Treaty is meant to come into force. The government has decided to group these in a two-part programme, known as Eurolex, and this is at present going through a special accelerated parliamentary procedure. The normal procedure will be used in a number of other areas, for which the negotiators were able to obtain a transition period for the introduction of the new EEA law. For example, Switzerland has been given a period of five years to abolish the legal provisions



prohibiting the sale of real estate to foreigners and four years to bottle its quality wines in 0.75 litre bottles instead of the present 0.7 litre ones.

## No EFTA participation in decision-making

The EEA Treaty means that EFTA countries will not be subject to discrimination which might have otherwise re-

sulted from the European single market, and indeed it will give them all the advantages of the single market. Its economic importance is therefore great, especially when we consider that two-thirds of Switzerland's foreign trade is within the EEA. But the price is very high – for EFTA countries will have only a very limited right to participate in decision-making in matters relating to the EEA. There was a short period in 1989 when it appeared that they might be given a substantial share in this, but on consideration the EC authorities came to the conclusion that it would not be practical – on the grounds that it would be an obstacle to increased integration within the community and would at the same time favour EFTA countries at the expense of those of the EC. The difference of status between the future members of the EEA has led a number of EFTA countries to apply for full EC membership: this is at present the case



Switzerland shakes hand with the rest of Europe. But do they really agree? (Photo: KeyColor)

with Austria, Finland, Sweden and Switzerland.

## EC membership

In autumn 1991 the Swiss government stated that the final objective of its European policy was EC membership, and this spring it made an official request for negotiations to be started. In the space of a very few years Switzerland's official position has changed out of all recognition. In a 1988 report on the Swiss position on European integration, only a gradual strengthening of cooperation with the EC was envisaged – and indeed Switzerland has concluded more than 130 bilateral agreements with the Community, including the 1972 free trade agreement on manufactured goods. By 1990 the government was doing everything it could to bring the EEA into existence, without counting out the option of membership of the EC in the long term. Now, after another two years, EC membership as soon as possible is the goal of Switzerland's European policy, with the EEA now being considered as simply a matter of establishing priorities. The main reasons for the change were the risk of isolation after several of our EFTA partners had applied and the fact that membership in the near future would enable Switzerland to exercise its fair share of influence in the European Union about to be set up.

## What about the east?

Swiss voters must soon decide whether or not to ratify the EEA Treaty, and for the last few months they have been inundated with facts and information about all issues relating to European integration (with some degree of confusion between membership of the EEA and the EC). The euro-pessimists, euro-optimists, euro-allergics and euro-fanatics have all been baring their souls to the wind. The Swiss have taken good note of last June's refusal by Danish voters to ratify Maastricht, which they see as a call to prudence in a frenzied race to ever greater west European integration. Swiss voters are also witness to the daily horror pictures from former Yugoslavia and the old Soviet empire. Three years after breaking their chains some of the countries of central and eastern Europe are falling apart, sinking into chaos and civil war. It is true of course that their brethren in the west of the continent have promised to come to their aid... but not until integration has been achieved! ■