

## The Treaty on European Union

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## The Treaty on European Union

The establishment of a European Union had been set for 1980 by the summit meeting of the nine Member States of the European Community held in Paris from 19 to 21 October 1972. The aim was to create a new structure covering all relations between the Member States, regardless of whether they were governed by the rules of the Community system or by straightforward intergovernmental cooperation in areas falling outside the Community remit, in particular foreign policy since 1970. The rather vague term ‘Union’ had been chosen to avoid having to decide between those in favour of a European federation or a confederation.

No reference had been made as to how this future Union would be organised. This proved to be a long and difficult task owing to opposition between those who advocated extending Community powers and responsibilities to areas of national sovereignty (foreign policy, defence, justice, etc.) on the basis of a federal objective and those who believed that these activities should remain within the bounds of cooperation between sovereign States. This opposition was exacerbated by disagreements regarding the operation of the Community institutions and regarding the balance between the intergovernmental bodies (Council of Ministers and European Council, established in 1974) and the independent bodies (Commission and European Parliament, elected by direct universal suffrage from 1979).

Solutions had been proposed in the report drawn up by the Belgian Prime Minister, Leo Tindemans, submitted on 29 December 1975; in the Solemn Declaration on European Union issued by the Stuttgart European Council on 19 June 1983; and, notably, in the Draft Treaty on European Union, which was adopted by the European Parliament on 14 February 1984, but rejected by the governments of the Member States. It was only the Single European Act of 17–27 February 1986 that constituted the first step towards the establishment of the European Union by institutionalising foreign policy cooperation alongside the European Communities’ system.

However, it soon became apparent that matters needed to be taken a step further. Preparations for economic and monetary union revealed that the establishment of a Political Union was also needed, not only in the interest of foreign policy but also to remedy the Communities’ ‘democratic deficit’ deplored by the European Parliament, since the transfer of responsibilities at Community level is not accompanied by a transfer of powers to the European Parliament, with the result that, in this respect, there is no longer any parliamentary scrutiny at national level, and there is still no parliamentary supervision at Community level.

Most importantly, German reunification made it essential to establish the solid European framework called for by Chancellor Helmut Kohl, who declared on 19 December 1989 that ‘Germany’s house can be built only under a European roof’, and also sought by the countries adjacent to Germany, first and foremost France.

On 15 December 1990, two parallel Intergovernmental Conferences were opened in Rome, one on plans for economic and monetary union (EMU), the other entrusted with exploring avenues for the future Political Union. The work of these two conferences culminated in the Treaty on European Union, which was signed in Maastricht on 7 February 1992 and entered into force on 1 November 1993 after a less than straightforward ratification process.