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## ARTICLES

# Perspectives of Austria's Membership in the European Union

By Hanspeter Neuhold

### I. Introduction

On 12 June 1994, 82 percent of the Austrian electorate went to the polls to vote on the country's European Union (EU) membership. The clear-cut result of the referendum even surprised many insiders: A two-thirds majority (66.58 percent) declared itself in favor of Austria's entry into the Union. The last obstacle on the road to admission to the EU should thereby have been surmounted. Although the Treaty of Accession must still be ratified by the Union's twelve Member States, this requirement appears more or less a formality. The voters in Finland (on 16 October), Sweden (on 13 November), and Norway (from 27 - 28 November) also have to approve their countries' membership in the Union, but the referenda in the three Nordic applicant countries do not affect Austria's admission.<sup>1</sup> At this writing, a positive vote is expected in Finland, is still an open question in Sweden, and seems unlikely in Norway.<sup>2</sup>

This article will give a historic survey of Austria's gradual rapprochement with the European Community (EC) culminating in membership. A detailed analysis of the Treaty of Accession would be beyond the scope of this essay. Moreover, important as they were in the debate preceding the referendum and still are for those directly concerned, the numerous transitional provisions in the treaty will recede into the background in a mid-term perspective. Therefore, only the most controversial issue areas will be touched upon. Finally, since the article also has to deal with the perspectives of Austrian EU membership, it is proposed to include Austria's contributions to and priorities within the Union.

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<sup>1</sup> *Teija Tülikainen / H. Damgaard Petersen* (eds.), *The Nordic Countries and the EC*, Copenhagen 1993.

<sup>2</sup> According to polls in June 1994, voters were divided, in percentage points, as follows: in Finland 47 : 27 in favor, in Sweden 45 : 37 against, in Norway 61 : 39 against EU membership. *Nordischer Ministerrat*, Newsletter No. 7, July 1994, 2.

## II. The Significance of Austria's Accession to the EU

Austria's entry into the Union has been considered by some as important a turning point in the country's history in the twentieth century as the end of World War I and the ensuing dismemberment of the Dual Monarchy in 1918/19, the *Anschluß* in 1938, Austria's liberation and occupation by the Big Four at the end of World War II, and the reestablishment of Austrian sovereignty under the State Treaty and the adoption of permanent neutrality in 1955. It was in this perspective that Vice-Chancellor *Erhard Busek* stated that he felt "the breath of history."<sup>3</sup>

However, there are also those in Austria who see their country's EU membership as the logical conclusion of a step-by-step process which by now has lasted almost half a century. They point to a consistent Western orientation in Austria's post-World War II foreign policy, which was blocked or at least slowed down prior to 1989/90 mainly by Austrian neutrality and, in particular, Soviet objections based on it. As early as 1948, Austria, though under Allied, including Soviet occupation, became a founding member of the Organisation for European Economic Cooperation (OEEC) and thus benefited from US economic assistance under the Marshall Plan. By contrast, Finland did not participate in the European Recovery Program in order not to antagonize the Soviet Union, in accordance with a cautious policy for which the not particularly helpful term "Finlandization" was coined in the West. In 1956, only one year after regaining its sovereignty, Austria was admitted to the Council of Europe; for different reasons, Switzerland joined this regional political organization only in 1963, Finland waited until 1989. In 1959, Austria was one of the founders of the European Free Trade Association (EFTA), designed both to promote trade among States that did not wish to join the supranational European Communities and in order to achieve multilateral bridge-building with these organizations.

## III. Austria's "long march to Brussels"

### 1. The 1972 Free Trade Agreements with the EEC and ECSC

The first leg of Austria's "long march to Brussels" lasted more than ten years.<sup>4</sup> Like the struggle for the State Treaty, it taught Austrians the extent to which the fate of a small country depends on the general international situation and, in addition, how political considerations may overshadow economic relations.<sup>5</sup>

<sup>3</sup> 1994 was said to mark a break with Austria's historic oscillation between orientation toward Germany and Eastern Europe in favor of an unambiguous Western line. Cf. *Hubertus Czernin / Andreas Weber / Christa Zöchling*, Brüssel, nicht Berlin, in: *profil* No. 24 / 14 June 1994, 22 et seq.

<sup>4</sup> *Hellmuth Straßer*, *Der Weg Österreichs zu den Verträgen mit Brüssel*, Vienna 1972.

After two EFTA members, Great Britain and Denmark, had applied for European Economic Community (EEC) membership, and on the basis of consultations with the other two neutral EFTA States Sweden and Switzerland, the Austrian Government decided to propose to the EEC negotiations on an association agreement under Article 238 of the EEC Treaty, on 12 December 1961. On the same day, the Soviet Union addressed an *aide-mémoire* to the Austrian government, in which Austria's association with the EEC was declared incompatible with permanent neutrality and the State Treaty. In July 1962, Foreign Minister *Bruno Kreisky* nevertheless outlined a comprehensive arrangement, which was not limited to the abolition of customs tariffs and quantitative trade restrictions between Austria and the EEC. It also included a far-reaching harmonization of external customs tariffs (and thus a *de facto* customs union), the coordination of trade policies, and cooperation in other economic sectors. At the same time, *Dr. Kreisky* pointed out that permanent neutrality required Austria to maintain a certain freedom of action in its economic relations with third States; it also necessitated the right to suspend or even terminate the agreement in the event of armed conflicts, as well as non-participation in economic actions by the EEC against third States for exclusively political purposes in peacetime; moreover, Austria already had to take certain preparations in times of peace to assure supplies in wartime.

When President *Charles de Gaulle* vetoed further negotiations on admission with Great Britain in 1963, Sweden and Switzerland did not withdraw their requests for association but did not push for negotiations. By contrast, because of its close economic ties to the EEC, Austria decided to "go it alone"; the "agreement *sui generis*" aimed at would also have provided for the adoption by Austria of the Community's common agricultural policy. Despite French reservations concerning the precedent effect and the political advisability of a special arrangement with Austria, negotiations at last got under way in 1965. After agreement between the two sides had been reached on several major issues, the Italian government opposed its veto to an arrangement with Austria until Italy could make sure that Austrian territory was not used for terrorist acts in Italy in the context of the dispute over South Tyrol.

In 1969, after President *de Gaulle's* resignation, France dropped its second veto (cast in 1967) against membership talks with Great Britain. Thereupon the EC summit in The Hague agreed on negotiations with the four applicants for admission (Denmark, Great Britain, Ireland, and Norway) and, subsequently, with the other EFTA States that did not request membership. In the same year, Italy

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<sup>5</sup> *Hanspeter Neuhold*, *Der Staatsvertrag als Grundlage der österreichischen Außenpolitik*, in: *Alois Mock / Ludwig Steiner / Andreas Khol* (eds.), *Neue Fakten zu Staatsvertrag und Neutralität*, Vienna 1980, 157 *et seq.*, 158; *Gerald Stourzh*, *Geschichte des Staatsvertrages 1945-1955. Österreichs Weg zur Neutralität*, 3rd edition, Graz/Vienna/Cologne 1985.