

## FOREWORD

This book deals with important issues related to the process of enlargement of the European Union. The publication is the result of a Matra Multi Country Project, which was implemented under the guidance of Alfred E. Kellermann and Steven Blockmans since 2002 and was concluded with a Final Conference held on 13 October 2004 in The Hague (Scheveningen).

The book focuses on the necessary adaptations of the law and policies of the new and (pre-)candidate Member States in view of their (future) membership of the EU. More particularly the compatibility of national constitutional texts and the preparedness of public authorities (the executive, the judiciary and national parliaments) for full membership will be discussed.

A group of distinguished experts has analyzed the legal situation in their respective states with regard to issues like:

- The compatibility of national constitutional texts with fundamental principles of EU law, such as the principle of supremacy and direct effect;
- The preparedness of the judiciary to guarantee the effectiveness of EU law;
- The existence of coordination mechanisms for the preparation of the national position in EU negotiations as well as for the implementation of EU law in the national legal order;
- The existence of controlling mechanisms enabling national parliaments to control the functioning of national politicians in the EU negotiating framework.

The question has also been raised whether the new European constitutional treaty, which was signed in Rome on 29 October 2004, may give rise to amendments of the national Constitutions. Of course, in view of the recent developments, most notably in France and The Netherlands, it remains to be seen whether this new European treaty will actually enter into force.

The interaction between national and European law and policies is thus the central theme of this book. A smooth organization of this interaction is of the utmost importance, not only for the Member States in view of their obligations following from Article 10 of the EC Treaty – the obligation to cooperate – but also in order to ensure the effectiveness of the EU legal system in the interest of the ordinary citizen.

The contributions by the different authors and the discussions during the Final Conference on 13 October 2004 offered a multitude of interesting insights, views and experiences. These views and experiences have now been laid down in this book, and so become accessible to a wider public.

The important results of the Matra Multi Country Project lend themselves for a repetition of a similar comparative analysis in a couple of years from now. By that time the European Union most probably will have welcomed Bulgaria and Romania as new Member States; negotiations will be underway with a number of candidate countries; and possibly new applications for membership will have been tabled.

All in all this book can be regarded as an important contribution to the ongoing process of European integration guaranteeing fundamental values such as peace, stability and prosperity to its Member States and citizens.

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