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EU negotiator: 'Main difficulty of German reunification was its speed'

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East and West Germany reunified on 3 October 1990, less than a year after the fall of the Berlin Wall. The historic event was described as an "[EU] enlargement without accession" by EU diplomats. Carlo Trojan, the European Commission's chief negotiator on Germany's reunification, describes the events in an exclusive interview with EurActiv Germany.

Carlo Trojan, a Dutch national, represented the European Economic Community (EEC) at the negotiating table on the reunification of Germany. His main task was to integrate the legislation of the former German Democratic Republic (GDR) into secondary Community law. This is his only interview since those days.

He was speaking to Ewald König, editor-in-chief of EurActiv Germany.

[To read a shortened version of this interview, please click here.](#)

What was the atmosphere like during the negotiations?

I think you have to go through the process. The Einigungsvertrag [Unification Treaty] was at the very end of the process, which started as early as January 1990 when Delors made the speech in which he indicated the Article 23 route for German unification.

Shortly afterwards, the [European] Commission got a mandate to prepare a communication for a special European Council. At the same time, the Commission installed three working groups: Martin Bangemann, Frans Andriessen and Henning Christophersen; and a task force, which was headed by myself. At that time, we had a lot of discussions with German authorities for the preparation of the Währungs-, Wirtschafts- und Sozialunion [Monetary, Economic and Social Union].

As a matter of fact, we even had the full Commission meeting with Chancellor Helmut Kohl in March of 1990. So the Commission was very much involved in the preparation of what became the Staatsvertrag [State Treaty] in July of that year. This was the interim phase of unification.

Through the Staatsvertrag, already 80% of Community law was introduced in the territory of the GDR. It was already stated by the Commission and accepted by the European Council in Dublin at the end of April that there would be an enlargement without accession and that no treaty changes were necessary. That was the point of departure.

From the very beginning?

Yes. There were a lot of contacts at the level of the chancellery. My main job was preparing the integration of the GDR into secondary Community law.

The system was the following, as indicated in the Einigungsvertrag: as from accession, which came much earlier than we thought, all Community law would be applicable to the five new Länder [East German regions]: except the cases in which Community law would be adapted or transitional periods introduced.

That was in fact my main task – and I did this together with all departments of the Commission: to chart all secondary Community law and to see to what extent technical adoptions and transitional measures would be necessary.

Transitional measures were especially necessary in environmental laws, safety, quality norms and all that kind of legislation. In the end, the measures did not exceed three years. You could say that with the Staatsvertrag, 80% of Community law automatically became applicable in the former GDR.

From 3 October onwards, all secondary Community law was applicable except for the technical adjustments and transitional measures, which were decided by special procedures. The Commission made formal proposals to adapt that legislation toward the end of August 1990.

It was agreed with the Parliament that it would give its advice on the whole package and also on those elements of the legislative package that did not need its formal consent. There was a special temporary committee of the Parliament and the collaboration of the Parliament was optimal.

There was an acceleration of the unification process. In the first instance, we worked on a timeline on 1 January, which became 3 October. In September 1990, the Parliament passed two readings within a week! That was something very exceptional.

What was also very exceptional was the fact that the Commission got the authority by a special procedure to adopt for the period between 3 October and what became the end of November – when the final package was adopted in Parliament – to make transitional measures by Commission legislation. That was more or less the whole process.

As far as the Einigungsvertrag is concerned, there were only two negotiating meetings. One was in Bonn, one in Berlin in August. Wolfgang Schäuble was head of the delegation of West Germany. De Maizière was the head of the delegation of the GDR. At both meetings, I was the only person to formally participate in the negotiations. I was at the top table. Schäuble always gave me an opportunity to intervene if that was necessary. So now and then I had to intervene. That was quite an experience. I still remember when we went to Schönefeld, I went along with the German delegation. It was the first Luftwaffe to land in Germany since the war.

Who was your counterpart in the Federal Chancellery?

It was mainly the chief of cabinet of Helmut Kohl, who is now in Paris. He was always with Kohl at European Councils. At the level of the Foreign Ministry, it was Dietrich von Kyaw, who later became permanent representative for Germany. He was the coordinator in the Foreign Office.

Most of my contacts were with the Foreign Office. But obviously we also had contacts with the Finance Ministry and other ministries.

In the preparation of the whole package of secondary legislation, I had a lot of contact with the GDR authorities in the latter days of the Lothar de Maizière government.

The most complicated thing in my job was the external dimension. The Commission's attitude, which was accepted by the Council, was that in external commercial policy all the commitments of the GDR would automatically become commitments of the European Community. So we had to see what kind of commitments were there.

All the documents went from Berlin to Brussels and it took days and nights to go through the stuff. But we were rather lucky in one aspect: most of the external commitments of the GDR were in the context of five-year planning, which ended by the end of 1990.

A lot of problems disappeared automatically. But obviously there were commitments that automatically went over to the Community that – for content reasons – had to be adapted: import regimes for textiles and steel. Some other commitments we had to respect.

You may remember that one of the principles of the Einigungsvertrag was the so-called Vertrauensschutz [protection of legitimate expectations], which we had to take into account. There were some weird commitments of the GDR with Cuba, Vietnam.

In those days, commercial deals were done through talk: the GDR imported sugar from Cuba and committed to send machinery back; the GDR imported agricultural products from Vietnam and in return Vietnamese workers came to the GDR. That is the reason why there are so many Vietnamese in Dresden. That was all quite complicated.

But in the end, amazingly, everything worked out. The main reason was that once we were in an accelerated rhythm, member states didn't want to make difficulties and the European Parliament was fully collaborative.

So the whole atmosphere was really constructive?

Yes. Once the whole unification process was set in motion with the Staatsvertrag, Einigungsvertrag, etc., the atmosphere both with the Parliament and the member states was very good. Much better than before 1 January 1990.

Were the West Germans pushy?

No. I think in the whole of 1990 we worked hand-in-hand. This was really a very outstanding example of working together. They were not pushier than we were.

The major difficulty was that in the end, the unification process went much faster than we, and Helmut Kohl by the way, thought. In January 1990 we thought it would take two years, maybe even more. By the time the contract was adopted, we thought it would be a fact on 1 January 1991. But it was only in the beginning of August – I remember because I had to be called back from a short holiday in France – that it became obvious that it would be 3 October.

This was quite a complication because we had to have the agreement of the Parliament to do

two readings in one week. We had to have the agreement of the Council to give excessive powers to the Commission. All went in a very constructive way. But we worked day and night in that period.

Did you have a translator?

No. I speak German very well. Passively I understand everything. My English is somewhat better, but in the negotiations I spoke German.

Was there any direct interference coming from London, for example?

Not really. What the concern of many member states when we were discussing transitional measures and technical adaptations was that there would be a competitive advantage for the GDR in the five new Länder. But that was settled: the products which didn't fit with Community legislation had to stay in the new Länder. They could not go to West Germany or the rest of the Community. The competitive element was dealt with in a good way.

Obviously there were concerns about the kinds of state aid that would be given. That was something which was settled after unification. We had long discussions between Treuhand [the agency that privatised the East German enterprises] and the Commission. There was the impression that the new Länder could be a competitive risk for the rest of the Community.

After unification it became apparent that there was no competitive industry whatsoever in the GDR. None. All the statistics that had shown that the GDR was the strongest Eastern country were completely false. Germany had to start from scratch in the new Länder, which maybe in the end has been an advantage for the new Länder.

Looking back, do you have ideas as to what could have have been done better?

I don't think so. It was a political decision to make one Deutschmark equal to one GDR Mark. Economically it was a decision that cost Germany a hell of a lot of money later on. But it was a political decision that was taken.

Did you have the feeling of being part of a very historical moment?

Absolutely. In my professional career, and I have done quite a few things, it was by and large the most unique experience. When I became deputy secretary-general – before me Germans had always held this position – this position was also always automatically the Berlin-Beauftragter [Berlin representative]. In that capacity I was in West Berlin quite often. I came to know the city and the people very well.

What I remember is that when the Wall came down, I was in Belfast, which also was divided at that time. When I heard it a few days later in Brussels, I went to Berlin in my function as deputy secretary-general. The atmosphere in Europe on 9 November was jubilant. Afterwards, there were some second thoughts. From [French President] Mitterrand, from my own Prime Minister Ruud Lubbers, from Belgian Prime Minister Martens – not to mention Margaret Thatcher.

What was interesting in that period was the position of Jacques Delors. Already in October 1989, before the opening of the Berlin Wall, he made a speech in Bruges. He anticipated the special case of the GDR and that unification should happen in the form of strengthening

European federalism. He was one of the few politicians who was then really supportive of German unification. That was also the basis of his very special bond with Helmut Kohl afterwards.

Could you state some examples of the so-called second thoughts you mentioned?

Obviously Thatcher had very strong second thoughts about the re-emergence of a strong Germany. Mitterrand: you remember his trip to Kiev. But he was more intelligent. At a certain moment he saw that it was unavoidable, so his effort was to put German unification in the context of strengthening Europe. Helmut Kohl himself too, by the way. That was the reason that in July 1990 at the European Council in Dublin, it was decided to have the intergovernmental conference on both Monetary and Political Union.

German unification was the trigger of the European Monetary Union and strengthening integration in Europe. Without it we wouldn't have had the euro. Without Helmut Kohl we wouldn't have had the euro either. Against rather negative German public opinion on that issue, he won the elections and won the acceptance of Monetary Union. I think the fall of the Wall and the subsequent German unification has been a watershed in post-war history and by far the most important event after the war.

Do you still have contact with the actors of those days?

Afterwards I got a very high German decoration. I was thankful for that, but it's always nice when people appreciate what you have done.

What was also very exceptional was that on 3 October no foreigners were invited. I don't know what the reason was but it started in the Nikolai Church in East Berlin and then we went to the Bundeskanzleramt [Federal Chancellery]. Jacques Delors and the president of the European Parliament were the only non-Germans to be invited and I was part of the Delors party. That was very emotional.

What do you think about how the united Germans have been?

I think the Germans did pretty well. Rightly so, they came of age and a bit more independent of French influence. It's the biggest country in the European Union and relatively one of the countries that has been doing pretty well economically and politically. I wouldn't have any second thoughts about how Germany has behaved since unification.