

E.U. 'harmonisation' and 'mutual
recognition' processes and the
transformation of the public
sector in the Czech Republic

Professor John Wilton

1. 'Harmonisation' and 'mutual recognition' in the E.U. context;
2. 'Harmonisation' and 'mutual recognition' in the context of the transformation of the public sector in the Czech Republic

Treaty of Rome ,1957

- free movement of goods, capital and labour
- Article 117, introduced principle of 'harmonisation'
- Article 119, referred explicitly to right of women to equal pay with men
- Article 100, EEC could issue directives to produce 'approximate provisions'

- 1985 Jacques Delors, Head of the European Commission
 - adopted functionalist 'spillover' approach
 - promoted more of a 'mutual recognition' approach
- Principle of 'mutual recognition' established by 1978 European Court of Justice decision

1987 Single European Act

- Article 118 stressed that EC directives should be adopted setting out “minimum requirements for gradual implementation, having regard to the conditions and technical rules obtaining in each of the Member States.”

- Following Delors' advocacy of '*COHERENCE*', Single European Act, 1987 introduced concept of '*COHESION*'
 - by which Member States were 'encouraged' to co-operate and co-ordinate their efforts in order to bring about greater economic and social cohesion between the regions of the EC

Maastricht Treaty, 1993 – Social Charter

- made provision for the need to “act in accordance with national practices and with arrangements applying in each country.”

May 2004 Enlargement – 10 new

Member States – differences in:

- institutional legacies
- 1990s economic transformations

2. 'Harmonisation' and 'mutual recognition' in the context of the transformation of the public sector in the Czech Republic

- 'acquis communautaire' required "harmonisation of Czech Republic's legal, political and economic legislation with that of the European Union." (30 'chapters')

2004 (Feb.) European Commission
adopted ‘A new partnership for
cohesion in the enlarged Union:
convergence, competitiveness, co-
operation’

= 3rd report on economic and
social cohesion

Described E.U. vision of cohesion policy for period 2007-2013, and priorities as:

- **Convergence:** support employment growth and job creation in Member States and least developed regions;
- **Regional competitiveness and employment:** anticipate and encourage the change;
- **European territorial co-operation:** ensure harmonious and balanced development throughout the entire Union

Policy for development of 7 Czech
Regions:

“Infrastructure” Operational Programme for
the 2004-2006 period, within Objective 1
framework:

Priority 1: Modernisation and
development of transport infrastructure
of national importance;

Priority 2: Reducing the negative environmental impacts of transport;

Priority 3: Environmental infrastructure improvement

1957 Treaty of Rome

- “ensure harmonious development by reducing the differences existing among the various regions and the backwardness of the less favoured regions”.