

THE ASEAN SINGLE MARKET: A COMPARATIVE STUDY

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Abstract

This paper examines the ASEAN Single Market policies and strategies whilst making a comparative study with the similar efforts carried out in the European Union (EU). The integration efforts in ASEAN are compared with that of the EU noting that the theory of economic integration saw its birth as the European countries embarked in a regional integration mission. ASEAN, on the other hand, mirrored the single market aspirations against its own diverse geopolitical backdrop and hence resulting in the launch of a single market which is unique to the region. This study compares the evolution of policies for technical barriers to trade in ASEAN and the EU to examine the motivations for the single market in ASEAN.

Keywords: ASEAN, single market, economic integration

Introduction

The ASEAN Community building efforts and the creation of a single market stems from the collective will of the ASEAN Member States to accelerate economic growth amongst other social and political goals. The ASEAN regional integration efforts are oftentimes compared with that of the EU as the latter is the only other region that concentrated its efforts on building a single market progressively. Furthermore, the economic integration principles and theories also emanated from the integration efforts in the EU. In this regard, ASEAN has often been criticised as not achieving the single market or deviating from its single market goals.

The aim of this study is to analyse the ASEAN economic integration efforts in terms of its policies to project the direction taken by the regional grouping in its economic integration efforts. There are lessons learned from the other groupings as well as they march forward to realize their goals and an analysis or an understanding of the success stories and impediments faced by these groupings could be a learning platform for ASEAN as it moves forward with its community building efforts. The success of the EU will be examined to understand the building blocks that include soft and hard infrastructure that were put in place to meet the political, economic, and social and welfare aspirations. The aim is not to make an apple to apple comparison but to learn from the EU experiences that could help provide some insight to how ASEAN could address the gaps in the region. To fulfil the objectives of this study, an examination of how Technical Barriers to Trade (TBT) are addressed in ASEAN and the EU to meet the regional integration goals will be carried out.

Literature Review

The regional economic integration theories saw its birth with the beginning of the European economic integration after World War II (Laursen, 2008). Neo-functionalism is the classical theory of regional economic integration which was developed during the start of the integration initiative in Europe post-World War II (Laursen, 2008). The economic integration theory which started in the 1950s, was further developed by Hass with the “spill-over effect” which is referred to as “a situation in which a given action, related to a specific goal, creates a situation in which the original goal can be assured only by taking further actions, which in turn create a further condition and a need for more action, and so forth” (Lindberg, 1963). This can be interpreted as the deviation from the original ideals of sovereign pooling to achieve a collective goal by nation-states, to meet the demands of other actions that may appear during the process of integration.

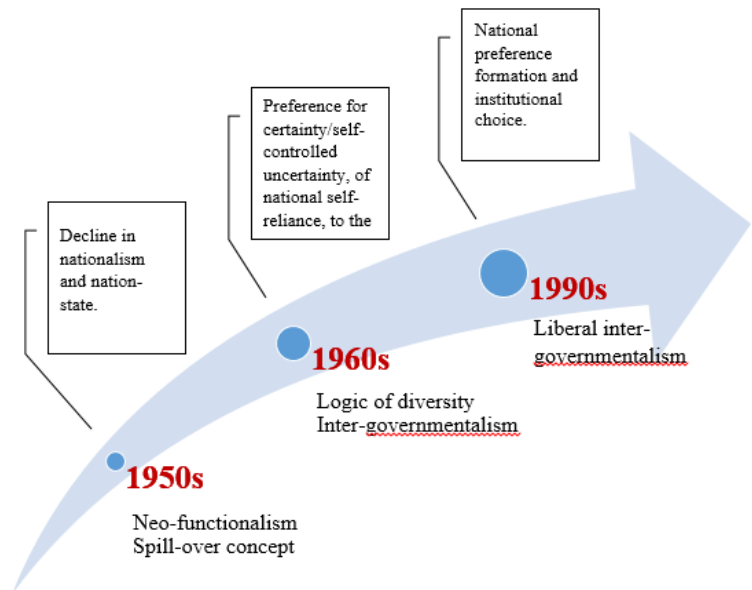
In the 1960s, a crisis in the EU led to further refinement of the economic theories. Hass recognised the “rebirth of nationalism and anti-functional high politics” with the crisis of the 1960s. Stanley Hoffman introduced the logic of diversity with these events, i.e. “Every international system owes its inner logic and its unfolding to the diversity of domestic determinants, geo-historical situations, and outside aims among its units” (cited in Laursen, 2008; Hoffmann, 1966, p. 864). Eventually, in the 1990s, Andrew Moravcsik proposed the liberal inter-governmentalism “to explain the process of integration in Europe, suggesting the combination of a liberal theory

to explain national preference formation and an intergovernmental theory of interstate bargaining to explain substantive outcomes (Moravcsik, 1991). Moravcsik (cited in Laursen, 2008) further added another stage of integration, institutional choice, where pooling and delegation of sovereignty was seen as a way to create 'credible commitments'.

Figure 1.1 shows the evolution of these theories as presented by Laursen (2008).

The economic integration theories are constantly evolving based on the progress and changes in the European integration process. This again, is because Europe is the first region to embark on this journey and the evolution of these theories are based on the related developments in the EU. These theories have been applied for other groupings namely, the Soviet Union, the Arab States and the America. Hass concluded in his study that "other regions with strongly varying environmental factors are unlikely to imitate successfully the European example." Hass also concluded that "if regional integration continues to go forward in these areas, it will obey impulses peculiar to them and thus fail to demonstrate any universal law of integration deduced from the European example."

Figure 1: Evolution of economic theories



Source: compiled by author

These theories and studies indicate that integration process accommodates the “inner logic” of the groupings. It can be interpreted that the unique inherent characteristics of regional groupings can result in the approaches adopted and justify the perceived deviations from the principles of integration. Figure 1.1 summarises the evolution of these theories.

The ASEAN Regional Integration

This comparative study of the ASEAN regional economic integration will focus on the trade facilitation efforts. The Declaration of ASEAN Concord II (Bali Concord II, 2003) envisages the establishment of the ASEAN Community, comprising three pillars, ASEAN Security Community, ASEAN Economic Community and the ASEAN Socio-Cultural Community, as the end-goal of regional integration. Trade facilitation is one of the key strategies in ASEAN under the economic integration agenda that will also be one of the building blocks for the ASEAN Economic Community (AEC), one of the three pillars of the ASEAN Community to be realised by 2015. One of the components of the trade facilitation initiatives is the reduction, if not complete elimination, of TBTs, which refer to national or domestic standards, technical regulations and conformity assessment procedures. Standards, technical regulations and conformity assessment procedures are generally aimed to ensure safety and quality, but when applied in a stringent manner, this will result in obstacles to trade or as trade restrictive measures. The approaches for addressing TBTs will be studied to examine the focus of the regional integration efforts in ASEAN.

Initiatives to Support the ASEAN Free Trade Area

The first initiative in addressing TBTs focused on enhancing the intra-ASEAN trade to support the realisation of the ASEAN Free Trade Area (AFTA). The harmonisation of 20 Priority Products, a top-down direction from the ASEAN Leaders, to accelerate the harmonisation activities, was initiated in 1997. The task of harmonising the national standards of AMS for these 20 Priority Products was completed in 2003 and resulted in the declaration of the safety standards in ASEAN for electrical safety, electrical appliances and electromagnetic components, and rubber-based medical devices as common standards used in the region. This resulted in the availability for use of common or equivalent standards in ASEAN by all AMS for these 20 Priority

Products, thus addressing the trade restriction due to differing national standards for these products.

To further enhance intra-ASEAN trade under the AFTA initiatives, the AMS also embarked on the development of the Mutual Recognition Arrangements (MRAs) for recognition of conformity assessment results issued by accredited conformity assessment bodies. This was aimed to avoid multiple testing and to achieve the “One Standard, One Test, Accepted Everywhere”. The ASEAN Sectoral MRA for the Electrical and Electronic Equipment (ASEAN EEE MRA) was concluded under this strategy. Under this arrangement, AMS are obliged to accept the conformity assessment results issued by a Conformity Assessment Body designated by the AMS to issue conformity assessment reports/ certificates within the scope of its accreditation. This results in the avoidance of duplication of testing and certification which have cost implications under circumstances where national regulatory authorities require re-testing or re-certification of electrical and electronic equipment to safeguard the safety and quality of these products.

Initiatives to Support the ASEAN Single Market and Production Base

Whilst continuing with the activities identified to support the realisation of the AFTA, activities related to standards and conformance was also initiated for the PIS identified in the VAP to support the realisation of the ASEAN Community, which includes the AEC. Work is on-going in terms of harmonisation of standards and technical requirements, development of MRAs, setting up technical infrastructure and harmonisation of technical regulations for the agro-based sector (covering prepared foodstuffs), automotive sector, building and construction sector, electrical and electronic equipment, healthcare sector (covering cosmetics, medical devices, pharmaceuticals, traditional medicine and health supplements), rubber-based products and wood-based products.

The identified PIS are regulated in ASEAN and the differences in regulatory requirements can be a barrier to trade and an impediment to the realization of the single market. The measures for standards and conformance for the PIS are defined in the Roadmap for PIS and the general horizontal approach for the PIS can be summarised as follows:

- a) Development of regional policies for standards and conformance aligned to the WTO Agreement on TBT;
- b) Harmonisation of national standards;
- c) Development of MRAs;

- d) Promotion of accreditation of conformity assessment bodies for products not covered under the MRA; and
- e) Harmonisation and/or development of technical regulations.

Analysis of the TBT Initiatives

The approach taken to address TBTs in ASEAN posed by national standards, technical regulations and conformity assessment procedures is described in the AEC Blueprint and encompasses the following activities:

- a) Harmonisation of national standards with international standards, practices and guides, thereby eliminating conflicting national standards that are a restriction to trade.
- b) Harmonisation of mandatory technical requirements which include registration and pre-market approval requirements to ensure free movement of goods.
- c) Harmonisation of conformity assessment procedures which include accreditation, certification, testing and inspection and mutual recognition of test reports and certification to save transaction time and to avoid high cost through multiple testing requirements.
- d) Harmonisation of technical regulations for national adoption.

The ASEAN Policy Guidelines for Standards and Conformance (APGSC), adopted in 2005, provides the guiding principles in ASEAN for Member States for the development and implementation of standards, technical regulations and conformity assessment procedures at the national level to facilitate the fast-track integration of the PIS and support the realisation of the goals for the single market and production base by 2015. The principles are aligned with the provisions of the WTO TBT Agreement and the gist of it calls for alignment of national standards with corresponding international standards identified for regional adoption, adoption of technical regulations with adherence to the principles of the WTO TBT Agreement, adherence to the provisions of the ASEAN Framework Agreement for MRAs for acceptance of conformity assessment results, participation in relevant international activities and transparency.

While this may be the logical step towards a harmonised approach for standards, technical regulations and conformity assessment procedures, such that these TBTs do not restrict trade, provisions to support a regional approach for standards, technical regulations and conformity assessment procedures for

a single market production base are yet to be defined. Table 1 and Table 2 summarises the scope and approaches for addressing TBTs in ASEAN.

Table 1 – Approaches for TBTs in ASEAN

TECHNICAL BARRIERS TO TRADE	APPROACHES	SCOPE
Standards	The principles for the harmonisation of standards was based on the policy for harmonisation of national standards with relevant international standards using the ISO/IEC Guide 21 Parts 1 and 2 (Regional or national adoption of International Standards and other International Deliverables). AMS were obliged to align their national standards for these products with the corresponding international identified as the reference standard for harmonisation.	<p>20 Priority Products – covering electrical and electronic equipment, rubber products and electromagnetic compatibility. These 20 product groups are some of the most widely traded products in the region including such important consumer durables as radios, television sets, refrigerators, air conditioners and telephones.</p> <p>Priority Integration Sectors - agro-based sector, automotive sector, electrical and electronic equipment sector, healthcare sector (comprising cosmetics, health supplements, medical devices, pharmaceuticals and traditional medicines), rubber-based products sector and wood-based products sector.</p>
Conformity Assessment	Based on ASEAN Framework for Mutual Recognition Arrangement, 1998.	Automotive, Electrical and electronic equipment, Agro-based products and pharmaceutical sectors.
Technical Regulations	Decision to harmonise technical regulations for regulated sectors.	Agro-based products, Cosmetics, Electrical and electronic equipment, Medical Device and Traditional Medicine and Health Supplement sectors.

Source: Compiled by the author.

Under this initiative, AMS reached consensus on the corresponding international standards for these products to which the relevant national standards of AMS should be aligned with by 2003. The principles for the harmonisation of standards was based on the policy for harmonisation of

national standards with relevant international standards using the ISO/IEC Guide 21 Parts 1 and 2 (Regional or national adoption of International Standards and other International Deliverables). AMS are obliged to align their national standards for these products with the corresponding international identified as the reference standard for harmonisation.

Modifications from the reference standards were allowed, hence the harmonisation exercise resulted in AMS aligning the national standards for the 20 Priority Products with the reference standard, ranging from total adoption (equivalent to the reference standard) or adoption with modification. The outcome of this exercise is harmonised standards in ASEAN for the electrical and electronic sector, the rubber-based medical devices and electromagnetic compatibility standards.

Table 2 – Analysis of the Approaches for PIS

	SECTOR	BASIS FOR ADDRESSING TBTs	ACHIEVEMENTS	ANALYSIS
1.	Automotive	International norms	Progressive adoption of mandatory technical standards	Vertical approach, with a lack of an overarching horizontal legal basis for regulating the product safety and quality.
2.	Agro-based products	International norms	Harmonised technical requirements and mandatory standards	Vertical approach, with a lack of an overarching horizontal legal basis for regulating the product safety and quality.
3.	Cosmetics	International norms	Regional regulatory regime supported by harmonized technical requirements	Overarching horizontal legal basis for regulating the product safety and quality
4.	Electrical and electronic equipment	International norms	Regional regulatory regime supported by harmonized technical requirements	Overarching horizontal legal basis for regulating the product safety and quality
5.	Medical device	International norms	Regional regulatory regime supported by harmonized technical requirements	Overarching horizontal legal basis for regulating the product safety and quality
6.	Pharmaceutical	International norms	Harmonised technical requirements	Vertical approach, with a lack of an overarching horizontal legal basis for

	SECTOR	BASIS FOR ADDRESSING TBTs	ACHIEVEMENTS	ANALYSIS
				regulating the product safety and quality
7.	Rubber-based products	International norms	Harmonised voluntary standards	Vertical approach, with a lack of an overarching horizontal legal basis for regulating the product safety and quality
8.	Traditional medicine and health supplements	International norms	Regional regulatory regime supported by harmonized technical requirements	Overarching horizontal legal basis for regulating the product safety and quality
9.	Wood-based products	International norms	Harmonised technical requirements	Vertical approach, with a lack of an overarching horizontal legal basis for regulating the product safety and quality

Source: Compiled by the author.

In the area of conformity assessment, ASEAN has embarked on the development of Mutual Recognition Arrangements (MRAs) aimed at reducing the need for a product to undergo multiple tests in order to be marketed in the other AMS. The ASEAN Framework Agreement on Mutual Recognition Arrangement was signed in 1998 and using this framework agreement as a guiding principle for developing Sectoral MRAs, two MRAs have been signed as follows:

- a) ASEAN Sectoral Mutual Recognition Arrangement for Electrical and Electronic Equipment signed in 2002; and
- b) ASEAN Sectoral Mutual Recognition Arrangement for Good Manufacturing Practice (GMP) Inspection of Manufacturers of Medicinal Products signed in 2009.

The aim of the MRAs in ASEAN for the standards and conformance area is to provide for the mutual recognition and acceptance of conformity assessment results issued by CABs that have been designated by AMS. This is aimed at facilitating trade through the elimination of the need for the importing country to re-test the products that have been tested in the exporting country, hence reducing transaction costs as well as reduction of

time for entry of the product into the market. MRAs are also under development for the automotive sector, prepared foodstuff sector and the building and construction sector. The latter is not a PIS but has been identified by the AMS as an additional area for which the TBTs need to be addressed. The target dates for conclusion of these MRA has been aligned with the target date for the realisation of the AEC 2015.

Technical regulations that differ from one AMS to another can be a barrier to trade and it is necessary to move towards convergence of regulatory requirements for regulated products, thus, applying the same legal requirements in the region to support the single market. The provisions of these regional agreements, when concluded, must be transposed into the relevant national regulations to ensure that the regulatory requirements in ASEAN for these sectors are harmonised. The progress made in the development and implementation of regional regulatory requirements, which is one of the actions under the Roadmap for the PIS is as follows:

- a) Agreement on ASEAN Harmonised Cosmetic Regulatory Scheme signed in 2003;
- b) ASEAN Agreement on the Harmonised Electrical and Electronic Equipment Regulatory Regime, signed in 2005; and
- c) On-going development of regional technical regulations for the medical device sector and the traditional medicine and health supplements sector.

The situation in ASEAN indicates that the efforts undertaken to address TBTs in the region are part of the broader integration goals. There is no indication that the TBTs are addressed due to its severity. The current achievements also indicate that the AMS make their own decision with regards to the level of harmonisation and its implementation with the ASEAN Secretariat playing a passive role of facilitating the regional discussions.

Eu Initiatives and Approaches for the Single Market

The EU integration is seen as a global model for regional integration, it being the first region to establish a community through its integration objectives. The ASEAN progress towards establishing a single market and production base was inspired by the EU initiatives and experience. Therefore this research will review the evolution of the ASEAN economic integration as it leads to the attainment of the single market. A comparison of the initiatives in ASEAN and the EU will be carried out *viz-à-viz* the respective political, economic and socio-cultural motivation for a better understanding of the desired end-goals and

what the actual final output is. It is anticipated that the insight into the EU process will give a better background knowledge to analyse the direction taken by ASEAN to put in place policies that are necessary to achieve the desired goals.

Policies and Motivations

The integration efforts in the EU were initiated in the aftermath of WWII to reconstruct the economy with the underlying political objective to strengthen the Franco-German solidarity. Steel and coal being the key raw materials were selected as a basis for economic integration with the Treaty of Paris to establish the Economic Coal and Steel Community. The Treaty supported the establishment of the institutions necessary to meet the objectives of the Treaty. The subsequent expansion of the EU integration efforts saw the major reform of the Treaties with the Single European Act in 1986 and the Maastricht Treaty for the creation of the European Union with the three pillar, Euratom, ECSC and EEC in 1992. At the core of these integration is the EU single market. "The cornerstones of the single market are the free movement of people, goods, services and capital, known collectively as the 'four freedoms', which are enshrined in the EU Treaty" ("Internal Market", 2014). Based on these aspirations, the treaties were negotiated, approved voluntarily and democratically by all the EU countries.

Legal Instruments and Institutional Structures

The unique feature of the EU is that, although these are all sovereign, independent states, they have pooled some of their 'sovereignty' in order to gain strength and the benefits of size...The EU thus sits between the fully federal system found in the United States and the loose, intergovernmental cooperation system seen in the United Nations. ("How the European Union Works", 2014)

It is against this landscape that the EU integration efforts take place. The EU was established based on rules of law and was initiated with the Treaty of Paris which was the first in a series of treaties that governs the EU. Table 3 lists down the key EU treaties that support the evolution of the EU integration. The list of treaties indicates the progressive approach to support the evolving policies in EU. The implementation of the EU treaties is supported by three

key supranational institutions, which are listed in “How the European Union Works” (2014):

- a) the European Parliament, which represents the EU’s citizens and is directly elected by them;
- b) the European Council, which consists of the Heads of State or Government of the EU Member States;
- c) the Council, which represents the governments of the EU Member States; and
- d) the European Commission, which represents the interests of the EU as a whole.

Key Players in the EU Policy Formulation and Decision-making

Table 3 – The EU Treaties

NO.	TREATY	SIGNED	ENTRY INTO FORCE	BASIS
1.	Treaty of Paris	18 April 1951	1952	It established the European Coal and Steel Community. It expired in 2002.
2.	Treaty of Rome	25 March 1957	1958	It established the European Economic Community (EEC) and the European Atomic Energy Community (Euratom).
3.	Single European Act (SEA)	February 1986	1987	It amended the EEC Treaty and paved the way for completing the single market.
4.	Maastricht Treaty on European Union (TEU)	7 February 1992	1993	It established the European Union, gave the Parliament more say in decision-making and added new policy areas of cooperation.
5.	Treaty of Amsterdam	1 October 1997	1999	It amended previous treaties.
6.	Treaty of Nice	26 February 2001	2003	It streamlined the EU institutional system so that it could continue to work effectively after the new wave of Member States joined in 2004.
7.	Treaty of Lisbon	13 December 2007	2009	It simplified working methods and voting rules, created a President of the European Council and introduced new structures with a view to making the EU a stronger actor on the global stage.

Source: Compiled by the author.

The EU process is supported by legal commitments and obligation and institutions for the formulation of policies and decisions. The various roles played by the actors of this process are as follows:

- a) EU Commission
 - Proposes legislations, upholds treaties and ensures proper implementation of regulations.
- b) EU authorities
 - Authorities monitor implementation of regulations and discuss the need for new legislations or the current legislations to be amended or repealed.
- c) Stakeholders
 - Input is sought by the EU Commission from the stakeholders which include the public, businesses, trade associations on the policy directions. The views from the stakeholders are taken into consideration when drafting new regulations.
- d) Single market forum
 - monitors the implementation of the Single Market Act, examines the state of the single market, the transposition and application of directives.
- e) Internal market scoreboard
 - Online reporting system to show whether EU rules are enforced at the national level. Only 0.7 % of single market directives are not transposed into national law on time.

Addressing TBTs in the EU

To support the EU single market, efforts undertaken to address the TBTs, as summarised in “The 'Blue Guide' on the implementation of EU product rules 2016” (European Commission, 2016), include the followings

- a) “the traditional approach or “Old Approach” with detailed texts containing all the necessary technical and administrative requirements;
- b) the “New Approach” developed in 1985, which restricted the content of legislation to “essential requirements” leaving the technical details to European harmonised standards. This in turn led to the development of European standardisation policy to support this legislation;
- c) the development of the conformity assessment instruments made necessary by the implementation of the various Union harmonisation acts, both New Approach and Old Approach;

- d) the “New Legislative Framework” adopted in July 2008, which built on the New Approach and completed the overall legislative framework with all the necessary elements for effective conformity assessment, accreditation and market surveillance including the control of products from outside the Union.”

The above indicates that the approaches for TBTs in the EU is driven by broader framework agreements and policies, unlike in the ASEAN case, where the focus is more the PIS to address the TBTs instead of working towards a deeper commitment to address TBTs overall.

Findings and Analysis

The EU single market has been the inspiration for the ASEAN single market and in the area of TBTs, lessons learnt in the EU have always been considered in developing the policies to support the realisation of the single market. The EU realised the single market, also referred to as the internal market, in 1993. Free movement of good was achieved with the national controls abolished. Various mechanisms were in place to support this goal. ASEAN can benefit from the lessons learnt in the EU integration and harmonisation efforts and other related initiatives by other similar regions. ASEAN has made tremendous progress in the integration initiatives despite not having similar structures when compared to the EU such as the Council of the European Union, which represents the governments of the EU Member Countries and sets the overall political direction, the European Parliament which represents the EU citizens and the European Commission which represents the interests of the EU as a whole. The latter has always been compared to the ASEAN Secretariat but there is a marked difference in the capability and jurisdiction of both bodies with the ASEAN Secretariat having a much limited role. ASEAN needs to overcome the challenges faced in the absence of such structures and sheer manpower that the EU had during the period when the foundations for the EU internal market was laid. Much of this manpower in ASEAN relies on the work of the Member States, which was not the case for the EU.

The AMS have always played the leading role in the realisation of the single market with all decisions made with strict adherence to the principles of consultation and consensus. In technical areas such as product safety and quality it is also important that the decision making process supported by scientific justifications and decisions should be made based on technical information, data and scientific evidence. There is also a strong need for

national level inter-agency coordination to support formulation of policies and ensure its effective implementation if the goals of integration are to be realized effectively. The integration efforts carried out under the three community pillars are closely intertwined and complementing in some cases. The experience in ASEAN from the sectoral bodies under the purview of the ACCSQ has indicated that there is a lack of inter-agency coordination at the national level. The ASEAN Leaders vision towards deeper economic integration and its end-goals are very clear and it is supported by the higher ranking officials in the government agencies of the AMS. However, at the technical level, the AMS oftentimes cite that the national regulatory requirements prevail and that the representatives of the sectoral bodies do not have the authority to propose recommendations for harmonisation at the national level, though these representatives represent their governments to support the ASEAN integration process. This sometimes leads to situations where consensus is not reached in convergence of regulatory requirements at the regional level, which is important for a single market, as well as country-specific requirements. To address this, ASEAN could consider provisions to address the need for consultation among Member States in cases where national regulatory proposals which may impede the smooth operation of a single market, and which when implemented eventually will lead to country-specific requirements, are being considered by AMS.

The EU and ASEAN are two regional groupings have similar goals towards integrating for greater collective benefits. However, the key difference is the legal framework and the supranational bodies that are in place in the EU to steer the regional integration efforts. The EU single market is supported by an evolving policy that takes into consideration the new developments, and political, economic, environmental and societal needs. The strong mandate that has been given to the European Commission as a neutral body that oversees, proposes and monitors the implementation of legislations and rules helps drive and keep the shared vision and goals on track.

The situation differs in ASEAN as the basic function is to provide for greater coordination of the ASEAN bodies through the facilitation of the meetings of these bodies. The ASEAN Secretariat's vision and mission was revisited in 2008, whereby by 2015, the ASEAN Secretariat aims to be the nerve centre of a strong and confident ASEAN Community that is globally respected for acting in full compliance with its Charter and in the best interest of its people. Its mission is to initiate, facilitate and coordinate ASEAN stakeholder collaboration in realising the purposes and principles of ASEAN as reflected in the ASEAN Charter. The expansion of the scope of the role of the ASEAN

Secretariat was in response to meet the growing demands to meet the ASEAN Community 2015 goals. Since 1976 to where we are now, though its basic function has not changed, the ASEAN Secretariat has seen a lot of changes in terms of progression of the ASEAN policies from close economic cooperation to deeper economic integration and closer cooperation with Dialogue Partners (DP) to realisation of FTAs.

The success of the EU can be concluded as partly due to a neutral supranational body that is able to steer the grouping to meet its goals and also to ensure that all legal obligations are met.

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