

Address given by Ludwig Metzger to the European Parliament (9 March 1966)

Caption: On 9 March 1966, Ludwig Metzger, Vice-President of the European Parliament, presents to his colleagues the conclusions of a report drawn up by the Political Affairs Committee on the Luxembourg Compromise, which put an end to the empty chair crisis that had begun on 30 June 1965.

Source: Europäisches Parlament - Verhandlungen. Sitzungsperiode 1966-1967. [s.l.]. "Rede von Ludwig Metzger", p. 110-111.

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When we read the statement by the Council of Ministers, we find that, essentially, it says very nice things. One cannot but agree with what is said. When we look more closely, however, the misgivings arise. In my view, the task of our Parliament is not only to draw attention to the misgivings but to do its utmost to ensure compliance with the Treaty in the way that the Commission, Parliament, the Court of Justice and even the Council of Ministers itself are obliged to comply with it. So we have every reason not to mince our words. Parliament, perhaps, has more reason than others to express itself clearly and to call a spade a spade. The Political Affairs Committee has also done so, and I, as rapporteur, have absolutely no intention of keeping quiet.

The Council of Ministers is starting from the premise that it must, as far as possible, try to achieve unanimity. This must be perceived as the right course of action. The greater the consensus, the greater the Community spirit and the will to decide on the basis of unanimity. Of course, there is no guarantee that this Community spirit will always be present.

The Council of Ministers has now introduced the concept of ‘very important interests’. I should first like to say something about this concept.

I consider it extremely dangerous for the Council of Ministers to allow its decisions to be dependent on whether one or other Member State believes that its own ‘very important interests’ are at stake. The moment that this is acknowledged and decisions become dependent on this criterion, all the Member States run the risk of becoming dependent on interest groups in their own countries. In every instance, the interest groups will claim that very important interests are at stake; they will call on their government to take account of these very important interests and to act accordingly. Nothing would be worse than the EEC institutions, including the Council of Ministers, being coerced by pressure groups and interest groups. The Community institutions must safeguard Community interests and not special interests. They must always try to protect Community interests.

Apart from this, it is for the Commission to safeguard the ‘very important interests’. That is its role. When the Commission submits proposals, that is to say, when proposes legislation, which is one of its obligations under the Treaty, it must weigh up the relevant interests at that stage. So the Commission must also consider an individual State’s very important interests. I believe that we, as a Parliament, can testify that the Commission and the other executive bodies have always fulfilled their role in an outstanding manner, that they have considered these interests and that, when their proposals — including legislative proposals — are submitted, their actions have always led to the best solution for all; yet individual Member States have not lost out in the process. That is what I have to say on the subject of important interests.

According to paragraph I of the Council of Ministers’ statement, the majority — that is to say, the representatives of the Five — took the view that, in the absence of unanimity, the members of the Council should endeavour, within a reasonable time, to reach solutions which can be adopted by all the members of the Council. If unanimity cannot be achieved within that time, the provision of the Treaty allowing qualified majority voting should be invoked. In that case, it actually must be invoked.

Now we have a statement from the French Delegation, worded as follows: with regard to the preceding paragraph (which is the paragraph to which I have just referred), the French Delegation considers that, where very important interests are at stake, the discussion must be continued until unanimous agreement is reached. Of course, that means that discussions may have to be continued *ad infinitum*, that unanimity may conceivably never be achieved and that a decision in accordance with the provisions of the Treaty may therefore never be reached. To state the position in no uncertain terms: this view is irreconcilable with the Treaty; this view violates the Treaty.

Not only can the Council of Ministers take decisions, it must do so wherever the development of the EEC so

dictates — and the prerequisites for this are evident from the letter and spirit of the Treaty. If the Council of Ministers does not achieve unanimity, it has an obligation to take decisions on the basis of majority voting in cases where this is laid down by the Treaty. Any other action by the Council of Ministers would lead it to violate the Treaty. In my view, the Five must not, under any circumstances, weaken and adopt the view of the French Delegation. The Five must take a majority decision when there is a need to do so — it may also be a differently composed majority. If the Treaty and the continuation of the Community require a decision, they must take that decision.

In my view, we may say one thing with complete certainty: anyone who is afraid of a crisis is conjuring one up again. The less fear that there is of a crisis, the more courage there is to apply the Treaty and to act in accordance with its provisions and the greater the prospect of no crisis arising. After all, the Council of Ministers' statement has shown one thing: that it is no longer so easy to work against the EEC and to act as if anything goes. The EEC has already made so much headway that it can no longer be destroyed, even by those who do not want to see Community integration. Interdependence is now demonstrably so far advanced that there is no escape from it. If someone were to try, it would be damaging to the party wanting to escape and to the Community as a whole.

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