

Statement by Paul-Henri Spaak (Brussels, 27 September 1965)

Caption: On 27 September 1965, invited by the Brussels Conférence du Jeune Barreau (Young Bar Association) to talk to Maurice Schumann, President of the Foreign Affairs Committee of the French National Assembly, about the future of Europe, Belgian Foreign Minister Paul-Henri Spaak outlines arrangements which may resolve what is known as the 'empty chair' crisis and considers in particular the issue of the revision of the Treaty of Rome.

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[...]

I believe our aim must be to apply the Treaty of Rome and seek a solution to our present difficulties in the Treaty of Rome.

The question is how France can be induced to return to the negotiating table.

In the Treaty of Rome, the Council of Ministers, that is to say the Council of the representatives of the six governments, is a special institution in its own right and which has its own terms of reference. It can meet on its own accord quite apart from the Commission.

I feel it is reasonable that in the framework of the Treaty of Rome - and I insist on this because it is most important - Mr. Fanfani, the present Chairman-in-Office of the Council of Ministers, should convene the six Ministers for Foreign Affairs to a meeting in Brussels to study the situation.

Perhaps you will say : this is a big concession to France.

I agree that for the time being France, for various reasons, does not wish to have very close contacts with the Commission and it is consequently true that it would be a big concession to say : start things going again, but within the framework of the Treaty of Rome, according to existing procedure for which there is provision and which is there and can be used.

Moreover, if I had to justify this proposal, which naturally encounters opposition from all the die-hards and (perhaps with some justification) from the Commission, if I had to justify my position, I would say that it is clear that we are now not only faced with a number of technical problems which need to be solved but we are also (since General de Gaulle's press conference cannot be overlooked) faced with a request from one of our partners (and this is what I understood at first) for a revision of the Treaty or (as I understand perhaps better after a second reading) at least an interpretation of the Treaty.

This is a question which concerns directly and essentially - I venture to say only - the governments themselves.

The Treaty of Rome was signed by six governments who pledged themselves to a whole series of economic and political commitments. If one of them, as it has the right to do, says : I may want to raise the question of revision or of interpretation, I consider it is quite normal for the discussion to take place between the governments themselves.

The agenda of this meeting, which Mr. Fanfani would convene in Brussels, within the framework of the Treaty of Rome, could consist of a study of technical questions. We should then say to our French friends : if you really have something else to ask us - for the study of technical questions means finding a reasonable solution to agricultural problems, which is perfectly possible - if you want to ask us something else, do so, but using the diplomatic method we can agree to, i. e. the six countries seated round the table seeking a solution to the problems.

If this meeting takes place, I must say that I personally am against revising the treaties, because I consider that the powers of the Commission were correctly limited by the Treaty of Rome and, as I have said several times during this meeting, the Commission played an enormous part in the evolution of the European Community, and I say it yet again, but it is possible that the Commission sometimes made tactical errors, perhaps even, in my opinion, on 30th June. After adopting extremely bold positions, the Commission was perhaps not quick enough to withdraw to firmer ground when it saw that one or other of the countries was unable to accept its proposals.

But even if, as I think, the Commission made a tactical error on 30th June, this would not in any way be a

sufficient reason for modifying its essential functions.

And if our French friends ask us to revise the Treaty, I think this is a course we cannot take.

On the other hand, should they ask for an interpretation of the treaties, it would be very difficult for me to give an opinion on such a request this evening, because I do not yet know exactly what this interpretation might be, but I should like to give two examples to show that a discussion between sincere and objective people, who put their hearts and minds to saving the Common Market, is possible. I have read in the French press that one of the possibilities considered was as follows. The principles of an agricultural policy are now fixed unanimously. As from 1st January, the unanimity rule is to be replaced by the majority rule, and it seems to me that a certain number of French people consider, difficult though this may be to understand, that as from 1st January we would take advantage of the new majority rules to change what had previously been agreed to unanimously.

This is not possible, and in any case the Belgian Government would never have anything to do with such an operation, and I do not believe that any European government would entertain such thoughts.

What has been achieved, and will be achieved in the weeks to come, in respect of agricultural policy - decisions which will have been reached unanimously - not one of us would for a second consider changing after 1st January on the basis of the majority rule.

I should like to give my views on the majority rule itself, and I am convinced that some of my European friends will not agree with me. It is a problem which is absolutely essential and false at the same time.

It is an essential problem because the majority rule is an indication that one day, in order to build a political and economic Europe, we shall accept certain changes in the somewhat exaggerated myth of absolute national sovereignty.

I believe it is a necessity ; that is why we must cling to the decision to allow voting by qualified majority as from 1st January.

I repeat, qualified majority. An adjective must always be added to the noun. This qualified majority, as provided for in the Treaty of Rome, means that no decision can be taken against the will of one of the large countries of the Community, plus one of the other three countries, which means that there is a very large degree of security for, so far, there has not been one instance of such a situation in the Community.

This is why we must consider a realistic approach while, at the same time, affirming the exceptional importance of the principle.

The facts have proved, and I can say this because I am a fervent advocate of supranationality, that for important questions a community like the European Community can only function on a basis of unanimity. It is inconceivable that for a really vital matter, a matter in which a government could show that its vital interests were at stake, its partners would get together to impose a solution it would have no choice but to accept. If the Community were to operate in that way, it would not last very long.

If these problems are discussed in an objective and positive spirit, reasonable interpretations will very possibly emerge.

[...]