

## 'By the fireside in Hotel Brasseur' from the Frankfurter Allgemeine Zeitung (19 January 1966)

**Caption:** On 19 January 1966, the German daily newspaper the Frankfurter Allgemeine Zeitung comments on the debates between the representatives of the Six during the first extraordinary Council in Luxembourg which seeks to put an end to the empty chair crisis.

**Source:** Frankfurter Allgemeine Zeitung. 19.01.1966. Frankfurt/Main. "Am Kaminfeuer im Hotel Brasseur", auteur:Götz, Herbert.

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### The talks in Luxembourg on the alleged errors of the EEC Commission

By Herbert Götz

‘It’s looking bad,’ said someone who had attended the dinner given by the Luxembourg Prime Minister, Pierre Werner, in honour of his guests from the Member States of the European Economic Community, as the fire in Hotel Brasseur, the headquarters of the German delegation, gradually went out around midnight. Four hours earlier, following this first meeting of the Ministers of the Economic Community, the German foreign minister and his staff did not sound exactly optimistic, but they appeared to be happy that they had finally got to the hard core of the problems. There was, certainly, much left to clarify. However, the initial result of this attempt at clarification during the dinner was not particularly encouraging. What had appeared clear but nonetheless restrained in the French foreign minister’s speech in the afternoon proved, after questioning, to be a new, third condition for France returning to the Council table, namely agreement on the composition of the new fourteen-man Commission which is, where possible, to assume office as a single European Commission on 1 April. No names were mooted in positive or negative terms, but it was clear to everyone that the head of President Hallstein was being called for. It was an interesting, albeit not entirely unexpected, move in the General’s game, and it added to the difficulty in resolving the crisis. Nevertheless, the governments have signed the Treaty on the merger of the three European administrations, and, in Bonn and Paris, the ratification procedures have been completed, with the exception of the depositing of the documents. So why not implement the merger ‘as soon as possible’? The Dutch have not even initiated this procedure, however.

In the afternoon, Mr Couve de Murville had presented to his colleagues a memorandum which dealt with the ‘mistakes and errors of the EEC Commission’ in ten points. It is precisely worded, aggressive and even offensive in sections, but it was soon described by Treaty lawyers, at least in part, as a not particularly interesting routine piece of work by French bureaucrats. Some of these demands were so self-evident that there was no need to debate them, other demands had been established practice in the Community for a long time, and some demands were completely unacceptable, for example, the idea of developing the Council as a super-Commission. However, since the memorandum was presented as a maximum demand, and since France certainly cannot expect all its demands to be accepted by its five partners, the prospects of agreement being reached at some point, once the paper has been carefully checked for traps and pitfalls, are not that unfavourable. Late in the evening, it was being said that, as much as it claimed to be precise, the paper was a masterpiece of obscurity and concealment. Moreover, this memorandum was merely a distraction. The experts immediately rushed to interpret it and initially missed Mr Couve de Murville’s unspoken demand for Hallstein to be replaced.

In the evening, the views on the second question in dispute, namely the use of majority voting in the Council of Ministers, appeared difficult to reconcile and, in fact, irreconcilable. ‘Misuse of the right of veto or misuse of majority voting in the Council of Ministers.’ This was the short phrase used to sum up the dispute which cannot be resolved by a legal compromise formula. Either there is, contrary to the unequivocal wording of the Treaty, a right of veto on the part of a Member State as there was before, or there is majority voting. It was Belgian Foreign Minister Spaak who described the institutionalised maintenance of unanimity, laid down in writing, as unjustified simply because the Treaty expressly provided for majority voting. The question is whether France will finally agree to a flexible formula under which, wherever a Member State describes a question to be decided by a majority as vital to it, the other Member States will undertake to do their utmost to reach agreement. However, this formula still does not resolve the question of what is to happen if such agreement is not reached. All those concerned are seeking a solution which tacitly tolerates politically unacceptable majority voting and the right of veto without, however, putting it down in writing.

To sum up: the maintenance of the right of veto, the ‘reining in’ of the Commission, which the memorandum treats more like an authority subordinate to the Council of Ministers than an equal Community institution and, finally, the composition of the new, larger and, therefore, of necessity, at least,

initially weaker Commission including some new members will inevitably result in the considerable weakening of the Community which de Gaulle is seeking to bring about. In that respect, no agreement on the General's maximum demand as a starting point is in sight.

There are also increasingly urgent practical issues. It was the German Delegation which put seven counterquestions to Mr Couve de Murville's ten points. How is the Council of Ministers actually to continue operating? When will France return to the Council table? When will the 1966 budget be adopted? When will the Community clarify its view on the Kennedy Round? When and under what circumstances will the 'new Commission' assume office? What shape will the agreement on agricultural funding take, and how, closely linked with this, is progress in other fields of the common economic policy to be achieved? And, finally, the vital question which combines all the points: what will actually happen if agreement cannot be reached on all issues?

A rapid solution to the crisis is not in sight.