

'Compromise in Luxembourg' from Die Welt (31 January 1966)

Caption: On 31 January 1966, the German daily newspaper Die Welt comments on the political results achieved by the Six following the second extraordinary Council meeting in Luxembourg.

Source: Die Welt. 31.01.1966. Essen. "Kompromiß in Luxemburg".

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Compromise in Luxembourg

The EEC's majority-voting principle continues to be a matter of dispute

From our own correspondent

hi. Luxembourg, 31 January

At the EEC conference in Luxembourg, no agreement was reached on the main point at issue, namely the application of the majority-voting principle in voting in the Council of Ministers. Agreement was reached on future cooperation between the Commission and the Council, but it was watered down considerably in comparison with the original French demands.

The 'agreement to disagree' on majority voting, on which agreement still has to be reached with the Brussels Commission, is worded as follows:

1. Where, in the case of decisions which may be taken by majority vote on a proposal from the Commission, very important interests of one or more partners are at stake, the members of the Council will endeavour, within a reasonable period, to reach solutions which may be adopted by all the members of the Council while respecting their mutual interests and those of the Community.
2. With regard to the preceding paragraph, the French Delegation considers that, where very important interests are at stake, the discussion must be continued until unanimous agreement is reached.
3. The six Delegations note that there is a difference of opinion on what should be done in the event of a failure to reach complete agreement.
4. The six Delegations nevertheless consider that that difference of opinion does not prevent the Community's work being resumed in accordance with the normal procedure (that is to say, at meetings of the Council in Brussels attended by the EEC Commission – Ed.).

In addition, the Ministers decided to lay down in a protocol that the Member States intended decisions on the following to be taken by common consent: 1. the financial regulation for agriculture, 2. the requisite extensions to the EEC market organisation for fruit and vegetables, 3. the organisation of the markets in sugar and fats under debate, and, 4. the common prices for milk, beef and veal, rice, sugar, olive oil and oil seeds.

France's five partners had earlier reached a compromise on the Commission question in respect of which the French Delegation failed to win on the critical issues. The main French demand, namely that, in future, the EEC Commission should first consult the governments of the Member States on proposals of particular importance — which would have given France the possibility of a 'pre-veto' — was watered down considerably.

The wording on which the Six agreed in Luxembourg states merely that it is 'desirable' that the Commission should establish the appropriate contacts with the governments or Permanent Representatives of the six Member States in Brussels. The document also states that this procedure should not compromise 'the right to propose legislation which the Commission derives from the Treaty.'

However with a view to improved cooperation between the Commission and the Council of Ministers, the Commission will, in future, consult the Council 'on the advisability of, the procedure for and the nature of any links which the Commission might establish with international organisations'. Furthermore, the Council and the Commission are to inform each other 'rapidly and fully' of any approaches made by the representatives of non-member states.

In addition, the Six reached agreement on future EEC information policy. Under that agreement, the programme of the Press and Information Service is to be drawn up solely by the Council and the Commission.

A further important point — of the original French ten-point programme, only seven remain — is the agreement on greater financial control by the Commission. According to the Luxembourg compromise, ‘Under the [relevant] financial regulations [...], the Council and the Commission will determine on means for more effective control over the commitment of, arrangements for and implementation of Community expenditure

However, this must be the subject of discussions between the President of the Council of Ministers and the President of the EEC Commission because, under Article 162 of the EEC Treaty, cooperation between the Council and the Commission must be ‘by common accord’. Consequently, the Council cannot give instruction to the Commission. If the Brussels Commission does not agree with decisions, new negotiations become necessary.

The President of the Council will also inform the President of the EEC Commission of the Member State governments’ view that it is desirable for the members of the Commission ‘to maintain appropriate reticence’ in their public statements.

Finally, what has been termed ‘red carpet dispute’ was also resolved by the Six. Accordingly, the credentials of Heads of Missions of non-member states accredited to the Community will, in future, be received not just by Commission President Walter Hallstein — with Mr Hallstein laying down the red carpet — but rather ‘submitted jointly to the President of the Council and to the President of the Commission’.