

Note concerning the press conference held by General de Gaulle and the empty chair crisis (Luxembourg, 15 September 1965)

Caption: On 15 September 1965, Pierre Pescatore, Secretary-General of the Luxembourg Ministry of Foreign Affairs, sends a confidential note to the Luxembourg diplomatic missions in Europe and to some international organisations in which he sets out the reactions of Pierre Werner, Luxembourg Foreign Minister, following the press conference held by General de Gaulle in which he adopted a very critical stance towards the European Communities.

Source: Archives Nationales du Luxembourg, Luxembourg. Affaires étrangères. AE 15436.

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Briefing note

Subject: Common Market crisis. Press conference given by General de Gaulle on 9 September

Distribution: internal — Minister, Deputy Minister, Director and Deputy Director; external — Permanent Representatives to the Communities, NATO and the United Nations; Embassies in Bonn, Brussels, The Hague, London, Paris and Rome.

Following General de Gaulle's recent press conference, representatives of several embassies of friendly countries have sought information as to the reaction of the Luxembourg Government. On the basis of a brief exchange of views that I was able to hold on this subject with Mr Werner before he left for Brazil, I have set down the following points, which are expressed in more or less detail depending on their sources:

1. An initial observation concerns the channel through which General de Gaulle made his remarks. For weeks and months, we have been trying, either through the common institutions or through diplomatic channels, to discover the intentions of the French Government, but to no avail: we were being deliberately left in the dark. Finally, a press conference was used to convey the proposals made by the French Government and to offer us negotiations, the key terms and conditions of which were dictated to us as imperative requirements. In our opinion, this approach is difficult to reconcile with the mutual respect that befits partners in the Common Market, and it is difficult to see how these partners can respond favourably to the French overtures without losing face.
2. We are very unfavourably impressed by the misrepresentation — be it unconscious or deliberate — of historical facts and of the intentions of France's partners. The picture painted of the ECSC and of Euratom is false and misses the point. As for the Common Market, it is grossly inaccurate to suggest that the Treaty of Rome was negotiated to the detriment of France; it is well known that the concessions made to the French Delegation in respect of both economic interests and the institutional structure were substantial (on 15 September 1965, *Le Monde* published an article entitled *Le droit de réponse* ('The right of reply') by Pierre Uri, who is particularly well placed to know the facts). In this instance, too, one cannot but wonder whether there is still an adequate basis of trust to maintain the Community.
3. As for the substance of the opinions expressed by General de Gaulle — and this applies to both the North Atlantic Alliance and the European Communities — we are deeply concerned about the resurgence of virulent nationalism, even if it is clothed in fashionable language, about the emphasis on the absolute sovereignty of the state and about the rejection of those very elements without which it is impossible to establish an effective international organisational structure. It is a return to formulas whose sterility has been amply demonstrated. Yet, unless we maintain this measure of 'supranationality' that was introduced in the European treaties by the creation of a body representing the common interest and endowed with an adequate measure of autonomy and by introducing a decision-making process that will serve to overcome the excesses of the absolute power of veto, it will be impossible to complete the great enterprise of the Common Market. It therefore appears that we are confronted with the dilemma of having to choose between two routes that must both lead to disaster: either we refuse to entertain the pretensions put forward by General de Gaulle, and the break will be complete, or we accept them, in which case we must realise that the Common Market venture will never come to fruition.
4. One element in the line of argument pursued by General de Gaulle which has particularly disturbed the Luxembourg Government is the veiled repudiation of commitments entered into 'before the French renewal'. This is regrettably reminiscent of the famous *clausula rebus sic stantibus*, the application of which divests international relations of all permanence and security. It undermines not only the treaties establishing the European Communities but also the general level of confidence in legal commitments given by the French Republic.

The doctrines expounded by the General in this context must surely have repercussions in the other Member

States, especially in Germany, where they are liable to rekindle nationalist sentiments. Moreover, it fills us with apprehension to imagine the potential consequences of the argument that commitments made at a time of national weakness are less binding, should Germany see fit to use that same argument some day to free itself from the constraints that it accepted under pressure of circumstances in the aftermath of the war.

In short, General de Gaulle's press conference offered nothing new but rather seemed to show — and this is what makes it so alarming — that the days are gone when it was possible to shelve problems in order to avoid open confrontation.

This, then, is our diagnosis of the situation at the present time. Another question concerns the conclusions that we need to draw for our activity in the immediate future as well as in the longer term. It is still too soon to form an opinion on this matter. Nevertheless, the following observations may be made at this juncture:

1. The situation is too serious and the stakes are too high for anyone to give way to rash reactions, either in public or with regard to France, as has happened on similar occasions in the past. The Five will have to let the dust settle and consult each other before taking any action. At all events, force of circumstances, namely the imminence of the general elections in Germany and the approach of the presidential elections in France, compels us to take time out for reflection.
2. Should this latest development influence the approval and ratification of the Merger Treaty? Once again, it is too soon to judge. For the time being, if we are to be prepared for all eventualities, it seems preferable to let the parliamentary process run its course.
3. In the longer term, however, it seems inevitable that we shall have to confront the problems posed by General de Gaulle. The time for tactical manoeuvres and for holding operations is over. The European Communities are in the throes of a profound crisis, and it seems inconceivable that France's partners could bend to the will that France seeks to impose on them unilaterally; even if they did, the result would still be paralysis of the Common Market.

Pierre Pescatore