

Minutes of the inaugural meeting of the EEC and EAEC Councils (Brussels, 25 January 1958)

Caption: Minutes of the inaugural meeting of the Councils of the EEC and the EAEC, held in Brussels on 25 January 1958, approved on 25 February 1958 at the second meeting.

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Minutes of the inaugural meeting of the Councils of the European Economic Community and the European Atomic Energy Community, held in Brussels on 25 January 1958

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Member States were represented as follows:

Belgium

Mr V. Larock Minister for Foreign Affairs

Mr H. Liebaert Minister for Finance

Mr H. Fayat Minister for Foreign Trade

Federal Republic of Germany

Mr von Brentano Federal Minister for Foreign Affairs

Prof. L. Erhard Federal Minister for Economic Affairs

Mr F. Etzel Federal Minister for Finance

Prof. S. Balke Federal Minister for Atomic Affairs

France

Mr C. Pineau Minister for Foreign Affairs

Mr P. Pflimlin Minister for Finance and Economic Affairs

Mr M. Faure President of the French Delegation to the Council of Ministers.
Secretary of State for Foreign Affairs

Italy

Mr G. Pella Vice-President of the Council
Minister for Foreign Affairs

Mr G. Medici Treasury Minister

Luxembourg

Mr J. Bech President of the Government.
Minister for Foreign Affairs and External Trade

Mr V. Bodson Minister for Transport and Energy

Mr P. Werner Minister for Finance

Netherlands

Mr J. Luns Minister for Foreign Affairs

Mr H. J. Hofstra Minister for Finance

Prof. Zijlstra Minister for Economic Affairs

I. Inaugural meeting

The inaugural meeting of the Councils of the European Economic Community and the European Atomic Energy Community was opened on 25 January 1958 at 11 a.m., at the Palais des Académies in Brussels, by Mr V. Larock, Belgian Minister for Foreign Affairs, President-in-Office of the Councils, in the presence of the Presidents and members of the Commissions of the European Economic Community and the European Atomic Energy Community.

The President and members of the High Authority of the European Coal and Steel Community and the President and members of the Board of Governors of the European Investment Bank were invited to the inaugural meeting, together with the Ambassadors to Brussels of the six Member States and the Permanent Representatives of the governments of the Communities.

Mr V. Larock, President of the Councils, delivered the opening address attached in Annex I.

Mr P. Finet, President of the High Authority of the European Coal and Steel Community, Mr W. Hallstein, President of the Commission of the European Economic Community, and Mr E. Medi, Vice-President of the Commission of the European Atomic Energy Community, deputising for Mr L. Armand, President, who was unable to attend, responded with the speeches attached in Annexes II, III and IV.

Mr J. Luns, Netherlands Minister for Foreign Affairs, thanked the Belgian Government on behalf of his colleagues for its hospitality (see Annex V).

The meeting closed at 12 noon.

II. Questions relating both to the Common Market and to Euratom

1. Adoption of agendas (Doc. EEC/CM/4 rev. and Doc. EUR/CM/2 rev.)

The Councils adopted the agendas attached in Annexes VI and VII.

2. Statement by the Chairman of the Interim Committee (Doc. MAE 1337/50)

Baron Snoy et d'Oppuers, Chairman of the Interim Committee, briefly described the Interim Committee's activities.

After noting that at the Rome Conference the Foreign Ministers of the Six had decided to set up the Interim Committee and had given it a specific brief (Doc. MAE 908/57), the Chairman gave a short account of the activities carried out by the Interim Committee under that brief, noting that a detailed account of those activities could be found in the written report that had been submitted to the Councils (Doc. MAE 1337/57).

Following that statement, the Councils approved the Interim Committee's progress report.

Mr Pineau, speaking on behalf of all his colleagues, thanked the Interim Committee and, in particular, its Chairman for the remarkable work they had done in preparing for setting up the institutions of the Communities.

3. Procedure for drawing up the Rules of Procedure (EEC, EUR/CM/7)

On the basis of the proposals put forward by the Permanent Representatives at their meeting of 17 January 1958, the Councils considered the procedure to be adopted for drawing up their respective Rules of Procedure, pursuant to the first paragraphs of Article 151 of the Treaty establishing the European Economic Community and of Article 121 of the Treaty establishing Euratom.

Following an exchange of views, the Councils

— considered that it was not advisable to draw up final Rules of Procedure for the two Councils at that point. Indeed, those Rules could not be drawn up until some experience had been acquired of the way in which the two Councils functioned. Moreover, it would be appropriate to draw them up in the knowledge of the Rules of Procedure of the two Commissions, with special reference to the question of the Councils' relations with those Commissions.

— decided to draw up provisional Rules of Procedure. For the time being, that would resolve a number of procedural questions relating to the internal working of the Councils that had not been resolved in the Treaties (preparation of agendas, deadlines for receipt of documents, minutes, and so forth).

— decided to assign to the Permanent Representatives the task of preparing draft provisional Rules of Procedure that would be submitted to the Councils for approval at a forthcoming meeting.

— decided that the Commissions would be involved in the work on drafting the Councils' provisional Rules of Procedure.

Following a statement by Mr Hallstein, the Councils said they hoped that the Member States' Permanent Representatives to the Communities would be appointed as soon as possible.

4. Committee of Permanent Representatives

The President observed that the Councils must be assisted in their task by a Committee of ministerial Representatives.

He pointed out that it must be made clear that responsibility for decisions to be taken by the Councils must remain entirely in the hands of the ministers themselves. The Committee of Permanent Representatives did not, therefore, have decision-making power. Its task was to prepare the Councils' decisions and to carry out the tasks the Councils assigned to it.

Furthermore, the President stressed that close cooperation between the Committee of Permanent

Representatives and the two Commissions must be the rule.

The President noted that the Councils agreed with those views.

5. Secretariat

The Chairman of the Interim Committee reported to members of the Councils on the opinions expressed by the Permanent Representatives at their meeting of 17 January 1958 on the question of the Secretariat of the Councils.

He pointed out that since the beginning of negotiations on the Treaties, the Secretary-General of the Special Council of Ministers of the European Coal and Steel Community had been responsible for the Secretariat, as also for the Secretariat of the Interim Committee, and that, at their meeting in Paris on 6 and 7 January, the Foreign Ministers of the Six had decided that the Secretariat of the Interim Committee would remain at the disposal of the Communities' bodies.

The Permanent Representatives also felt that for the purposes of administrative rationalisation and coordination of activities, it was advisable for the same body of officials to make up the Secretariat of the three Councils.

Consequently, they recommended to ministers that on a provisional basis the Secretary-General of the Interim Committee should be responsible for the Secretariat of the Councils.

The Councils endorsed that recommendation.

6. Advances to cover the Community's initial expenses (Doc. EEC, EUR/CM/10 f/58)

The President pointed out that Articles 246 of the Treaty establishing the European Economic Community and 214 of the Treaty establishing the European Atomic Energy Community provided that until the budget for the first financial year had been established, Member States would make the Communities interest-free advances, which would be deducted from their financial contributions to the implementation of those budgets.

Given how difficult it was for the institutions to give even a rough estimate of their requirements at that point, the Permanent Representatives thought it useful to propose to the Councils that Member States should grant an initial overall loan to cover the Communities' expenditure, for an initial period yet to be fixed, but that could, for example, be two months.

The amount that would be needed to cover the Councils' expenses over such a period would amount to BEF 3 million for each of them. As regards the Commissions, they had not yet made any figures known.

Mr Hallstein informed the Councils of the estimates the Commission had drawn up with regard to the advances it would need. Those estimates covered the 11 months of the year 1958 still to run, and could be broken down as follows:

— staff costs

(the estimates were based on the assumption of needing two to three hundred officials at once, which would include the first actual core group, plus office workers: typists, translators, dispatch workers, etc.)

— advances on salaries BEF 58 000 000.
allowances

BEF 42 000 000.

— Commissioners (EAEC basis) BEF 10 000 000.

BEF 110 000 000.

— operating expenses BEF 32 500 000.

— initial installation expenses
(furniture, equipment, transport) BEF 13 500 000.

BEF 156 000 000.

After deducting the initial installation expenses required immediately, the above figures gave an estimated expenditure of the order of BEF 13 000 000 per month (156 000 000-13 500 000) / 11.

Mr Sassen, Member of the Euratom Commission, stated that the Euratom Commission supported the figures put forward by the Commission of the Common Market. Staff costs would probably be lower at the Euratom Commission because it would have fewer Commissioners and would no doubt also have fewer officials than the Common Market. On the other hand, operating expenses would be higher, mainly because of the need for more duty travel (negotiations and fact-finding missions in other countries). Moreover, the Euratom Commission would also face essential expenses with a view to preparing as from that time the setting up of the Joint Research Centre, the European University and the programme for training specialists, as provided in the Treaty.

The President pointed out that the figures put forward covered only the expenses of the two Commissions; the advances required for covering the expenses of the Court of Justice and the Assembly must also be added to the proposed figures for the Councils.

Mr Faure wished to consult his government about the figures put forward. He also hoped the Councils would not take a decision during their current meeting and that the Commissions would give more detailed, written indications regarding their estimates.

He also wished to put a few general remarks to the Councils. He believed that as soon as they embarked on their work, the Commissions must obey the principle of maximum economy. With regard to public opinion in particular, and in the interest of European integration, the two Communities must not expose themselves to facile criticism about expenses that might be regarded as excessive. With special reference to officials' salaries, although it was understandable that the basic salary should be increased by a separation allowance, that basic salary should nevertheless be determined with regard to the comparative situation, given the same grade, of the pay received by civil servants of the six Community countries.

Mr Luns supported the procedural proposal and Mr Faure's general remarks.

Mr Hallstein and Mr Sassen assured the Councils that the two Commissions shared the views expressed by Mr Faure and Mr Luns. For the rest, the two Commissions remained at the disposal of the Councils and would provide them with all the details of the estimates that had been submitted to them.

At the same time, they expressed the hope that the Councils would take a decision without delay, given the current financial situation of the Commissions, which, in order to tackle their immediate needs, could count only on an offer of a loan from the High Authority of the European Coal and Steel Community.

Following a discussion, the Councils decided

— to grant each of the two Commissions a cash advance amounting to BEF 57 00 000 provided they satisfied the Councils' needs (amounting to BEF 4 500 000 for each of them). (1)

— to instruct the President of the Councils to contact the Presidents of the two Commissions with a view to making proposals to the Councils concerning the further budgetary procedure.

7. Procedure for setting up the Economic and Social Committee (Doc. EEC, EUR/CM/8 f/58)

On a proposal from the President, the Councils approved the proposals made by the Permanent Representatives and decided that the following procedure would be applied for setting up the Economic and Social Committee:

(a) The national administrations of each Member State would draw up lists indicating, for their respective countries, the economic and social groups that needed to be represented within the Committee and the number of seats to be allocated to each of them.

(b) With a view to ensuring a balanced membership of the Council, those lists would be compared within a working party made up of representatives of the governments of the six countries and of the two Commissions.

(c) On the basis of the outcome of that comparison, the governments would, on behalf of their respective countries, draw up provisional lists of candidates, which would then be the subject of a further exchange of views in the above working party.

(d) In a final stage, the governments would submit their final lists of candidates to the Councils, who would then appoint the members of the Committee.

Following a brief exchange of views, the Councils agreed to instruct the working party

- to ensure as much diversity as possible in the representation of the various economic and social groups;
- to take account of the need for appropriate representation of the interests of the middle classes and consumers and of those pertaining to the area covered by the Treaty establishing the European Atomic Energy Community.

8. Salaries, allowances and pensions of Presidents, Vice-Presidents and members of the European Commissions

(a) Following an exchange of views, the ministers meeting in restricted session, decided to apply on a provisional basis to Presidents and members of the Commissions the provisions on salaries, allowances and pensions currently in force for the President and members of the High Authority of the European Coal and Steel Community, as summarised in Annex VIII.

The question of the transitional allowance would remain pending for the time being.

It was understood that the provisional decision on salaries, allowances and pensions was based on existing conditions.

It was also decided that until the seat of the institutions had been determined, Presidents, Vice-Presidents and members of the Commissions would be entitled to:

- reimbursement of travel expenses between their actual place of residence and their place of work,
- reimbursement of the cost of accommodation,
- an allowance of BEF 750 per day spent outside the usual place of residence in the interest of the service.

(b) With regard to the salaries, allowances and pensions of senior officials of the new Communities, the Presidents of the Commissions would be authorised to apply, on a provisional basis, the provisions in force in the European Coal and Steel Community.

(c) The Permanent Representatives were instructed to consider the problems involved in drawing up the Staff Regulations of officials of the Communities of the Common Market and Euratom, with a view in particular to harmonising the Staff Regulations of the three existing European Communities.

9. Setting up the single Assembly provided for in the Treaties of Rome (Doc. EEC, EUR/CM/3, Doc. MAE 10/58)

The Councils took note of the letter in which the President of the Common Assembly of the European Coal and Steel Community, forwarding to the President of the Council of that Community the letter from the chairmen of the three political groups of the Common Assembly concerning the setting up of the Assembly of the Communities, declared himself entirely in agreement with the proposals put to him regarding:

‘— firstly, assigning to the Common Assembly of the European Coal and Steel Community the task of taking all the necessary administrative and budgetary measures to introduce and carry out all the formalities for setting up the new Assembly;

— secondly, requesting the national parliaments to assign to the representatives to the Single Assembly a term of office equal to that of the legislature of the Chambers responsible for assigning that term of office.’

The President, after pointing out that in accordance with the provisions of the Treaties of Rome, the first meeting of the Assembly must be held before 25 March of the next year, requested members of the Councils to state their position on the above two proposals.

Mr von Brentano, while stating that he agreed with the relevant proposal made by the chairmen of the political groups, nevertheless considered that it would be advisable not to take a formal decision on the matter because that would risk interfering with the powers of the parliaments and provoking reactions that ran counter to the desired objective. In his view, the best solution would be for members of the Councils to agree to the need to approach their respective parliaments regarding those proposals, without that agreement requiring a decision or a resolution.

Mr Pella, while also agreeing that in principle the terms of office of the Assembly and the national parliaments should be the same, stated that he nevertheless supported what Mr von Brentano had just said.

Mr Larock and Mr Faure pointed out that contact had already been made with their respective parliaments and that the procedure for appointing delegates to the Assembly was under way.

On the conclusion of that exchange of views, the Councils

— instructed the President to send a letter to the Foreign Ministers of the Member States asking them to approach the Presidents of the national parliaments and requesting them to initiate the procedure and to make known, without delay, the names of the representatives nominated as members of the Assembly,

— agreed that the Common Assembly of the European Coal and Steel Community should be responsible for the administrative and financial organisation of the first session of the single Assembly.

10. Seat of the Communities' institutions

The Councils agreed that they would instruct the Permanent Representatives to consider the question of implementing the decisions taken by the Foreign Affairs Ministers at the Paris meeting of 6 and 7 January on advance consultation regarding the choice of the seat of the European Communities.

The Permanent Representatives would submit their proposals to the Councils at their next meeting, unless urgent decisions appeared necessary, in which case those would be taken via diplomatic channels.

III. Questions relating to the Common Market

11. Procedures for the participation of the Commission of the Common Market in activities relating to the free trade area

Mr Hallstein pointed out that the Commission had already considered various issues relating to the free trade area; he summarised the key points of the conclusions it had reached.

The Commission considered that it was a good idea in principle to establish a free trade area between the European Economic Community and certain non-Member States. It declared itself prepared to play a part in achieving that objective in the context of the tasks assigned to it by the Treaty and had, therefore, decided to cooperate constructively in those activities.

Given, however, that the Treaty did not specify the procedures for that cooperation, a problem would arise in the event that negotiations opened before the entry into force of the Treaty continued after its entry into force. A sound solution must be found to that problem, taking account of all the tasks assigned to the Commission.

The Commission would endeavour to reach a common position, without delay, regarding the free trade area. If the Council so wished, the Commission would submit proposals to it in that regard. That might facilitate participation in the ongoing negotiations in Paris.

Mr von Brentano observed that there was no need to worry about the legal forms of the Commission's participation but that it was, however, important to ensure that its participation was effective if not pragmatic. He proposed, therefore, that the Commission take part in the negotiations and to that end appoint a representative from among its members. That person would be responsible for keeping it informed and, where appropriate, would present the Commission's proposals during the negotiations.

Mr Pineau agreed with Mr von Brentano's views. He also emphasised that it would be difficult for Member States to withdraw from the negotiations within the OEEC after unanimously deciding to take part in them.

Furthermore, although it was important to draw up an acceptable free trade area agreement, it was equally necessary to ensure that the agreement in no way acted as an obstacle to achieving the objectives of the Treaty establishing the European Economic Community. It was up to the Commission to ensure the application of that second principle and in that respect Mr Pineau endorsed the view expressed by Mr von Brentano.

Mr Erhard thought that now that the Treaty was in force, the six Member States of the European Economic Community must adopt a common approach. He felt it would be inappropriate for one of the Member States to continue putting forward national proposals during the negotiations on the free trade area within the OEEC, and that in any case that would make it even more difficult for the Commission to take part in those negotiations. That meant that any proposals put forward by the various Member States should be discussed by the Six, so that where possible they could be presented as a common proposal.

Mr Faure pointed out that the French Government was in the process of drawing up proposals on the free trade area as a whole. Naturally, the French delegation would discuss that draft with the other Member States of the European Economic Community before submitting it to the OEEC.

Mr Faure pointed out that given its political importance the Commission would be in a better position than the Interim Committee to coordinate the approach of the Six within the OEEC. That would be another important task for it to perform, alongside the task referred to by Mr Pineau — i.e. to ensure full implementation of the Treaty establishing the European Economic Community.

In reply to a question on the subject put by Mr Luns, Mr Fayat stated that the Commission's participation in the negotiations of the OEEC Intergovernmental Committee chaired by Mr Maudling posed no problem at

all. The Council of Ministers of the OEEC had already envisaged that participation when the Committee was set up.

Furthermore, to date the efforts to coordinate the points of view of the six Member States during the free trade area negotiations had proved entirely satisfactory. It was, therefore, advisable to continue along that road, at least until the Commission could present its own proposals. In that regard, it would be a good idea for the Commission also to take part in the preparatory meetings that the Six held regularly with a view to ensuring that coordination.

The President asked the Commission whether it could send a representative to the next meeting of the OEEC Intergovernmental Committee for the free trade area, and to the preparatory meetings of the Six.

Mr Hallstein said he personally was happy with that procedure. He would consult members of the Commission on the subject and believed he would be able to find an appropriate solution.

12. Statutes of the Monetary Committee

The Council, recognising the need to set up as soon as possible the Monetary Committee referred to in Article 105 of the Treaty establishing the European Economic Community, instructed the Permanent Representatives to finalise the preparation of the Statutes of the Monetary Committee and to consider the question of the appointment of members of that Committee.

The proposals from qualified Representatives would be submitted to the Council during its next meeting.

IV. Questions relating to Euratom

13. Common approach of the Six within the European Nuclear Energy Agency (Docs EUR/CM/1 and EUR/CM/3)

Mr De Groote, speaking on behalf of the Euratom Commission, proposed to the Council that the following principle be applied:

‘In the light of the existence of the European Atomic Energy Community and the powers of its institutions, and with a view to promoting a highly desirable common approach, it is agreed *inter alia* that pending the organisation of the cooperation referred to in Article 201 of the Treaty establishing Euratom, the representatives of the six Governments and of the Commission shall confer together regularly with a view to coordinating their action within the European Nuclear Energy Agency’.

Mr Faure proposed that the best means of ensuring that coordination would be for the six Governments, where possible, to send the same representatives to the Committee of Representatives of the Euratom Ministers and to the Nuclear Energy Steering Committee of the OEEC.

It was so decided.

14. Application of Article 105 of the Treaty establishing Euratom

Mr Sassen, on behalf of the Euratom Commission, informed the Council that the Commission had received, under Article 105, a number of incomplete communications.

The Commission would write to the authors of those communications and draw their attention to the fact that they must forward complete communications to the Commission if they wanted to invoke the provisions of Article 105.

V. Calendar of next meetings

The Councils decided to hold their next meeting on Tuesday, 25 February 1958.

[...]

(Approved on 25 February 1958, at the second meeting)

By the Council
The President
(V. Larock)

The Secretary-General
(Calmes)

1. The Councils based their calculations of the cash advance on the following figures:

— Commissions

— Initial installation costs required immediately

BFr 13 500 000.

Cash advance calculated over three months on the basis of the Commissions' estimates:

$(156\,000\,000 - 13\,500\,000) \times 3 / 11$.

BEF 39 000 000.

BEF 52 500 000

— Councils

The figures of BEF 3 000 000 proposed by each of the Councils were estimated on a two-month basis. If adjusted to the three-month basis used for the Commissions, that would give for each of the Councils the sum of BEF 4 500 000.

BEF 57 000 000.