

## Towards the European Assembly and the Council of Europe

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The Congress of Europe in the Hague owed much of its success to the preparatory work carried out by the International Committee of the Movements for European Unity (ICMEU), chaired since late 1947 by Duncan Sandys, the British MP and former Minister. And it was primarily to this body that fell the task of securing the cooperation of the parliaments and governments of Europe in implementing the programme advocated in the political resolution adopted by the Congress in May 1948. For the Political Committee had, at the end of the Congress, adopted unanimously a resolution advocating that a European Assembly be convened as a matter of urgency, the Assembly to consist of representatives nominated by the parliaments of the participating nations, who might or might not be Members of those parliaments. It was intended that the Assembly would stimulate and give expression to European public opinion, would generate a wealth of advice on the practical measures to be taken forthwith in order to move progressively to the economic and political union of Europe, would examine the legal and constitutional scope of such a union or federation and the economic and social implications thereof and, finally, would draw up the plans for such an organisation.

Delegations from the movements which were members of the ICMEU moved swiftly to present to the Prime Ministers and Foreign Ministers of most of the countries concerned the conclusions reached in The Hague, particularly regarding the convening of a deliberative assembly for Europe. An international campaign of public meetings, parliamentary work and public relations got under way. On 18 June 1948, a British delegation led by Winston Churchill met the Foreign Secretary, Ernest Bevin, and the Prime Minister, Clement Attlee, in London. The latter did not conceal his limited esteem for an initiative put forward by a private organisation. On 5 July, Paul-Henri Spaak, the Prime Minister and Foreign Minister of Belgium, received in Brussels a delegation led by Jean Drapier, his Deputy Head of Cabinet and Chairman of the special committee for the Charter, set up five days earlier by the International Committee, and by Julius Hoste, the former Belgian Minister. On 8 July, Robert Schuman, President of the French Council of Ministers and soon to become Foreign Minister, was in turn approached by the French Liaison Committee for Movements for European Unity. While this was happening, the pro-European movements were setting in motion a major public awareness campaign.

On 12 July 1948, the International Committee approved a memorandum which stated, in particular, that only States that were members of the Organisation for European Economic Cooperation (OEEC), including West Germany, could be represented in the future Assembly. The memorandum further provided that the Assembly would have to meet by the start of 1949 at the latest and that a resolution calling for it to be convened would be submitted to each country's parliament. Meanwhile, certain members of the British delegation to the Hague Congress were drawing up a plan which assumed that the UK Government acknowledged, in principle, the intention to establish a European Assembly.

On 19 July, the Netherlands Senator, Pieter A. Kerstens, Vice-President of the Independent League for European Cooperation (ILEC) and Chairman of the Hague Congress Organising Committee, conveyed the International Committee's memorandum to the five Foreign Ministers who were attending a meeting of the Consultative Council of the Brussels Treaty in The Hague. The following day, Georges Bidault, the French Foreign Minister, proposed to his four Brussels Treaty counterparts the creation of an economic and customs union and a European parliament. In his view, the time had come to move on from intentions and to give tangible form to the aspirations emerging from the public awareness campaign set in motion two months earlier in The Hague. But Bevin, Spaak and Baron Carel van Boetzelaer van Oosterhout, the Netherlands Foreign Minister, found the French proposal premature and considered that the private organisations must review and develop the arrangements for convening the proposed Assembly and for its operation before any active involvement by governments. The International Committee responded immediately with a letter to the Five in which Duncan Sandys declared that if neither the governments nor the parliaments wished to assume the responsibility of convening the European Assembly, the Committee was determined to do so itself. His call was heard. On 28 July, the Foreign Affairs Committee of the French National Assembly invited the French Government to open negotiations with a view to convening a European Assembly consisting of representatives of the various parliaments. The next day, responding to a question from the Senator and federalist militant Étienne de la Vallée Poussin, Spaak, speaking in Brussels, stated that *the resolutions*

*adopted at the Hague Congress included a call to convene a European parliamentary assembly. This is, I believe, a good idea and one that is achievable. In my view, it is for the committee resulting from the Hague Congress to proceed with a systematic analysis of this idea and to resolve a number of practical questions, in particular the method of electing the proposed European parliamentary assembly, its composition and, above all, the agenda that it might be asked to address. When the Hague Congress committee has completed its work on its proposal, it should then forward it to the governments. I believe that I can commit myself, on behalf of the Belgian Government, to supporting this proposal and helping it become a reality by submitting it, where necessary, to the governments of the other countries and by seeking to provide backing through diplomatic channels. In short: I would like the committee resulting from the Hague Congress to take its systematic analysis further, to draft a proposal and to put that proposal to the governments. I hope to be able to adopt that proposal and thereby assist in bringing it about.*

The ICMEU did not need to be asked twice. On 18 August, it sent to the governments of the founding States of the Organisation for European Economic Cooperation (OEEC) a new memorandum concerning the method for the convening of a European Assembly. The text had been drawn up by an Institutional Affairs Committee chaired by Paul Ramadier, the former President of the French Council of Ministers, who had likewise chaired the Political Committee in The Hague. Key concerns were the Assembly's prerogatives, its composition and the method of appointing its members. The memorandum proposed, in particular, that the Assembly be assigned a deliberative and consultative role pending a transfer of sovereignty from the governments. The Assembly's remit would be to express the commitment of the peoples of Europe to unity and peace, to examine practical measures designed to bring about progressively the political and economic integration of Europe, to analyse the constitutional, economic and social problems arising from the creation of a European union, to consider by what means the European peoples could be brought to a deeper understanding of the principles forming the basis of their shared civilisation and how the level of cultural exchange between them could be raised, to adopt a human rights charter and draw up plans for a European Court of Justice, and to make recommendations to the Member States. To achieve this objective quickly, the Ramadier Committee proposed that a preparatory conference be held in Brussels, in November 1948 at the latest; the conference would consider and submit to the Five whatever recommendations would serve the convening and organisation of the European Assembly.

The day the memorandum was published, the French Council of Ministers decided to 'give this proposal its active support and take whatever initiatives seemed appropriate in this respect'. Speaking at a press conference following the Council session, François Mitterrand, Junior Information Minister and a member of the French delegation to the Hague Congress, stated further that the French Government would liaise as appropriate through normal diplomatic channels and that the first governments to be consulted would be those of the United Kingdom, Belgium, the Netherlands and Luxembourg. While for Robert Schuman, the French Foreign Minister, the aim was indeed to satisfy European public opinion, there was the further requirement of offering guarantees to the United States, which wished Europe to strengthen its position in order to cope with the Soviet threat, and of acquiring a framework in which to accommodate the future Federal Republic of Germany (FRG). Following an exchange of views between Spaak and Schuman, the Belgian Government decided to back the French initiative and support the ICMEU initiative. On 2 September 1948, the Belgian and French representatives to the Permanent Committee of the Five in London submitted to that body the proposal for a European Assembly as set out in the ICMEU memorandum. On 8 September, the Secretary-General of the Permanent Committee of the Brussels Treaty announced officially that the memorandum was being considered, as requested by the French and Belgian Governments. In this way, the issue of the European Assembly was now being considered at governmental and diplomatic level, as Bidault had proposed, in vain, on 20 July. In the meantime, however, the Franco-Belgian initiative had received the overt support of the United States of America.

Noting the determination of the Five to assume the task of convening and organising the future European Assembly, the Italian authorities made no secret of their dismay at not being allowed to take part in this preparatory effort. As early as 24 August, Count Carlo Sforza, the Italian Foreign Minister, had set out his government's views in a memorandum addressed, in the first instance, to the French Government and, subsequently, to the governments of the OEEC Member States. Sforza argued the same line on 28 September in the course of a debate in the Italian Parliament on the Foreign Affairs budget. Voicing his

conviction that only a closer union among Western nations could save democracy and peace, he maintained that the surest way of achieving the proposed European union was to place responsibility for this initiative with the 16 States which were already cooperating within the OEEC. For its part, the Netherlands also supported the initiative taken by the International Committee of the Movements for European Unity. On 27 August, Louis Beel, the Netherlands Prime Minister, gave his official backing to the European Assembly proposal, while stressing the need to consult the other countries of Western Union.

In the United Kingdom, the Franco-Belgian initiative received a sympathetic welcome in most sections of the press; the Labour Party and the government, on the other hand, viewed it with considerable reservations. On 7 September, the UK Government submitted to the Permanent Committee a lengthy questionnaire which clearly demonstrated its worries with regard to the French plan. The UK Government also indicated that it would not be able to take a position on the European Assembly proposal until it had consulted the Prime Ministers of the Dominions at the Commonwealth Conference on 10 October. It further requested, via the Permanent Committee of the Five, that the French and Belgian Governments give a clearer statement of their views as to the composition, powers and legal status of the proposed Assembly. On 22 October, the Commonwealth Conference came out in favour of an association between the United Kingdom and its European neighbours.

On 25 and 26 October, at the third meeting of the Consultative Council of the Five in Paris, Bevin took the opportunity to convey his definitive response to the Franco-Belgian proposal. The misgivings of the Foreign Office had to do with the Assembly's powers and with its uncompromisingly parliamentary nature. As far as Bevin was concerned, achieving economic and, subsequently, political union must be a gradual process. Hence his preference for establishing an intergovernmental council. The possible association of the Commonwealth countries was another issue which exercised him. Schuman and Spaak were forced to compromise and agreed to the creation in Paris of an assessment committee made up of representatives nominated by the signatory governments of the Brussels Treaty, France having five representatives, the United Kingdom five, Belgium three, the Netherlands three and Luxembourg two. The committee's mandate was to examine 'the measures to be taken with a view to achieving a closer union among the peoples of Europe'.

Its composition was as follows:

*Belgium:* Franz van Cauwelaert, Max Buset and Fernand Dehousse (deputies: Fernand Vanlangenhove and Walter Loridan)

*France:* Édouard Herriot, Léon Blum, Paul Reynaud, François de Menthon and Charles Corbin (deputy: Guy Mollet)

*United Kingdom:* Hugh Dalton, Sir Archibald Clark Kerr (Lord Inverchapel), Sir Edward E. Bridges, E. C. S. Wade and T. H. Gill (deputy: Gladwyn Jebb)

*Netherlands:* Pieter A. Kerstens, W. Aldarba, Jan Bruins Slot (deputy: Petrus Serrarens)

*Luxembourg:* Fernand Loesch and Michel Rasquin.

Chaired by Édouard Herriot, the former President of the French Council of Ministers, the European Union Assessment Committee met on two occasions, at the Quai d'Orsay: from 26 November to 16 December 1948 and from 18 to 20 January 1949. It was soon apparent that the views of the various parties would not be easy to reconcile. The British delegation advocated a 'European Council' which would operate on the basis of unanimity and would, in the first instance, be established for a five-year term. It would consist of representatives of the governments of the Five and would not be empowered to address economic or defence issues. The Belgian and French delegations, for their part, proposed the creation of a European Consultative Assembly which would be representative of the various currents in public opinion and would be open to all European nations. The French, more in tune with federalist thinking, were, moreover, of the view that the Assembly should have the power to intervene in all areas and would adopt by majority vote resolutions that would then be forwarded to the governments. Delegates would be freely appointed by the national parliaments. In a substantial concession to British requirements, the French memorandum did, however, envisage the establishment of a governmental council which could prepare the work of the Assembly.

During the discussions, the newly created European Movement put forward a series of institutional and compromise suggestions. For, in the meantime, the movements of which it was composed had not been sitting back. As early as 19 September 1948, at the end of their third Congress in Scheveningen, the *Nouvelles Équipes Internationales* (New International Teams — NEI) adopted a political resolution which, on all main points, was in line with the proposal set out in the ICMEU's memorandum. The NEI accepted that the European Assembly should, initially, have an evaluative role only and that its powers should be restricted to recommending practical measures that would allow the economic and political union of Europe to be achieved quickly. The NEI also wanted the governments of the Five to take on the task of convening the Assembly. And, at its second Congress, held in Interlaken in September 1948, the European Parliamentary Union (EPU) led by Count Richard Coudenhove-Kalergi, whose members included MPs from 12 European countries, asserted the need for a European federation and discussed an action plan that would enable a European Assembly to be convened by 31 March 1949 and a federal Constitution to be adopted. This proposal was submitted without delay to the Prime Ministers, Foreign Ministers and presiding officers of the legislative chambers of the various countries in Europe. This parliamentary initiative, which was more ambitious than the memorandum drawn up by the International Committee of the Movements for European Unity, did not, however, result in any action. Each party stood by its positions. In this deadlock situation, a subcommittee was set up and instructed to seek a compromise between the Franco-Belgian and British positions. On 16 December, it proposed the creation of a European Union which would be based on a Council of Europe, an intergovernmental body consisting of Ministers, on a Consultative Assembly whose members would be elected by the national parliaments, and on a permanent secretariat.

When the deliberations resumed in January 1949, the British backtracked and put forward a counter-proposal. The Assembly would now be called a 'Conference', and the Council would become a 'Committee of Ministers'. Both would be tightly controlled by the governments. Bevin was, in effect, trying to replace the Consultative Assembly, whose members would vote freely and would be elected by their parliaments, with a body in which each national delegation would be nominated by the government, would be led by a Minister and would be tied to bloc-voting. The various views did indeed seem well and truly irreconcilable. And so, despite attempts at conciliation made by the Belgian delegation, it was not until late January that a political arrangement was agreed in London. Meeting on 27 and 28 January, the Five decided to establish a Council of Europe consisting of a Committee of Ministers, which would meet in private, and a consultative body, which would meet in public and would be made up of national delegations freely appointed by the individual Member States. The Consultative Assembly would thus operate within a framework determined by the Committee of Ministers, which had sole power to make recommendations to the governments. A Secretariat-General was also established with purely administrative functions. At the insistence of Robert Schuman, Italy was invited from the outset to take part in the discussions.

Meanwhile, following its first Congress held on 28 February in Brussels, the European Movement proceeded to submit to interested governments a recommendation on the Assembly's composition and the arrangements for its organisation. It particularly emphasised the need to appoint at least 300 delegates, whether Members of Parliament or not, to ensure adequate representation of the vital forces in each country. As a means of asserting the Assembly's truly European nature and its inherent solidarity, the European Movement further proposed that a number of seats should be left empty and set aside for representatives of countries where freedom of expression was denied. Finally, the recommendation proposed that the Assembly be empowered to address any question relevant to the future of Europe.

The task of finalising the Statute of the Council of Europe and the arrangements for the appointment of parliamentary delegates was entrusted initially to a Conference of Ambassadors meeting within the Permanent Committee of the Brussels Treaty and subsequently to a legal committee of the ten-nation preparatory conference which was attended, in addition to the representatives of the five Brussels Treaty Member States, by the Ambassadors of Denmark, Italy, Norway, Sweden and Ireland. On 6 April 1949, a delegation from the European Movement was again invited to put its views on the composition and organisation of the Assembly.

The Statute of the Council of Europe was signed in London by the representatives of the Ten on 5 May 1949, that is to say one year, almost to the day, after the Congress of Europe in the Hague. On a proposal

from Ernest Bevin, who saw this as a symbol of Franco-German reconciliation, the Council of Europe would have its seat in Strasbourg. More prosaically, the opponents of too influential a European organisation no doubt welcomed its establishment in a city somewhat remote from the main Western European communication routes. The Consultative Assembly held its inaugural session on 10 August 1949.