

Draft law authorising ratification of the Treaty establishing the European Defence Community (29 January 1953)

Caption: On 29 January 1953, a draft law stressing the importance of the European Defence Community (EDC) and calling on Vincent Auriol, French President, to ratify the Treaty establishing the EDC is put before the French National Assembly.

Source: Assemblée Nationale. Deuxième législature - session de 1953 - Annexe au procès-verbale de la séance du 29 janvier 1953. n° 5404. Paris. "Projet de loi", p. 1-18.

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Draft law authorising ratification of the Treaty establishing the European Defence Community (29 January 1953)

authorising the President of the Republic to ratify: 1. the Treaty establishing the European Defence Community and the instruments annexed thereto; 2. the Convention on Relations between the Three Powers and the Federal Republic of Germany and related Conventions signed in Bonn on 26 May 1952, together with the letters exchanged on 26 and 27 May 1952; 3. the Additional Protocol to the North Atlantic Treaty on guarantees given by the Parties to the North Atlantic Treaty to the Member States of the European Defence Community; 4. the Treaty between the United Kingdom and the Member States of the European Defence Community,

(Referred to the Committee on Foreign Affairs)

Introduced

On behalf of Mr René Mayer,

President of the Council of Ministers,

By Mr Georges Bidault,

Minister for Foreign Affairs,

and Mr René Pleven,

Minister for National Defence and the Armed Forces.

Explanatory Statement

Ladies and Gentlemen,

The documents currently before Parliament (contractual agreements, Treaty establishing the European Defence Community, attached protocols and letters) form an indissoluble whole. The implementation of the agreements is conditional upon the entry into force of the Treaty. They constitute a coherent system whose complexity is the result of the need to deal with a historically unprecedented situation.

Seven years after hostilities ended, it has still not been possible for a peace treaty to be concluded which reintegrates Germany and Austria into the community of free nations. The whole of eastern Europe is under Soviet military domination.

After two world wars, the peoples of Europe have become aware of the community of their interests. They have also come to understand the vanity of successive major European States which have dreamt of dominating the rest of Europe.

As after 1918, but with incomparably greater force, the idea of Europe is becoming the focus of nations' hopes and governments' deliberations.

It is no longer just a political ideal, it is a vital necessity. Only groups organised on a continental scale will, in future, be able to survive in a world whose structure has been drastically simplified by the last war. Faced with the Eastern bloc, which has integrated fully the economic and military resources of hundreds of millions of people, Europe is becoming increasingly aware of the need to organise itself, to unite, to create a common market without which national economies would be doomed to stagnate and decline.

France has played a leading part in launching the plan for the integration of a Europe where age-old antagonisms will disappear and interests and energies will merge. It was on its initiative that the Treaty

establishing the Coal and Steel Community was negotiated and signed. The French Government considered, and still considers, that we need to proceed in stages in this great enterprise. It had hoped to make further progress towards economic integration before dealing with the highly sensitive issue of a common European defence system. World events, in particular the Korean War, have determined otherwise.

Nevertheless, the solutions proposed today should not be seen as a response to temporary necessities. The idea, initiated by France, of establishing a European Defence Community forms part of the long sequence of efforts made by the leading statesmen of Europe since 1948 to establish lasting cooperation between western European nations.

It is not by chance that this new and decisive phase focuses even more sharply than the previous one on the German problem.

One of the main tenets of French Government policy is that there is no solution to the German problem apart from Europe, and that, conversely, there cannot be a Europe if Germany has no place in it.

No further progress can be made towards European integration until relations are normalised between the Allies and Germany and until a political regime is established in which the Federal Republic is treated not as a defeated and occupied country but as a partner. The primary objective of Allied strategy, which is to defend Europe as far to the east as possible, would not be achievable in the long term without the Federal Republic's contribution to common defence. These two facts are generally undisputed, even though there is some discussion about the conclusions to be drawn from them.

There is thus no escaping the problem which the treaties submitted for Parliament's ratification constitute an attempt to resolve. It will not go away, whatever may happen.

From that point of view, the European idea is a response to a pressing need and has nothing to do with idealism. It offers a practical solution to the particular difficulties presented by Germany's current situation, difficulties of which the German Federal Government is all too well aware. Thanks to the European idea, the use of Germany's industrial and human resources will no longer pose a problem for peace and will contribute to the peaceful project of common defence. It will eliminate the rebuilding of an independent arsenal that would represent a threat to peace.

Some people claim that there is another way out, however, and that the German question could be settled by concluding a peace treaty between the four Great Powers.

There must be no further equivocation on this fundamental issue. The peaceful restoration of German unity is a vital element in the general European settlement that is one of the objectives of French policy and the policy of the free world.

The French Government would certainly not try to hide the fact that, on a number of points, the documents that it is putting forward today provide temporary solutions to problems that will not be finally resolved until Europe as a whole is at peace.

It would point out, however, that, despite its repeated efforts, it has not been able hitherto to persuade the USSR to start constructive talks likely to lead to the development of such a settlement. It is hardly necessary to mention the numerous conferences that have been held since 1945, when Soviet diplomacy has shown itself to be more interested in disseminating propaganda than in genuinely trying to achieve true *détente*.

What the USSR's policy really means for Germany can be seen in its zone of occupation, and it both contradicts and explains what Soviet statesmen have said at the conference table. Since 1945, this policy has caused Germany to be divided and has kept it divided. The breakdown of the quadripartite arrangement has been caused by the process of sovietisation of the Eastern Zone since 1945 and the Soviets' unilateral interpretation of the quadripartite system, which, in their view, should allow Soviet interference in the Western Zones while removing the Eastern Zone from all controls. It was the Soviet commander-in-chief

who, on 20 March 1948, took the step of ending the work of the Control Council. Since then, Soviet diplomacy has been trying to achieve exactly the same objective as the Soviet occupying authorities: to consolidate Soviet domination over the countries to the east of the Iron Curtain, including eastern Germany, and to use the Soviet position in eastern Germany and Berlin to neutralise western Germany and to prevent the recovery of western Europe.

The Soviet Government thus seems to be a long way from thinking about restoring German unity, except, perhaps, under conditions that would leave it exclusive control of its zone of occupation and would allow it to rediscover that the quadripartite system can have advantages if it is the only one to benefit from them.

We can therefore understand why the numerous attempts by the three Western powers to restore German unity on the basis of free elections in the four zones of occupation and to conclude a peace treaty with the involvement of the free German Government resulting from those elections have always been refused by the Soviet Union. At the Palais Rose in 1949, the only specific proposal put forward by the USSR was to restore quadripartite control over Germany, with a right of veto which paralysed its operation. At the Palais Rose in 1951, the Western alternate representatives had agreed that all the issues that the USSR wanted to discuss should be on the agenda for a four-party conference. The Soviet alternate representative made it impossible for this conference to take place by putting forward a new demand, that the Western powers should agree to discuss the North Atlantic Pact, in other words that they should put their own defence policy on trial. In 1952, the Soviet Union, whose Foreign Minister had stated in 1946 that a German Government would have to be constituted before a peace treaty with Germany could be drawn up, rejected the three powers' proposal for a conference on the organisation of free elections in order to form a free German Government which would be involved in drafting the peace treaty.

These facts show that the Soviet Government is perfectly happy that Germany and Europe are divided, for which it is itself responsible. It will only agree to negotiations on condition that it does not have to prove that it intends them to achieve anything. As its attitude towards the conclusion of the Austrian peace treaty, which it has been blocking since 1946 with all sorts of empty excuses, also proves, it has no intention for the time being of becoming involved in a general debate on Europe's problems.

Its diplomatic activities are designed only to prevent the ratification of the agreements currently before the various parliaments by holding out, mainly for German nationalist circles, the alluring prospect of a Germany which has recovered its strength and power and is once again able to act as arbitrator between East and West.

It was with this in mind that the Soviet Government proposed, on 10 March this year, a draft treaty providing for the reconstitution of a German national army and the recruitment by that army of former Nazi officers.

This proposal appears to have been designed to regenerate the very forces which the Allied occupation was originally supposed to root out and to reawaken dreams of domination among those Germans who might be tempted to use their country's position at the hub of Europe to reignite its pan-Germanist ideas.

It is clear that a Germany armed and neutralised as Russia intends, on a continent abandoned by the British and American forces and under pressure from Russia's military might, would represent a constant threat to peace. In such a Germany, the forces of democracy would rapidly give way to extremist forces. Isolated between the two blocs and caught between nationalism and Communism, such a Germany would be a serious insecurity factor. It would oscillate between two equally dangerous poles: a crusade to the east to reconquer its lost provinces, and *entente* with the East with a view to their restitution. This would be recreating the very conditions which led to the outbreak of the Second World War.

It therefore appears impossible to isolate the problem of German unity. If the restoration of this unity is one of the vital factors in restoring peace in Europe, it cannot be envisaged in conditions which would bring the whole of Germany under Soviet influence. To restore unity in this way would actually aggravate the international situation and add a new element of insecurity and instability.

At all events, the attitude adopted by the USSR in recent exchanges of notes with the Western powers, together with recent deliberate leaks concerning Kremlin policy, confirm that the USSR does not intend to conclude any peace treaty, even on the bases that it has itself suggested.

On the other hand, it would be more dangerous in the immediate future if proposals were put forward for Germany to be provisionally reunified under the control of the four powers. This return to the Potsdam regime would be presented as the first step towards a peace settlement that would, in reality, be delayed indefinitely using the methods witnessed during the negotiations on the Austrian peace treaty. The USSR would thus be able to hold up the process of integration without actually making any real sacrifices. It would be genuine, *de facto* neutralisation and would be fatal both for Germany and for Europe.

The Soviet Union regards the German question as the key to the European problem. By proposing to neutralise Germany, it is hoping to achieve other neutralisations, intending to paralyse the recovery of western Europe and make it impossible for it to defend itself or to establish a united Europe. What is at stake is therefore important, and we may expect the Soviet Union to continue its tireless stream of propaganda in favour of a neutralised Germany.

The French Government, in full agreement with its allies and with the German Federal Government on this point, is aware of both the dangers of a policy of neutrality and those of a seesaw policy. It is aware that the division of Germany is just one of the consequences of the division of Europe and the world. It is the symptom rather than the cause of the pain that we are suffering. It is, therefore, impossible to restore German unity in freedom without putting an end to the division of Europe.

It is clear, in particular, that a partial settlement involving the departure of British and American troops from Europe and leaving the Soviet army on the Oder-Neisse line would present the gravest danger for the world and for democratic Germany itself.

This is why the agreements submitted for Parliament's approval are based on the following fundamental principles which inform the policy of the French Government and of the other signatory States.

The only way out for our threatened nations is integration, and that cannot be achieved without a peaceful settlement in Europe.

However disappointing we may find the USSR's current attitude in this respect, it is vital to keep the door open for the resumption of general negotiations with the USSR in order to achieve such a settlement. There is every reason to believe that the chances of a settlement will increase as the peaceful coalition of Western nations is consolidated.

For the time being, the Allied governments must pursue their policies within the limits imposed by the division of Germany and Europe.

The documents currently before Parliament can be understood only in the context of this situation. They do not mean that the governments are resigned to it. On the contrary, they are proposing to build a structure which, we hope, will one day house all the free nations of Europe, the whole of Europe. If the existence of the Iron Curtain prevented the nations of the west from trying to unite and combine in the part of Europe that has remained free and which contains most of Europe's resources, then Soviet policy would have won its most famous victory.

The contractual agreements and the Treaty establishing the European Defence Community put an end to the occupation regime and ensure that the Federal Republic will be involved as a partner in building a defence community for western Europe, while leaving untouched the area of relations between the USSR and the three powers regarding the final settlement of the German problem.

This political emancipation of the Federal Republic will happen simultaneously with its entry into a Defence

Community. The European army cannot be used to pursue national claims; its establishment is intended to strengthen the wholly defensive nature of Western policy.

As soon as the occupation regime ends, the Federal Republic will become part of a European organisation.

The agreements thus have both negative and positive aspects. They take account of the Federal Republic's special situation and the obstacle which the problems of German unification and the Oder-Neisse border present for European integration. They combine Germany's contribution with the defence of essential guarantees. At the same time, they pave the way for the future and lay the foundations of a European political organisation in which the inequalities associated with the continuing division of Europe are overcome in the higher unity of the European structure.

As early as 1950, the French Government stressed that, if it was necessary for the Federal Republic to contribute to defence, it would have to be arranged in such a way as to avoid recreating the conditions which have twice led to world wars. Over the last 150 years, the Prussian State's or the German State's sovereign armed forces have constantly been used to pursue a policy of conquest and hegemony. The dangers involved in the revival of a German national army or a German General Staff would be particularly serious in the present situation, with Germany divided. As we saw with the implementation of the Treaty of Versailles, a system of monitoring and agreements designed to limit the manpower or weaponry of a German national army, even as part of a coalition, would rapidly become inoperable. A new solution therefore had to be found with the agreement of the German people, who also have an interest in maintaining peace and democracy in Germany: this solution is the Treaty establishing the European Defence Community.

The Treaty is entirely consistent with the conclusions of the North Atlantic Council, which held that it would not be in the best interests of either Europe or Germany for a German national army or a German General Staff to be created. It contains the essential guarantees agreed in principle in Brussels, taking account of the conclusions reached.

The inclusion of similar clauses in the contractual agreements would have been merely a procedural matter had they not been accompanied by the continued presence in Germany of an allied control body endowed with the necessary powers. The existence of such a body would have been incompatible with the new relationship that we wish to establish with the Federal Republic. That is why the French Government successfully petitioned for the clauses in question to be included in the Community Treaty, which gives the European Commissariat the necessary powers of control. The guarantees are as follows:

First of all, the very structure of an integrated European army, and in particular the integration of its logistical bodies, makes it impossible for any of the Member States to take independent military action in Europe. This is consolidated by the provisions of Article 107 on the common armament programme, which makes it impossible for a potentially independent German arsenal to be assembled and ensures that tasks are distributed among the various Member States. A further guarantee is provided by Annex 2 to Article 107, which precludes the manufacture on the territory of the Federal Republic of certain key types of armaments, particularly those that would be required to play a decisive role in modern warfare: atomic weapons, remote-controlled weapons, an air force. Such rules take account of strategic requirements and, at the same time, interconnect the war economies of the participating States to such an extent that it would be almost impossible for any of them to secede. This is particularly the case for the Federal Republic, since it will not possess some of the essential elements of an independent armaments industry.

In order to avoid any risk that a German national army might be restored on the basis of paramilitary groups, Article 11 of the Treaty restricts the manpower and armaments of the existing police forces according to their duties, which must be strictly limited to protecting national law and order. The European Commissariat is responsible for monitoring compliance with this clause.

Finally, on the subject of manpower, the Treaty enables us to oppose any increase in the contingents raised by a Member State above the agreed figures.

Thus we can see that the rules provide specific, fundamental guarantees which are themselves consolidated by a control mechanism freely accepted by Germany. Any other formula would generate the difficulties inherent in any purely coercive system, which events between 1918 and 1935 eloquently illustrated.

On a political level, there is no risk that the Defence Community will be influenced by the claims of one of its Member States. In other words, it is impossible under the proposed system for an independent army to be combined with territorial irredentism, as some people fear.

What is more, the European army is placed under the authority of the Supreme Allied Command, Atlantic, acting in accordance with the instructions given by the North Atlantic Council, where no decision can be taken without our agreement.

It was a failure to appreciate that the Community forms an integral part of the North Atlantic system and that its institutions operate within the North Atlantic framework that led to accusations that the Treaty creates a common army without a common policy. In reality, the common policy is no different from the North Atlantic policy defined within the North Atlantic Council by the Member States of the Organisation.

During the negotiations, some delegations had planned to give the Council of Ministers of the European Defence Community the power to decide on how the European forces should be used.

This solution would not only have created a hiatus between the European Organisation and the North Atlantic Organisation but would also have run the risk of paralysing the North Atlantic system itself, since the Federal Republic's veto could have prevented the other States from fulfilling their North Atlantic obligations. It was, therefore, abandoned at the request of the French Government. In the present system, decisions on how the forces are used are taken exclusively within the North Atlantic framework.

All that remained to be established was a procedure which would enable the Federal Republic to be involved in drawing up these decisions, without participating in the North Atlantic Organisation itself, and which would harmonise the obligations of the NATO Member States with those of the Member States of the European Defence Community. This procedure is set out in the Protocols on guarantees between the European Defence Community and NATO and in the provisions for joint meetings of the North Atlantic Council and the Community's Council of Ministers.

These documents take account of the Federal Government's legitimate desire to be involved in drawing up decisions on the use of the European forces, while avoiding bringing the Federal Republic into the North Atlantic Pact, a possibility which Parliament ruled out during its business on 19 February 1952.

Moreover, it should be stressed that the Convention on relations between the Federal Republic and the Allies gives France, the United Kingdom and the United States sole responsibility for dealing with all issues relating to Germany as a whole, particularly the unification of Germany and the peace settlement. It provides that, pending such a settlement, the three powers and the Federal Republic will cooperate in order to achieve, by peaceful means, their common goal, which is a unified Germany with a liberal, democratic constitution such as that of the Federal Republic and forming part of the European community. We can see how important these clauses are when we think of the upheaval that would have been caused in the world situation by the conclusion of a separate treaty with the Federal Republic, like the treaty with Japan. Such a policy, which would have called into question the presence of allied troops in Germany and would perhaps have led to an immediate rift with the USSR, would have created enormous scope for conflict. The result finally obtained is the exact opposite. The agreements leave the door open for the resumption of negotiations with the USSR and establish the principle that Germany unity may be restored only through such negotiations.

This set of provisions makes it very difficult for a Member State to break or infringe its undertakings towards the Community. An extra guarantee against this is provided by the tripartite declaration signed on the same date as the Treaty establishing the European Defence Community. Under the terms of the declaration, the American and British Governments undertake to consider any action against the integrity or

security of the Community as a threat to their own security; the USA and the UK are thus associating themselves closely with the fate of the European Defence Community, since they make its maintenance a matter of their own national interest. In the same declaration, the American and British Governments reaffirm their determination to station whatever forces are necessary on the continent of Europe, including the Federal Republic of Germany, in order to contribute to the common defence.

Finally, the three governments repeal the unilateral guarantee against any external attack given to the Federal Republic in September 1950. In its place, the tripartite declaration establishes the system of reciprocal guarantees between the Community and the North Atlantic Treaty Organisation, as set out in the Protocols referred to above. In other words, if the Federal Republic seceded, it would be penalised by losing all guarantees given by the Western powers.

In legal terms, therefore, the system appears consistent and comprehensive, but the best safeguard against any attempt to break up the Community lies in the fact that the agreements ensure the closest possible cooperation between the British and American forces and the forces of the European Defence Community. In this respect, account should be taken not only of the provisions stating that all the troops will be placed under the same command but also, and above all, of the fact that the contractual agreements, which provide for a continuing right to be reserved regarding the stationing of allied troops in Berlin and the Federal Republic, eliminate the risks which an occupation agreed entirely by contract would have presented and stabilise the British and American presence on Federal territory. Thus, although it has not been possible, in the present circumstances, to persuade the United Kingdom to participate in the institutions of the Community, it has to be said that, in practical terms, considerable progress has been made on the problem of bringing the United Kingdom into close association with the European Defence Community.

It should be pointed out here that the Treaty signed on 27 May 1952 between the United Kingdom and the Member States of the Community includes an automatic undertaking to provide assistance between the United Kingdom and the Defence Community. The document links the United Kingdom more closely than ever before with the defence of the European continent. The French Government nevertheless remains determined to continue its efforts to secure the United Kingdom's full participation in or close association with the Defence Community.

These observations show that the establishment of the European Defence Community does not mean that we want 'Little Europe' to withdraw into itself and certainly does not distance us from the other member countries of the North Atlantic Pact.

Although the Treaty gives the Western Community vital guarantees, the main focus should lie on its vast constructive scope.

Today, no European nation is still big enough or still has the resources needed to defend itself effectively on its own, or even to make a balanced contribution to a joint security effort. The cost of armaments and their nature and diversity have created this situation. It means that the nations of western Europe need to pool their economic, financial, scientific and human resources, to integrate their military forces and to standardise their arms and equipment. It means that the defence of their territory needs to be conceived and organised as a single operation. In terms of modern resources, the countries of western Europe must be regarded as an indissoluble whole, and their resources need to be merged.

For a long time now, the French Government has been trying to promote a policy of pooling the Western countries' resources within the North Atlantic framework. In the traditional context of national sovereignties, it has not yet succeeded. Supranational institutions provide elements of the solution we hope to achieve and, for the first time, allow us a glimpse of what an effective armaments policy might be.

Thanks to the common armaments programme provided for in Article 107, the European Community will be able to start manufacturing processes which none of the national economies of the Member States could have coped with. It can hope, in the fairly long term, to resolve the problem of reconciling the need to rearm with the need to maintain the European nations' standard of living.

Clearly, the introduction of this joint programme will involve the use of German resources, both financial and industrial. From a material and moral standpoint, it would be intolerable if the German economy and the German taxpayer did not have to pay the same taxes for common defence as those that will have to be demanded of the other Atlantic nations. Exempting them would create extremely serious economic and social imbalances in Europe.

The European Community thus offers possible technical solutions to Europe's current defence requirements, but its significance does not stop there. The importance of the Treaty goes further than the historical circumstances from which it sprang. It not only enables us to face external threats, it also lays the foundations for the future organisation of Europe. Article 38 is particularly important here, since it provides for the introduction of a European Political Community.

Of course, the Community Treaty already contains all the elements of a federal or confederate organisation in embryo. The European Commissariat is a supranational political power, with limited but real responsibilities.

As we saw earlier, the Community's general policy is indistinguishable from the North Atlantic policy.

It is, therefore, not a question of filling a gap in the existing treaties, but of developing the potentialities they contain and strengthening European integration by basing it directly on the will of the people. The main innovation, therefore, which will give the new political Community its real character, will be the establishment of a directly elected Assembly to take the place of the Assembly of the Coal and Steel Community and the Defence Community.

In the course of the extremely important work that they are currently doing, and that the various governments would do well to study very carefully, the Commission and the *ad hoc* Assembly in Strasbourg have rightly underlined the vital role to be played by an elected Assembly, the creation of which will transform all the European institutions and take us a step further towards building a united Europe.

Given the extremely innovative nature of these decisions, it is only natural that certain concerns have been expressed. They mainly relate to the evolution of Germany and the Franco-German balance within the Community. These are precisely the questions to which the French Government has paid close attention throughout the negotiations.

On the first point, the preamble to the contractual agreements states that all of the Conventions are signed with a democratic and federal Germany. It is clear that any upheaval in the democratic order in Germany would create an entirely new situation that would make it impossible for the Community to operate normally. This is why the contractual agreements provide for the three powers to be able to declare a state of emergency in such a situation. This declaration allows the three powers to take whatever measures are necessary to restore normal conditions and to ensure that the Community can operate.

In reality, it is unlikely that this clause will be invoked as long as the Federal Republic remains part of the West. The Federal Republic's association with the other Western nations is the best guarantee of the existence of the democratic regime in Germany. It is certainly no coincidence that the most determined opponents of this integration policy are certain German nationalist circles which, faithful to the tradition of their General Staff after the last war, continue to base their hopes on *rapprochement* with the East.

The final question to be reviewed is the vitally important issue of the Franco-German balance within the Community.

It should be emphasised from the outset that there are no provisions in the Treaty which allow any individual Member State to become predominant within the Community; on the contrary, the system is designed to prevent any of the Member States from involving the Community in the achievement of purely national objectives.

On a different level from that of the agreements, a problem of balance clearly emerges, entirely hypothetically, once it is accepted that it is impossible, impractical and contrary to the general interest to keep western Germany under the occupation regime.

The balance would appear easiest to maintain within the new institutions, which must replace the spirit of rivalry between the two nations with a spirit of cooperation. The French Government considers that France has no need to doubt itself or its material and intellectual resources, so it has no need to fear that this cooperation will adversely affect it.

At all events, there is even less reason to be pessimistic, since France will continue to benefit from an exceptional situation.

The dual system under which, alone of the six powers, France has a reserved right in Germany safeguards both its position in the world and its situation within the military bodies running the North Atlantic Pact.

The overseas territories, of course, continue to come under the exclusive authority of the French Government, which has all the resources that it needs to meet its responsibilities in this respect.

For this purpose, France will retain exclusive control not only over the troops posted to defend those territories but also over almost the whole of its fleet. Every step will be taken to ensure that the existence of an integrated armaments programme does not in any way compromise the requirements of these forces or those of the associated States. These responsibilities will undoubtedly cost us dear. The problems of defending Indochina are having a financial impact on European integration which the French Government is determined to alleviate, with the agreement of its allies. What is still certain is that the role played by France on the world stage should enable it to join the community of six powers with its head held high.

These are the fundamental elements of the treaties signed in Bonn and Paris.

As the President of the Council stated when he took office, the French Government wishes certain aspects of the treaties to be laid down in greater detail in additional protocols. They will have to be discussed between the signatory States, and Parliament will be informed about them.

To sum up, certain fundamental points are now beyond question. We need to build Europe, we need to involve Germany in defence, we must end the occupation regime, and we must leave the door open for a resumption of negotiations with the USSR in order to achieve an overall European settlement.

In order to respond to these needs, which are difficult to reconcile, the system currently before the French Parliament is not only the best, it is also the only one possible. If we reject the association and integration formula, we shall inevitably be heading towards the rearmament, in an entirely national context, of a western Germany which has all the attributes of a sovereign nation.

If this were to happen, all the guarantees which it has been deemed necessary to attach to Germany's contribution to defence would disappear, along with the reserved rights on which a subsequent resumption of talks with the USSR depends. A situation would be created which would expose German democracy to the gravest danger and would soon threaten peace in Europe.

This was the path down which the proposals of two years ago threatened to take us, and this is why the French Government took the initiatives which resulted in the documents before you.

Failure would put us back face to face with the same perilous alternative.

The path we have chosen is thus the only one that can lead to the construction of a united Europe, the only one that meets the fundamental interests of France and of peace.

Draft law

The President of the Council of Ministers,

Having consulted the Council of State,

Having consulted the Council of Ministers,

Decrees as follows:

The following draft law will be presented to the National Assembly by the Minister for Foreign Affairs and the Minister for National Defence and the Armed Forces, who are instructed to present the explanatory statement and lead the debate.

Article 1

The President of the Republic shall be authorised to ratify the Treaty establishing the European Defence Community signed in Paris on 27 May 1952, the attached Protocols listed below and signed on the same date:

- the Military Protocol,
- the Judicial Protocol,
- the Protocol on military law,
- the Financial Protocol,
- the Protocol on the conditions of pay of military and civilian staff of the Community and on their pension rights,
- the Protocol on the Grand-Duchy of Luxembourg,
- the Protocol on relations between the European Defence Community and the North Atlantic Treaty Organisation,
- the Protocol on guarantees given by the Member States of the European Defence Community to the Parties to the North Atlantic Treaty,
- the Protocol of signature on the accession of the Community to international conventions on rights in the event of war,
- the Protocol of signature on the duration of the period of service,

together with the Convention on the status of the European Defence Forces and on the commercial and fiscal rules of the European Defence Community, the agreement provided for in Article 107 (paragraph 4-B of the Treaty), also signed on 27 May 1952, and the letters exchanged on the same date between the Minister for Foreign Affairs of the French Republic and the Chancellor of the Federal Republic of Germany on the subject of Article 107 of the Treaty.

Article 2

The President of the Republic shall be authorised to ratify the Convention on Relations between the Three Powers and the Federal Republic of Germany and related Conventions signed in Bonn on 26 May 1952, together with the letters exchanged on 26 and 27 May 1952.

Article 3

The President of the Republic shall be authorised to ratify the Additional Protocol to the North Atlantic Treaty on guarantees given by the Parties to the North Atlantic Treaty to the Member States of the European Defence Community, signed in Paris on 27 May 1952.

Article 4

The President of the Republic shall be authorised to ratify the Treaty between the United Kingdom and the Member States of the European Defence Community signed in Paris on 27 May 1952.

Article 5

A copy of the Treaties and Protocols referred to above shall be kept attached to this law.

Done at Paris, 28 January 1953.

Signed: René Mayer.

For the President of the Council of Ministers,

The Minister for Foreign Affairs,

Signed: Georges Bidault.

The Minister for National Defence and the Armed Forces,

Signed: René Pleven.