

Report by the Commission of the EEC on the execution of the Treaty establishing the EEC, The Community and the rest of the world (1962)

Caption: In January 1962, the Commission of the European Economic Community published its Report on the execution of the Treaty. The Report describes, in particular, the negotiations relating to the United Kingdom's application for accession to the European Communities.

Source: The first stage of the Common Market: Report on the execution of the Treaty (January 1958-January 1962). Brussels: European Economic Community-Commission, 1962. 115 p.

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The contact procedure

76. On this last point the Community proposed to set up a "Contact Committee" to study the flow of trade between the Community and other European countries, propose methods of ironing out any special difficulties and hold consultations with a view to broadening the scope of the proposed tariff negotiations in GATT during 1960 and 1961. The tasks that the Community intended to entrust to the Contact Committee were finally taken over by the Committee on Trade Problems-made up of the Member States of OEEC, the USA, Canada and the EEC Commission-set up after the intergovernmental conferences in December 1959 and January 1960, and more particularly by a study group drawn from that Committee.

This study group carried out two of the tasks that the Community had had in mind for the Contact Committee: to analyze intra-European trade flows and to draw up a programme, if only in outline, for the tariff negotiations in GATT.

On the other hand, no special difficulties were referred to the group. However, this absence of complaints is not surprising if it is borne in mind that exports from non-member countries to the Community market have progressed very favourably in recent years.

Developments in the British position and applications for membership

77. In addition to the questions mentioned above, the Committee on Trade Problems was asked to study the problems involved in a long-term settlement of economic and commercial relations in Europe. In actual fact the most important developments in this matter took place outside this Committee from the autumn of 1960 onwards. Although a member of the European Free Trade Association since 20 November 1959, the British Government had apparently realized that some form of association with the Community was the only way the United Kingdom could play an effective part in creating an economically integrated Europe and share on an equal footing in any political union that might emerge.

In the autumn of 1960 British experts began discussions with experts from the Six on the possibilities and chances of success of a plan for British membership of the Community.

The Commission welcomed the change in the British attitude. Though it had denied that the existence of the Community, with its liberal policy, represented any threat to the interests of the other European countries, it had never questioned that there was a great deal to be gained by extending the Common Market in Europe. It regarded its "pragmatic" policy as one fitted to meet the needs of the hour and not an ideal long-term solution.

While the British experts and those of the Six continued their discussions, the Commission made it clear that the idea of membership and the advantages that went with it presupposed that the applicant State fully accepted the principles and content of the Treaty of Rome; the entry of a new member should not jeopardize the aims of the Community, and consequently the Treaty should not be subjected to any changes other than those required by the actual expansion of the Community to take in a new member.

78. On 31 July 1961, Mr. Macmillan, the British Prime Minister, announced in the House of Commons that Her Majesty's Government intended to open negotiations with a view to signing the Treaty of Rome. In a letter dated 9 August to the President of the EEC Council, the Prime Minister informed the Community of the British Government's intentions; this letter states that "Her Majesty's Government have need to take account of the special Commonwealth relationship as well as of the essential interests of British agriculture and of the other Members of the European Free Trade Association". On 2 August the President of the EFTA Council of Ministers presented to the Community a statement in which all the Members of EFTA expressed

their desire to achieve a single European market by way of membership of, or association with, the Community and reaffirmed their solidarity at a time when some of their number were about to open negotiations. In the summer of 1961 applications for membership of the Community were also submitted by the Government of the Republic of Ireland and by the Danish Government.

79. In accordance with the procedure laid down in Article 237 of the Treaty of Rome, the Council referred each of the applications to the Commission for its opinion. In its reply to the Council the Commission said that it would render its opinion only as the negotiations proceeded and in the light of their outcome.

The opening of negotiations with Great Britain and Denmark

80. A ministerial meeting took place on 10 October 1961 between the Six and Great Britain, the Commission being represented, and this was followed on 26 October by a meeting of the ministers of the Six and Denmark. As the Community had requested, the British and Danish delegations put forward at these first meetings their views on the specific problems that would arise from accession to the Treaty of Rome and on means of cushioning their effects. The negotiations proper began on 9 and 10 November with Great Britain and on 30 November with Denmark. At these meetings, which were again at ministerial level, the Six and the Commission made known their initial reactions to the British and Danish applications. The day after the second ministerial meeting between the Six and Great Britain, the senior officials entrusted with the next stage of negotiations started work on the basis of a programme prepared by the ministers. As for the negotiations with Denmark-and in particular their timing-agreement was reached with the Danish representatives that the Community's negotiations with the United Kingdom should have a certain priority, since any progress made in negotiations with the United Kingdom would greatly simplify those between the Community and Denmark.

The Commission feels it appropriate to express in this report the satisfaction felt by the Community's at the British Government's declaration, made in the first ministerial meeting, that the objectives set out in Articles 2 and 3 of the Treaty and the institutions provided for in Article 4 were accepted without reservation. The Commission also recognizes the importance of Great Britain's acceptance in principle of the common customs tariff. Finally, it has noted that the United Kingdom intends to join the European Atomic Energy Community and the European Coal and Steel Community when the current negotiations have been successfully concluded. The Commission has always contended that membership of all three Communities is the only way for a European State to play a full part in any one of them.

81. The attitude of the Six and the Commission in negotiating with Great Britain and other countries wishing to adhere to the Treaty of Rome will be determined by their determination to preserve the Community's integrity at all costs and in particular to maintain the balance established by the Treaty between the several elements of the economic union and between one Member State and another. The Community, aware that continued economic and political links between the Commonwealth countries are of value to the free world, will therefore try to work out with Great Britain solutions to the problems which will face certain Commonwealth countries if Great Britain enters the Community, so as to give these countries the time and the opportunity to adapt their economies to the new situation. But the Community could never agree to schemes that might, by means of protocols or otherwise, introduce exceptions to the Treaty's rules which would be permanent or on so large a scale as to make the application of these rules an exception in itself. But thus setting the limits within which negotiations may proceed, the Community is making sure that its vital interests are respected.

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