

Address given by Gaetano Martino to the European Parliament (20 January 1966)

Caption: On 20 January 1966, Gaetano Martino, former President of the European Parliament, comments on the French proposals put forward in Luxembourg relating to the role of the European Commission and its relationship with the Council as a condition for its return to the Council.

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Some people felt that 17 and 18 January would be the days of truth. What they meant was that there would be a frank and open exchange of views in the Council of Ministers of the Community, allowing everyone to put their cards on the table; there would have been what the British call 'a showdown' in the Council. Events have unfortunately shown that they were wrong, because what happened on 17 and 18 January in Luxembourg was more a negotiation between France, on one side, and the other five governments, on the other; during negotiations, as we well know, the full truth rarely surfaces. Plato was of the view that governments are entitled not to tell the truth in order to deceive the enemy or to conceal matters of state interest from public opinion. For those of us who do not have government functions, however, our prerogative is to be able to tell the truth in full; we can express our thoughts here very plainly, even bare our souls — especially as we are encouraged to do so through the courteous offices of President Pierre Werner, who I am pleased to see in this chamber alongside his two colleagues from Belgium and the Netherlands in a kind of Benelux solidarity that seems to me to be a splendid example and a happy omen for our Community.

In speaking on behalf of the Liberal group, I should first like to pay a wholehearted and sincere tribute to all the governments of the Member States of the Community for the obvious efforts that they have made, in a spirit of genuine reconciliation, to overcome the difficulties brought about by the grave crisis of 30 June and to get the European Community back on the right track. I say all the governments, as I have no intention of excluding France from this tribute. There are positive aspects of the French attitude that need to be openly recognised and openly acknowledged.

Agreeing to the extraordinary meeting of the Council of Ministers in order to try to find ways and means of overcoming the current difficulties is, in my opinion, one of these positive aspects. So is the application, from 1 January, of the tariff reductions laid down by the Treaties. A third is the decision to join the Common External Tariff, when the time comes.

While I therefore believe that we can pay this tribute to all the governments of the Member States of the Community, this does not put an end to our concerns. We still have concerns despite what we have heard today, and more about what remained unsaid than what was said.

From this point of view, President Werner's speech was very eloquent, even in its discretion, which — as I have undertaken to tell the truth — I have to see as caginess.

We are puzzled by two issues in particular. I shall not discuss the timetable, which is probably no more than a minor gaffe. I shall focus on two substantive points: France's demands as regards qualified majority voting in the Council.

In the Commission, we have the feeling, from what we read in the newspapers (which nobody has denied), that the Commission is being made into a kind of scapegoat for this difference of views between France and its other five partners.

It may well be that this is right in view of some of the shortcomings that have been criticised; it may well be that some of the Members of the Commission have in practice lacked the restraint that should have prevented them from levelling public criticism at one of the governments of the Member States; it may well be that this failing can also be seen as a lack of respect. If we are talking about respect, however, we have to bear in mind that respect is a two-way and not a one-way street, and the Members of the executive Commission are also entitled to demand and expect governments to respect them personally and professionally, just as the governments may rightly look for respect from the Commission and its Members.

Even so, if the problem of the executive Commission has been brought up for this reason, it seems to me that the causes are genuinely disproportional to the effect. It would have been fairer and more logical had there been a frank discussion between the Council of Ministers and the executive Commission. The Council wants, however, to judge the Commission in its absence, depriving it of its right of defence, and this — if I may say so — is an outrage.

What I should like to ask the President of the Council of Ministers in this respect, is, first of all, whether or not it is true that what is being sought is to make the functions of the President of the executive Commission subject to a kind of ongoing instability. An ongoing instability that would obviously not benefit the functioning of the Commission and that is astonishing, especially if the call comes from those who have championed stability as the criterion in public functions. The second question is this: is it or is it not true that what is being sought is the complete renewal of the executive Commission, the replacement of all its members? I have to say that Parliament has more than once had the opportunity to underscore the extraordinary merits of the executive Commission to whose ability, initiative and dynamism we owe the exceptional development of the European Common Market, which has attracted the attention and admiration of the entire world. These men, Professor Walter Hallstein, its President, and his colleagues who have been the faithful servants of Europe cannot be humiliated in this way.

The real impression that we have and which, let me say frankly, causes us more concern, is that the opportunity, I will not describe it as a pretext, is being taken to scale down the role of the executive Commission, i.e. to transform the executive Commission from a political into a technical organ.

Under the Treaty, the executive Commission is clearly a political organ of the Community, since it is accountable to the European Parliament, which, via the appropriate procedures, can bring about its automatic resignation through a vote of no-confidence. As the Treaty provides, it is a political and not a technical organ. It is then inconceivable for the Council of Ministers, without even resorting to the procedure laid down for the revision of the Treaty, to be able to take a decision to modify the role of the executive Commission. The role of the executive Commission is not decided by the Council of Ministers, it is decided solely by the Treaty of Rome.

In this respect, another question is of concern to us. Let us suppose that it is possible to scale down the role of the executive Commission by transforming it into a technical organ. Who would then be accountable to the European Parliament? If the Members of the Commission become Community civil servants they cannot, in my view, be accountable to the European Parliament. I know of no democratic country in which civil servants are personally accountable to a parliament. Political accountability has always and everywhere been vested in the government. Is the Council of Ministers prepared for this, prepared to be the sole political organ of the Community, to be accountable to this Parliament, to come before this Parliament and possibly to suffer the consequences of our vote of no-confidence? This is obviously asking the impossible.

There is then only one outcome, and it is this that concerns us: that a scaling down of the executive Commission ultimately deprives the European Parliament of its prerogative, as set out in the Treaty of Rome, of exercising political scrutiny over the work of the Executive.

Let us move on to the other point regarding qualified majority voting in the Council of Ministers. I should like here to make my own personal opinion clear. My view is that the qualified majority rule will never be used in practice in decisions by the Council of Ministers. The rule of compromise will always hold sway. This is natural. It is inconceivable for one State to be placed in a minority by the others. *Hodie mihi cras tibi*, me today, you tomorrow, France today, Germany tomorrow, Italy the day after. What will happen is what normally happens in the Swiss Federal Council where, on paper, decisions are made by a majority, but where decisions are in practice never made by a majority, since the rule of compromise means that they are always unanimous.

That being said, I should add that it would be inadmissible to abolish the qualified majority rule set out in the Treaty. The rule must exist because it is there to deter those who may wish to use their veto to prevent the implementation of particular regulations or to prevent the integration which is under way from proceeding in a regular way. The rule has to be there to deter people from thinking that a single veto is enough to prevent progress. This is its key function: a kind of deterrent, a dissuasive force, which nobody wants to use but everyone wants to possess to deter any aggressors.

It would be scandalous, in particular, to try to abolish this rule through what has been called, improperly in

my view, 'a gentleman's agreement'. What? Is the Treaty of Rome to be amended by subterfuge, almost on the sly, circumventing the perils of the parliamentary procedure in order to prevent any discussion at the time of ratification in the national parliaments? That would be incredible and intolerable! Let me say, without wishing to offend anyone, that in such circumstances it might well be an agreement, but not a gentleman's agreement.

Consequently, those who have opposed this claim by the French government, assuming that such a claim has ever been made, have done well, as have those (and I would like to pay a particular tribute here to Minister Spaak, who is here) who have fought so intelligently, fervently and resourcefully to find formulas likely to appease the French Government, without calling into question the current rules of the Treaty of Rome.

The three points of the Spaak Plan (as we now know it from the press) contain many positive aspects in my view. As regards the first point, this is not an issue. It is inconceivable for something that was previously approved unanimously to be modified by a majority; that would clearly be quite wrong and I feel that nobody could have wanted such a thing. The first point is therefore redundant. If so wished, however, such an assurance can be given to the French government. Nor have I any objections to the second point: there were matters for unanimous approval in 1965 and they have not been approved as a result of the crisis. This is due to the current strike by the French government. We now have long experience, however, which teaches us that the sanctions set out in law are never applied in public service strikes. I do not see, therefore, why sanctions, consisting precisely in majority voting on issues which should have been unanimously decided in 1965, should be applied in this case.

As to the third point, I share some of the bewilderment of previous speakers. The three-reading system disturbs the balance of the legislative procedure set out in the Treaty of Rome. The Community's normative work, according to the Treaty, has to be based on a tripod: three elements have to be combined: a proposal from the Commission, an opinion from Parliament and a decision by the Council of Ministers. As has always been and should be the case, Parliament's opinion is requested before the proposal goes to the Council; when the Commission is then invited by the Council to amend its proposal for the second reading and then the third, Parliament's opinion obviously ceases to apply. It continues to refer to the first proposal, the original proposal, and cannot relate to the second or the third. I ask the President of the Council of Ministers: would it be too much to ask, where this procedure is used, for the European Parliament to be consulted at each reading before any proposal is submitted to the Council? I am well aware that on some occasions it has been and still is the case that when the Commission amends its proposal, following discussions in the Council, Parliament is not consulted on this amendment. This is something we have criticised and continue to criticise and which we consider contrary to the spirit of the Treaties of Rome. Institutionalising such a practice would really be to betray the spirit and the letter of the Treaty.

Parliament seems to me to have been the main absentee during the two days in Luxembourg. While we may be pleased that nobody suggested sanctions or punishments for us, we are not so pleased that none of the members of the Council, as far as we know, took it upon themselves to defend the role, prerogatives and powers of the European Parliament.

I hope that, at subsequent meetings, the Ministers present here will take up my comment and make it their task to defend the European Parliament.

Mr President, Ladies and Gentlemen, we are aware of the serious crisis that Europe is experiencing, the crisis that is rocking our Community; we know the damaging effects it has caused. Let us look, in particular, with understanding and sympathy, at the situation of the European Atomic Energy Community which, although it has nothing to do with the problem of the common agricultural policy and although its Commission should not have suffered the woes of others, has in practice come out worst of all as a result of the crisis of 30 June. Let me say, in parenthesis, that this seems to me to be the most clear-cut demonstration of the fact that the failure to reach agreement on the common agricultural policy on 30 June was little more than an opportunity — and not the pretext — for a crisis which, in reality, has deeper and more serious roots.

The fact is that the European Atomic Energy Community, given the impossibility of applying the system of the provisional twelfths in force for the other budgets to its research budget, is unable to meet its commitments. It has obligations that it cannot fulfil, and I think that this problem should be placed before the Council of Ministers urgently so that a solution can be found.

We are aware of the seriousness of this crisis and consider therefore that every effort must be made, every idea examined, every method thought out and proposed so that an agreement can be reached, because the spirit of reconciliation we seem to see in all the governments of the Member States of the Community offers a formula for returning the Community to the right track.

I believe that your efforts, as representatives of the Council of Ministers, will be wholeheartedly supported by the whole of the European Parliament. On one condition, however: that you remain true to the principles of the Treaty of Rome.

We do not doubt your resolve. You have solemnly reaffirmed it on various occasions. We are sure that you will try to keep faith with what you have undertaken to do. We cannot forget, however, that the structure of the Treaties of Rome is the only guarantee that the ultimate purpose of the process of integration will not be betrayed; and therefore that it is necessary to safeguard that structure as assiduously as possible.

Our fear is that, in the concern to find a solution to the serious crisis rocking the process of integration, there will ultimately be a temptation to amend *de facto* what it is not felt reasonable to amend *de iure*.

No giving up, no laxity, therefore: this is the solemn appeal that the European Parliament makes to you at this moment, as representatives of the Council of Ministers. Perseverance, patience and good will: that is what is needed. May your difficult work of aid, support as well as dissuasion be guided by the old saying of William, Prince of Orange: 'One need not hope in order to undertake, nor succeed in order to persevere.'