

Secretariat memorandum on relations between the Council of Europe and the two new European Communities (24 November 1958)

Caption: Note from the General Secretariat of the Council of Europe, dated 24 November 1958, on establishing relations between the organisation and the two new European communities (EEC and EAEC). The note reviews the contacts made with the institutions of the European communities since the conclusion of the 1953 'gentlemen's agreement' between Jean Monnet, President of the High Authority, and Lord Layton, first vice-President of the Consultative Assembly of the Council of Europe.

Source: Relations between the Council of Europe and the two new European Communities (European Economic Community and European Atomic Energy Community), CM (58) 137. Strasbourg: Council of Europe - Committee of Ministers, 24.11.1958. 8 p.

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Memorandum by the Secretariat of the Council of Europe (Strasbourg, 24 November 1958)

Relations between the Council of Europe and the two new European Communities (European Economic Community and European Atomic Energy Community)

A. Relations between the Consultative Assembly and the new Communities

In Resolution 130 of October 1957, the Consultative Assembly instructed its President to prepare with the two new Communities the conclusion of arrangements providing for the following :

- a) Transmission to the Consultative Assembly of the annual reports of the Commissions of the new Communities;
- b) Joint meetings of the two Assemblies;
- c) Transmission of a report to the Consultative Assembly by the European Parliamentary Assembly;
- d) Joint meetings of the Bureaux at least twice a year;
- e) The two Assemblies to meet normally in the same place.

Referring inter alia to Assembly Resolution 130, the Committee of Ministers, in Resolution (57) 27 of December 1957, expressed the wish:

"that as soon as the institutions of the European Economic Community and the European Atomic Energy Community are set up, close relations should be established between the Assemblies of the Council of Europe and the Communities of the Six and, in general, between the Council of Europe on the one hand and the European Economic Community and European Atomic Energy Community on the other."

In pursuance of the instructions given him in Resolution 130, the President of the Assembly wrote to the Presidents of the E.E.C. and Euratom Commissions on 25th February 1958 proposing that the Monnet-Layton Agreement should also be applied in relations between the new Communities and the Assembly.

The "Gentleman's Agreement" of 1953 between M. M. Monnet, President of the High Authority, and Lord Layton, First Vice-President of the Consultative Assembly, provided that the Report of the High Authority should be presented and discussed at a joint meeting of the Consultative Assembly and the Common Assembly. On these occasions, the President of the High Authority has presented the report in person and has answered questions put to him. In addition, a number of meetings have been held between members of the High Authority and Committees of the Consultative Assembly.

In a letter of 24th March 1958, M. Hallstein said that the Common Market Commission was "willing to follow the tradition established by the High Authority of E.C.S.C.". M. Sassen, member of the Euratom Commission, replying on behalf of the President, M. Armand, said in a letter of 23rd April 1958 that it was "certainly the Commission's desire to have the most cordial relations with the Council of Europe, and particularly with the Consultative Assembly".

On 12th May 1958, M. Dehousse wrote to the President of the European Parliamentary Assembly proposing the renewal of the Monnet-Layton Agreement.

The contacts thus established between the President of the Assembly on the one hand and the Presidents of the two Executives and of the parliamentary body of the new institutions on the other led to the following arrangements regarding the links to be established between the Consultative Assembly on the one hand and the European Parliamentary Assembly and the two Commissions on the other:

- 1) Rule 46 of the Rules of Procedure of the European Parliamentary Assembly provides that, at the beginning of the first session opening after 31st December each year, the Committee of Chairmen shall appoint a Rapporteur to draw up a report on the activities of the European Parliamentary Assembly which, after approval by the Committee of Chairmen and the Assembly, shall be transmitted direct to the President of the Consultative Assembly of the Council of Europe.
- 2) The European Parliamentary Assembly has agreed in principle to the holding of joint meetings of the two Assemblies to discuss the activities of the three six-Power Communities.
- 3) By letter of 10th October 1958 (See Appendix I) to the President of the Consultative Assembly, the President of the E.E.C. Commission made it known that his Commission has agreed to transmit officially to the Consultative Assembly the general progress report of the Community which is published annually in accordance with Article 156 of the Treaty of Rome. The Commission was further agreed to attend the Joint Session of the two Assemblies, in order to present its general report.
- 4) By letter of 23rd October 1958 (Appendix II) to the President of the Consultative Assembly, M. Sassen, member of the Euratom Commission, made a communication on behalf of that Commission similar to that of the President of the E.E.C. Commission.

The first Joint Session of members of the two Assemblies is planned for 16th and 17th January 1959.

The Committee of Ministers might wish to note these arrangements and express its satisfaction regarding them in its Supplementary Report to the Consultative Assembly in January 1959.



B. Relations between the Committee of Ministers and the two new Communities.

Recalling its Resolution (57) 27 and noting that the institutions of the two new Communities had been set up, the Committee of Ministers, in Resolution (58) 11 of April 1958, instructed the Secretary-General to enter into contact, with those Communities with a view to examining ways and means of establishing close relations between them and the Council of Europe.

Owing to practical difficulties, there was some delay in carrying out these instructions, and it was only on 3rd October 1958 that the Secretary-General was able to have his first talk with M. Hallstein, President of the Commission of the European Economic Community, and M. Sassen, member of the Euratom Commission.

The Secretary-General explained that, under Resolution (58) 11 of the Committee of Ministers, his instructions were merely to enter into contact for the purpose of a preliminary examination of the problem of relations between the Council of Europe and two new Communities. MM. Hallstein and Sassen, for their part, pointed out that the two Commissions had not yet discussed the question at issue in detail and that consequently the interview could only be purely exploratory in character, involving no undertaking on either side.

- (1) Relations between the Committee of Ministers and E.E.C.

In the course of the conversation between the Secretary-General and M. Hallstein, it was suggested that relations between the Committee of Ministers and E.E.C. might be the subject of a formal agreement submitted to the Committee of Ministers and to the competent authorities of the Community for approval. Such an agreement would include the following provisions :

- 1) The Commission to transmit its annual general report to the Committee of Ministers.
- 2) The Commission to take part in discussions of the Committee on problems covered by its report. Similarly, the representative of the Commission to take part in discussions of the Ministers' Deputies on those questions.
- 3) The Committee of Ministers may address any observations on the report to the Commission.
- 4) The Commission may be invited by the Committee or Ministers to take part in its discussions on all other problems within the competence of the Commission. Similarly, the representative of the Commission may be invited to attend discussions of the Ministers' Deputies on those problems.
- 5) Experts of the Commission may be invited to take part in meetings of Committees of governmental experts of the Council of Europe dealing with problems within the competence of the Commission.
- 6) The Statutory Report of the Committee of Ministers to the Consultative Assembly and the Report of the Secretary-General of the Council on European co-operation to be communicated to the Commission.

If the Committee of Ministers agrees with the Secretary-General on the desirability of drawing up a formal agreement between the Committee of Ministers and E.E.C., it might instruct the Secretary-General to start talks with the Common Market Commission with a view to drawing up a draft agreement. It would be advisable for the Committee to indicate the extent to which the ideas mentioned under (1) to (6) above should be embodied in such a draft. The draft would later be submitted to the Committee of Ministers and to the appropriate bodies of E.E.C. for examination and approval.

(2) Relations between the Committee of Ministers and Euratom

If an agreement were to be drawn up with E.E.C., it would probably be advisable to conclude a similar agreement with Euratom. It should be noted, however, that the fields of interest common to Euratom and the Committee of Ministers will doubtless prove somewhat limited compared with those of interest to both the Committee and E.E.C. It is this consideration which led M. Sassen, during the discussion on 3rd October, to refer the question to the Euratom Commission.

Appendix I

Letter from the President of the E.E.C. Commission to the President of the Assembly

Brussels, 10th October 1958

Sir,

Article 230 of the Treaty setting up the European Economic Community stipulates that, "the Community shall establish all suitable co-operation with the Council of Europe". It is moreover the sincere wish of all members of the European Commission to establish a relationship of unreserved and cordial co-operation with the Council of Europe and in particular with the Consultative Assembly.

As early as March this year I acquainted you with the Commission's hope that these relations should be imbued with the same spirit as those which had developed between your Assembly and the High Authority.

I have the honour to inform you that the European Economic Community Commission is henceforth agreed to transmit officially to the Consultative Assembly of the Council of Europe, the general progress report of the Community which is published annually in accordance with Article 156 of the Treaty of Rome.

The Commission are further agreed to attend the Joint Session of the Consultative Assembly and the European Parliamentary Assembly, which is to be held annually, in order to present its general report. I should be happy to present the first report of the Commission personally at the next proposed joint Session at the beginning of 1959.

The Commission sincerely hopes that these arrangements will facilitate the development of close relations between the Consultative Assembly and the European Economic Community.

I remain, Sir,

Your obedient Servant,

W. HALLSTEIN

M. Fernand DEHOUSSE
President of the Consultative Assembly
of the Council of Europe.

Appendix II

EUROPEAN ATOMIC
ENERGY COMMUNITY
EURATOM

The European Commissioner

Strasbourg, 23rd October 1958

Sir,

I have the honour, on behalf of the Euratom Commission, to enclose herewith the first General Report on the activities of the Community.

I am happy to inform you that the Commission has decided to transmit its General Report every year to the Consultative Assembly. The Commission has also decided to attend a joint meeting of the two Assemblies and to participate in the discussions.

I hope that these decisions will contribute to fruitful co-operation between the Consultative Assembly of the Council of Europe and the Euratom Commission.

I am, Sir,

Your obedient Servant,

E.M.J.A. SASSEN

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M. Fernand DEHOUSSE



President of the Consultative Assembly
of the Council of Europe,
STRASBOURG.