

'The Six to meet again on 28 and 29 January' from La Libre Belgique (19 January 1966)

Caption: On 19 January 1966, the Catholic daily newspaper La Libre Belgique gives an account of the first meeting of the Foreign Ministers of the Six, held in Luxembourg on 17 and 18 January in order to find a solution to the empty chair crisis.

Source: La Libre Belgique. 19.01.1966. Bruxelles. "Les Six ont décidé de se revoir les 28 et 29 janvier", p. 1-2.

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The Six to meet again on 28 and 29 January

Meanwhile, the Permanent Representatives will prepare a document on the two main issues

The most immediate consequence of the meeting of the Six held in Luxembourg's Town Hall was that no marriages were performed in the capital of the Grand Duchy on Monday or Tuesday. That was the price that a few young couples in the Common Market's smallest Member State had to pay to avoid a divorce in the European Community. But there was less and less talk of divorce as the meeting proceeded. Quite clearly, no one wants a breakdown, and every participant — first and foremost Mr Couve de Murville himself — is taking care not to use excessive language or say anything irreversible.

The discussions are good humoured. Only the Dutch are openly pessimistic. Among the other delegations, cautious optimism still prevailed at lunchtime on Tuesday. That is not to say that a great deal of progress was made on Tuesday morning. The partners continued to sound each other out, put forward ideas and explain points of view, firmly but politely.

In the opinion of those who have been able to enter the conference room, the deliberations are enthralling from a purely intellectual standpoint. We are witnessing a great diplomatic game between partners who have known each other for a long time and are, in the case of Spaak, Luns and Couve de Murville, foreign policy veterans.

Attempted Belgian mediation

The ministers began work at 10.30 on Tuesday morning with a discussion of the qualified majority rule. As we are aware, Article 148 of the Treaty of Rome enters into force from the third stage of the Common Market's transitional period, which began on 1 January 1966. It provides for application of the qualified majority rule in major areas. And it is precisely the use of qualified majority voting that France is challenging.

Since the French Government is not asking for a revision of the Treaty as such, the Six need to reach agreement on an interpretation of the qualified majority rule.

In agreement with his colleagues representing France's five partners, Mr Spaak accordingly put forward a moderate interpretation of the article in question that is contrary to neither the spirit nor the letter of the Treaty. The Belgian note submitted to the Council on Tuesday morning may be summarised as follows: the unanimity rule would be retained for three types of issue:

1. Decisions already taken unanimously: such decisions could only be reversed unanimously, on the grounds that something already approved unanimously cannot be undone by a majority vote.
2. Matters which the Council had decided to settle by 31 December 1965 but are still outstanding. In such cases, transition to the third stage would be, as it were, temporarily suspended.
3. Issues affecting the vital interests of one of the Member States. On such matters, qualified majority voting would take place only after a third reading. This would enable all possible avenues of compromise to be explored between each reading of the text, with possible compromises being shuttled between the Council and the Commission. It appears almost inconceivable that this procedure should not result in an agreement acceptable to all sides.

Faced with this Belgian proposal, which seems highly reasonable and balanced, Mr Couve de Murville asked for discussion of the item to be deferred to the afternoon. More than one observer concluded that the French delegation was interested in the proposal and that Mr Couve de Murville wished to contact his government during the lunch break or speak directly to the Élysée. His partners accepted the French request, and the Six began to examine the ten-point memorandum on the role and style of the Commission which he had submitted to the Council the previous day.

The innocence of the dove

All of the ten points were discussed in the morning session, which had to be extended until 1.30 p.m. The positions of France and the Five were very far apart, but not so far that an agreement seemed impossible, at least on the principles — especially as France had not raised the issue of persons, nor mentioned the names of Mr Hallstein or Mr Mansholt. We understand that agreement was reached on many points in the French memorandum.

France's overall position is that the Common Market should be a two-headed structure in which the Council of Ministers and the single Commission have equal powers to propose legislation. France also emphasised that it was looking towards the future rather than the past. And the day before, Mr Couve de Murville had paid tribute to the Hallstein Commission.

In fact, it would have been surprising had it not done so, since the Commission has often been of considerable help to France in ensuring that its legitimate demands are met.

On a formal level, France wants the Commission to conduct itself less like a supranational government.

That applies both to serious matters (such as Commissioners' freedom of speech) and to protocol (such as the presentation of credentials to the President of the Commission by Ambassadors accredited to the EEC). Mr Couve de Murville apparently said that the Commission should in future display 'the innocence of the dove'.

At the end of the morning session, the delegations announced that, in a departure from the programme, a further session would begin at 1.30 p.m. and might last until fairly late into the evening.

A French timetable

That prediction proved false. When the meeting was resumed, Mr Couve de Murville caused a stir by proposing a timetable that impinged greatly on the two items that the Six had already been discussing. The surprise was all the greater as the proposal came out of the blue. That morning, the French Foreign Minister had announced that he would be defining his government's position, not that he would propose a decision-making timetable. Taken aback, the Dutch and Germans called it an ultimatum. Mr Couve de Murville sought to reassure them on that point.

What does the timetable propose?

1. An agreement on qualified majority voting should be reached by 31 January.
2. If that is achieved, the Community budgets (including Euratom's special research budget) should be adopted using the written procedure.
3. The national parliaments should ratify the treaty merging the executive bodies by 31 March.
4. The single Commission should be established by 1 April, its role and composition having been defined in talks that could begin on 1 February.
5. The financial regulation governing the common agricultural policy should be adopted by the end of March at ministerial meetings held in Brussels together with the Commission.

Having noted the proposed timetable, the Five asked for an adjournment, during which there was a private conversation between Mr Colombo and Mr Schröder. The meeting resumed after half an hour and dealt only with the proposed timetable. In the end, the timetable was not adopted, since the Five considered that an agreement had first to be reached on the two main issues: the qualified majority rule and the role and style of

the Commission.

The meeting ended at 7 p.m., after the Six had agreed to meet again in Luxembourg on 28 and 29 January. In the meantime, the Permanent Representatives — including the French Representative, Mr Boegner, who would thus be joining his colleagues for the first time since 30 June — would try to reach agreement on the basis of the French memorandum on the Commission and on Belgium's proposed interpretation of the Treaty provisions on qualified majority voting.

Mr Spaak hopeful of a successful outcome

Speaking to the press, Mr Spaak said:

'The fact that we are to meet again proves that there is hope for an agreement. In a conference like this, there comes a time when you have to move on from speech to writing. That is what we have now decided to do. If we are to defuse the situation, we must reach agreement on the two basic issues.'

The members of the Belgian delegation consider that France now knows what the Five are willing and able to concede. Mr Couve de Murville came to Luxembourg and will be coming back next week. Is that not a serious indication that, on both sides, there is a prevailing feeling that a compromise is possible?

In the meantime, the Permanent Representatives of the six countries will meet to draft a joint text based not only on the French requests but also on Belgium's compromise proposal. It will not be any easy task, but it warrants the 'cautious optimism' voiced by the President of the Council, Mr Werner, at the press conference at the end of the day. 'Of course,' he added, 'the ship has not yet reached safe harbour, and the Five have doubtless stood by their previous statements. But the Six have embarked on a dialogue, with all the consequences that a dialogue can have.'

We may also be sure that the dialogue will be strengthened by the many points on which agreement has already been reached. Of course, those points are conditional upon overall agreement, and the details have not been disclosed. But they exist. It was bitterly cold in the snow-covered streets of Luxembourg on Tuesday night, but among the Six the ice has started to melt.