

Address given by Joseph Luns to the European Parliament (Strasbourg, 20 January 1966)


Caption: On 20 January 1966, in Strasbourg, taking part in an exchange of views between the Community institutions on the empty chair crisis, Joseph Luns, the Netherlands Foreign Minister, outlines the Netherlands' stance on the issue and gives an account of the efforts made in Luxembourg on 17 and 18 January, by the Foreign Ministers of the Six, to resolve the crisis.

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Mr Luns, *member of the Council of Ministers*. — Mr President, it is over a year since I last had the privilege of appearing in this Assembly.

Having taken part in the debates here since this morning, I appreciate how useful, how desirable and how necessary it is to be in such a singularly European atmosphere as this House from time to time.

It is good for governments to come here once in a while, the more often the better. I am grateful for the kind remarks that various people have made to my colleagues, Mr Spaak, Mr Lahr, Mr Storchi, and myself, and also, of course, to Mr Werner, President-in-Office of the Council, who would have been here even if we had not been present.

I shall not say a great deal, because I assume that you are well aware of the position of the Netherlands Government on the very important issue that we are discussing today. However, I think that it would be useful for me to make a few brief comments on that position.

I should first like to say that, contrary to what is sometimes thought, alleged or written, the position of the Netherlands is not rigid or difficult. We are guided by a principle that, I think, is shared by everyone in this Chamber, and that is confidence in both the letter and the spirit of the treaties that we have signed. With that as the guiding principle, I think that the Netherlands Government's position on the problems that have arisen will be not just understandable but, in fact, predictable.

With your permission, Mr President, I shall, like the previous speaker, say something about the various problems being discussed in Luxembourg. I suppose that I cannot deprive the President, Mr Werner, of the privilege of answering the relevant questions from Members in due course, so I shall resist that temptation.

Mr President, let me start by quoting what the Honourable Member, Mrs Strobel, has said about the position that the Five should adopt. If I am slightly critical of her very interesting and pertinent argument, it is because she said that it was her impression that the Five had allowed themselves to be manoeuvred into a defensive position against the Member State that had raised the issues, France.

I do not think that is true. I would add that, as far as the partners of the Netherlands are concerned — I can definitely say that here — and certainly as far as the Netherlands is concerned, it is not our aim, in the talks taking place with France, to reach a position where there is a winner and a loser.

Mr President, on the majority voting that was the first item on the agenda — there were in fact only two items on the agenda, the question of majority voting and the relationship between the Council and the Commission, or what is actually termed the Commission's style — I should like to say that on that point, too, the Netherlands Government wishes to comply strictly with the Treaty.

It has been said, not entirely without justification, that the Treaty does not provide for the introduction of majority voting in the phase that started on 1 January this year. On the other hand, however, it is particularly clear, not just in the spirit but also in the letter of the Treaty, that, from 1 January this year, the possibility of majority voting has been made very clear and that it must be kept very clear.

In that connection, it is worth looking again at the substance of Article 148 of the Treaty which, to quote from memory, states that, save as otherwise provided, Council decisions are to be taken by a majority vote. That is considered the general rule.

For the Netherlands Government, it is not just highly problematical but also, in practice, unacceptable that, when one of the Member States considers an issue to be of such national importance that it does not wish to

be outvoted, the Member States have to decide by a general vote.

It is not simply that, in fact, as has also been said in this Assembly, however one might look at it, each Member State has been given a right of veto; other problems are also involved.

I am also thinking of the other EEC Member States. The French Minister, Mr Couve de Murville, was right when he said that what France wants is also to the advantage of those Member States. I am thinking in particular of the Netherlands. Let me say that, if a situation arises in which we can take a decision only if all six Members States of the EEC agree to it, that means that every Member State has the right of veto; in certain cases, for instance, in cases that are not in themselves very important but over which quite powerful pressure groups have an influence, any government might find itself in a situation in which it has to give in to such pressure. It will then become common practice to demand that right for any matter in which a particular country has an interest, and there are quite a number of those.

We discussed this question at length in Luxembourg. Mr Werner has already told you that we did not make much progress. As far as I am concerned, you can leave out the word 'much'.

The Netherlands Government is therefore of the opinion that, whichever procedure is chosen, the possibility of taking majority decisions should be retained in all cases.

I would point out to Mr de Lipkowski, to whose comments I listened with interest, that, in a democratically organised Community, with the common rules and rules of conduct that might be expected in a democratic Community, it is most definitely not and cannot be the intention always to apply majority decisions. As has been underlined in the past — in that connection, I would also point to the attitude of the EEC Commission — I believe that vital interests, even those of a minority, always have to be taken into account. I cannot, therefore, imagine that every decision will be taken by majority vote.

I can certainly say that, from the point of view of the Netherlands Government and, no doubt, the governments of our partners — I have no reason to assume that France will not also do that with its partners when cooperation is restored — the majority rule will be applied only after the objections of the partners have been looked at from all angles and when we honestly believe that the Community interest takes precedence over the interest that one partner has in such a decision and that that partner cannot be forced into a position in which its vital interests would actually be breached, if the situation persisted.

At all events, Mr President, even if I had not said that, it would be obvious that I would not expect a Community that developed in such a way — which has not happened yet — to last for long, with or without majority decisions. I repeat, therefore, that the majority voting principle has to be upheld.

Mr President, the second item on the agenda was the style of the EEC Commission, the relationship between the Commission and the Council of Ministers.

We have, in fact, received from the French Government a list of 10 points as initial topics for consideration.

Let me remind you of what Mrs Strobel said. It is a point that, to be honest, had not struck me in that way before. I had not realised that, but I totally understand it. I believe that Mrs Strobel is correct when she says that giving the EEC Commission a lesser role automatically means giving this Parliament a lesser role. Now, it is generally recognised that this Parliament does not have all that many rights, as Mr Martino has again pointed out, so that must also be a reason why we should keep a very close eye on what happens.

I shall not go into the points in the French memorandum now. I should just like to say that it has been agreed that the Permanent Representatives of the six countries will be considering the entire issue again. I have some hope that, at our forthcoming meeting next Friday, the entire document will be submitted in a different and better form, with better substance as far as the Commission is concerned.

I should like to add one further comment. This has nothing to do with being inflexible; it concerns the terms

of the Treaty.

It is laid down particularly clearly in Article 162 that cooperation between the Commission and the Council shall be settled by common accord between the two. With the best will in the world, that article cannot be construed as meaning that, however good the substance of the proposal might be, the six governments can tell the Council that they have taken a decision which it must take it into consideration. I believe that, if the Six agree on the French memorandum, which is not entirely out of the question, we shall not be able to get away from this memorandum, which is a sort of guideline, indicating what the six governments are proposing to discuss with the Commission. I assume that that was also the intention of our French partners. It has never been said in so many words, but I think that it is a possibility.

I said that I shall not reply to the comments made by previous speakers. However, some of the remarks have prompted me to respond on behalf of the Netherlands Government. A number of speakers have talked about the role of the European Parliament and about strengthening it. It is true that, in the last few months, we have heard very little about this, at least from the government side. That is because, in the latest document, drawn up in the spirit of compromise that motivated the Commission, consideration of a document that was submitted to the Six in early of July, dealing with the question of the Community's own resources, was held over to a later date. All I can say about that is that there has been no change in the view held by the Netherlands Government that the possession of own resources in particular makes it necessary for the European Parliament to be given more powers.

The Netherlands Government has made it clear at various meetings that it wishes to reserve its future position. Accordingly, although this matter has not been much discussed, it has not been completely forgotten.

The third item concerned the famous timetable, on which various speakers have given their views and on which Mr de Lipkowski made a number of comments. Obviously, I am pleased that this shows that, in the mind of the speaker, who must undoubtedly be better informed than I am, the aim of the timetable is not to lay down the dates to be respected, but to give a general idea of the French Government's thinking so that we can discuss the matter further. To be honest, that makes me optimistic about the talks that are to be held next Friday and Saturday.

However, I do want to make one comment about, one which, I think, Members of this Parliament should hear. I cannot imagine, at least I think it highly unlikely, that the Netherlands Parliament, which is completely autonomous in these matters and in which the government has very little say — to be honest, Mr President, I have sometimes regretted in recent years that the Netherlands Government has so little influence over the Netherlands Parliament, but nothing can be done to change that — will be prepared to accept the Treaty in the knowledge that the Netherlands Government will deposit the instrument of ratification before it is known what the new 14-member Commission will be like, what its powers will be, how portfolios will be allocated, whether they will be rotated and, if so, how, and who the new officials will be.

As I said before, I welcome Mr de Lipkowski's comment, and I hope that, in the spirit of that observation, the Dutch position will be appreciated and a satisfactory solution reached next Friday and Saturday.

Mr President, I thought that it was worth making those comments. If I am asked about my mood when I returned from Luxembourg yesterday, I can say that I was, in some ways, concerned but, in some ways, optimistic.

First of all, let me tell you why I was concerned. It was because scarcely any progress was made with the two important items on the agenda, plus another item that was also discussed and a few related items. When I say 'scarcely any', that is being optimistic. So that is the situation after two days of meetings, when the meeting was planned well in advance and so much was discussed. As a result, there is no reason to be particularly optimistic and, as I said, I am still somewhat concerned.

On the other hand, there is cause for optimism, because a decision has been taken to meet on Friday and Saturday. I cannot believe that any government — I am thinking not least of the French Government — is not fully aware of what the positions are now.

I cannot imagine that anyone who knows what the positions are and does not believe that they can be altered still thinks it worth coming back for a new round of talks that is to be decisive.

So I hope that, next week, firstly through the work of our Permanent Representatives and secondly through the discussions that will be taking place in the various capital cities, something akin to what the English call a 'meeting of minds' can develop and that the second round of talks in Luxembourg will be successful.

I should add that there is also reason to be hopeful in view of the way in which the Delegations have expressed their views and the particularly courteous and good-humoured way in which the French Delegation, too, has expressed its views, without recrimination on either side. As a result, the spirit was as it should be in a Community of six countries that are bound by strong ties, not just economic but also military, in NATO, and that are destined to live together in this alliance.

I am ending my speech with those words of qualified optimism. (*Applause*)

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