

Extract from minutes of the 315th meeting of the WEU Council (21 March 1967)

Caption: The minutes of the meeting of the Council of Western European Union (WEU), held on 21 March 1967, outline the discussions on relations between the WEU and the North Atlantic Treaty Organisation (NATO). At the meeting, French Ambassador Geoffroy de Courcel notes that his country considers that the modified Brussels Treaty has a separate existence and is distinct from the North Atlantic Treaty, and that France's withdrawal from the integrated military command only affects the Protocols that lay down the cooperation arrangements between the two organisations. British representative Lord Hood, however, believes that this withdrawal also has an impact on the ability of the WEU Member States to fulfil their mutual commitments arising from the Brussels Treaty. De Courcel also states that the French representative will no longer take part in the discussions on proposals submitted by SHAPE, but that there is no reason why France should not take part in the decision-making process within the WEU Council. On the matter of French forces for common defence, in reply to a question by Lord Hood, Geoffroy de Courcel states that France does not wish to change existing texts or previous practices, and that consequently it will provide the necessary information to the NATO Council, which in turn will pass it on to the WEU Council.

Source: Council of the Western European Union. Extract from minutes of the 315th meeting of WEU Council held on 21 March 1967. II. Note on NATO/WEU relations. CR (67) 6. pp. 5-7; 9-15. Archives nationales de Luxembourg (ANLux). <http://www.anlux.lu>. Western European Union Archives. Secretariat-General/Council's Archives. 1954-1987. Interpretation of Brussels Treaty & Paris Protocols. Year: 1967, 01/03/1967-14/06/1968. File 113.2. Volume 2/2.

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EXTRACT FROM MINUTES OF 315th MEETING CR (67) 6OF W.E.U. COUNCIL HELD ON 21st March 1967II. NOTE ON NATO/W.E.U. RELATIONS

(C (67) 45)

The CHAIRMAN recalled that at their last session the Council had been asked for their views on the following suggestions for the present meeting; the Council could:

- exchange views on the subject now under study, or make statements for the record; such views and statements could cover matters of substance, form or procedure;
- decide that document C (67) 45 should, subject to any amendments, be reproduced in the CM series - that is to say, as a paper for the Ministerial Council. If any delegation so desired, statements made at that meeting could be annexed to the final document;
- agree on what should be the focus of ministerial discussions on this point. This might take the form of prolonging the Permanent Council's mandate with a view to considering in greater depth certain political factors and working out solutions to any clearly defined problems which might have been raised.

Mr. van ROIJEN made the following statement:

"I have been directed to inform the Council that the Netherlands Government consider the contents of document C (67) 45 as a useful enumeration of a number of points - and I refer here to the list of questions on pages 9 to 11 - where practical problems may arise as a consequence of action taken by the French Government in respect of the North Atlantic Treaty Organisation.

My Government are of the opinion that - at the present stage - it would not be useful to go very deeply into every detail of the questions mentioned on the list which forms part of the document now under consideration. It should, however, be noted that my Government, to their regret, cannot agree to the French amendments on pages 4 (9) and 6 (10). In the absence of further indication as to their precise meaning, it would seem that these amendments could be interpreted as an approval, by the Council, of the fact that the French Government have not felt themselves called to supply information with regard to the so-called "force de frappe".

Furthermore, I have been asked to draw the attention of the Council to the fact that the matter under consideration is not limited to finding more or less improvised solutions for the practical problems with which we are faced at the present moment. It may be recalled that originally the whole system of obligations under the Brussels Treaty was adapted as closely as possible to the integrated collaboration within the framework of NATO. We must, therefore, take into account the possibility that in the field of armaments control - more and different problems may arise besides those listed in document C (67) 45.

Finally, I should like to draw the attention of the Council to the much wider aspects of the whole question, in the light of the complex of rights and obligations created under the 1954 Treaties. The French Government, it would appear, attach importance to the controls exercised by W.E.U. and wish, in particular, to maintain a voice in these matters. However, the successive French measures entailing a withdrawal from certain obligations must inevitably, in the view of my Government, result in discrimination.

Perhaps it is too early to find a solution for this matter. It should, however, be noted that this problem of the disruption of the equilibrium of rights and obligations does exist and that my Government feel that the possibility must be left open to return to this question at an appropriate moment."

Without replying at length to Mr. van Roijen's statement of principle, M. de COURCEL wished to clarify the difference of concept between the Netherlands and French Governments on this matter. France considered that the Brussels Treaty had a separate existence, distinct from that of the North Atlantic Treaty. The two Treaties had been signed separately and for different terms. Subsequently, the principle of co-operation between the two Organisations had been established and embodied in Article IV of the modified Brussels Treaty; its terms and conditions had later been defined by the Protocols, taking into account the existence of an integrated military organisation within the Alliance.

→
/Only ...

Only these Protocols were now affected by France's withdrawal from the integrated military Organisation.

On the other hand, in the French Government's view, the main object of the W.E.U. Treaty, concerning the mutual rights and obligations of the parties, was not affected by their decision.

Lord HOOD wished to give the British view which differed in some respects from that of the French Government.

The British Government considered the North Atlantic Treaty to be of indefinite duration. There was, therefore, no need to dwell on the question of its coming to an end before the W.E.U. Treaty.

He certainly agreed with M. de Courcel that the Brussels Treaty had a separate existence and that the member States continued to be bound by its provisions. It was, however, precisely for that reason that the British representatives had always considered and stated that one of the most serious problems created by France's withdrawal from the NATO military Organisation was that it had made it more difficult to fulfil the military obligations under the Brussels Treaty. By unanimous decision of the Council, the military responsibilities of W.E.U. had been transferred to NATO, through which member States were to fulfil their obligations to each other. Any action affecting NATO was therefore bound to weaken the ability of the W.E.U. member States to fulfil their mutual obligations under the Brussels Treaty.

Regarding discussions at the present meeting, he agreed with Mr. van Roijen that it would be better not to examine the document in detail, but to concentrate on the points listed from page 9 onwards.

/Without ...

Point I. 1 b)

: Lord HOOD said that the problem was whether,
: since there were no longer any French forces under
: NATO command, it would be either necessary or desirable
: for the French permanent representative on the North
: Atlantic Council to take part in the meeting held to
: examine, amongst other things, whether the level of
: forces to be included in the NATO annual review
: corresponded to the limits laid down. This point
: should be discussed and resolved.

M. de COURCEL said that his Government
agreed that the French representative at NATO would
not henceforth be required to take part in discussions
regarding proposals submitted by SHAPE. On the other
hand, so far as action by the Council of W.E.U. was
concerned, there was no reason why France should not
be party to the decision, such participation being
both a logical and a juridical consequence of the
Treaty.

Baron van den BOSCH, after signifying agreement
on this point, drew attention to the need to maintain
liaison between the six representatives at NATO and
their French colleague when the annual review was being
prepared. This would require some adjustment, not to
Article III of Protocol No. II, but to the Resolution
of 15th September 1956. Liaison could be ensured
either in W.E.U. or in NATO, by means of a suitable
procedure. Here, it was up to France to make a
proposal.

M. de COURCEL took note of the Belgian
Ambassador's observation, but pointed out that although
the Resolution in question had been passed in relation
to a certain form of NATO military organisation and
was thus no longer suited to the changed situation, it
did not alter the fact that a procedure for force
levels already existed. This procedure could continue
to be applied since the level of French forces, as
national forces, would still be controlled by the
Agency.

/After ...

After an exchange of views on different ways of amending the Resolution of 15th September 1956 to take account of the new situation, the FRENCH and UNITED KINGDOM representatives expressed the view that it would be wiser not to touch any texts now in force, but to adopt a pragmatic approach to the matter.

Lord HOOD said that the Secretary-General should see that the minutes of this meeting duly recorded the agreement of substance which had emerged, that is to say, to the effect that the six permanent representatives would henceforward be meeting to
: fulfil their assignment under the agreement of
: 15th September 1956, without their French colleague, but that their report would be submitted to the Council of W.E.U. for discussion and that, where required, a final decision would be taken, as in the past, by the seven Governments represented on the Council.

Mr. van ROIJEN observed that, whether the Resolution of 15th September 1956 were amended or not, there still remained the fundamental problem raised earlier by M. de Courcel and himself.

Baron van den BOSCH stated that if the French delegation considered that liaison, the importance of which he had stressed, could be ensured in W.E.U., then the Belgian delegation would concur. The Ambassador could also endorse the position as summarised by the United Kingdom representative.

Point I. 2 a) and b)

Lord HOOD observed that this involved two separate problems. The first one concerned the channel by which information was made available, and in this connection the French delegation had stated that data concerning French forces for the common defence would continue to be supplied to W.E.U. via NATO. If this were
: the case, the decision was an important and a welcome one from the political point of view. The second problem concerned the extent of the information to be made available on French forces under national command. At a previous Council meeting, the Netherlands representative had raised a number of questions in this connection, principally with a view to establishing whether certain elements - such as the "force de frappe" - were to be included. This was a controversial issue which would undoubtedly have to be tackled sooner or later.

/Reverting ...

Reverting to the first problem, Lord HOOD said that it was obvious that levels of forces for common defence could not, as had been prescribed, "be communicated annually by the North Atlantic Council to the Council of W.E.U." unless they had been received by NATO. Did the French Government intend to supply them to that Organisation?

M. de COURCEL stated that the intention of his Government was to avoid creating any problems for their partners, and also not to alter existing texts or previous practice; on this basis, he believed there would be no gap in the communications system concerned.

Lord HOOD suggested that the Secretary-General, in order to avoid any misunderstanding, should communicate with the Secretary-General of NATO on the subject.

The CHAIRMAN having drawn attention to the fact that the paragraph under review contained a passage in square brackets, Baron van den BOSCH said that his delegation would like to suggest an amendment with a view to solving this difficulty. It would consist in replacing the words between brackets in Point I. 2 a) by the following: "The French Government agree to submit its forces to the procedures prescribed in the agreements in force in the same conditions as hitherto. The foregoing does not imply that the Council have taken up a definite position in the matter". The paragraph in question dealt with an important problem, and the working group did not seem to have established a sufficiently clear distinction between the de facto and de jure situations. The French proposal between brackets might be more acceptable to all delegations if it were worded as suggested.

The Belgian delegation went on to submit an amendment to the following paragraph - I. 2 b) - concerning levels of forces for common defence. The French Government were prepared to supply information on the level of forces assigned to common defence, but would no longer be taking part in any discussion on this subject within NATO; this meant, as the Belgian Government saw it, that the guarantee provided by the discussion of levels in NATO, would henceforward be lacking. It might therefore be advisable to complete the present paragraph by the following sentence:

/"The Council ...

"The Council do not, however, exclude the possibility of adapting the Agreement of 14th December 1957 to enable it to achieve the same aims as in the past". The Agreement referred to was that concluded in implementation of Article V of Protocol No. II.

Mr. van ROIJEN said that the remarks he had made at the beginning of the Council's review of this item concerned the issue of principle, and he did not propose that this should be discussed. On the other hand, his delegation was willing to review the various paragraphs in detail. They were unable to accept the passages between brackets, but this did not mean that they should not be included in the note to be placed before the Ministers.

M. de COURCEL said that he would submit the Belgian Ambassador's first amendment to his Government with a recommendation that it be accepted. However, it would be more correct to say the French Government "will submit" rather than "agrees to submit". On the other hand, his delegation could not accept the second amendment, and if it were to be incorporated it should be placed between brackets.

: Baron van den BOSCH agreed that "will submit"
: would be preferable.

M. GUIDOTTI entered a reservation on both amendments, commenting that the wording of the second one was not very clear. He would, however, submit the first to his Government with a recommendation that it be agreed.

Baron van den BOSCH observed that the somewhat vague drafting had been dictated by a spirit of prudence.

Point I. 2 e)

This paragraph did not appear to raise any special problems; indeed, it was a statement of fact.

Point II 1 b)

Lord HOOD said that only armaments in units and depots were inspected, so that the existing English version was incorrect. There were then two practical problems. The first related to the desirability of continuing combined inspections in view of the difficulty of distinguishing between the different

/types ...

types of depot. The second related to the possibility of additional work for the Agency.

On the first point, M. de COURCEL said that the combined inspection procedure no longer applied as no French forces were now under NATO authority.

The CHAIRMAN stated that the Director of the Agency was of the opinion that the second point should not create any difficulty.

Point II. 2

Baron van den BOSCH said that he wished to propose an amendment to this paragraph also, by the insertion of the words "and to the procedures prescribed by the agreements in force" before the words in brackets and by adding the following sentence at the end of the paragraph: "The foregoing does not imply that the Council have taken up a definite position in the matter". It might then be possible to delete the brackets at present in the text.

M. de COURCEL said that he would recommend this amendment to his Government together with that referring to point I. 2 a).

: M. GUIDOTTI reserved his delegation's position
: concerning this amendment. He would, however, recommend
: it to his Government together with the first amendment
: to point I 2 a).

Point III

It was noted that this was a simple statement of fact.

Point IV

Lord HOOD observed that this was a subsidiary problem as compared with those raised by M. Roux during his statement to the Council the previous week. It seemed that the location of the S.A.C. should be considered in a wider context and in any case no very urgent solution was required.

Baron van den BOSCH thought that the distance between Paris and Brussels was not so great that the necessary co-ordination could not be maintained between NATO and the Standing Armaments Committee. The transfer of NATO was one thing but that of a W.E.U. body was quite another. The Belgian Government's view was that the S.A.C. should not leave its present headquarters.

/M. GUIDOTTI ...

M. GUIDOTTI said that the Italian delegation would rather prefer the Standing Armaments Committee to remain in Paris. There was no difficulty of principle in this respect.

Mr. van ROIJEN agreed with Lord Hood. The question was not very important and it would be better to wait.

After an exchange of views, it was decided to delete point IV from the list under consideration.

The CHAIRMAN noted that the Council had completed their point by point examination of the list of passages at the end of C (67) 45.

Lord HOOD wished to make a final remark concerning paragraph II.1 of the note, which dealt with the quantitative control of levels of armaments for forces under NATO command. He would like an assurance from General Fiori, when he made his next statement to the Council, that the situation described in this respect would not have the effect of depriving NATO of any information which might be useful to it.

Following these statements and discussion, the CHAIRMAN asked delegations for their views:

- on the principle of submitting document C (67) 45 to the Ministerial Council;
- on the form in which it should be presented, that is, with or without brackets for the French and Belgian amendments.

Lord HOOD thought it would be difficult to submit an adequate document to the Ministerial Council at the present stage; in a few more weeks it should be possible to produce a paper setting out unanimous conclusions more clearly. He therefore suggested that the Secretary-General should make a progress report to the Ministers in Rome indicating, first, that the working group had produced a report which had been discussed at first reading in the Permanent Council, and secondly, that the latter intended to continue their work so that a more complete document could be submitted to the Ministers at their next meeting in The Hague.

/M. GUIDOTTI appreciated ...

M. GUIDOTTI appreciated Lord Hood's point but was not clear how the report on NATO/W.E.U. relations could be submitted to the Council in The Hague in any different form. Admittedly it presented certain technical difficulties in its present state, but these could be overcome by a cover note summarising the political aspects which would set out the main positions adopted.

He was, however, quite prepared to accept the majority decision if other delegations approved Lord Hood's proposal.

M. de COURCEL agreed with Lord Hood that discussion of the NATO/W.E.U. note by the Ministerial Council in Rome would perhaps be somewhat premature. Nevertheless, in view of the instructions given to the Permanent Council, it would be appropriate, as M. Guidotti had said, for the Secretary-General to report to the Ministers that the Permanent Council had largely fulfilled their mission and had given a first reading to a report.

Baron van den BOSCH shared M. Guidotti's concern. Valuable work had been accomplished and a spirit of understanding had been manifested in the statements to the Council; these encouraging facts should be reported to the Ministers who should also be informed, either by cover note or by a report from the Secretary-General, that the instructions issued at the Bonn meeting had been largely carried out and that an appropriate document would be submitted to the Ministers between the sessions in Rome and The Hague, so that it could be debated at the July meeting.

Mr. van ROIJEN suggested that the note under consideration should be submitted to the Council of Ministers as an interim report and that an extension of the Permanent Council's mandate should be requested.

Arising from this exchange of views, the CHAIRMAN said that he would, in agreement with M. Fanfani, make a brief statement in Rome on the work accomplished and informing the Ministers that the Permanent Council intended to submit a report for consideration in time for the meeting in The Hague.

With reference to the note to be submitted at the Rome meeting, he asked whether the French and Belgian amendments should be placed in brackets.

Mr. van ROIJEN said that his delegation could not accept the French amendments, while those proposed by the Belgian representative would have to be submitted to his Government. He therefore proposed that they be placed in brackets. tr

It was agreed that if the French delegation withdrew their amendments, as M. de Courcel had thought might be possible, brackets should be retained for the Belgian amendments.