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Future Position of the Saar

Report[1]
Committee on Political Affairs and Democracy
Rapporteur: Mr Marinus van der GOES - van NATERS, Netherlands

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1. See 4th Session, 1952: Doc. 54 (Request for inclusion in the Agenda).
(a) See 4th Session, 1952: Docs. 53 and 60 (motions).
(b) See 5th Session, 1953: 24th Sitting, 25th September, 1953 (Report debated and Draft Recommendation and Draft Order adopted) and Recommendation 57

Members of the Committee: MM. Mollct, *Chairman;* Struye and Amery, *Vice-Chairmen;* Benvenuti, Boland, Braun, Chaban-Delmas *(Substitute:* Triboulet), Delbos *(Substitute:* de Félice), Elmgren, Gerstenmaier, van der Goes van Naters, Lord John Hope, MM. Jakobson (*Substitute:* Christiansen), Kapani, Karaosmanoglu, Mlle Klompé, MM. Lychnos, Maccas, Margue, Mommer, Robens, Santere, Schläfer *(Substitute:* Pfleiderer), Spaak *(Substitute:* Bohy), Stefanssen, Treves *(Substitute:* As quini), Valen, Wistrand.

A. Draft Recommendation

The Assembly,

Conscious of the gravity of the problem that the Saar represents, since, unless a speedy solution be found thereto, the whole basis of Franco-German relations may be jeopardised and the creation of the European Community imperilled;

Believing that it is the interest of the countries most immediately concerned, and of Europe as a whole, that a European solution be found to this problem,

Recommends to the Committee of Ministers:

1. that the States directly concerned be encouraged to undertake bilateral negotiations without delay;
2. that, with the agreement of France, Germany and the Saar, the Chairman of the Committee of Ministers convene a special Conference, at the beginning of 1954, in order to consider guaranteeing such agreements as may be reached in the course of the FrancoGerman negotiations and, if necessary, to seek a solution of any problems outstanding from them;
3. that at this Conference there be invited to participate, besides the Consultative Assembly and the Secretariat-General of the Council of Europe, as observers:
    a. the Powers which decided, on the 10th September, 1952, in Luxembourg, upon the creation of a European Community;
    b. the Saar;
    c. the United Kingdom and the United States of America;
    d. the executive organs of the European community;
4. that the Conference deliberate on the basis of the conclusions submitted to it as a result of the negotiations between France and Germany, and such proposals as may come from the Consultative Assembly.

B. Draft Order of the Assembly

The Assembly instructs the Committee on General Affairs to continue its study without delay of the Report submitted by the Rapporteur, and of such amendments as may be submitted thereto, with a view to a final Report of the Committee being considered by the Consultative Assembly at its next Ordinary, or Extraordinary, Session.

C. Explanatory Memorandum

1. On 11th and 12th September the Committee on General Affairs proceeded to an examination of the Report on the future position of the Saar submitted to it by the Rapporteur, M. van der Goes van Naters.

2. Although your Committee has not as yet completed its examination of the Report, it is, nevertheless, in a position to submit a draft Recommendation to the Assembly containing constructive proposals.

3. At the recent session of the Committee not all members were in a position to submit considered amendments to the draft Resolution with which the Report concludes. This fact reflects at once the complexity and difficulty of the subject-matter of the Report, especially in its economic aspects, and is evidence of the desire of the Committee that all points of view should be fully considered before any final decision is taken on so important a matter.

4. Your Committee will therefore keep the consideration of the Report on its Agenda, and submit the final text for consideration by the Assembly as soon as possible.

5. The terms of the Draft Recommendation call for some explanation.

6. Since the Rapporteur submitted the Report on the future position of the Saar, two major political developments have taken place. The first of these was the result of the West iserman election of 6th September; the second is the possibility that bilateral negotiations between France and Germany over the Saar will be resumed in the near future. This latter development must be especially welcomed. It has become patent that the Saar problem must be settled rapidly, unless the whole work of building a United Europe is to be halted. It is not only the ratification of the E. C. D., which is at stake, but also a test of the confidence of the European partners in each other. Meanwhile, behind all the considerations of political expediency and the ratification of Treaties, is the voice of the ordinary man and woman in the Saar, who have known four changes of régime in 35 years, and who appeal to their fellow-Europeans to grant them such peace as this world can give.

7. If the Franco-German negotiations lead to a solution, then all good Europeans will accept it willingly. At the same time, the Assembly has a duty to express the European view of the question.

8. In particular, the European interest demands that what must be sought is not a temporary, but a permanent, solution. When a just solution has been found, it must remain.

9. In order to ensure this permanency, the agreed solution should be considered at a Conference of the kind envisaged in the draft Recommendation – and guaranteed by those Great Powers most closely concerned.

10. This, therefore, is the significance of the Conference proposed in the draft Recommendation. If the bilateral negotiations succeed, it will be, as it were, a "ratification" Conference, setting the European seal on a European solution achieved by France and Germany. If, however, France, Germany and the Saar feel it would be easier to reach agreement in a wider framework, then the Conference itself would work out a solution to the problem. In this latter case, many details would have to be agreed concerning the functioning of the Conference in practice; but the essential point is to emphasise the flexibility of the concept itself of such a Conference. The Committee has deliberately left it open to the march of events to decide which of the two methods is adopted by the Conference. It will at the same time be noted, however, that a reason able time-scale has also been laid down.

11. These are the reasons that have led your Rapporteur to propose the holding of such a Conference.

12. The sense of paragraph 4 of the Draft Recommendation and of the Draft Order of the Assembly is that the Committee on General Affairs will pursue its study of the Report on the future position of the Saar as soon as all members of the Committee are in a position to submit amendments thereto. This will mean that the Committee will pursue its work both before and during the negotiations on the governmental level envisaged between France and Germany. Thereafter, in order that the final text of the Report be considered by the Conference (which, if the Recommendation is adopted by the Committee of Ministers, will be held in the first months of 1954), it will be necessary either to hold an Ordinary or Extra ordinary Session of the Assembly to consider it, or to instruct the Committee of General Affairs to transmit the text, as finally agreed in Committee, directly to the Conference, on behalf of the Assembly. The decision, either as to the date of the Ordinary or Extraordinary Session or as to the transmission of the Report adopted by the Committee on General Affairs, will be one for the Standing Committee to take.

13. The draft Recommendation was adopted in Committee by 21 votes to nil, with 2 abstentions. The Draft Order of the Assembly was adopted unanimously.