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Situation resulting from the setback to the Treaty of Paris, with a view to possible alternative solutions

Report

Committee on Political Affairs and Democracy

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1. The Failure of the E. D. C.

The following historical recapitulation is a necessary basis for a proper appreciation of the present position :

September, 1947 : Foundation of the European Parliamentary Union at Gstaad.

May, 1948 : Congress of the European Movement at the Hague.

5th May, 1949 : Statute of the Council of Europe signed.

9th May, 1950 : Schuman Plan put forward by the French Government.

11th August, 1950 : Recommendation by the Consultative Assembly of the Council of Europe in favour of establishing a European Army.

24th October, 1950 : Proposal by the French Government for establishing a European Army.

18th April, 1951 : Signature of the Treaty instituting the E.O.S.C.

27th May, 1952 : Signature of the Treaty setting up a European Defence Community.

10th August, 1952 : Entry into force of the Treaty establishing the E.C.S.C.

10th September, 1952 : Resolution of the Council of Ministers giving to the Members of E.C.S.C. the task assigned in Article 38 of the EDO Treaty to the EDC Assembly. (Preparation of a draft Treaty setting up a supranational Political Authority).

10th March, 1953 : Submission, by the Ad Hoc Assembly, to the six Ministers of the draft Treaty embodying the Statute of a European Community.

This chronological review is indispensable to a clear understanding of the problems that we have to solve. In the first place it shows that military considerations did not enter into the early efforts to achieve European unity, nor into the initial results obtained. If, a year after its foundation, the Council of Europe was led to extend the limits of its statutory competence and concern itself with these questions, this had not been its intention ; it was, in fact, contrary to the intentions of many of its members. After the Greek Civil War of 1946, the Prague coup d'Etat of March, 1948 — which led to the Brussels Treaty — and the Berlin blockade, which was a major cause of the elaboration of the North Atlantic Treaty, had come, on 21st June, 1950, the aggression against South Korea; not to speak of the internal political changes imposed by the U.S.S.R. on all the States which it had occupied under the terms of the Yalta Agreement.

The uneasiness caused by these events threw into harsh relief the military weakness of the free countries, and raised precipitately the problem of a German contribution to the joint security of "Western Europe.



That the search for means of achieving the unity of the free democracies of Europe — or at least forging closer ties between them — took, at a given moment, the form of an essentially military treaty, was not, then, Europe's wish but was due to the pressure of events outside free Europe, events which it had neither sought nor desired. In fact its preoccupations remained so basically and consistently nonmilitary that a purely political article, Article 38, was inserted in the EDO Treaty, and every effort was made to render this article effective, apart from and independently of the Treaty.

The decision of the French National Assembly will inevitably be the subject of much comment in this Assembly. It will be criticised by the supporters of E.D.C., both by its enthusiastic advocates and those who had resigned themselves to it as the least evil. Its opponents will say why they welcome the decision. It is not my intention to attempt to shake the convictions of either side; such an attempt would in any case be foredoomed to failure. I merely hope that everyone will be as dispassionate and as fair as possible. I ask the advocates of E.D.C. whether this Assembly itself and the countries they represent, including those which today most deplore the failure of the plan, did all they could to make it succeed. Italy has not yet ratified the Treaty. In Germany its ratification met with many an obstacle. In Belgium the process of ratification gave rise to delays difficult to explain. And countries which desired ratification of the Treaty but were not prepared to 'be parties to it must understand the legitimate misgivings which their abstention aroused and the pretext which that abstention afforded.

Thus, it is not our task to place the responsibility for the failure of E.D.C, whether with bitterness or with satisfaction. It is our business to make clear its consequences, to see whether new and urgent problems now arise and, if so, to seek to solve them.

2. The Consequences

It should not be forgotten that the E.D.C. arose from the increasingly obvious need:

1. to allow Germany to participate in our joint security ;
2. to ward off the possible drawbacks to this participation, both for the German democrats, who had little desire to see the restoration, by means of the Supreme General Staff, of a military authority capable of exerting a dangerous influence on internal policy, and for Germany's ex-enemies, preoccupied as they were with obtaining guarantees against the effects of such a restoration.

In the view of the champions of the Treaty, the main advantages of integration were as follows :

1. that it would strictly limit the volume of German armaments ;
2. that it would exert a two-fold international control over this limitation, one political and the other military ;
3. that it would prevent Germany's legitimate desire for unity leading her, by means of a political change such as she has known in the past, to a revival of the Eapallo policy. Since there undeniably exists in present-day Germany a sincere desire for democracy, we can safely affirm that these three preoccupations are those of the great majority of German politicians today, not excluding those who did not believe that the E.D.C. was the best means of meeting them.

While the opponents of the EDC Treaty varied in number according to the different Parliaments, they could all be divided into four categories :

1. those who, owing allegiance to Communism, were out to frustrate any strengthening of Western defence ;
2. those who believed that in opposing the E.D.C. they were hindering German rearmament, or at least refraining from giving their assent;
3. those who, while in favour — like all of us — of a policy of negotiation with the Soviet Union, whatever the difficulties and (as at Berlin) the disappointments, felt that the E.D.C. would dangerously hinder any attempt to diminish or do away with the cold war, and perhaps prove fatal to the restoration of peace ;
4. those who, under the inspiration of a strictly national outlook, felt that the partial surrender of military sovereignty would entail a definite — in their view, excessive — surrender of national sovereignty, of which they regarded the national army as the main safeguard and, where necessary, executive instrument.

There is no point in concerning ourselves with the first category. Their whole political outlook is an alien one, and they will remain obstinately, blindly and servilely hostile to anything likely to check Russian expansionism, including proposals manifestly based on peaceful and lawful preoccupations.

The second category seems to us to have a far more respect — worthy case, but one based rather on sentimental than on political considerations. The E.D.C. offered a method of German rearmament. Its collapse has removed this method from our political horizon — only the method, however, and not the fact. And the fact is that the problem of German rearmament still exists, and that we cannot elude it.

First of all, it exists as it existed, with somewhat stark urgency, on the morrow of the Berlin air-lift and the Korean war. It exists by reason of the obvious fact that without the presence of American troops Europe would be fatally weakened. It exists by reason of the fact that America legitimately expects support in return for her sacrifice, dictated though it is as much by her own interests as by ours ; also of the fact that, prompted by an argument whose logic is irrefutable, she cannot understand why one of the major Powers, who are all anxious to safeguard their own security, should have to rely completely on its own ex-enemies to ensure this security. Lastly, it exists by reason of the fact that ten years after the war the restoration of German sovereignty cannot be much longer delayed, and that this regained sovereignty can only 'be divested of the military prerogatives pertaining to any sovereign State by means of a special Treaty on the subject, such as the E.D.C. Those who oppose the Treaty because they are against German rearmament should, therefore, logically be opposed to the restoration of German sovereignty. And, as most of them realise that this doctrine is no longer tenable, the logical consequence of their attitude is that in refusing to admit a limited, controlled and integrated German army, on the plea that they are apprehensive about the more distant development of this limitation, control and integration, they make almost inevitable in the immediate future what they have feared and rejected for the more distant future.

The third category of opponents consists, as we said, of those who regard a ratified E.D.C. as an obstacle to the success of negotiations with the Soviet Union and to disarmament. But do they really think that the undeniable victory which the defeat of the E.D.C. represents for the Russians is likely to make them any more accommodating ? One of the men who did most in France to oppose ratification, M. Jules Moch, asserts in his Report that the contribution to Western defence of 12 divisions is a paltry one compared with the sacrifices of sovereignty, on the one hand, and loss of disarmament prospects, on the other, which the Treaty implied. It is somewhat surprising that he has not drawn from such exact premises all the inferences which come to mind, for, if 12 divisions amount to little so far as Western defence is concerned, they must also provide little cause for anxiety for the U.S.S.R. That is true, No one can be induced to believe that the U.S.S.R., with its vast reserves of manpower, can have felt any real anxiety at the prospect of seeing these 12 divisions set up. And, indeed, that country made it clear, unequivocally, that it agreed to German re-armament as long as this was carried out with no reference to integration. Russia objects to integration at any price. On no account will she accept a political formula which would for a long time to come do away with any hope of a German political evolution such as might lead back to a Rapallo policy.

There remain those whose reaction was dependent upon national pride, those who feared a diminutio capitis of national sovereignty which appeared to them intolerable.

They fear German sovereignty ; they are prepared to insist upon limitations being set to this sovereignty, be it political or military. But they refuse to admit that Germany is unable to consent to this unless those who are so insistent upon such limitations are prepared to accept them for themselves. They cannot see that the sacrifice of that part of sovereignty which is asked of them is the price which we shall all sooner or later have to pay in Europe to safeguard other and much more essential liberties. One of the surest perils arising from the failure of E.D.C. is the acute renaissance of nationalism, and, what is worse, of forms of nationalism which will not be the less powerful for being tinged with exasperation.

To sum up, the rejection of E.D.C. leaves Europe facing the problem of German rearmament. But, what is more, it means a severe shock to the structure of Western defensive co-operation. It once more brings to the fore the Bonn Agreements, with fresh consequences. It lays low the protocols for close co-operation established between the signatories of the Paris Treaty and the United Kingdom and, by making the Paris Treaty inoperative, it sets at naught Article 38, that brittle foundation for a European Political Community.

And so these are the problems which remain to be solved by international diplomacy within a short space of time if the worst is to be avoided.

3. German re-armament

The problem remains in its entirety, as we have said. It does not depend upon us whether Germany shall or shall not be re-armed. There can be no doubt in anybody's mind that Germany will soon recover her sovereignty, thus leading to the end of the system of occupation. Nor will anyone, it is to be hoped, support the formula of a disarmed Germany — which is tantamount to saying a neutralised Germany. Such a military no-man's land, with its wealth of industry and economic potential, would be a standing source of anxiety which

would rapidly give rise to irresistible temptation. The status of forces stationed in Germany will change from that of occupation to that of friendly and protective troops, the formula thus being adapted to the political fact which came into being on the day when Germany acceded to the Council of Europe. Quite apart from any strategic consideration, however, the concept of a sovereign State solely defended by foreign troops is unthinkable. German re-armament, the military need for which has time and time again been insisted upon, is also inevitable from the political point of view. Does this mean that simply because E.D.C. has failed one must give up the idea of any limitation or control of such rearmament ? I do not believe that there would be anyone in either the Dutch, Belgian or French Parliaments who would find a majority to subscribe to such renunciation. I doubt if such a majority could be found in Italy. Such an idea would spread unrest and anxiety to many other countries.

It is in order to ward off such a thing that two ideas have been propounded. The first is that of an Eight-Power Conference. The countries would be the six Members of the planned' but abortive Community, plus Great Britain and the United States. It is being suggested in London, that Canada should also be invited. Any such formula, capable as it is of further extensions, brings us straight back into the orbit of N.A.T.O. And it is difficult to see by what means N.A.T.O. would impose on any one of its Members a limitation which it does not impose, and indeed has no power to impose, upon the others.

In a recent interview, M. Spaak said that the problem had now become a matter for the Fifteen.

But, in either of the two formulae, there is one constant factor, namely the collaboration of the United Kingdom in whatever be the new diplomatic instrument selected. This is probably the most valuable element contributed by the talks and comments of the last few days. The presence of Great Britain in any new agreement would bring both a comfort and a guarantee to those who fear that Germany, in any six-Power formation, would acquire a predominance which they feel to be dangerous.

We must hope that this will be the trend of the conversations now in progress between the United States, the United Kingdom and Germany. We are convinced that these talks will avoid creating even the shadow of an impression that France is being isolated.

The spokesmen of the Federal Republic must be congratulated, whether they belong to the majority or to the Opposition, for being unanimous on one point, namely in affirming the need for Franco-German collaboration, without which European solidarity would be a mere fiction.

Faced with the prospect of German re-armament, but knowing full well that unlimited and uncontrolled German re-armament will meet with the most stubborn opposition, we firmly believe that we must make an exceptional effort to escape from the recipe of an alliance in the traditional and classic sense, and must rather look for a solution in a formula which is, in spite of everything, supranational.

Let it not be feared lest we are about to make a cunning and disingenuous attempt to resurrect the E.D.C. in some dubiously camouflaged garb.

In our view, the problem presents itself in the following terms : certain formulae proposed at the Brussels Conference were not acceptable because, if they had been inserted at random in the EDC Treaty, they would have resulted only in disfiguring it and in converting it into a juridical and political monstrosity. The positive achievements of the Brussels Conference, however, must not on that account be lost.

Articles which could not possibly have been inserted into an existing treaty may very well be utilized in the working out of a new agreement. Suspensive clauses may very well be included in a new treaty, which may also envisage a complete revision of the problem of staff appointments. "Where, from the very outset, a number of new data are used as a basis, it is perfectly possible to imagine an agreement whose spirit and approach are wholly new.

We therefore believe that we can propose, as an initial subject for our discussions, the following theme : to seek a formula going beyond the framework of the Six, in any case including the United Kingdom, and which will make possible the retention of the limitation and control of German re-armament in a supranational framework, to the advantage of the internal security of free Europe and of the free development of German democracy, the whole being embodied in the structure of N.A.T.O. This would simultaneously solve the second problem posed by the failure of E.D.C, namely the lapsing of the agreements to which Britain was a party.

Article 38

I need hardly recall here that it was on the basis of Article 38 of the EDC Treaty that the Council of Europe declared itself in favour, in September, 1952, of the immediate establishment of a preliminary draft Treaty setting up a Political Community. The only point on which our Assembly was at variance was as to whom this task should be entrusted. It was on the basis of the Assembly's votes that the Ministers of the Six allotted it to the Ad Hoc Assembly whose work our Assembly followed closely and to which our Assembly made what I believe to have been an important contribution. We did our best to increase this contribution when, after the transmission of the draft on 10th May, 1953, we betook ourselves to The Hague in November, 1953 and to the Quai d'Orsay in March, 1954.

With the exception of the support given for an Assembly elected by universal suffrage, the report of the Committee of Ministers of 30th March was somewhat disappointing, in that it amounted to little more than a scrupulous enumeration of the divergences which had become manifest among the Ministers' Deputies. Since that date, not a single step forward has been made.

Juridically speaking, the rejection of E.D.C, which implied the rejection of Article 38, destroys what little had been set up. The Council of Europe owes it to itself to reconsider the problem. It is to be hoped that the Council will not allow itself to be disturbed more than is necessary by the apparent juridical difficulties of the resulting situation. It will certainly not forget that there is one thing that exists, which is E.C.S.C. All those who have taken care to follow its work will rejoice at the manner in which the High Authority has triumphed over many and varied difficulties. All will rejoice in the fact that there has been both the will and the competence to construct. But the greater the progress made by the High Authority and the more the economic power which it represents is increased, the more it becomes apparent that the political control of this institution is inadequate. Let it not be doubted for one moment that, failing E.D.C, stern necessity will see to it that other necessary communities arise. The co-ordination of European policies will, if we are not to fall into utter confusion and suffer dangerous weakness, daily become more imperative.

Must a European Political Community, then, continue to be sought along the lines already adopted, heedless of the fact that Article 38 on which these are based no longer exists ? Must other methods, on the contrary, be sought, or Avili it be enough to find an alternative for Article 38 ?

Your Rapporteur suggests that it is this second alternative that should be chosen. Only thus will it be possible to reconcile a juridical fact with the need to preserve the fruit of two years' work. A recommendation by the Assembly to this effect, duly accepted by the Committee of Ministers, would appear to furnish the possibility of effectively countering these dangers which result from the disappearance of Article 38.

Thus to the initial and, to some extent, the general problem set on 24th July by the Soviet Note are added, by the failure of E.D.C, two other problems. The first is that of the new form to be given to the necessary contribution to common security, the other is what is to be the approach towards the setting up of the Political Community, above all, to the parliamentary control which it would establish. The unspecified but certain purpose of the Soviet Notes makes it clear that these problems cannot be dissociated.

The motion for a Resolution or a Recommendation which will form the conclusion of our debates must necessarily be aimed at a solution of these three problems not only as a whole but to a very great extent in relation the one to the other.