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The future statute of the Saar

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

Contents **Page**

A. Draft Resolution 2
B. Explanatory Memorandum (presented by M. van der Goes van Naters, Rapporteur) 3

1. (a) See 4th Session, 1952 : Doc. 54 (Request for inclusion in the Agenda) and Docs. 53 and GO (Motions for Resolutions).
(b) See 6th Session, 1953 : Doc. 180 (Interim Report) and Recommendation 57.
(c) See 6th Session, 1954 : Doc. 225 (Report of Committee), Doc. 251 (Motion for a Resolution), Resolution 46 and Doc. 296 (Communication), 35th Sitting, 11th December, 1954 (Draft Resolution adopted) and Resolution 68.

A. Draft Resolution

The Assembly

Takes note with satisfaction of the Agreements concluded oh 23rd October, 1954, inwhich a settlement was reached of the principal questions which for many years have divided France and Germany, among these being the Saar question ;

Observes that the broad lines of the agreement on the Saar follow closely those envisaged by the Committee on General Affairs, and expresses satisfaction with the major contribution the Council of Europe has thus been able to make, during the past two years, to the successful outcome of the negotiations ;

Expresses the conviction that the solution now proposed will contribute to promote future progress towards European unity, and to guarantee freedom of decision at the conclusion of a peace treaty ;

Notes with satisfaction that consultations continue between the two contracting Governments in order to permit the rapid implementation of the present Agreement ;

Expresses the hope that the new Statute of the Saar will enter into force at the earliest possible opportunity.

Reference to Committee

The Assembly instructs the Committee on General Affairs to follow closely the implementation of the new Saar Statute, until the Assembly of Western European Union takes up its functions.

B. Explanatory Memorandum (presented by M. van der Goes van Naters, Rapporteur)

1. Developments in Franco-German relations this year regarding the Saar problem have been marked by three decisive dates :

– March 9th, when a joint communiqué was issued to the effect that the proposals of the Committee on General Affairs defining the European Statute of the Saar had been adopted as a basis of discussion by the Federal German Chancellor, Dr. Adenauer, and the French Foreign Minister, M. Bidault ;

– May 20th, when Chancellor Adenauer and the French Deputy Prime Minister, M. Teit-gen, laid down the broad lines of an agreement to be concluded ;

– October 23rd, when Chancellor Adenauer and the French Prime Minister, M. Men-dès-France, signed the agreement on the Saar Statute.

2. In a communication t o the Assembly on 16th September, 1954, the Committee on General Affairs announced its intention of presenting at the third part of the Session a report "on all the steps taken to give effect to Recommendation 57", which was concerned with both the bilateral and the multilateral negotiations.

3. With regard to multilateral negotiations, the only provisions of the Paris Agreement which require the consent of the signatory Powers of Western European Union are contained in Articles II, III, IV, VIII, XIII and XIV, and are concerned with future developments.

4. We can however, form an opinion of the agreement as it stands at present.

5. In the first place, it should be regarded in the whole context of the London and Paris Agreements, which were designed to give to Western Germany its place as an active ally in the West. This demonstration of European solidarity in the field of security and other matters forms the basis of the new Western European Union, which will have its part to play in connection with the new Statute of the Saar.

6. A comparison between this Statute and the proposals of the Committee on General Affairs reveals numerous similarities, and also divergences, due to the recent trend of political events in Europe. These political developments are, naturally, reflected in the present Statute, and will no doubt affect the situation at the time when a peace treaty is concluded.

7. The Agreement on the Saar considered in relation to the Western European Union Treaty presents two striking features : the possibility of development in the light of progress made towards the unification and integration of Europe, and the postponement of the final decision until the signature of a peace treaty, an arrangement which all parties concerned undertake to respect. These two characteristics of the Agreement are the product of a realistic approach.

8. The work of the Consultative Assembly, in connection with the Saar problem is now all but completed. The good offices afforded by the Committee on General Affairs and the magnificent preparatory work of the Secretariat-General have not been in vain. They have served the cause of solidarity between the free peoples, and have contributed to a satisfactory solution of a problem affecting the destiny of a million people.

9. It only remains for the Assembly to exercise parliamentary control over the observance of the Agreement, a surveillance lacking in direct sanctions, as we know, but, nevertheless, recognised by European opinion.

10. Article ,11 of the Statute of the Saar provides that similar powers of control – modest in scope though effective in their consequences – will be vested in the Assembly of "Western European Union. In this respect the new Assembly will be the successor of the Consultative Assembly, and the heritage it will thus receive is one of which it may be proud.