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New drive for European integration

Report[1]
Committee on Political Affairs and Democracy
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1. 1956 - 8th Session - First part

A.

B.

1. INTRODUCTION

1. The debate on the new drive for European integration which the Consultative Assembly will hold at its April, 1956 session is a continuation of that held during the October, 1955 session. The examination last year resulted in the adoption by the Assembly of two resolutions : Resolution 89 (1955) on the European organisation of atomic energy, and Resolution 90 (1955) on the creation of a general common market. Taking these two resolutions as a basis, the Assembly now has to consider developments that have taken place during the recess. This report will serve as a basis for the Assembly debate. It has been drawn up on the personal responsibility of the Rapporteur after the broad outlines had been agreed upon by the Committee on General Affairs. At the end of the debate the report will be referred to the Committee with a view to its preparing a draft Resolution on which the Assembly will be asked to vote before the closing of the April session.

2. PART I - The European organisation of atomic energy

2.1. CHAPTER I - General Considerations

2. Since the adoption by the Assembly of Resolution 89 (1955), two plans for European organisation in the field of atomic energy have been drawn up, the first by 0. E. E. C, the second by the Inter-governmental Committee set up by the Messina Conference. 0. E. E. C. published its plan in December, 1955. It was approved by the Council of Ministers of 0. E. E. C. during its meeting on the 29th February, 1956, and a special committee was formed with the task of submitting within three months detailed proposals for the implementation of this project (See Appendix I). On the other hand, the report of the Intergovernmental Committee set up by the Messina Conference has not yet been made public. However, press publications and speeches by M. Spaak have made known the broad outlines (see Appendix II : Communiqué issued by the Brussels Conference). This Report is expected to appear during the second half of April, but it will then only be in the form of a recommendation from a committee of experts to Governments, on which the Governments will later take a decision. Any comparison between the two plans in question must therefore be made subject to possible alterations in the content of the report of the Intergovernmental Committee. Apart from these two plans mention should be made of the statement issued by the " Action Committee for the United States of Europe " which at certain points goes beyond the proposals of the Intergovernmental Committee (see Appendix III).

3. Faced with these two plans the Assembly has a two-fold rôle : on the one hand, it must make certain that the statutory aim of the Council of Europe—to achieve a closer unity between its members—is being pursued; on the other it must help European parliamentary and public opinion to understand the complex problems of nuclear energy. In the execution of the former task it must make sure that any new project for European unification contributes to this end. It must oppose any projects which would create a division between one group of member countries and the others. However, experience has shown that the work of European unification has everything to gain if those countries prepared to join integrated international institutions straightway embark on such a course, provided always that any of the other member countries is free to adhere to schemes undertaken by them. A nucleus of countries moving forward at greater speed than the others will stimulate the latter to more energetic action. It is the overall advantage to be gained for European unity by this process that led the Assembly to support and encourage the schemes for organisation proposed by the " Six ". The Consultative Assembly itself offered the meeting-ground where representatives of the " Six " and of the other member countries were able jointly to work out detailed arrangements which would ensure that the activity of the " Six " is incorporated into the work of members as a whole. In the present instance the Assembly has to consider whether it can once more encourage the " Six " in their undertaking and to propose to them as well as to other members the methods of co-operation to be established between the two groups. Fulfilling its rôle in keeping public opinion informed, the Assembly must alert public and parliamentary opinion on the urgency of developing nuclear industry in Europe. Indeed, public opinion has not yet grasped the danger in which Europe stands of being left behind by the major world Powers in this field. If the report succeeds in sounding the alarm throughout Europe it will have achieved its end.

4. The fact must be recognised that Europe, taken as a whole, is seriously under-equipped as regards nuclear energy. A brief comparison[2] with the position in the United States shows for example that the number of prototype power reactors under construction or in operation in the United States seems to be about twenty, whereas five or six power prototypes are being built in Europe. There are in Europe eight European research reactors, in the United States there are at least thirty. It is estimated that the isotope separation plants for the

enrichment of uranium set up in the United States are at least ten times larger than the only European plant which is in the United Kingdom. In the matter of specialist staff the comparison is also unfavourable to Europe : in 1952 over 500,000 science students were enrolled in the United States as compared with 180,000 in Europe. The number of technicians employed in nuclear energy in the United States in 1955 was about 15,000 as compared with about 5,000 in the United Kingdom, 1,800 in France and in all probability scarcely 1,000 in the rest of Europe. The following figures for the consumption of energy per head reveal the extent to which Europe is already under-equipped : in 1950 the energy consumption index was 100 in the United States, 60 in the United Kingdom, 45 in Belgium, 34 in Germany, 30 in France and the Netherlands and 10 in Italy[3].

5. Not very much is known about Soviet achievements. However, it is significant that Marshal Bulganin, Head of the Government in Soviet Russia, should have announced[4] at the Twentieth Congress of the Communist Party that the U. S. S. R. was ahead of other countries in the application of atomic energy for peaceful purposes. Paraphrasing Lenin's famous phrase about electrification and communism, Marshal Bulganin said on this occasion that the U. S. S. R. was going to use atomic energy to further the cause of world communism.

6. European countries, then, are already running the risk of finding themselves " underdeveloped countries " in relation to the major world Powers. In order to make up this lee-way the countries of Europe must apply themselves as a matter of the utmost urgency to the development of nuclear energy. Their policy, in this joint effort, must be based on the long-term interests of Europe as a whole rather than on their individual short-term interests.

7. Before the matter is examined in detail, tv/o final remarks should be made : nuclear energy cannot be compared with any other known form of energy. It opens up vast prospects of development, the very nature of which is still beyond man's comprehension. But this same power can also be used for destructive purposes. Consequently, the use of this energy must be subjected to exceptional conditions, particularly with regard to security control and the system of ownership of fissile materials. In any discussion this fundamental fact must never be forgotten. Furthermore, it should be noted that the two plans only stress the use of the fissionary process. It should not, however, be forgotten that there is also the fusion process which must later be covered by the activities of the two Organisations. This, of course, implies that the two Organisations should undertake research in this field without delay.

2.2. CHAPTER II - Analysis of the two plans

2.2.1. 0 E E C Plan[5]

8. Basic principle : the object of the plan of 0, E. E. C. is to promote co-operation among its members in the field of nuclear energy, with the maximum of flexibility. While it is proposed that all countries shall participate in measures of general co-operation (confrontation of programmes, harmonisation of legislation, trade liberalisation...), each country will be free to take part or not in the joiat undertakings to be set up.

9. Source of supply of fissile materials : the problem of access by member countries to supplies of fissile material appears on the programme of work of the Special Committee for Nuclear Energy recently set up by the Council of 0. E. E. C. It is, however, not proposed that the Organisation should be made responsible for the allocation of raw materials, and each country will remain free to obtain its supplies from third countries or from the joint undertakings to be set up. The Council has, furthermore, issued particular instructions to the Special Committee to begin the necessary negotiations with the appropriate United States Government body in connection with the offer made on 22nd February last by the President of the United States.

10. Security control : the Special Committee for Nuclear Energy is at present studying the technical methods of security control, with the object of preventing the diversion of fissile materials :

a. used in joint undertakings or produced from them in national undertakings;;

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2. Figures taken from the 0 E 15 C report on Possibilities of action in the field o(nuclear energy.
3. Source : Preliminary report on the problem of European energy, presented by M. Wigny to the Common Assembly, para. 9; the figures quoted have been drawn from a study made by O. E. E. C, An international comparison of national products.
4. See Le Monde, 23rd February, 1956.
5. The contents of Section (a) are based partly on the OEEG report Possibilities of action in the field of nuclear energy and partly on supplementary information obtained from tho Secretariat-General of 0 . E. E. C.

b. obtained by member countries under general or bilateral arrangements involving the application of this control;

c. considered by member countries to be suitable for the application of control.

11. Exchange of technical and scientific information : although doubts have been raised on the need for the Organisation to play any part in this connection, particularly in view of the work of the European Atomic Energy Company, the Special Committee is studying the possible rôle of the Steering Committee with regard to the exchange of information.

12. Confrontation of national programmes : the procedure proposed for the discussion of programmes and schemes of member countries would include periodic submission to the organisation by member countries of their programmes and schemes and discussion of them in the Steering Committee, which will report to the Council.

13. Trade : the proposed system includes complete liberalisation for specific nuclear energy products (specialised equipment, auxiliary material, isotopes) as well as for other products used in the production of nuclear energy when the use to which they are to be put can be ascertained.

14. Joint undertakings : joint undertakings may be set up with the participation of a variable number of countries and may be public, private or mixed. The Special Committee is already studying the problems arising from the establishment of an isotope separation plant, a chemical separation plant for irradiated fuels, a plant for the production of heavy water, prototype reactors, experimental reactors, semi-industrial laboratories—and particularly experimental centres and centres for basic metallurgical research.

15. Harmonisation of legislation : confrontation of arrangements adopted or planned by member countries with a view to harmonising legislation in the different countries on public health, insurance in the field of production and transport, on the conditions for the issuing of licences for prospecting, holding and exploiting nuclear products, and on conditions under which licences to work private patents may be granted.

16. Promotion of training : by the maximum use of existing facilities, by the founding of scholarships, by the creation, if necessary, of a European centre for the teaching of nuclear science and by the organisation of training courses in certain national or joint undertakings.

17. Promotion of standardisation : by drawing up a list of equipment that can be standardised and by the study of methods whereby Governments can enforce or encourage the observance of approved standards.

18. Method of financing : the financing of the administrative expenses of the system will make a joint budget necessary; on the other hand, the financial participation of member countries in joint undertakings will be taken care of by each country individually.

2.2.2. Plan of the Intergovernmental Committee set up by the Messina Conference

19. Basic principle : the Brussels plan is based on the assumption that all activity in the field of nuclear energy will in the long run serve the interests of all countries; and, consequently, it advocates in a spirit of solidarity that each country should abide by joint regulations and participate in the proposed joint activities as a whole.

20. Source of supply of fissile material : no user can obtain supplies except through Euratom, which for this purpose will have a purchasing priority over ore and primary and secondary fuels produced in member countries and dependent territories.

21. Security control : all fuel, however used, to be subject to community control throughout the conversion cycle, whether this takes place in joint undertakings' or in national undertakings. Negotiations will therefore have to be begun with third countries which have concluded bilateral treaties with member countries, with a view to their accepting community control. Should these third countries refuse, the security control established in accordance with the bilateral treaties would remain in force until the expiry of these treaties. They might perhaps then be taken over by Euratom.

22. Exchange of technical and scientific information : compulsory pooling of essential knowledge by means of an exchange system of patents, with appropriate remuneration.

23. Co-ordination of research programmes : discussion of programmes that have been freely drawn up in the Euratom Committee which would be called on to prepare reasoned opinions; and the opportunity for the Committee itself to publish programmes for guidance.

24. Trade : establishment of a common market, without waiting for the establishment of a general common market, for special materials (heavy water, graphite, boron, etc.) as well as for other items used in the production of nuclear energy when the purpose for which they are intended can be ascertained. The common market also catersf or the free movement of persons (scientists, technicians, and possibly specialist workers) within the community.

25. Joint undertakings : creation, with participation of all member countries, of joint undertakings whether public or mixed (including a standards centre and a research centre, an isotopic separation plant, a plant for the chemical treatment of irradiated uranium, prototype reactors). Provision is also made for recourse to companies financed entirely by private capital.

26. Harmonisation of legislation : the joint institution should be responsible for the definition of standards of safety in employment and for the scientific study of public health safety standards to be compulsorily observed by every participating country. It is in this connection that the question might arise of the system to be applied to international patents in the pooling of knowledge.

27. Promotion of training : by the creation of joint training establishments for nuclear scientists and by the creation of a research centre (see paragraph 25) entrusted with the following tasks : applied nuclear studies, general research; the creation of specialist teams, for example for aerial prospecting, for the drawing up of projects for research reactors, prototype reactors or power reactors.

28. Promotion of standardisation : by creating a standards centre (see paragraph 25) entrusted, in collaboration with the research centre, with the task of drawing up an international system of standard measures, of creating a central bureau of nuclear standards, and ensuring the standardisation and unification of terminology.

29. Joint financing of the work of Euratom as a whole : joint action in investment by means of the joint budget of Euratom and an investment fund.

2.3. CHAPTER III - Comments

2.3.1. How the two plans compare with each other and with Resolution 89

30. In paragraph 1 of Resolution 89 the Consultative Assembly expressed the wish that a centre for pure and industrial research might jointly be set up, together with European atomic plants for the production of nuclear fuels. Both 0. E. E. C. and the Brussels Intergovernmental Committee provide for an isotopic separation plant and a plant for the chemical treatment of irradiated fuels among the joint undertakings proposed. The Intergovernmental Committee provides for a joint, research centre. 0. E. E. C., on the other hand, provides for the establishment of specialist laboratories.

31. In paragraph 2 of its Resolution, the Assembly asked that " a European Atomic Energy Organisation may be set up, with the task of defining and promoting a concerted policy for the joint development of atomic research and atomic industry ". The Assembly considered that the Organisation should, " for this purpose, possess the necessary powers to fulfil the tasks " entrusted to it. The European Committee of Euratom, the body proposed by the Intergovernmental Committee, would enjoy real powers, particularly in the creation and management of joint plants in the allocation of fissile materials and in setting up and maintaining the common market for the nuclear industry. The Steering Committee for Nuclear Energy provided for within the framework of O. E. E. C. would enjoy powers delegated to it by the Council. Decisions going beyond these powers would be taken by the Council itself acting unanimously, regard always being had to Article 14 of the 1948 Convention[6]. The ControlBureau of 0. E. E. C. would also enjoy certain powers of its own in determining when infringements had taken place and the steps to be taken in such a case.

32. In paragraph 3 of Resolution 89 the Assembly expressed the wish that the largest possible number of States should take part in the various schemes. Both the organisations planned are open to all member countries. In the case of the OEEC plan, all member countries should in principle take part in the various schemes of general co-operation envisaged by this organisation. On the other hand, it is impossible to forecast the number of countries that will take part in the various joint undertakings. Likewise it is for the moment impossible to predict the number of member countries that will join Euratom.

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6. Article 14 of the Convention. " Unless the Organisation otherwise agrees for special cases, decisions shall be taken by mutual agreement of all Members. The abstention of any Members declaring themselves not to be interested in the subject under discussion shall not invalidate decisions, which shall be binding for the other Members. "

33. Paragraph 4 of Resolution 89 referred to the establishment of a European parliamentary control " appropriate to the structure contemplated ". It seems certain that the work of the European Committee of Euratom will be subject to the parliamentary control of the Common Assembly of E. C. S. C. Such a control will, in fact, only be possible when the joint institution has been endowed with powers of its own. The Consultative Assembly would have to have the right of parliamentary supervision over joint European activities in the field of nuclear energy within the framework of 0. E. E. C, a right to which the OEEC plan, as announced, does not refer.

34. Paragraph 5 of Resolution 89 referred to the continuation of the studies undertaken at Brussels and is therefore of no further interest now.

2.3.2. Political Comments

2.3.2.1. Basic principles

35. The plan proposed by the Six is based on the need to establish a genuine community of interests between Member States, a community in which all citizens profit from any advantage gained in the community. In the view of the " Six ", which has always been shared by the Consultative Assembly, such a community cannot be achieved by purely intergovernmental methods. The technical and economic studies undertaken by the experts at Brussels have provided a series of arguments in favour of pooling certain national functions and material and financial resources of member countries in order to establish a community of economic interests.

36. The OEEC experts have also come to the conclusion that a very close form of collaboration between member countries is necessary in order to ensure the greatest possible development of nuclear energy in Europe. However, in order to obtain the support of all member countries of 0. E. E. C. for their plan they have not proposed the transfer of national functions to a joint institution. It is for this reason that the plan of 0. E. E. C. provides for a highly flexible arrangement whereby each member country, although in principle taking part in the general schemes lor co-operation proposed, would be free to take part or not in the various join undertakings to be set up. Governments retain entire freedom of decision and action. In the view of the Six the optional nature of the co-operation within 0. E. E. C. creates the risk that member countries will only participate in the activities which give them some immediate advantage and will neglect others of equal long-term importance for the development of the European nuclear industry.

37. To sum up, it is clear that, from the point of view of European political and economic unification, the OEEC Plan goes much less far than the Brussels Plan.

2.3.2.2. Control

38. The OEEC Plan limits the application of the control system to the peaceful use of atomic energy, thus enabling countries which are already engaged in military activity and which would be unwilling to submit to international control to join the scheme. The control exercised by O. E. E. C.—international in character—would apply to fissile materials originating in joint undertakings and, where appropriate, also to materials imported for peaceful purposes by member countries under general and bilateral agreements if and when the parties to such agreements so wished. Materials imported by member countries are at present subject to control in accordance with these agreements and applied on a national basis.

39. On the other hand, the plan proposed by the Six envisages a system of control covering all uses of nuclear energy, i. e. including cases where countries are compelled by the international situation to manufacture weapons for mass destruction. Such a watertight control is considered necessary in order to ensure, right from the start, an atmosphere of mutual confidence among member countries. No security control exercised on a national basis by virtue of bilateral agreements or national legislation can offer the same guarantees as a system of community control. It remains true that the complete system of control could only be achieved with the agreement of those third countries with which Member States have at present bilateral agreements (see paragraph 21 above).

2.3.2.3. The pacifie nature of atomic co-operation

40. LPublic discussion in recent months has been concerned with the possibility of the use of atomic energy for the production of weapons of mass destruction by European countries. The report by 0. E. E. C. takes no stand on this question, which is considered to be the preserve of Governments. The

Intergovernmental Committee has not yet reached a decision on this point. The Action Committee for the United States of Europe, on the other hand, has unequivocally suggested that European countries should only use nuclear energy for peaceful purposes.

41. In point of fact only Great Britain among European nations is producing weapons for mass destruction. The Federal Republic of Germany, by the treaty instituting W. E. U. (Article 1 of Protocol II on the control of armaments) declared it would not manufacture atomic weapons on its territory.

42. Renunciation by European countries of the production of weapons for mass destruction would have a two-fold psychological effect : on the one hand, a neutralist attitude might be imputed to them and, on the other hand, such a decision would raise European prestige in the eyes of those countries who are only too ready to charge us with an imperialist outlook. International negotiations on disarmament are at present under way. Before the outcome of these negotiations is known it would be unwise for European countries to close the door on the possible production at a later date of weapons of mass destruction. Those States which have not yet begun production of such weapons could, however, refrain from activity in this field until the conclusion of international negotiations. This would allow them to concentrate solely on peaceful atomic development, thus enabling them to meet more quickly both their own needs and those of the under-developed countries which require nuclear energy equipment as a matter of urgency. By temporarily foregoing the production of atomic weapons in this way, the countries of Europe would provide an earnest of their peaceful intentions. World public opinion would in fact take an increased interest in the success of these negotiations.

2.3.3. Economic comments

2.3.3.1. Source of supply of fissile materials

43. The OEEC plan leaves the supply of fissile materials to the discretion of member countries, thereby respecting the principle of free competition on the world market. The absence of a system for the allocation of fuels, it is true, creates the risk of supply difficulties for certain countries in the event of shortage. However, it should be noted that the experts do not fear a shortage in the near future. The purchasing priority enjoyed by Euratom is designed to ensure for consumers a fair allocation of fuels at uniform prices. In the view of the Six the free and adequate access to raw materials for all consumers, whether they be in a producing or non-producing country, could only be guaranteed if a joint institution possessed a purchasing priority. It remains to be seen what would happen if Euratom did not exercise its purchasing priority. It would seem necessary that even in such a case the sale of products should be carried out through Euratom in the interests of control.

44. Euratom's purchasing priority makes it impossible for individual member countries or users to buy fissile materials except through the Euratom Committee. It would likewise be impossible for a member country or user to obtain supplies from any State which does not belong to the free world. In the OEEC Plan this remains at least theoretically possible.

2.3.3.2. System of ownership for fissile materials

45. How will the joint institution put fissile materials at the disposal of consumers? This question has given rise to much public controversy. The joint institution can either remain the owner of fissile material throughout the whole conversion cycle or surrender ownership to users. The United States and Great Britain have indicated a preference for the former plan, taking the view that continued State ownership alone ensures fool-proof control. It is true these Anglo-American decisions go back to a period when the military use of nuclear energy was more important than its peaceful use, and this made security considerations much more important. Indeed, at the present time it is still considered that the problem should be tackled from the point of view of control. Provided that very rigid and identical security and safety conditions are imposed on the user, whether he buys or leases fissile materials, the legal nature of the contract between Euratom and the user becomes of secondary importance. Moreover, the notion of ownership becomes less significant from the moment that the user of fissile material is subject to regulations which impose considerable limitations on his freedom of decision.

2.3.3.3. System of ownership in the nuclear industry

46. We must distinguish clearly between this question and that dealt with in the preceding paragraph. Should the nuclear industry which will be set up on the territory of member countries be nationalised or remain in private hands? Let it be said straightaway that, whatever decision is taken internally by each Member State, measures of control will always have to be applied to the nuclear industry. The two plans do not commit themselves on this question, each one envisaging the creation of joint or national companies, whether public, private or mixed. Indeed, it would seem necessary to leave each European country free to decide the system

of ownership which it would apply to its nuclear industry. It should be noted that the nationalisation of public services is not uniform in member countries since some have even nationalised the coal industry whereas others have not even nationalised electricity. Let us briefly mention the two schools of thought. There are those who would say that it is dangerous to allow immense industrial power in a sphere which can be considered essentially a public service to be concentrated in private hands. On the other hand, there are those who would say that only the free play of private enterprise will ensure the rapid development of the nuclear industry.

2.3.3.4. Trade

47. The OEEC Plan offers no conclusion on the question of the system of trade applicable to fissile materials. The common market of Euratom, on the other hand, would also include trade in fissile materials. The liberalisation provided for in the OEEC Plan for the special products and other items used in the nuclear industry does not differ very much from the common market proposed for the same products in Euratom, though, it should be noted that the setting up of the common market for Euratom also presupposes, apart from the free movement of products and equipment, the free movement of scientists, technicians and possibly specialist workers within the community. 0. E. E. C, on the other hand, does not consider it necessary to take special measures in this field, since nuclear energy experts already move about freely. If this is true of scientists and perhaps also of technicians it is certainly not true of specialist workers.

2.4. CHAPTER IV - Conclusions and Methods of Co-operation

48. The comparison between Assembly Resolution 89 and the two plans leads to the conclusion that the Euratom plan accords more closely with the conditions regarded as desirable by the Assembly in its text approved in October. In consequence the Assembly should give its whole-hearted support to the realisation of this project. At the same time it must be a condition that the community to be set up remains open to all members of the Council of Europe and 0. E. E. C. and that its activities are closely co-ordinated with those envisaged by 0. E. E. C.

49. To this end the Assembly should try to promote the closest interdependence between the work of the two organisations, in the fundamental conviction that all harmful competition between member countries must, in the interests of Europe as a whole, be avoided. The Assembly should, in particular, insist on the following principles :

49.1. Member countries of 0. E. E. C. which are not represented in the Intergovernmental Committee set up by the Messina Conference should participate in drawing up the Euratom treaty, on condition that they accept as a basis for discussion the principles agreed by the Foreign Ministers of member countries of E. C. S. C.

49.2. Each member country should be able subsequently to accede to the Euratom as a full member on condition that it accepts the obligations involved.

49.3. The possibility should be allowed for countries not desiring to join Euratom as full members to be associated with certain of its activities.

50. Furthermore, the Assembly should do its utmost to suggest methods of co-operation between the two forms of organisation. These could include :

2.4.1. Joint undertakings

51. In this connection there are two possibilities :

51.1. Participation of Euratom as an individual entity in 0 E E C joint undertakings;

51.2. the participation of countries who are not members of Euratom in the joint undertakings set up by it. It would be necessary in both cases to bring into line the control arrangements proposed on either side. Thus, if a State which is not a member of Euratom participates in a joint undertaking with it, there would be no objection to control by the Control Bureau of 0. E. E. C. being exercised over the use on the territory of the non-member State of the products originating from the joint undertaking, while the same control arrangements would be applied by Euratom in member countries. The nature of the powers enjoyed by the OEEC Control Bureau would in this respect be decisive for the member countries of Euratom.

2.4.2. Joint Research Centre

52. Provision might also be made for the asspciation of member countries of 0. E. E. C. in the common research centre proposed by the Intergovernmental Committee. 0. E. E. C. does not advocate the institution of a centre of this kind but only envisages specialist laboratories. Third countries could participate in the joint centre, on condition that they put all their knowledge at its disposal, in the same way as the member countries of Euratom.

2.4.3. Association with the Euratom common market

53. Non-member countries of Euratom should be al lowed to join in the common market in nuclear materials under the same conditions as Members of Euratom.

2.4.4. Joint financing of prospecting and extraction of ore

54. It would also be useful if prospecting for fissile materials in European countries and in their overseas territories could be jointly financed. Joint financing could also cover the extraction of ore located.

2.4.5. Harmonisation of legislation

55. Finally, legislation concerning public health, the transport of nuclear materials, and insurance, should be harmonised as soon as possible in the largest possible number of countries.

2.4.6. Presence of Euratom on the OEEC Steering Committee for nuclear energy

56. In addition to these arrangements for co-operation to be fixed by special conventions, provision should be made for Euratom and non-member countries to exchange information. For this purpose the Euratom Committee might sit on the OEEC Steering Committee for atomic energy as a full member, together with the representatives of the six member countries. The creation of new linking bodies outside O. E. E. C. could thus be avoided. Like all member countries of 0. E. E. C. the Euratom Committee would then be called on to submit to the Steering Committee, on a reciprocal basis, the programme of work that it proposes to undertake with its own financial resources. The non-member countries of Euratom could thus follow the operations of this community while Euratom would be in a position to carry out its task of acting as a stimulus within the larger group of countries.

2.4.7. Rôle of the Assembly

57. The Consultative Assembly, as the general framework for European policy, would retain the right of supervision over all activities in the field of nuclear energy. To this end, it would receive, incorporated in the Annual Report of 0. E. E. C. on its activities, an official report of the activities of the " Steering Committee for Nuclear Energy ". One of the national Ministers responsible for nuclear energy would present this report and provide any explanations required. The Council of Ministers of 0. E. E. C. would be expected to inform the Assembly of any action taken on any recommendation in this field—and particularly when concerning coordination between the two European organisations. Insofar as Euratom would take part as an individual entity in 0 E E C joint undertakings and in the OEEC Steering Committee for nuclear energy, the report would also cover this part of Euratom's activities. The arrangements governing collaboration on the other hand between E. C. S. C. and the Council of Europe could also be applied to the field of nuclear energy.

3. PART 2 - Creation of a common market

58. In Resolution 90 (1955) the Assembly stressed the need to create a general common market. It urged the Governments of the six countries to make every effort to bring to a successful conclusion the work of the Intergovernmental Committee and to devote themselves steadfastly to achieving the objective of a general common market. Since then the Intergovernmental Committee has prepared a very detailed plan for the establishment of a general common market by stages. The report has not yet been published. The Committee on General Affairs is required to formulate an opinion on the political aspects of this report, a task which it can only undertake when a report on the economic aspects has been submitted to it by the Committee on Economic Questions. However, both Committees considered that owing to the complexity of the subject closer study was essential, and more particularly, an exact knowledge of the final text drawn up by the Intergovernmental Committee. It has been impossible to satisfy either of these conditions in time for the April session of the Assembly, and therefore the two Committees have had to postpone the tabling of a report till a

future session. For the present, therefore, the Committee on General Affairs is concerned merely to stress the need for incorporating Euratom as quickly as possible in the general common market. Thus a fresh argument is forthcoming to support the compelling need for the establishment of this market in the interests of European unity.

Appendix 1 APPENDIX I - Resolution of the Council of O. E. E. C. concerning co-operation among member and associated countries in the field of nuclear energy (adopted 29th Februurij, 1S56)

The Council

Having regard to the Convention for European Economic Co-operation of 16th April, 1948;

Having regard to the Decision of the Council of 10th June, 1955, concerning methods of co-operation in the peaceful use of nuclear power;

Having regard to the Report of Working Party No. 10 of the Council of 15th December, 1955, on the Possibilities of Action in the Field of Nuclear Energy;

Considering that the Report of Working Party No. 10 indicates in general terms the objectives towards which co-operation among member and associated countries in the field of nuclear energy might be directed;

Having learned with satisfaction of the important and generous Declaration made on 22nd February, 1956, by the President of the United States of America;

Considering the Declarations made during the discussions in the Council of 28th and 29th February, 1956;

Noting that, during these discussions, certain member countries expressed their intention of establishing between themselves closer forms of co-operation than those envisaged in the Report of the Working Party No. 10, and of ensuring the necessary liaison between their work and that of the Organisation;

Considering that there is no incompatibility between the co-operation proposed by Working Party No. 10, and the objectives pursued by those member countries;

Desirous of determining practical procedures for this co-operation in order to enable the Organization to decide on effective measures to be adopted,

Approves the broad lines of the aforementioned Report of Working Party No. 10;

Decides :

1.
   a. A Special Committee of the Council is set up to deal with matters relating to nuclear energy.

   b. The Governments of Canada and of the United States of America shall be associated with the work of the Special Committee.

   c. Member and associated countries are invited to nominate, within 15 days, their representatives on the Special Committee.

2.
   a. The Special Committee shall be responsible for submitting proposals to the Council, in the light of the statements made during the debates of the Council on 28th and 29th February, 1956, with a view to implementing the above-mentioned Report of Working Party No. 10. To this end, it should seek any necessary discussions with the appropriate agencies of the United States Government with regard to the Declaration of the President of the United States referred to above. The proposals of the Special Committee should be formulated within a period of three months at most.

   b. The proposals of the Special Committee should, in particular, deal with :

      1. the establishment of security control, the institution of joint undertakings and interim measures to be taken in the field of intra-European trade in nuclear materials and equipment, these being among the primary objectives of co-operation of member countries in this field;

      2. the setting up of a Steering Committee for Nuclear Energy and the tasks to be assigned to it; and

      3. the means to be used to co-ordinate the action of existing organizations.

   c. The Special Committee, when carrying out its terms of reference, shall take into account the possibilities afforded by the application of Article 14 of the aforementioned Convention for European Economic Co-operation.

3. The Special Committee may set up such subordinate bodies as may be necessary for carrying out its terms of reference. It shall have recourse to the other committees of the Organization whenever it considers this useful and may, in particular, refer certain points to them for prior examination.

Appendix 2 APPENDIX II - Final Communiqué of the Conference of the six Ministers for Foreign Affairs of E. C. S. C. (Brussels, 12th February, 1056)

The Ministers for Foreign Affairs of the six member countries of the European Coal and Steel Community met on 11th and 12th February in Brussels, under the chairmanship of M. Paul-Henri Spaak. The meeting was attended by M. von Brcntano, representing Germany; M. Pineau representing France; M. Martino, representing Italy; M. Bcch, representing Luxembourg, and M. Beyen, representing the Netherlands.

As Chairman of the Intergovernmental Committee set up by the Messina Conference, M. Spaak gave his colleagues a verbal account of the results of the Committee's work.

He outlined the solutions which might be accepted as a basis for the final report on the common market and the European organization for the peaceful use of nuclear energy, witli a view to preparing the ground for the treaties mentioned in the Messina Resolution.

The Ministers were glad to note the progress made towards establishing a common market. The work being done in this connection does not merely describe the stages and procedures whereby trade barriers may be removed to pave the way for a customs union, while maintaining the necessary precautions. It also points the way to the harmonisation and co-ordination of economic and social policies and to mutual assistance between the Governments. Finally, it aims to promote the full use of European resources by the creation of re-adaptation and investment funds and by the progressive extension of manpower mobility under the stimulus of appropriate institutions.

The work of the Intergovernmental Committee has confirmed the urgent need for a joint European organization in the atomic field.

The experts propose that this organization be assigned the following functions : to develop research and mutual information; to create the necessary joint installations; to ensure that industry is supplied with nuclear ore and fuels; to initiate the free exchange of the products and equipment of nuclear industry and the free movement of specialists.

The broad lines of the work in the two fields of the common market and of nuclear energy met with general approval.

The Ministers gave the Intergovernmental Committee the directives required to complete its final report with the least delay.

They reaffirmed that the policies of their Governments were directed not towards an autarkic system, but towards the closest possible collaboration with all States prepared to join them in the pursuit of the same objectives.

In this spirit the Ministers considered the attitude of their Governments to the work of the O. E. E. C. They emphasised that the determination of the Six to establish among themselves closer forms of co-operation than those adopted by 0. E. E. C. was perfectly compatible with the efforts being pursued in the wider framework of this organisation.

The Ministers decided to hold their next meeting immediately after submission of the final report, which is expected on 15th March, 1956.

Appendix 3 APPENDIX III - Statement issued by the " Action Committee for the United States of Europe " on 19th January, 1956

The following joint declaration was published at the conclusion of the meeting of the " Action Committee for a United States of Europe "[7] held at Paris on 17th and 18th January, 1956 :

1. In order to ensure the exclusively peaceful development of atomic energy and the safety of the labour force employed in this field and the populations as a whole; to facilitate the work and progress of the industries concerned; to secure adequate supplies of nuclear fuel, by financial and technical assistance; by the creation of the necessary joint services and establishments ; by the creation of a common market for special material and equipment defined by the Commission; and by the pooling of knowledge, It is essential that our countries should, together, delegate the proper authority and joint powers to a European Atomic Energy Commission.

2. In order to guarantee the exclusively peaceful nature of all nuclear operations and the safety of the labour force employed in this field and the populations as a whole, the Commission should establish a system of control, It is essential :

   a. for this purpose alone, that all nuclear fuels produced in or imported into territories under the jurisdiction of our countries be acquired by the European Atomic Energy Commission. This rule will not affect the fulfilment of international commitments now in force. The Commission must retain outright ownership of nuclear fuels throughout all their processes of transformation. It should place them at the disposal of consumers on an equitable and non-discriminatory basis;

   b. that the construction and use of nuclear plant be subject to the prior authorisation of the Commission, which will issue such authorisation when the conditions have been satisfied which will enable it to supervise the transformations and use of nuclear fuels and ensure the safety of the labour force and the populations as a whole.

The safety regulations to be observed in transporting and handling material, in constructing and operating plant and in disposing of waste products should be laid down by the Commission, in liaison with international organisations, particularly the United Nations. The Commission should ensure their implementation.

The Commission should be placed under the parliamentary control of the Common Assembly and, for judicial questions, under the control of the Court of Justice of the European Coal and Steel Community.

The membership of the Common Assembly should be increased so that it may meet its new responsibilities.

The Special Council of Ministers should ensure harmony between the actions of the Commission and of the national Governments responsible for the general economic policy of their countries.

An Advisory Committee composed of workers, employers and consumers should be appointed to the Commission,

European countries other than our own should be given every opportunity of participating in the Community.

(a) Such European countries must be able to play a full part if they accept the above rules. The greater the number of such countries, the greater the advantages each will derive from the common effort.

(b) In particular, every effort must be made to secure the full participation of the United Kingdom. Should Britain decline to become a full member, all necessary steps should, in any case, be taken to ensure her close association.

(c) Lastly, European non-member countries should be given an opportunity of using the joint services and establishments or participating in their creation, on the basis of special agreements to be concluded at a later date.

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7. The " Action Committee for a United States of Europe " consists of the following personalities (Le Monde of 17th January, 1956) : Socialist Parties : MM. Burger (Netherlands), Buset (Belgium), Fohrmann (Luxembourg) Matteotti (Italy), Guy Mollet (France), Ollenhauer (Germany); Christian Democrat Parties : MM. Fanfani (Italy), Kiesinger (Germany), Lecourt (France), Bruins Slot and Romme (Netherlands), Lefèvre (Belgium), Margue (Luxembourg) ; Other parties : MM. Martin Blanch and Elbrechter (Germany), Destenay (Belgium), Maurice Faure, Garet and Pleven (France), La Malfa and Malagodi (Italy) ; Workers' Unions : MM. Alders, Hazenbosch and Oosterhuis (Netherlands), Bothereau and Bouladoux (France), Cool and Renard (Belgium), Freitag, Imig and Straeter (Germany), Krier (Luxembourg), Pastore and Viglianesi (Italy). The Committee is under the chairmanship of M. Jean Monnet.

The Commission alone should be empowered to negotiate and conclude with third countries all agreements essential to the fulfilment of its task, especially as regards supplies of nuclear materials.

The rights and obligations of the member countries which stem from existing agreements on the peaceful use of atomic energy should be transferred to the Commission, subject to the assent of the third countries with which such agreements were concluded.