

# EUROPEAN PARLIAMENT

DIRECTORATE-GENERAL FOR PARLIAMENTARY DOCUMENTATION  
AND INFORMATION

## The case for elections to the European Parliament by direct universal suffrage

Selected Documents

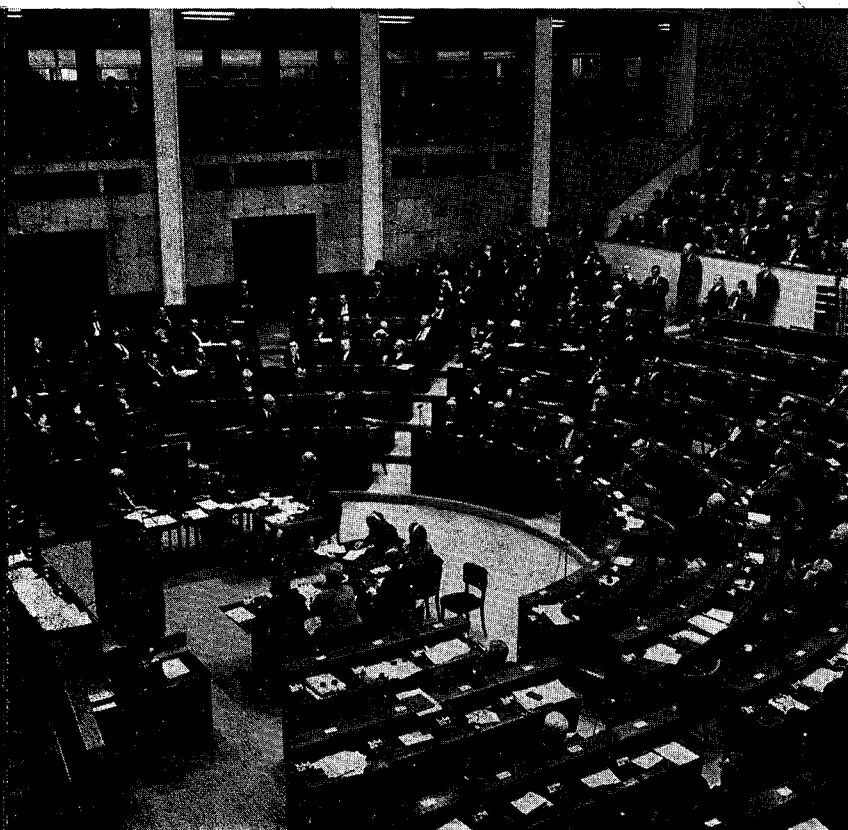
Preface

By Mario Scelba

President of the European Parliament

Introduction

By Fernand Dehousse



September 1969

**EUROPEAN PARLIAMENT**

**POLITICAL AFFAIRS COMMITTEE**

**The case for  
elections to the European Parliament  
by direct universal suffrage**

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Introduction by Fernand Dehousse

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THE HOUSE OF COMMONS

## PREFACE

*This selection of the most important proposals and initiatives concerning the election of the European Parliament by direct universal suffrage is intended as yet a further spur to efforts to ensure early implementation of Articles 138 of the EEC Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty.*

*Prepared under the direction of Mr. Fernand Debousse, Chairman of the European Parliament's Working Group which drew up the draft Convention on the election of the European Parliament by direct universal suffrage, it appears at a moment of high expectations. It is also meant as a warning to the Governments of member States : we have already waited far too long for the direct election of members of the European Parliament to set a democratic seal on the European Communities.*

*More than nine years have elapsed since the spring of 1960 when the Parliament formally proposed a draft Convention for the direct election of its members by direct universal suffrage—years filled with hopes, fears, and disappointments. We hope there will be no further delays. These would be all the more unwarrantable in view of the initiatives, declarations and votes of the national Parliaments, and of all the democratic political movements as well as of public opinion.*

*We are convinced that the success of efforts to achieve European unity will depend very closely on the effective participation of the peoples of the Community. For this, European elections offer the best opportunity. Moreover, they would make it possible to overcome not a few of the difficulties now experienced in running the Community's parliamentary institution, and would at long last enhance its prestige and widen its powers.*

*This is why European elections must be put off no longer : the democratic future of our Communities is at stake.*

*Mario SCALBA  
President of the European Parliament*

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1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The text also mentions the need for regular audits and the role of independent auditors in ensuring the reliability of financial statements.

2. The second part of the document focuses on the role of the central bank in maintaining the stability of the financial system. It discusses the central bank's responsibilities in regulating the banking industry, controlling the money supply, and acting as a lender of last resort. The text also highlights the central bank's role in promoting financial inclusion and supporting economic growth.

3. The third part of the document addresses the challenges faced by the financial system in the current global environment. It discusses the impact of technological advancements, such as digital currencies and blockchain, on the traditional banking system. The text also mentions the challenges posed by global economic uncertainty and the need for international cooperation to address these challenges.

4. The fourth part of the document discusses the role of the government in regulating the financial system. It emphasizes the need for strong regulatory frameworks to protect consumers and maintain the integrity of the financial system. The text also mentions the importance of transparency and accountability in the financial system and the role of the government in ensuring these principles are upheld.

5. The fifth part of the document discusses the role of the private sector in the financial system. It emphasizes the importance of strong corporate governance and risk management practices in the private sector. The text also mentions the need for the private sector to work closely with regulators to ensure the stability and integrity of the financial system.

6. The sixth part of the document discusses the role of the international community in maintaining the stability of the global financial system. It emphasizes the need for international cooperation and coordination among financial institutions and governments. The text also mentions the importance of the International Monetary Fund (IMF) and the World Bank in providing technical assistance and financial support to developing countries.

7. The seventh part of the document discusses the role of the financial system in supporting economic growth and development. It emphasizes the importance of access to credit and financial services for businesses and individuals. The text also mentions the need for the financial system to be resilient and able to withstand shocks and stresses.

## INTRODUCTION

The six member States of the Communities have still to reach agreement on the election of members of the European Parliament by direct universal suffrage, a matter on which Articles 21 of the ECSC Treaty, 108 of the Euratom Treaty and 138 of the EEC Treaty require a unanimous decision of the Six.

In 1969, therefore, the European Parliament is still made up of representatives from the national Parliaments.

Does this mean that the Articles cited have been overlooked for ten years, during which they have become, like other provisions, a 'dead branch' of the Treaties? Decidedly not.

On the contrary—and this is the first point to emerge from a perusal of this selection of documents—the question of direct elections has been constantly brought up in various quarters by the political parties and by the employers' and workers' organizations—as well as, of course, in what has now come to be regarded as the doctrine on the subject.

Needless to say, not everyone has treated the question in the same manner or with the same conviction. But it is remarkable that movements whose main concern is not political have raised the problem whenever an opportunity has presented itself or could be created.

When, for example, in a motion passed at the close of a congress or a symposium, a movement calls for 'democratization of the Communities' institutional structure', it rarely fails to allude to popular representation in the European Parliament—that is, direct election of its members—and often dwells on the need to widen Parliament's powers.

As can be seen from the following pages, not a year has passed without its motions, declarations, symposia, bills, proposals and papers on the subject. At the very most, periods can be distinguished during which interest shifts from elections themselves to closely related questions such as that of increasing Parliament's powers. The champions of direct elections expect them, of course, to help strengthen these powers. In their minds the two issues are, and always have been, bracketed together.

Direct elections were covered in a draft Convention drawn up in 1960 by Parliament itself. In preparing that document Parliament was merely complying with the provisions of the Treaties which, while vesting the supreme power of decision in the Council of Ministers, require it to pronounce on texts for the drawing up of which Parliament is responsible.

It took two years of uninterrupted work to prepare the draft Convention. The initial phase was handled by a working party headed by Mr. Dehousse. This made use of theoretical studies of comparative electoral law and consulted, in their own countries, a great many leading political and scientific figures of the Six.

Parliament's Committee on Political Affairs, at successive meetings held in Rome from 4 to 8 March 1960, then adopted the version finally put forward at the plenary session, at which a fairly large number of amendments were moved, and several accepted. By a resolution passed

on 17 May 1960 Parliament adopted a final draft of the Convention, comprising 23 Articles, which was forwarded to the Councils on 20 June.

The draft Convention drawn up by the European Parliament filled a gap. Up till then, direct elections could be either advocated or opposed, but no detailed basic document on the subject was available. Thereafter, any arguments for or against European elections could draw on a text that was at once official and exhaustive.

Since then there has been a vast number of motions, declarations, press articles, bills, proposals and papers on the election of the European Parliament by direct universal suffrage.

The mass of documents available on the subject made a selection unavoidable, and is also reflected in the form taken by this publication.

A simple and reliable criterion was adopted, a distinction being drawn between texts that were legal in scope and those of a political nature. Thus, Part One contains private members' bills, written and oral questions, and motions passed in the six member States. It should be noted that in none of these States was a bill on the subject introduced by the government.

Part Two brings together documents political in aim—resolutions passed at the end of congresses of parties or ideological movements, statements by ministers, former ministers or parliamentarians, the positions taken up by persons of influence, and doctrinal points of view.

## I

Part One, devoted to legal documents, contains no government bills because, as pointed out, none exist. All the texts selected were introduced by private members or, as in Italy recently, as a result of popular initiative. Each document reflects the constitutional features of the State concerned. This has given rise to terminological as well as legal differences, but in all cases the documents are an exercise in legislative authority.

The first documents quoted in the present selection stem from the European Parliament. After sending its draft Convention of 17 May 1960 to the Councils, Parliament came face to face with the fact that the Councils were not following it up. Consequently, while a number of European parliamentarians put written questions to the Councils to remind them of the draft's existence, others began to consider another course—that of increasing Parliament's powers, with or without direct elections. This question was dealt with in a report drawn up by Mr. Furler and adopted by Parliament at its plenary session of 27 June 1963. In the last chapter of that report Mr. Furler concludes that direct elections offer the best prospects for strengthening Parliament's powers.

Meanwhile, during the debates held in 1961 and 1962 in connexion with the projects for a political union among the Six, the European Parliament, attending in an advisory capacity, again and again reminded the negotiators of the commitments as to European elections entered into under the Treaties. The Governments, however, were divided over this question. The French delegation's project for political union, which made no provision for direct elections, was countered by a second project drawn up by the other five delegations and providing for progressive implementation of Article 138 of the Rome Treaty.<sup>(1)</sup>

The breakdown of these negotiations did not augur well for the project, despite the efforts of the European Parliament whose members continued to ply the Councils with written questions concerning the draft Convention of 1960 and the Furler report of 1963. At a meeting of the Council of Ministers of the Community held on 24 and 25 February 1964, however, Mr. Saragat

<sup>(1)</sup> See 'Towards Political Union', a selection of documents published by the European Parliament's General Directorate of Parliamentary Documentation and Information, January 1964.

tabled a proposal, on behalf of the Italian Government, for a new European drive comprising, among other things, the stage-by-stage organization of elections to the European Parliament by direct universal suffrage. On 28 November 1964, the Italian Government embodied its proposal in a draft declaration to be signed by the six member States.

The question finally cropped up again in 1968 following a move by the Legal Affairs Committee.

That committee considers that the provisions of Article 175 of the EEC Treaty can be resorted to in order to invite the Council to pronounce on the draft Convention of 1960. Article 175 covers cases where the Council fails to make its attitude clear where required to do so by the Treaty. The Commission or the European Parliament then have the right to bring proceedings before the Court of Justice for 'violation of the Treaty'.

It was with this in mind that a new draft resolution, drawn up by the Legal Affairs Committee and submitted in plenary session by Mr. Dehousse, was passed by the European Parliament at its March 1969 session and forwarded to the Council. At its session of 12 May 1969 the Council instructed the Committee of Permanent Representatives to submit to it a report on this resolution.

While the European Parliament continued to devote attention to the problem of direct elections, its activities were followed up by the national Parliaments of the Six.

In France, where oral questions concerning European elections are only rarely put, either in the National Assembly or in the Senate, three private members' bills (or, to be exact, one and the same bill introduced under two successive legislative periods) were introduced in the National Assembly. Their sponsors laid down a time-limit for direct elections to the European Parliament.

Why should a date be fixed? Is this not, after all, a secondary issue compared to the problems that would be raised by the elections themselves? The reason, as the sponsors of the bill point out in the preamble, is that the 1960 draft can perfectly well be applied as it stands.

A first bill was presented on 12 June 1963 in the National Assembly by Mr. Rossi and the members of the *Rassemblement démocratique* group, the members of the Socialist group, and Messrs. Pleven, Abelin, Baudis, Bonnet, Miss Dienesch, Messrs. Fréville, Michel Jacquet, Louis Michaud and Pillet. It was then referred to the Foreign Affairs Committee as it had not been submitted to a special committee inside the appointed time-limits, but never appeared on the Assembly's agenda. A further bill, couched in the same terms, was introduced separately by each party on 28 March and 5 April 1968, but with as little success.

In Italy, the matter gave rise to a great deal of parliamentary activity. Interest in the appointment of delegates to the European Parliament was of course quickened by the Italian Parliament's inability, between 1960 and 1968, to get over the problem of renewing its delegation to Strasbourg. Even though, however, the Italian parties finally succeeded in doing this in early 1969, direct elections to the European Parliament continued to be the subject of bills.

The Italian Parliament approved a number of bills, motions, etc., in which the Italian Government was asked either to urge its five partners to speed up application of Article 138 of the Rome Treaty or to organize the election of Italian representatives by universal suffrage in Italy.

In March 1961 members of the Republican, Christian Democrat, Social Democrat and Socialist groups tabled a motion in the Chamber in favour of a European Constituent Assembly. In November 1961 Senators Santero and Battista tabled a motion asking the Italian Government to invite its partners on the Council to approve the draft Convention of 1960. On 14 September 1963 a new bill, urging the Italian Government to request the Council's views on the 1960 draft Convention, was introduced in the Chamber.

On 8 February 1965 Senators Jannuzzi, Santero and Zaccari (Christian Democrats), Battino Vittorelli (Socialist Party of Proletarian Unity), Bergamasco (Liberal) and Granzotto Basso (Socialist Democrat) introduced a bill in the Senate for the election of Italian delegates to the European Parliament by universal suffrage in Italy. On 9 February a bill, sponsored by Mr. Scelba and about a hundred of his Christian Democrat colleagues, was introduced in the Chamber for the purpose of amending the Italian Constitution accordingly. Sixty-seven Christian Democrats returned to the attack on 8 October 1968, tabling a motion that unilateral steps be taken for the unilateral election of the Italian delegation to the European Parliament.

The latest bill is a 'popular bill' for the election of members of the European Parliament by universal suffrage. By 17 February 1969 this had secured the 50,000 signatures needed for its introduction in the Chambers. Shortly afterwards, the number had risen to 200,000. This popular initiative, for which provision exists in the Italian Constitution, is unique among the Community countries.

In Germany, the keen interest felt in the Bundestag in direct elections is reflected in written questions and bills which, as in Italy, demand either that the Government approach the other five partners with a view to getting the matter on the Council's agenda or, failing this, that the German delegation be elected by universal suffrage.

A particularly important debate followed the introduction of a Socialist bill which was debated in the Bundestag on 20 May 1965.

The report of the Foreign Affairs Committee prepared by Mr. Furler called for rejection of the bill on legal and political grounds. Mr. Furler maintained that to elect European parliamentarians by universal suffrage in one country alone would be against the letter of the Treaties, and felt that any unilateral action of that kind was also politically unwise.

Since then, it appears that the Bundestag has been waiting, and manifestly hoping, for an agreement to be reached on the subject by the Six.

In the Netherlands, elections to the European Parliament by universal suffrage have given rise to a number of motions and bills of a legal nature in the States General.

It should be noted that direct elections are not dissociated from increasing the powers of the European Parliament, even in its present form. In reply to a written question put by Mr. Vredeling in December 1965, Mr. Cals, then Prime Minister, deplored the fact that the extremely important question of increasing the powers of the European Parliament was unlikely to receive favourable treatment under the circumstances then prevailing.

On 24 April 1969, the Chamber of Deputies of Luxembourg adopted a motion tabled by the Socialist group and inviting the Government to introduce without delay a bill for the direct election of delegates from the Grand Duchy to the European Parliament.

Finally, in Belgium on 26 June 1969 Messrs. Nothomb and Chabert introduced in the Chamber of Representatives a bill drafted along lines suggested by the Italian 'people's bill' and calling for direct elections of Belgian representatives in Strasbourg in 1970, that is, at the same time as local elections.

## II

Part Two of this selection contains documents of a political nature which do not fall within the legal system of the Community or of individual member States. These comprise motions by

national political parties, Internationals and European movements, statements by prominent persons in the political and other fields, doctrinal points of view and speeches made during parliamentary debates.

The various European movements have been particularly productive, as shown by the motions voted at the end of their congresses or at meetings of their steering committees. Intent on shaping a public opinion which they regard as a prerequisite of an integrated Europe, federal or not, the European movements see in direct elections to the European Parliament an ideal instrument for their policy. It will be noted, however, that depending on the year and on the particular section of the European Movement under consideration, differences in conception sometimes emerge. For example, the French section of the European Movement is ready to consider a referendum as a prelude to European elections. In the main, however, the positions taken up over the last eight years display a wide measure of continuity.

It will be noted that elections by universal suffrage are frequently alluded to in each of the member States, whether in the motions of the political parties, in the declarations of leading politicians and trade unionists, or in official statements issued after meetings of Heads of State or Government.

In a general way, this selection shows that, in practice, all the political parties and leading political figures, as well as the six Governments, have made known their attitude to the problem of elections. It makes it equally clear that considerable differences exist as between parties and individuals as to the nature of these elections and the rôle they ought to play.

In France, the European Parliament's draft Convention, whatever its influence may be, has not put an end to disputes on the subject. It has, however, probably helped to slow down the progress made regarding a European referendum as a prelude to the election of a constituent assembly.

Between 1960 and 1962, this idea continued to be defended by Gaullist delegates to the European Parliament (such as Mr. Alain Peyrefitte) either in the press or in the motions of party congresses.

But organizing a European referendum would present numerous problems of all kinds. The Federal Republic of Germany, for example, would encounter insuperable constitutional difficulties if it were required to adopt this procedure.

Whatever the reasons, the idea of a European referendum ceased, after 1960, to figure in the statements and motions of the Gaullist movement or in the press conferences given by General de Gaulle.

Meanwhile the project for political union—based on French proposals—arrived on the scene. During negotiations on this project, France's five partners suggested elections to the European Parliament by universal suffrage. However, agreement was not reached on the project as a whole and negotiations were interrupted on 17 April 1962.

In 1966, Mr. Giscard d'Estaing suggested a compromise between the 'supranationalists' and the champions of a 'Europe of nation-States' by launching the idea of a European Senate. His proposal, which he did not develop further, was that the Senate (so called because it would not enjoy the powers of an Upper House in a European Federation) should be elected by universal suffrage. It would debate in second reading bills of a European scope submitted to it by the national Parliaments. As will be seen, the idea of a European Senate aroused no response, at least not in that form.

As to the French Government, it has so far opposed elections to the European Parliament by universal suffrage, its main argument being that a body elected in that way would not conduct a real dialogue with the Commission which was a purely administrative body and not a government.

In Italy, the political parties, and particularly those of the majorities supporting coalition governments, are in favour of elections by universal suffrage.

The Communist Party's attitude is not nearly so straightforward. At first hostile towards the European institutions and to the very principle of a united Europe, it has come round, like its French counterpart, to seeing in direct elections to the European Parliament a promising way of 'democratizing' Europe. This change in attitude is symbolized by the entry of Communists into the Italian delegation to the European Parliament.

It will also be noted from the statements quoted in this selection that among the most fervent champions of direct elections to the European Parliament are two men who appear destined to leave their mark on the politics of modern Italy: President Saragat, who became Head of State after long having directed Italian diplomacy, and Mr. Nenni, Foreign Minister since 1968.

In the Federal Republic of Germany absolute unanimity reigns on the subject, both in the parties of the 'Grand Coalition' and in the FDP.

It should also be noted that youth movements in Germany are particularly keen on the idea.

Clear-cut attitudes have been taken up by Heads of Government and Ministers alike. Chancellor Adenauer (at a press conference on 23 January 1963), Chancellor Erhard (during a visit to the Netherlands on 2 and 3 March 1964) and Foreign Minister Schröder all spoke out clearly in favour of increasing the powers of the European Parliament and electing it by universal suffrage.

In the Netherlands, Belgium and Luxembourg—if we disregard the tiny Belgian Communist Party, which has made no progress at all—all the political groupings are in favour of direct elections.

All the Dutch political parties, from the Historical Christian Union, through the Anti-Revolutionary Party or the Catholic People's Party, to the Labour Party, have incorporated this objective in their programmes. This became apparent when the Second Chamber of the States General was elected in 1967.

The political parties have at their disposal, so to speak, an official forum—the national Parliaments. During debates, and particularly those on foreign affairs or on the budget, their leaders have an opportunity of making known their views on Europe.

It is not possible to enumerate or quote all these opinions in this selection, which sets out to provide only a sample—though the most representative possible—of the positions taken up by those concerned.

In France, the members of the present majority have never ceased to oppose, and the opposition of Right and Left (barring the Communists) to advocate, direct elections to the European Parliament. In Germany, in Italy, and in the Benelux countries—particularly Holland—the demand for direct elections is a recurring theme of all the major parliamentary debates.

A considerable body of doctrine exists on direct elections to the European Parliament and, more particularly, on the question of supranationality. Works on these subjects are too numerous to be covered in this selection otherwise than in an exhaustive bibliography. Many of these exhibit a common trend both in their arguments and in their conclusions.

Broadly, the distinction is between the champions of a supranational Europe and the rest. Among the former, differences exist as to the form supranationality should take. For some it means first increasing the powers of the Commission; for others, direct European elections. The majority, however, demand both wider powers for the Commission and direct elections to the European Parliament or, failing that, an increase in its powers.



The opponents of supranationalism—noticeably fewer, for it seems that the case for a supranational Europe finds wide support—have developed the themes of a Europe of nation-States in which direct elections to the European Parliament appear no longer essential.

A number of conclusions can be drawn from a study of this selection.

First, it is clear that the idea of a European Parliament elected by direct universal suffrage has survived the years of disappointments and European crises and is today more alive than ever. Since its launching by Paul Reynaud at the Hague Congress in May 1948, it has run like a continuous thread through the annals of European unity. It started out with the idea of an elected constituent assembly to which the federalists intended to assign the task of drawing up the constitution of a united Europe. It then took the shape of an elected Parliament, faced with a European executive, in the 1953 proposal for a Political Community. It was even, in that important project, the main element on which the governments reached agreement before the breakdown in the negotiations for a European Defence Community—precipitated by the French Parliament—put an end to this phase of European history. Already referred to in the ECSC Treaty of 1951, it was embodied in the 1957 Treaties of Rome. The present selection shows how the idea has since been followed up.

Why has the election of a European Parliament received such constant attention in political thinking in Europe for more than twenty years? There are many reasons for this. The first is undoubtedly that it reflects our faith in parliamentary democracy. This system, so often criticized though it is, remains the surest guarantee of our freedoms, and in spite of the changes undergone by constitutional ideas and procedures, the free election of a parliament by universal suffrage is still the hallmark of free societies. What could be more natural therefore, if it is wanted to build a united Europe, than to elect a European Parliament?

Then there is the importance which the champions of a united Europe have always attached to instilling into the mind of the European peoples, confined for centuries behind a wall of national sentiment, the idea of belonging to a vaster European Community. There can be no surer way of doing this than by allowing them to elect their representatives to the Parliament. These elections were therefore conceived of as an acceptance of European reality, at once a gesture of adhesion and a way of participating in this reality.

The third consideration has to do more particularly with what Mr. Hallstein describes as the Constitution of the Communities. The European institutions as they are today owe more than one might imagine to an empirical approach. The Schuman Plan of May 1950 made provision merely for the High Authority. To this were rapidly added the European Parliament, the Court of Justice and the Council of Ministers. The European Coal and Steel Community was set up and survived. The European Defence Community was planned but came to nothing. The Common Market was created and an Atomic Community was also established. The institutions of these Communities were merged in 1957 and 1965 and what is left today, after all the intervening upheavals, is certainly not the ideal that one would have chosen if freer to act. In these Communities in which the rôle of the Governments in the Council of Ministers is excessive and the part played by the European executive—the Commission—far too modest, Parliament is the symbol both of democracy and of European sentiment. It protects the Communities from technocracy and from regimes in which all the powers are concentrated in the hands of the executive.

This is why all who wish Europe to progress towards unity attach so much importance to increasing Parliament's powers. It would not, of course, cure all the faults of the Community structure. The members of the European Parliament have never believed it could. And even after Parliament has been elected the question of its powers and of the duties and powers of the Commission it supervises will have to be settled. In short, it will be necessary to steer the Communities towards a federal type of system.

All those who have for so long kept the flame burning remain as convinced as ever that direct elections will be a decisive step in this direction. We are not therefore confronted by an empty slogan but by a conviction that only thus can the Communities acquire fresh impetus, a new leaf be definitely turned, and the idea of European unity weaved into the political fabric of our countries and the consciousness of citizens. It is in this sense that the election of the European Parliament lies at the very heart of the supranational conception of Europe.

Fernand Dehousse

PART ONE

Texts of legal import

## CHAPTER I

### TEXTS OF THE EUROPEAN PARLIAMENT AND OF THE COMMUNITY INSTITUTIONS

#### I—Draft Convention on the election of the European Parliament by direct universal suffrage

##### A—REPORTS AND TEXTS SUBMITTED TO THE EUROPEAN PARLIAMENT<sup>(1)</sup>

(a) Introductory report by Mr. Emilio Battista . . . . .	22
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(c) Report by Mr. Maurice Faure on the composition of the elected Parliament . . . . .	40
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#### (a) Introductory Report

by Mr. Emilio Battista, Chairman of the Committee on Political Affairs

#### I

At a number of meetings held in Rome between 4 and 8 March 1960 the Committee on Political Affairs studied and approved a set of documents embodying the findings of surveys and investigations carried out over a period of more than one year by the Working Party it had set up in October 1958.

<sup>(1)</sup> Doc. 22, 30 April 1960.

1. Ever since the European Parliament was constituted in March 1958 the Committee has devoted its attention to the mandate given to that institution by the Rome Treaties to put forward concrete proposals for its election by direct universal suffrage. The political significance of the switch from the existing system of indirect appointment of members of the Parliament to direct elections was clear from the start, both because of the greater political weight it would give to the Parliament and, more generally, because of the progress that would thus be made in the building of Europe. The setting up of a special Working Party composed of distinguished parliamentarians was a direct consequence. Mr. Dehousse, who was made Chairman, showed remarkable perseverance in stressing the urgent need for drawing up a draft convention so that these elections could be held as soon as possible. Mr. Santero, a fervent champion of the European cause, was elected Vice-Chairman.

2. The Working Party at once embarked on a searching study—theoretical and scientific—of every aspect of the problems raised by direct elections. It did not however lose sight of the political climate in which the Parliament's proposals had to be presented, particularly the existing structure of the European Communities, the real hopes and difficulties that faced them, and the inclinations of the national Governments and Parliaments. Wide-ranging consultations enabled the Working Party to put forward proposals which are a compromise between the desirable and the practicable.

3. The Committee congratulated the Working Party on its praiseworthy achievement and fully endorsed its conclusions, adopting the draft Convention it had drawn up. General and detailed discussion of the draft Convention clearly showed that the Committee largely saw eye to eye with the Working Party as to how the numerous and complex problems raised by direct elections should be dealt with. The Committee made only a few amendments which, while in no way disturbing the general pattern of the text, served to round it off.

For these reasons, and to make good use of the excellent work carried out by Mr. Dehousse and Messrs. Faure, Schuijt, Metzger and Carboni, the Committee decided to confirm these Rap-  
porteurs in their office and asked them to incorporate these minor amendments into the reports they had drawn up for the Working Party.

My task is therefore confined to defining the general problem, while taking into account the amendments made to the Working Party's draft, and to submitting proposals I feel would facilitate the procedure designed to lead to final approval of the draft.

4. The draft Convention which the Committee is submitting to the Parliament is intended to ensure, after a fairly brief interval, a switch from the present system, under which members of the European Parliament are appointed from among those of the national Parliaments, to one of direct elections. This changeover must, however, be carried out progressively over a transitional period during which the present procedure will be maintained for a third of the members.

The necessities flowing from elections by direct universal suffrage and a desire to maintain, at least during the transitional period, a systematic link with the national Parliaments, induced the Committee—as already suggested by the Working Party—to triple the membership of the existing Parliament. These members could moreover, during the transitional period, combine their European and national mandates.

During the transitional period each member State will lay down its electoral system in a national law that respects the general principles set out in the draft Convention. Elections will be held simultaneously in the six countries and must not coincide with any other national elections. The uniformity thus achieved in the broad lines of procedure is not impaired by the fact that electoral laws are temporarily decentralized.

5. Recourse to a transitional period has disposed of many obstacles inherent in the contradiction between an ideal conception of the functions of an elected Parliament and the need to take

into account the difficulties and exigencies of the political situation. Some members of the Committee have pointed out that the danger inherent in any transitional system is that it will tend, out of inertia, to perpetuate itself. This danger appeared particularly grave in the matter of an electoral system. But after all, the first European elections will be an entirely novel experience and the Committee felt it would be wiser to exercise, like the Working Party, a measure of caution.

The need felt for a transitional stage led to the discarding of a number of solutions that were superior in ideal terms. For example, a great many Committee members would have preferred it if provision had been made for the immediate election of all members of the Parliament by direct universal suffrage, or if principles had been laid down for a uniform European electoral system. Moreover quite a number would have been happier if, under such circumstances, the exercise of the European parliamentary mandate had been declared incompatible with that of the national mandate, so as to enable future members of the European Parliament to devote their entire attention to the European cause. Finally, all members of the Committee would have liked to see the Parliament to be elected already accorded powers more in keeping with its parliamentary nature.

6. The Committee, after poring over the various aspects of the problem, felt it desirable—contrary to the wishes of some of its members—to deal separately with the questions of direct elections and of increasing the Parliament's powers. It felt that it would scarcely contribute to the success of the draft Convention drawn up by it to burden it with the additional difficulties that were bound to arise over the question of powers. In taking, as it were, a strategic decision, the Committee did not underrate the importance of this question or the way it is still linked up with elections. It decided to study the problem in due course and appointed Mr. Poher, Chairman of the Christian Democrat group, Rapporteur responsible for submitting a draft report in June.

Consequently, although the Parliament cannot concern itself simultaneously with the two problems, it will shortly be consulted on both. The result of its debates on both these points may therefore reach the Councils within the stipulated period so that they can take the decisions required of them.

7. Reservations of a general nature prompted only a minute number of Committee members to abstain from voting or to vote against the draft Convention—even then its opponents made it clear that they did not dispute either the principle of direct elections or the need for them. The draft Convention was in fact approved by 20 votes to 2, with 3 abstentions. The great majority of members felt that the historical and political significance of European elections justified sacrificing one or other of these principles, and that it was essential that the first elections be held promptly under conditions acceptable to Parliaments and Governments alike.

Moreover, the draft Convention contains a number of all-important provisions concerning the powers of the Parliament elected at the end of the transitional period. The Parliament will then not only have the right to terminate that period but will have to lay down the electoral system under which it will subsequently be elected. It has therefore been left to the new Parliament to tackle some of the more controversial questions, as it will be in a position to draw upon the experience acquired during the initial legislative period. And it was to give the Parliament the widest possible latitude in drawing its conclusions that the Committee refrained from embodying in the draft Convention, suggested by certain members, general principles that would bind the Parliament for the definitive period.

8. The Committee added only a few touches to the draft Convention which has been gone over here in its broad outlines and has been covered in sundry reports. It felt it wiser to leave it to the elected Parliament to settle the vexed question of the compatibility of European and national mandates at the end of the transitional period, and pointed out that compatibility had only been accepted for the duration of that period. As regards eligibility, the Committee considered it advisable, in view of the European character of the elections, to provide for the possibility of a citizen of one

of the six countries standing for election in any one of them. It also felt it right to make provision for a partial refund of the election expenses incurred by candidates or lists securing at least 10 per cent of the votes cast. This refund chargeable to the Parliaments' budget is a radical innovation in the electoral practice of some countries, in which its value may lie in strengthening the economic independence of the parties without stimulating the creation of minority groups in no way reflecting public opinion. Finally, the Committee inserted a provision obliging member States to take, as soon as possible, the steps necessary for the Convention to be approved in accordance with their respective constitutional requirements.

## II

9. The draft Convention approved by the Committee and commented on in the reports of Messrs. Dehousse, Faure and Schuijt, is the text the Committee is submitting to the European Parliament to enable it to carry out the mandate assigned to it under Articles 138 of the EEC Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty. If the draft is approved by the Parliament, it will represent a concrete and detailed proposal for elections by direct universal suffrage on which the Councils must express their views.

The Working Party considered two other classes of problem which are also of some importance. Not thinking it possible to solve them in the draft Convention, they dealt with them separately and submitted two supplementary texts to the Commission, which approved them.

10. The first type of problem has to do with parliamentary representation of countries associated with the European Economic Community. Mr. Metzger's report sets forth the political and legal grounds for regarding it as neither desirable nor possible to have these countries represented in the directly elected Parliament. The Committee and the Working Party did not, however, underrate the importance of collaboration at parliamentary level between Europe and the associated countries. It therefore invites the European Parliament to pass, at the time the draft Convention is adopted, a resolution in which it expresses the will to achieve this collaboration on a basis of equality and under terms and conditions to be jointly agreed.

This resolution is not therefore, like the draft Convention, linked to the Parliament's mandate in the matter of elections. It is intended to draw attention to an important question whose solution reaches out beyond the specific issue of elections. The Committee felt that it was in this sense that the resolution ought to be submitted to the Councils at the same time as the draft Convention.

11. Finally, and above all thanks to Mr. Carboni, the Working Party and the Committee went into the question of enlightening European public opinion, to which the prospect of elections imparts a high degree of urgency. The Committee therefore submits for approval by the Parliament a resolution in which it asks the Bureau to make available to the departments concerned the wherewithal to prepare public opinion for European elections. This resolution is therefore of a purely internal nature.

## III

12. The Committee did not consider its task completed with the submission to Parliament of all the foregoing documents setting out its proposals for European elections. It also concerned itself with the procedure to be applied to the draft Convention already defined in the legal analysis contained in Mr. Dehousse's report. Under that procedure, governed by the provisions of the Treaty, the draft Convention, once approved by the Parliament, will be forwarded by the President of the

Parliament for approval to the Councils of Ministers of the three Communities. In recent years, relations between the Parliament and the Councils have developed on favourable lines, and there can be no doubt that the close collaboration between these institutions enables major problems of European policy to be settled. This being the case in general, such collaboration will be particularly necessary and useful in a matter of such close concern to Parliament as its composition and future.

It is hard to believe that the Councils could depart appreciably from a proposal by the Parliament without consulting the institution directly concerned or without stating its reasons and discussing the wisdom of any amendments made. Nor is it easy to imagine that the system under which the future Parliament is to operate could be decided by the Ministers alone. It seems obvious that collaboration between these institutions does not imply relinquishing powers and prerogatives established by the Treaties. Relations between the Councils and the Parliament are situated in the political rather than in the legal sphere.

13. As pointed out by the President of the EEC Council at Parliament's March session, 'proper collaboration between our institutions is essential in order to make known the reasons for which the Councils may have departed from the Parliament's opinion.' Different means of achieving practical collaboration on the problem of elections have been considered both by the Working Party and by the Committee. A sort of 'shuttle service' might, for example, be set up between the Councils and the European Parliament. If, then, the Councils felt they had to make substantial changes to the Parliament's proposals, the draft could be referred back to the Parliament for further consideration. Such an arrangement has not appeared, however, to be either the most suitable or the most expeditious. It would, on the contrary, be far wiser to devise ways and means of establishing a dialogue between the institutions concerned.

14. On this point, some thought has been given to the possibility of discussing the draft Convention, in the presence of the Councils, at a special session of the European Parliament. Useful in itself, such a discussion would keep the general public informed about the problems inherent in elections. But given its wide-ranging character and the publicity accorded to it, it seems hardly likely that it could serve to smooth over any difficulties that might arise.

15. Owing to the range and complexity of the problems and to the need to reach agreement, a more suitable form of collaboration—for which precedents exist—is absolutely essential. The Parliament could appoint a delegation to make the necessary contacts and explain the draft Convention to the Governments of member States and also, if need be, to the chairmen of the democratic political groups of the national Parliaments. It is common knowledge that contacts with the bodies concerned yield far better results than public meetings, particularly when ticklish and complicated issues have to be discussed.

In this way the delegation would acquire close familiarity with the different positions taken up and with any difficulties encountered by the draft Convention. It would thus be adequately briefed for direct talks with the Councils of Ministers before these took a decision. Moreover, if the delegation thought it desirable, it could make known the results of its contacts with the Governments to the Committee on Political Affairs before embarking on discussions with the Councils.

16. The Convention, once approved by the Councils, would be submitted to the member States with a recommendation that it be approved in accordance with the constitutional requirements of each State.

In this connexion, it has been justly pointed out that as the commitments in question are laid down in an international treaty, there would be no need to ratify the Convention. The Working Party, as mentioned in the report of its chairman, did not think it wise, from the poli-



tical point of view, to delve further into the legal grounds in support of this argument. It felt it would be difficult to make arrangements for general elections in the different countries without prior consent of the national Parliaments. There is no doubt, however, that once the moment has come, the Governments could, by availing themselves of the facilities offered by their constitutions, decide as to the political wisdom of dispensing with the ratification stage.

But if the national Parliaments were asked to approve the Convention, it would be for the members of the present European Parliament to explain and defend it and have it approved. The Committee on Political Affairs concluded its work by expressing the conviction that elections to the European Parliament by direct universal suffrage would make a decisive contribution to the political unification of Europe. It firmly hopes, therefore, that all parliamentarians who believe in the need for unification will work actively for the speedy application of the Convention submitted for approval to our Parliament.

## (b) General report

by Mr. Fernand Dehousse, Chairman of the Working Party

### PART ONE

#### WORKING PARTY

##### I—Setting up and composition of the Working Party

1. The Working Party on European elections<sup>(1)</sup> was set up on 22 October 1958 from among members of the Committee on Political Affairs and Institutional Questions.

At that time it consisted of nine members: Messrs. Boutemy,<sup>(2)</sup> Carboni, Corniglion-Molinier,<sup>(3)</sup> Dehousse, Van der Goes van Naters, Metzger, Mrs. Probst, Messrs. Santero and Schuijt.

At its first meeting the Committee elected Mr. Dehousse Chairman and Mr. Santero Vice-Chairman.

2. By a decision taken by the Committee on Political Affairs on 16 March 1959, membership of the Working Party was increased to 13, to include Messrs. Kopf, Legendre, Margue<sup>(4)</sup> and Gaetano Martino.

The following also attended meetings of the Working Party as observers:

Mr. Bohy, Chairman of the Committee on Legal Questions, Rules of Procedure and Immunities;

Mr. Battista, Chairman of the Committee on Political Affairs and Institutional Questions<sup>(5)</sup>;

Mr. Poher, Rapporteur of the Committee on Political Affairs and Institutional Questions<sup>(6)</sup>;

The President of the EEC Commission was represented by Mr. Bourguignon, his special adviser.

<sup>(1)</sup> At the time it was set up the Committee was called 'Sub-Committee on universal suffrage'.

<sup>(2)</sup> In October 1959 Mr. Boutemy, deceased, was replaced by Mr. Filliol.

In pursuance of article 41,3 of the Rules of Procedure, Mr. Peyrefitte deputized for Mr. Filliol.

<sup>(3)</sup> After the 1958 French elections Mr. Corniglion-Molinier was replaced from January to March 1959 by Mr. Pleven and subsequently by Mr. Maurice Faure.

<sup>(4)</sup> Mr. Margue, having abandoned politics, was replaced by Mr. Fischbach as from May 1959.

<sup>(5)</sup> From July 1959.

<sup>(6)</sup> After his appointment as Rapporteur on 9 December 1959.

## II—Mandate of the Working Party

3. Under Articles 138 of the EEC Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty (as amended by the 'Convention relating to certain institutions common to the European Communities') the European Parliament is given a mandate to draw up proposals for its election by direct universal suffrage in accordance with a uniform procedure in all member States.

In accordance with the distribution of powers within the European Parliament, the preparation of such proposals falls to the Committee on Political Affairs which, in its turn, set up the Working Party in accordance with article 40,2 of the Rules of Procedure. The Committee instructed the Working Party to make a study of all the problems arising from elections and to submit a report on the subject.

4. The Working Party drew up a 'draft Convention', in pursuance of Articles 138 of the EEC Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty, on the election of the European Parliament by direct universal suffrage. This is accompanied by five reports which constitute an explanatory statement.

The draft Convention must be submitted to the Committee on Political Affairs and then to the European Parliament for perusal and adoption, before being passed to the Council of Ministers of the European Communities.

## III—Working methods and consultations

5. The Working Party devoted its first meetings to a far-ranging survey of all the problems likely to fall within its province.

It felt, moreover, that such a study ought not to be confined to a closed circle but should include on-the-spot meetings with leading figures of the six countries concerned.

With this in mind the Working Party got in touch with leading governmental and parliamentary figures. It also consulted various experts of the Governments and parties as well as independent experts.

In proceeding on these lines, the Working Party always aimed at drawing up a draft establishing common ground between the various points of view conveyed to it so as to facilitate ratification.

6. The fact-finding missions carried out by the Working Party are listed below.

(a) *Bonn*, 11 and 12 June 1959

The Working Party consulted :

Messrs.

von Merkatz, Minister for Bundesrat Affairs

Adelmann, Christian Democrat Party

Dittrich, Christian Democrat Party

Furler, Christian Democrat Party

Goergen, Christian Democrat Party

Hahn, Christian Democrat Party

Paul, Social Democrat Party

Hermens, Professor of Political Science and Director of the Institute of Political Sciences at Cologne University

Sternberger, Professor of Political Science and Director of the Institute of Political Sciences at Heidelberg University

Carstens, Director at the Ministry of Foreign Affairs

Schäffer, Director at the Ministry of the Interior

Seifert, Adviser to the Ministry of the Interior.

(b) *Paris*, 8 and 9 July 1959

The Working Party consulted :

Messrs.

Colin, national Chairman of the People's Republican Movement

Jacquet, Member of the Steering Committee of the SFIO

Roubert, Member of the Executive Bureau of the SFIO

Courtin, Chairman of the French Organization of the European Movement and Professor at the Paris Faculty of Laws

Vedel, Professor at the Paris Faculty of Laws

(c) *The Hague*, 17 and 18 September 1959

The Working Party consulted :

Messrs.

Bruins Slot, Chairman of the Parliamentary Group of the Anti-Revolutionary Party

Burger, Chairman of the Parliamentary Group of the Labour Party

Oud, Chairman of the Parliamentary Group of the Liberal Party

Romme, Chairman of the Parliamentary Group of the Catholic People's Party

Tilanus, Chairman of the Parliamentary Group of the Christian Historical Union

Mrs. Verwey-Jonker, Member of the Economic and Social Committee

Messrs.

van Ommen Kloeke, Director at the Ministry of the Interior

Schlichting, Rector of the Nijmegen University

Albering, Member of the Bureau of the Catholic People's Party

Dettmeyer, Member of the Bureau of the Liberal Party

den Uyl, Member of the Bureau of the Labour Party

(d) *Rome*, 15, 16 and 17 October 1959

The Working Party consulted :

Messrs.

Salizzoni, Deputy Secretary-General of the Christian Democrat Party

Malagodi, Secretary-General of the Liberal Party

Saragat, Secretary-General of the Social Democrat Party

Pacciardi, President of the Italian Council of the European Movement and member of the Bureau of the Republican Party

De Vita, Member of the Bureau of the Republican Party

Roberti, Chairman of the Parliamentary Group of the Italian Social Movement

Picella, Secretary-General of the Senate of the Republic  
Piermani, Secretary-General of the Chamber of Deputies  
Monaco, Professor of International Law at Rome University, Secretary-General of the Diplomatic  
Disputes Department at the Ministry of Foreign Affairs  
Schepis, expert on electoral questions, Professor of Statistics at Rome University  
Falchi, expert at the Ministry of Foreign Affairs

(e) *Luxembourg*, 16 November 1959

The Working Party consulted :

Messrs.

Margue, Vice-Chairman of the Christian Social Party  
Biever, Chairman of the Parliamentary Group of the Christian Social Party  
Cravatte, Chairman of the Luxembourg Socialist Workers' Party  
Wilwertz, former minister and member of the Bureau of the Luxembourg Socialist Workers' Party  
Thorn, Secretary-General of the Democratic Party  
Meris, Secretary-General of the Chamber of Deputies

(f) *Brussels*, 17 and 18 November 1959

The Working Party consulted :

Messrs.

Wigny, Minister of Foreign Affairs  
Tindemans, national Secretary of the Christian Social Party  
Vermeulen, former Minister of the Interior and member of the Bureau of the Socialist Party  
Dreze, Secretary-General of the Liberal Party  
van Houte, Director at the Ministry of the Interior

7. The Working Party also got in touch with other leading figures at official receptions held during its visits.

In *Bonn* the Working Party was received by :

Messrs.

Gerstenmaier, President of the Bundestag  
Adenauer, Federal Chancellor  
von Merkatz, Minister for Bundesrat Affairs<sup>(1)</sup>  
Schröder, Minister of the Interior

In *Paris* the Working Party were the guests of :

Messrs.

Monnerville, President of the Senate  
Chaban-Delmas, President of the National Assembly  
Couve de Murville, Minister of Foreign Affairs

<sup>(1)</sup> Replacing Mr. von Brentano, Minister of Foreign Affairs attending the Geneva conference.

At *The Hague* the Working Party met :

Messrs.

Jonkman, President of the First Chamber of the States General  
Kortenhorst, President of the Second Chamber of the States General  
Korthals, Vice-President of the Council  
Toxopeus, Minister of the Interior  
van Houten, Secretary of State for Foreign Affairs

In *Rome* the Working Party had discussions with :

Messrs.

Merzagora, President of the Senate of the Republic  
Leone, President of the Chamber of Deputies  
Segni, President of the Council of Ministers  
Pella, Minister of Foreign Affairs  
Taviani, Minister of Finance

In *Luxembourg* the Working Party was received by :

Messrs.

J. Bech, President of the Chamber of Deputies  
Werner, Prime Minister  
Schaus, Minister of Foreign Affairs  
Grégoire, Minister of the Interior

8. During its visits to Luxembourg and Brussels the Working Party also held discussions with :

Messrs.

Malvestiti, President of the High Authority of the ECSC  
Coppé, Vice-President of the High Authority of the ECSC  
Marjolin, Vice-President of the EEC Commission  
Lemaignan, member of the EEC Commission  
Hirsch, President of the Euratom Commission  
Sassen, member of the Euratom Commission

9. As regards the problem of representation of the overseas countries and territories in the European Parliament, the Working Party asked for the views of the three members of the European Parliament appointed by the Senate of the French Community :

Messrs.

Corniglion-Molinier (Ivory Coast Republic)  
Ramizason (Malagasy Republic)  
Vial (Federation of Mali)

#### IV—Main documents used by the Working Party

10. Of the copious material which came to the notice of the Working Party or which was submitted to it, the following should be mentioned :

- (i) extracts from the report to the Ministers of Foreign Affairs drawn up in 1954 by the inter-governmental conference for the European Political Community ;
- (ii) brochure of the European Movement entitled 'Towards elections to the European Parliament by direct universal suffrage', report by a study committee ;
- (iii) proposal by Mrs. Probst on elections based on proportional representation combined with the majority vote ;
- (iv) a memorandum concerning the election of members of the European Parliament by direct universal suffrage drawn up by Professor van den Bergh of Amsterdam Municipal University ;
- (v) draft definition of the principles governing a system for elections to the European Parliament by direct suffrage drawn up by Professor Giovanni Schepis ;
- (vi) memorandum by Professor Vedel on the representation of the overseas countries and territories in the European Parliament.

Finally the Working Party received constant help from members of the Secretariat of the European Parliament. It is particularly indebted to :

Messrs.

de Nerée tot Babberich, Secretary-General

Van den Eede, Director of Parliamentary Committees and Studies

d'Arvisenet, Director of Parliamentary Documentation and Information

Lagache, Assistant Director of Parliamentary Documentation and Information

Mrs. Bubba, Adviser on Parliamentary Studies

Messrs.

Westerterp, first Secretary of the Working Group and of the Committee on Political Affairs

Balbiani, Secretary

Vinci, Secretary

#### V—Meetings of the Working Party

11. The Working Party met frequently to study the problems raised by elections and to put forward solutions on the various points.

After its constituent meeting in Strasbourg on 22 October 1958, the Working Party met :

in Strasbourg on 23 October 1958

in Brussels on 13 December 1958

in Strasbourg on 12 January 1959

in Brussels on 31 January 1959

in Brussels on 17 February 1959

in Brussels on 23 March 1959

in Strasbourg on 8 April 1959

in Brussels on 22 and 23 May 1959  
in Bonn on 11 and 12 June 1959  
in Paris on 8 and 9 July 1959  
at The Hague on 17 and 18 September 1959  
in Rome on 15, 16 and 17 October 1959  
in Brussels on 9 November 1959  
in Luxembourg on 16 November 1959  
in Brussels on 17 and 18 November 1959

12. The Working Party devoted its Paris meetings of 16, 17 and 18 December 1959 to the discussion and adoption of the text of the draft Convention.

The draft was finalized by an editorial board consisting of the Chairman, Vice-Chairman and members of the Secretariat which met in Brussels on 29 December. The board received invaluable help from Mr. Paul Reuter, Professor of the Faculty of Laws at Paris University.

The Working Party adopted the final text at a meeting held in Strasbourg on 12 January 1960.

The reports making up the explanatory statement to the draft Convention were adopted at meetings held in Brussels on 2, 3 and 4 February 1960.

In aggregate the Working Party sat for thirty days.

## PART TWO

### THE EUROPEAN PARLIAMENT'S MANDATE FOR THE ELECTION OF ITS MEMBERS BY DIRECT UNIVERSAL SUFFRAGE

13. Articles 21,3 of the ECSC Treaty<sup>(1)</sup>, 138,3 of the Euratom Treaty and 108,3 of the EEC Treaty state :

'The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

In the interpretation of these provisions the Working Party came up against a number of legal questions.

14. The first was whether the draft which the Parliament was expected to draw up would imply amending the Treaties or whether it would merely be applying one of their provisions and therefore supplementing them.

This is not an academic question because, as explained in the report prepared by Mr. Maurice Faure, the Working Party soon came to the conclusion that elections would make it politically and technically necessary to increase the number of members of the Parliament.

<sup>(1)</sup> As amended by the Convention relating to certain institutions common to the European Communities.

The Working Party settled this point effectively. It felt that paragraph 1 of the Articles in question<sup>(1)</sup> would have to be amended when the Parliament was elected by direct universal suffrage. Consequently it considered that paragraph 3 laid down a procedure by which the Treaties could be amended to the extent necessitated by direct elections. In other words, the legal nature of that paragraph was that of a partial and limited revision clause.

This opinion of the Working Party was confirmed by a study of other passages of the Treaties. All three Treaties contain a general revision clause, a frequently observed feature of international treaties (Articles 96 of the ECSC Treaty, 236 of the EEC Treaty and 204 of the Euratom Treaty). Alongside these general rules laying down the procedure under which any Treaty provisions may be amended, the Treaties contain several Articles setting out revision procedures that can be applied to certain special provisions. This is the case, for example, with the ECSC's 'small revision' (Article 95,3) and with Articles 14,7 of the EEC Treaty and 76, 85 and 90 of the Euratom Treaty.

15. The second question considered by the Working Party was that of the procedure laid down in paragraph 3 referred to above.

The Working Party found little difficulty in establishing that this procedure is not dealt with in other provisions of the Treaties and is therefore a special case. The Committee wanted to determine whether this special procedure is to be regarded as exceptional and whether it puts a restrictive interpretation on the amendments it authorizes.

A comparative study of general and partial revision clauses led to the conclusion that the procedure laid down in paragraph 3 shares most of the features of the normal revision procedure of international treaties. In fact, the general revision clauses refer to the traditional procedure of international law under which amendments are negotiated and defined by a conference of representatives of governments and ratified by member States. The distinctive 'Community' feature lies in the right of initiative and to submit proposals enjoyed respectively by the High Authority and by the Commission (a right naturally also enjoyed by the member States) and in the rôle assigned to the Council of Ministers, partially replacing the customary conference of plenipotentiaries. Moreover, the Treaties of Rome require the European Parliament to be consulted.

On the other hand, the partial revision clauses imply an exceptional procedure which merely calls for a unanimous decision by the Councils, a decision applicable in the member States without ratification on their part.

In the light of these remarks, it can be seen that the procedure outlined in paragraph 3 is the closest to the conventional model.<sup>(2)</sup> The Treaties require the European Parliament to draw up proposals and submit them to the Councils which, by unanimous decision, prepare a final text. This decision is not however directly applicable: the Councils recommend member States to adopt it in accordance with their respective constitutional requirements.

Under this procedure the Councils' decision is therefore equivalent to the signature given by the conference of plenipotentiaries. Then follows the ratification stage which is governed, under international law, by the domestic law of each member State.

Finally, the only distinctive feature of the usual procedure is the European Parliament's right to submit proposals. The Working Party as a whole did not share the view of a few of its members that this of itself made the procedure exceptional.

16. In the light of the foregoing considerations, the Working Party tackled the third question, i.e. the legal nature of the proposals the Parliament is empowered to draw up.

(1) Text of paragraph 1: 'The Assembly shall consist of delegates who shall be nominated by the respective Parliaments from among their members in accordance with the procedure laid down by each member State.'

(2) The same applies to Article 201 of the EEC Treaty and 173 of the Euratom Treaty which provide for the contributions of member States to be replaced by other resources available to the Communities themselves.



The draft prepared by the Working Party has at least the formal nature of an amendment to the Treaties. The Working Party therefore considered it as a draft international treaty. It realized, however, that above all it carried out a requirement of the Treaties. To emphasize this point of close dependence it decided to name it: 'Convention implementing etc.'

The Working Party also felt a need to stress the Community features of the procedure laid down by the Treaties. It felt in particular that the Convention should, in accordance with the Treaties, take the form of an act of the Councils, even if this was an act which had no parallel among the other provisions of the European Treaties.

The Working Party considered whether, if the occasion arose, an act of the Councils could be submitted for approval to the national Parliaments or whether it ought to be duplicated by a convention drawn up in the usual way, the Ministers on the Council signing the convention as plenipotentiaries of their respective Governments.

The Working Party noted that, according to the Treaties, it is the Councils' decision that requires ratification. It also found that international law offered precedents on which its interpretation could be based. In fact, long before the advent of the European Communities, the International Labour Organization and UNESCO had been empowered to draw up their own Treaties and submit them for ratification without obtaining the signature of plenipotentiaries.

17. A question which the Working Party has not studied in detail is whether the draft Convention requires the approval of the national Parliaments. The letter of the Treaties ('... adoption by member States in accordance with their respective constitutional requirements') leaves an opening for studying the possibilities offered by the constitutions of the six countries of adopting the Convention with or without ratification. In other sections the Treaties refer expressly to ratification (for example, in Article 236 of the EEC Treaty). During discussion on the Committee on Political Affairs the argument was thereupon put forward that the Convention on elections represents the application of a commitment entered into under an international treaty which, having already been ratified, did not call for further parliamentary approval.

The Committee and the Working Party obviously realized the advantage this argument offered from the point of view of speeding up and simplifying the procedure. They nevertheless preferred to leave the question to the judgement of the Governments since, whatever the legal possibilities, it would be politically difficult for the Six to adopt a convention, and the electoral law it necessitated, without calling in the Chambers.

18. Another point was the interpretation to be given to the Treaties where they stipulate that elections must be held in accordance with a 'uniform procedure' in all member States.

The expression clearly denotes an electoral law basically the same in all six countries. This is the sense of the provision and what the Working Party decided to be the best answer. The Working Party agreed, however, that uniformity was not synonymous with identity. Uniform rules can consequently be provided for in the Convention despite certain differences in the national laws implementing them.

The Working Party did not feel obliged to adhere slavishly to the letter of the Treaties. On a question such as a revision procedure, it saw no reason why arguments based on a literal reading of the texts should, by definition, weigh more strongly than political considerations.

As explained in the report on the electoral system, the Working Party decided that the framing of a uniform electoral law ought to be left to the newly elected Parliament at the end of a transitional period. During that period—that is, for the first elections—the Working Party opted for a different course: the requisite minimum of common principles would be established and implementing measures referred back to the domestic law of each country.

19. The idea of a transitional period is an essential feature of the draft Convention drawn up by the Working Party and adopted by the Committee on Political Affairs.

The Treaties had sketched out a principle, that of direct elections, and a procedure. The rôle assigned to the Parliament implied a measure of latitude of which the Working Party availed itself. The introduction of a transitional period, not mentioned in the Treaties, made it possible to deal with problems to which there appeared to be no immediate solutions. The Working Party was thus led to leave it to the new Parliament to draw from the first elections the lessons which only experience could provide.

The transitional period which the Working Party has in mind is characterized by the fact that (i) a third of the members of the Parliament would continue to be designated, as at present, by the national Parliaments, and (ii) the Convention lays down general principles for the electoral system and refers back to a large extent to the legislative provisions of individual States.

Three further comments have to be made regarding the transitional period :

- (1) The Parliament itself decides the length of this period within the limits specified by the Convention. It may not, however, expire before the end of the third stage of the establishment of the Common Market nor after the lifetime of the Parliament during which the third stage comes to an end.

With this provision, which they discussed at great length, the Working Party and the Committee wanted to link up progressive economic integration and the entry of the elected Parliament into its final phase. The Committee therefore rejected an amendment aimed at extending the transitional period to cover two lifetimes of the Parliament.

- (2) The elected Parliament would draw up provisions governing the election of its members by universal suffrage beyond the transitional period. This would apply to all representatives without distinction.

This is one of the most striking proposals in the Working Party's draft. It largely offsets the 'concessions' the Working Party made, for political reasons, regarding the transitional period and the principle underlying it.

- (3) The elected Parliament would decide whether, once the transitional period expired, the European and the national mandates would remain compatible.

This problem was debated at length by the Working Party and the Committee. The votes cast were however all for compatibility during the transitional period.

20. The Committee on Political Affairs considered which provisions of the Convention would apply solely to the transitional period and which to the final period.

The Committee adopted an amendment designed to make this distinction quite clear. This amendment relates to the text of Article 7 concerning the compatibility of the two mandates. In the discussion that followed it was stressed that with the exception of Article 7 and, of course, of Articles 3, 4 and 5 (in part), the rules of Chapter I have permanent validity while those of Chapter II are applicable only up to the entry into force of the decisions the elected Parliament makes on them.

21. The Working Party considered whether there was any need to include a general revision clause in the draft Convention. This expressly invests the Parliament with the power to terminate the transitional period (Article 4) and to adopt the electoral system of the definitive period (Article 9). On the other hand, it lays down no procedure for amending the other provisions of the Convention.

These amendments can clearly be carried out under the general revision procedure laid down by the Treaties (Articles 96 of the ECSC Treaty, 236 of the EEC Treaty and 204 of the Euratom Treaty) as we are dealing with an implementing convention which extends and supplements treaties with which it is closely bound up.

The Working Party thought about suggesting a simpler revision procedure. The idea was that the Parliament would have been able to submit proposals for amendments to the Councils which would have adopted them by a five-sixths majority, without then submitting them to member States for ratification.

It was found that although such a simplification could have some advantages, it would also harbour certain dangers. The Working Party unanimously decided that rules of a more or less constitutional nature should not be too easy to change. It was pointed out that, in general, the revision procedures laid down in constitutions were kept on the rigid side so as to preserve their stability.

### *PART THREE*

#### THE POLITICAL ASPECTS OF ELECTIONS

##### I—Desirability and importance of elections in the present state of the Communities

22. The Working Party's draft is based entirely on the political desirability and value of elections. The Working Party has never felt itself called upon to study the problems of elections from a purely academic standpoint. As politicians, its members have always been guided by their concern for political efficacy. This is reflected in the Working Party's method of tackling the work—wide-ranging consultations, a detailed timetable, a practical conclusion.

The Working Party feels not only that direct elections are desirable but also that they should be held as soon as possible, after allowing for the necessary procedure. The principle of direct elections to the Parliament is already written into the ECSC Treaty (Article 21). At the time the Rome Treaties were being negotiated and on a proposal by the Italian delegation headed by Mr. Martino, this principle was reaffirmed and a procedure established. The Parliament, which has been given the task of drawing up proposals, should pick the moment it exercises the initiative conferred on it before dealing with any implementing measures.

The Working Party set about its job convinced that that moment had arrived, a view for which it found support in its consultations. As its discussions continued, the positions taken up more and more frequently in the most diverse quarters and the swelling response in the press and among the public, convinced it that the problem was ripe for solution.

At the same time the view was expressed that direct elections should not be held until the powers of the Parliament had been extended.

23. Some people will no doubt feel that as the European Communities are in existence and operating and the Treaties duly complied with, a further advance should await developments in this great enterprise. Perhaps it will also be argued that there are problems more urgent than that of elections, such as that of co-ordinating energy policies or that of the EEC's commercial policy (although it may be wondered in what way elections would stand in their way).

This is a view of European action which the Working Party did not fully accept. A close observer will detect marked weaknesses in the operation of the Community machinery. All the

major problems that arise are essentially political, and their solution demands a display of political will. Day-to-day experience in the Communities, in all sectors, shows that when the experts can do no more, only an act of political will can overcome stalemates.

The European Communities have given concrete form, in different spheres, to a predominantly political idea, that of solidarity between the Six. This solidarity remains uncertain so long as it depends upon agreement between the Governments. This precariousness becomes evident at any international conference or in any discussion of a Community problem, in spite of the Treaties and in spite of the institutions.

24. What is largely wanting in the European Communities has already been stressed by others : popular support, recognition by the European peoples of their solidarity, the shared realization that a national framework is constrictive and that it is in the Communities alone that Europe can look forward to any sort of future.

Direct elections should therefore serve to administer a salutary shock to the peoples of the Six. Only from their conscious participation can we expect a sense of purpose capable of bearing up the Community structure despite the accidents, disputes and sectarian attitudes of the moment.

Until now the Communities have been a domain reserved to a few hundred specialists, politicians and officials. The public has only the scippiest knowledge of the really striking aspects of their activity. Some have held this to be a perfectly normal state of affairs, given the general public's inability to grasp the subject-matter. This, however, is not the case. The Communities are not a secondary, technical enterprise in which a few capable specialists can settle all problems to the satisfaction of all. They now embrace the entire economic activities of our six countries. They are a challenge to the future, the only one perhaps that Europe can launch. There are fundamental choices and problems of a general nature. In the Communities resides the only policy we believe possible for our countries in every sphere. It is high time, therefore, that the peoples be drawn into this venture, and that they grasp what is at stake and the attendant risks, and make known their will.

It is only fair that they should do so, for it is out of the question that they should continue indefinitely to have no say on measures of such vital importance to them. In this age people are not mere objects but persons invested with legal rights.

25. This brings us to the fundamentals of political science, to the very root of the democratic system on which our civilization is based. For, under various forms, we know and practise but a single method of expressing the will of the people and of associating them with the management of public affairs—free elections.

It is sometimes asserted that elections are not of themselves enough to interest public opinion and that, if they are to be justified, the electors must first acquire a better grasp of European problems. The Working Party rejected this argument. When universal suffrage was introduced in most of the States the peoples were no better informed about domestic political problems than they are today about European problems. Indeed, it was through their participation in public life that their political judgement gradually matured.

The following passage heads the preamble to the Working Party's draft :

*'Being resolved to base the mission entrusted to the European Parliament on the freely expressed will of the peoples of the member States of the European Communities.'*

This passage embodies the main arguments for holding elections, namely to associate the peoples with the building of Europe and thus strengthen the democratic character of the institutions.

## II—The problem of the Parliament's powers

26. If the foregoing general considerations convinced the Working Party that a directly-elected European Parliament was desirable, others of a more incidental nature led it to believe that the elections ought to be staged at this particular juncture of European history.

It is not the intention to go into the development undergone by the Communities of the Six, the foundation of the ECSC on solid, if restricted, bases, the attempts—abruptly halted—at political enlargement, up to the Messina revival. The Rome Treaties of 1957 placed the emphasis on the revolutionary nature of all-round economic integration even more than on the boldness in the design of the institutions. Integration of economies cannot but lead to political unity: it was on this conviction that the surge forward in the building of Europe was based. The European Communities are now greatly enlarged. What they lack is a political dimension, Community power.

Considerable concern has recently been aroused about the future of the Europe of the Six. Some people have even talked, misguidedly, of a crisis; doubts have been voiced as to the stability of the Communities, and a search has been made for the best way of strengthening and urging them forward. The Governments themselves have studied plans for their development and for extending their powers and jurisdiction.

Such anxieties are not lightly to be dismissed. All are aware of the precarious nature of the Community structure, threatened as it is by outside opposition and a prey to centrifugal trends. *The gravest difficulties still lie ahead of it. The Treaties are a springboard but not sufficient of themselves.* Without amending them in any way, it is possible to deflect them from their real aims and so to apply them as to rob them of their significance. Success can only be ensured by institutions which are at once democratic and endowed with effective powers.

27. It is not proposed to delve into the nature and powers of the existing institutions. It suffices to emphasize that, as a whole, there exists only a kernel of Community power in the strictly limited spheres in which the High Authority and the Commissions have a power of decision—a power incidentally, which they exercise effectively. The focal point is the Council of Ministers which, for all the legal formulas, remains a conference of national ministers answerable to their respective Parliaments. We are not sure, as others are, that the Council can evolve towards a form closer to the Community concept and ultimately become an actual institution of the Community. Consisting as it does of representatives of the Governments of member States, as is laid down in the Treaties, it could scarcely be other than what it is, an ordinary international conference which meets within the framework of the Treaties but in which agreement ultimately depends on unanimous good will.

The entire structure of the Communities, in its present form, is not in line with our current ideas of political organization.

One misunderstanding needs to be cleared up. It is not our view that the only Community power conceivable is that created by the ECSC Treaty for the High Authority. We believe that the ECSC was designed for the coal and steel sector at the beginning of the integration process but not that it can be put to general use or that the Common Market as a whole, with the political developments it inevitably undergoes, can be made subject to an enlarged High Authority. An enterprise so vast and of such crucial importance must be framed within institutions reflecting the political systems of our countries.

28. Free elections are the touchstone of such a system. And elections must be staged so as to reflect in one form or another the expressed will of the electors. This brings us to the core of the problems posed by European elections. What are these going to signify? And what will be the powers of the Parliament thus elected?

The position of the Working Party is quite clear. The connexion between elections and the powers of the Parliament is too obvious to need underlining. If elections are to make any sense at all they must endow the Parliament, through direct investiture, with a legitimacy and strength from which it will draw political power.

29. The Working Party has not, as some of its members would have wished, made an increase in Parliament's powers a precondition of elections.

There were a number of reasons for this. The Working Party set out with the idea of preferably making the most of the opportunities offered by the Treaties. The paths traced out by the signatories of the Treaties for the development of the Communities ought to be followed. While the Working Party gave a wide interpretation to the mandate conferred on the Parliament in the matter of elections, it felt that the Parliament should be considered first within the context of the existing institutional system.

This is not the place to formulate a theory concerning the Parliament's powers. All the same, at all the Working Party's meetings—and particularly in connexion with major problems—the question of powers was constantly raised and figured prominently in the discussions. It would not be fair to assert that had the Working Party simultaneously made a study of the problem of powers, its findings on electoral problems would have been far different. There can be no doubt, however, that the attitude of several of its members was influenced by consideration of the nature of the present powers of the Parliament.

The opinion has been expressed that, under the circumstances, the elected Parliament will have the right to make proposals to the Councils regarding the extension of its powers.

30. While the question of the Parliament's powers does not fall within the Working Party's mandate, the concern felt by those who believe that direct elections and increased powers are twin aspects of one problem led the Committee on Political Affairs to consider it too. Mr. Poher, Chairman of the Christian Democrat group in the Parliament, was appointed Rapporteur and from that time has been associated with the Working Party's activities.

It will be for the Parliament itself to decide to what extent the decision on elections should be linked with the decision on powers. The bulk of Working Party and Committee members continue to believe that the whole project—and therefore the elections themselves—might be jeopardized if the two questions are linked up too closely. They see in elections a means of getting round what could become a dilemma and of ultimately bringing about the much-desired widening of the Parliament's powers.

### (c) Report

#### on the composition of the elected Parliament

(Explanatory statement to Chapter I of the draft Convention)

by Mr. Maurice Faure, Rapporteur

#### I—Number of members of the elected Parliament

1. The Articles of the European Treaties dealing with direct elections to the Parliament establish their acceptance in principle by the signatory States. In granting the Parliament a mandate to draw up proposals and endowing it with the power of initiative, the Treaties leave it to its judgement

when elections should be held. The Working Party was set up and all its activities planned on the assumption that the moment for elections had arrived.<sup>(1)</sup>

As a consequence, the first step taken by the Working Party and the Committee was to lay down in Article 1 of the draft Convention that the peoples' representatives in the Parliament are to be elected by direct universal suffrage. A rule of positive law thus takes the place of the principle at present enounced in the Treaties.

This rule established, the problems of how to apply it came crowding in. They were found, however, to be closely interrelated, so much so that the solutions contemplated largely depended on a few basic options.

2. The first relates to the number of members of the elected Parliament.

Direct elections will mobilize the electorates of six countries. Some 100 million people will be called upon to choose their representatives at European level. An electoral campaign will be waged throughout the entire territory of the Community. All political parties will put forward their programmes and their candidates. In view of the sheer magnitude of this electoral operation the number of members of the present Parliament (142) appeared from the first inadequate, and the need to increase it was unanimously accepted.

It would have been illogical to assume that the number of members agreed upon for an assembly put together by the national Parliaments by indirect suffrage had to be maintained for one recruited in a totally different way. At the time the Rome Treaties were signed your Rapporteur made an expository statement on behalf of the French Government and pointed out that should members of the Parliament be elected by universal suffrage the distribution of seats would have to be reviewed.

Finally, an elected Parliament would undoubtedly play a more important political rôle, a circumstance that justifies widening its membership.

3. The needs inherent in direct elections led the Working Party to suggest a larger membership. For 142 members to represent 165 million inhabitants, for 36 to be elected by 30 million German, French or Italian voters, clearly means a ratio of electors to elected that would rob the polls of all significance.

No relationship, not even the most distant, could in that case be established between electors and their representatives. The Working Party felt, however, that good relations were essential if the peoples were to participate effectively in the building of Europe. It saw in public consciousness of European problems one of the principal aims of the elections. Too few candidates would insulate the public from this salutary shock and rule out the 'capillary penetration' that could result from a not entirely depersonalized election campaign.

The representative character of the Parliament, which the elections are intended to heighten considerably, will obviously be all the more marked the greater the number of its members. It is not the numerical factor alone that is decisive; larger representation gives a more faithful reflection of the varied political, economic and regional forces at work in the Six. On the Committee your Rapporteur emphasized that the increasingly technical nature of the problems facing the Communities made it necessary to call on more numerous forces.

4. Although these reasons led the Working Party to contemplate an increase in the number of members of the Parliament, the actual extent of this increase was long debated.

It has always been understood—and on this point members of the Working Party have been unanimous—that such an increase ought to be effected in conjunction with the present weighting.

<sup>(1)</sup> See General Report, Part Three, Chapter I.

It was felt that the proportions between the representatives of the Six ought not to be changed since it reflected a political balance that had been accepted by the signatory States. The Working Party felt that to consider any change would have threatened the success of its venture.

The present figures, as well as their proportional increases, clearly bring out the wide gap between the number of electors who vote for a representative in the Benelux countries on the one hand, and in the Federal Republic, France or Italy on the other. In theory, it might have been fairer to close this gap by establishing a uniform ratio between the number of inhabitants and the number of representatives. This is a possibility the Working Party has never entertained because the application of such a criterion would have practically denied representation to the smaller countries. Now, the Communities are guided by federal principles. Their aim is not to abolish the States but to unite them into a whole so that they can preserve their individualities while acquiring the dimension of the modern world. This was emphasized by the Belgian Foreign Minister in a discussion with the Working Party in Brussels.

5. The increase was therefore considered by the Working Party as the result of multiplying by a certain factor the number of representatives assigned to each country by the Treaties.

At an early stage of its activities the Working Party had considered the factor 2, which some members felt to be adequate. The number of members thus elected would still, however, be too low. Regardless of the electoral system adopted, the creation of huge constituencies, particularly in the larger countries, would mean that electors would vote for an idea rather than for a candidate. Thus all the arguments advanced above, which led the Working Party to advocate increasing the number of representatives, spoke for the highest possible increase. Some members were in favour of applying the factor 4.

6. This would perhaps have raised certain snags for representatives of the Grand Duchy of Luxembourg as it would have absorbed 24 of the 52 members of their national Parliament.

What carried more weight, however, was the attitude of some members of the Working Party who echoed the misgivings and criticisms voiced in their own countries about an unduly large membership. It was argued that this had an adverse effect both on the quality of the work transacted and on desirable personal contacts, and at the same time hampered the activities of parliamentary committees. If an oversize assembly of that kind proved inefficient, the reputation of parliamentary democracy would suffer.

It was also pointed out in committee that, even with the enlarged membership envisaged, constituencies would still be too large. The problems inseparable from electoral campaigns would therefore have to be solved by means of modern publicity methods rather than by an increase in the number of members, which would in any case still be inadequate. It was also argued that an excessive membership would favour sectarian or regional interests at the expense of the European cause. Finally it was observed that the smooth running of the European Parliament demanded linguistic skills unlikely to be conspicuous among a larger number of representatives.

Finally a subject was raised which cropped up constantly throughout the Working Party's meetings, namely, the powers of the European Parliament.<sup>(1)</sup> It is the widening of these powers that would, in the view of some, justify a larger number of members, because the two questions are linked and should be dealt with together.

7. A three-fold increase was finally chosen by the majority of members of the Working Party and of the Committee. A total of 426 representatives for 165 million inhabitants comes close to the figures of a federal State comparable in size, namely, the USA, where the 435 members of the House of Representatives cater for a population of 180 million. In comparison with

<sup>(1)</sup> See General Report, Part Three, Chapter II.



national popular Chambers (Bundestag, 519 ; French National Assembly, 546 ; Italian Chamber of Deputies, 590) this number is fairly modest. It gives on average one representative per 400,000 inhabitants, the proportion in some States reaching as high as one representative per 50,000 inhabitants in the national elections.

## II—Links with the national Parliaments

8. The actual requirements of direct elections were not the only reason for increasing the number of representatives. A further basic consideration carried equal weight : the Working Party and the Committee felt it necessary to retain, for a third of the members of the European Parliament, the procedure under which they are nominated by the national Parliaments.

Throughout all these activities and consultations, the need to preserve firm links with the national Parliaments was never far from the minds of members of the Working Party. Neither there nor, to the best of our knowledge, elsewhere, has it ever been thought desirable, or even conceivable, that direct elections should result in an assembly composed entirely of fresh faces none of which had been seen in a national Parliament.

The grounds on which the Working Party and the Committee have decided that direct elections are desirable have already been explained.<sup>(1)</sup> They stem from a realistic appraisal of the current political situation and of the way power is distributed between the States and the Communities. The present members of the European Parliament would find it hard to underrate the importance and rôle of the Parliaments to which they belong. European integration is only beginning. Major decisions are being taken, and will long continue to be, by the national Governments set up and controlled by the Parliaments. It is in the latter, as Minister von Merkatz pointed out in Bonn, that the process of political integration will take place.

9. The Working Party and the Committee thought in terms not of a juxtaposition but of an interpenetration of the directly elected assembly and the national Parliaments. Of all links, the identity of persons was judged to be the one calculated to afford the new assembly the advantages of double-membership which the history of the present European Parliament and of the Common Assembly of the ECSC have largely demonstrated. In the national Parliaments, members of the European Parliament have been able to take continuous, and often decisive, action in the service of Europe. The European Parliament has profited from their national reputation, their experience of the parliamentary game, and their grasp of national problems.

This would moreover serve to dispel any mistrust the national Parliaments might feel of an elected European Parliament. The more active the latter is in pursuing a policy for Europe, the greater its need of the support of the national Parliaments, that being at present one of the main levers of any political action.

10. The need for interpenetration of the European and national Parliaments was unanimously accepted. Clearly the considerations which led to this agreement turn on the central theme of the powers of the European Parliament. It is on the way this principle is to be applied that the most heated disputes have arisen.

Two possible courses were considered : (i) combining the national and European mandates and (ii) maintaining for some members of the European Parliament the procedure under which they are nominated by the national Parliaments. Not that the two courses exclude each other ; indeed, it was on their joint adoption that the Working Party and the Committee finally decided. Moreover, they are not theoretically linked since the adoption of one does not imply the adoption of the other.

<sup>(1)</sup> See General Report, Part Three, Chapter I.

There were four possible ways of combining the two possibilities. One could argue that the two mandates were compatible and that all members of the European Parliament should be elected by universal suffrage. This would have resulted in an assembly entirely separate from the national Parliaments, an arrangement which has never been entertained.

11. One could advocate either the incompatibility of two mandates while preserving the practice of partial nomination, or compatibility coupled with direct election of the entire Parliament.

Several members of the Working Party and of the Committee saw solid advantages in the first of these alternatives. With the nominated members safeguarding the vital link with the national Parliaments, directly elected members could occupy themselves entirely with their European mandate. The heavy, at times crushing, burden of twin mandates, all too familiar to members of the Working Party, tends to make it difficult to do useful work both at national and at European level. Men free from national responsibilities would bring fresh blood and drive to the European Parliament. Although they could not bring direct influence to bear on the national Governments, they could do so indirectly by spreading knowledge about European problems among the general public. A wider measure of detachment from national politics would foster the growth of the European spirit and help to release the Community institutions from the national grooves. Finally, the tiresome necessity for the European Parliament to consult the timetables of the national Parliaments would be largely abolished, a circumstance that would make for smoother operation on all sides.

It would, however, have been difficult to speak then of incompatibility between the two mandates because, as was pointed out, to allow even some of the members to combine mandates was to deny any theoretical grounds for incompatibility. The incompatibilities dealt with by domestic laws flow from a real contradiction inherent in the exercise of two offices that clash in any way. In the case of the European Parliament, the reasons adduced were in the main practical ones such as should be more logically left to individual choice.

12. Scores of arguments in favour of combining mandates were advanced in the course of consultations with politicians of different countries.

It was held that the political parties, which were recognized to play a crucial rôle in deciding what candidates were to run for election, were in the best position to pronounce on this question. At all events, politicians already familiar to the electorate were an absolute must for any election campaign. If, after their election, they were asked to choose between the national and the European mandate, many would plump for the former. Some members of the Working Party made this perfectly clear. Once again, it will be seen, the debate was brought back to the powers of the European Parliament.

Wide parliamentary experience would be needed by members of an assembly called upon to play, in the eyes of many, the rôle of innovator. A grasp of national affairs would be essential for effective action in the Communities, for European problems were merely national problems seen from another angle. The building of Europe called for the closest possible integration of national activities and Community institutions rather than for institutions wholly detached from national realities.

Finally all the reasons for not severing the existing links with the national Parliaments argued in favour of the utmost degree of interpenetration and against forbidding the combination of mandates.

The Working Party was thus led to decide, by a very large majority, that the combination of mandates ought to be permitted. To this, however, the Committee added that compatibility should be recognized during the transitional period but that the new Parliament, once elected, would be able to make its own ruling thereafter.<sup>(1)</sup>

<sup>(1)</sup> See General Report, Part Two.

13. Discussion of the second way of preserving a link with the national Parliaments—that is, by maintaining the procedure under which part of the members are nominated—was influenced by the foregoing arguments and by the Working Party's estimate of the election results.

Anyone with experience of electoral laws knows how difficult it is to predict the practical effects of a provision aimed at ensuring a given result. Thus, some members of the Working Party thought that if the combining of mandates was permitted, then—regardless of the electoral system chosen—the vast majority of members of the European Parliament would also be members of a national Parliament. After all, members in office were as a rule more often in the eye of the political parties and more familiar to the voters, a circumstance that would give them a decided advantage over rival candidates. Other members of the Working Party, on the other hand, felt that this supposition might prove to be false, and that parties and electors alike might prefer to see new faces; consequently it was far from certain that a link with the national Parliaments could be maintained in this way.

In short, although the Working Party as a whole was in agreement as to the result to be obtained, some members regarded continued nomination of part of the European Parliament's members as unnecessary and likely to detract from the significance of elections, while others considered it as an essential guarantee of a measure of liaison with the national Parliaments.

14. These two viewpoints were reconciled by introducing the idea of a transitional period.<sup>(2)</sup> Once they had accepted the need for a transitional period between the present nomination procedure and the direct election of the entire assembly, the Working Party and the Committee agreed to adopt, for that period, an arrangement that would afford the surest guarantees of links with the national Parliaments. Membership of the European Parliament was therefore declared to be compatible with membership of a national Parliament throughout the transitional period, a third of the members of the European Parliament continuing, as at present, to be nominated by the national Parliaments. At the end of the transitional period, however, all members of the European Parliament would be elected by direct universal suffrage.

It was suggested at a meeting of the Committee that each member State should be left to decide whether a third of the members should be elected or nominated by its national Parliament or directly elected. The Committee considered, however, that this would be liable to upset the uniformity of the procedure for making up the new Parliament—something it had done its utmost to ensure.

15. A time-limit must, of course, be set on the transitional period. Article 4 of the draft Convention lays down that it may not expire before the end of the third stage in the establishment of the Common Market. Indeed, the EEC Treaty lays down that all measures establishing the Common Market are to be given effect to progressively over three stages, the length and nature of which are set out in Article 8. The Working Party and the Committee also took into account a possible shortening of these stages in the light of the proposals undergoing study in EEC establishments. In addition, the draft Convention lays down that the transitional period may not extend beyond the end of the European Parliament's lifetime, during which the third stage will come to an end.

The Working Party felt, however, that the essential condition for introducing such an arrangement was the rule applied by the European Parliament in fixing this term. Clearly both the Working Party and the Committee considered the permanent arrangement the best one; the election of all members is at once technically simpler and more democratic. It does away with the need for two systems of nomination during an initial period and, therefore, for two kinds of elected members—something some members of the Committee regard as a drawback. No precedent exists, however, for European elections, many aspects of which still remain uncertain. It is because of

<sup>(2)</sup> See General Report, Part Three, secs. 18 and 19.

this uncertainty that a transitional arrangement has been provided for, but is for the European Parliament itself to evaluate the results and, therefore, to decide when the permanent arrangement is to come into force.

16. Following discussions on the total number of members of the European Parliament, the proportion to continue to be nominated has been seen in a different light. In contrast to the proposals of the Action Committee of the European Movement, the Working Party has always felt that elected members should make up the majority in the Parliament. This would do justice not only to the principle of elections written into the Treaties but also to the democratic rule.

The nomination of one in four of the total members had long been considered. As both the Working Party and the Committee had decided to multiply the existing numbers by three, it appeared that the nomination of one in three would have the clear advantage of maintaining the status quo. National Parliaments would thus continue to nominate from among their members the same number of representatives as at present. Two thirds, on the other hand, would be elected by direct universal suffrage.

17. Some members of the Working Party felt that, other considerations apart, the part of the European Parliament nominated by indirect suffrage could serve as the nucleus for an Upper Chamber and, therefore, as the start of a bicameral system. Your Rapporteur does not feel called upon to go further into this interesting suggestion, which has a bearing both on the question of the powers of the Parliament and on the overall structure of the Communities.

### III—The European parliamentary mandate

18. Article 5 of the draft Convention fixes the legislative period of the European Parliament at 5 years. In the Community the lifetime of popular chambers is 5 years in France, Italy and Luxembourg, 4 years in Germany, Belgium and the Netherlands. The Working Party and the Committee opted for the longer term because of the complexity and high cost of electoral operations.

The mandate of all representatives would therefore last for five years. The mandate of members nominated by the national Parliaments is subject, however, to other time-limits. Thus, the European mandate comes to an end on the expiry either of the national mandate or of the nomination conferred on representatives by the national Parliaments.

The draft Convention takes over from the existing rules of procedure of the European Parliament the provision that a representative whose mandate has expired continues to serve the Parliament until his successor has been appointed. As the clash between this rule and the provisions in force in certain member States has led to difficulties in the past, the Working Party felt it desirable to lay down a generally applicable principle.

19. Members of the European Parliament vote individually and personally and cannot be given a mandate tied to any course of action. This fundamental principle of all parliamentary mandates, under which representatives are answerable only to their own consciences, was embodied in Article 6 of the draft Convention. It also reflects an idea implicit in the present wording of the Treaties, according to which the Parliament consists of representatives of the peoples of the States united within the Community. Members of the Parliament do not, therefore, represent the States.

20. The problem of incompatibilities is linked up with the nature of the parliamentary mandate. The national laws clearly specify the duties that are inconsistent with the exercise of the parliamentary mandate on account of an inherent contradiction and the abuses that may result. On this point, as in the broader sphere of the electoral system, the Working Party and the Committee decided that

it was for the national laws to determine whether, and to what extent, the incompatibilities considered in connexion with national elections apply to the European mandate. It was found that the grounds for each case of incompatibility did not necessarily hold at European level, and that therefore a detailed study should make it possible to apply to the European mandate the only incompatibilities it appeared to call for.

21. On the other hand, the Working Party felt it necessary, in Article 8 of the draft Convention, to specify what duties carried out in the European Communities were incompatible with membership of the European Parliament. The Working Party and the Committee agreed that membership of the European Parliament was incompatible with the duties of :

- (i) judge, advocate-general or registrar of the Court of Justice of the European Communities ;
- (ii) member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the European Economic Community and of the European Atomic Energy Community ;
- (iii) auditor, as provided in Article 78 of the ECSC Treaty, or member of the supervisory committee referred to in Article 206 of the EEC Treaty and Article 180 of the Euratom Treaty ;
- (iv) member of committees or other bodies set up in pursuance of the ECSC, EEC and Euratom Treaties for the administration of the funds of the Communities or permanent and direct management duties ;
- (v) member of the board of directors, management committee or employee of the European Investment Bank ;
- (vi) active official or servant of the institutions of the European Communities or specialized bodies attached thereto.

22. The incompatibility rule for members of the High Authority and of the EEC and Euratom Commissions gave rise among members of the Working Party and the Committee to a debate which brought to light a divergence of views as to how the parliamentary system should operate.

As is generally known, in Belgium, the Federal Republic of Germany and Italy members of the Governments may be members of the Parliament. In the Grand Duchy of Luxembourg, the Netherlands and, since the 1958 Constitution, in France, these duties are incompatible. There seems to be no point in investigating in this report the pros and cons of what is now a familiar controversy—one that has long divided those who believe there should be a rigid separation of powers and therefore find it wholly inconsistent, even shocking, that sessions of the Parliament are attended by members of a Government it is the task of the Parliament to control, and those who consider that, as the parliamentary system in Europe is based on collaboration and not on the separation of powers, there is every advantage to be gained from preserving the links between Parliament and Government.

The Working Party was thus sharply divided over this question of principle, and the proposal to abolish incompatibility for members of the High Authority and of the two Commissions was rejected, receiving an equal number of votes for and against.

For their part, the members of the High Authority and of the two Commissions consulted by the Working Party were unanimously in favour of compatibility, which they felt would serve to underline the political character of their duties and to distinguish them even more clearly from their administrative aspects.

23. The Committee returned to the question and, after a further debate, endorsed the conclusions of the Working Party by 11 votes for, 10 against, and 3 abstentions.

Mr. Van der Goes van Naters, in a note submitted to the Committee, had stressed the difficulty of comparing the institutional structure of the Communities with that of the member States, and restored the debate to the practical plane. The presence of the executives in the European Parliament would tend to weaken the latter, at a time when a balanced relationship within the Communities was already being threatened by the existence of two kinds of executive bodies. Indeed, by taking part in the activities and voting of the European Parliament, members of the three executives could exert a marked influence on the control the European Parliament exercised over their activities, thus weakening the still precarious cohesion of the political groups.

On the other hand, the independence imposed by the Treaties on members of the High Authority and of the Commissions could be prejudiced by their entering a national Parliament, and even by their direct election which would at all events oblige them to preserve links with national voters.

24. A debate on somewhat similar lines was devoted to the rule of incompatibility applied to members of national Governments. Some members of the Working Party felt that the European Parliament's influence and prestige would be heightened by the presence of national ministers among its members. However, in view of the possible presence of ministers in another Community organ—the Council—the Working Party and the Committee accepted, by a very large majority, the need for such incompatibility.

25. The Working Party did not in the end feel it necessary to alter the system of immunities established by the protocols on privileges and immunities annexed to the three European Treaties. Since the draft Convention drawn up by the Working Party affects only one Article in each Treaty<sup>(1)</sup>, the protocols remain automatically in force. This is why the Working Party did not include a single provision on this subject in the draft Convention.

To the immunities provided for in the protocols (particularly in Chapter III) should, of course, be added the privileges and immunities enjoyed by members of the European Parliament as members of a national Parliament, in so far as the two mandates are combined.

#### d) Report

on questions relating to the electoral system of the Parliament to be elected

(Explanatory statement to Chapters II and III of the draft Convention)

by Mr. W.J. Schuijt, Rapporteur

#### *Chapter I*

#### **The electoral system**

##### *A. Initial search for a uniform electoral system for the six member States*

1. One of the main problems which the Working Party and the Committee on Political Affairs and Institutional Questions had to solve was the choice of an electoral system. The choice of such a system is not, as might be supposed at first sight, a purely technical question. It is even

<sup>(1)</sup> General Report, Part Two, sec. 14.

more a question of principle, as Professor Hermens, the well-known German expert, explained to the Working Party.

Every electoral system affects not only the personal pattern of the parliament to be elected but also the fortunes of the political parties. Broadly speaking, proportional representation could be said to encourage or maintain the existence of a great many political parties, even, at times, such as have only a handful of members or followers ; all majority systems, on the other hand, tend to induce political trends to converge towards a small number of large political parties.

Similarly, the choice of an electoral system should be geared to one's idea of the tasks the future Parliament is to carry out. As Professor Sternberger, consulted in Bonn by the Working Party, rightly pointed out, if one feels that the Parliament's main task is faithfully to reflect trends of opinion among the electorate, then proportional representation is the obvious choice. If, on the other hand, the Parliament is to be such that a strong and homogeneous government can be formed, then a modified form of proportional representation or of the majority system is to be preferred.

2. In addition to these basic problems, the Working Party was immediately faced with the question of the election of the Parliament by direct universal suffrage on the lines laid down in the Treaties, viz. 'in accordance with a uniform procedure'.

It is not for your Rapporteur to ascertain whether a uniform procedure calls for a uniform electoral system throughout the six member States. This question is dealt with by Mr. Dehousse in his general report.

3. Be this as it may, the Working Party felt it ought to start out on its work by trying to find such a uniform electoral system.

4. Three practical proposals were put forward :

(a) Mrs. Probst, member of the Working Party, proposed a mixed electoral system going back to the procedure followed in Bavaria. Under this, every elector would have two votes. The first would be cast for a list of candidates—entered by a particular party in a fairly large constituency (*Wahlkreis*) on which voters show their order of preference : the second could be given for a specific candidate in another constituency (*Stimmkreis*). In this way proportional representation based on the voters' order of preference (party list system) is combined with the majority system (election of candidates in single-member constituencies).

Several members of the Working Party were in favour of this system ; they thought it satisfactorily combined the virtues of proportional representation and of the majority system. It would indeed permit the various shades of political opinion in a country to be proportionately represented in the Parliament. Again, the voter would be able not only to choose between the ideologies represented by the various political movements but also to express his preference for an individual candidate in a single-member constituency.

Other members of the Working Party felt that this mixed system might be too complicated for countries whose electorate is used to a simpler system.

(b) A second electoral system was suggested by Professor Schepis, an Italian expert on electoral law, when the Working Party consulted him in Rome.

This system has a number of points in common with Mrs. Probst's proposals. It takes over the main features of the electoral system at present in force in certain Lands of the Federal Republic of Germany. Professor Schepis also submitted a wealth of technical details to facilitate appraisal of his suggested procedure.

Broadly the same criticisms were levelled at this procedure, and the advantages claimed for it, as at the system suggested by Mrs. Probst.

- (c) Finally, an entirely different system was proposed by the Dutch expert on electoral law, Professor G. van den Bergh.

This system, known as the 'single transferable vote', is at present in force in Ireland and Tasmania and is used for local government elections in a number of American States.

Broadly speaking, the voter has as many votes as there are candidates for election in a particular constituency. These votes are not, however, of equal value, but subject to an order of preference. Under No. 1 the voter enters his first preference, and under No. 2 the candidate—either of the same or of another party—whom he would like to see elected if his first preference fails to poll the requisite number of votes; and so on down the list.

Mr. van den Bergh argued that this system was the only one which would secure a mathematically proportionate relationship between the number of votes cast by the electorate as a whole and the composition of the assembly to be elected.

Some members of the Working Party approved of this system because it is not in application in any of the member States. Consequently it could be brought home to voters that elections to a European Parliament were something quite new. The overwhelming majority of members of the Working Party and of the Committee on Political Affairs were, however, opposed to this system. Far from being an advantage, they felt that the fact that the electorate in the six countries were not familiar with this system was a disadvantage. They also pointed out that the single transferable vote would be hard to apply in countries where voters are used to a simple electoral system. Finally, the count—even if carried out in one place by means of electronic computers—could take at least three days.

In the end, the Working Party and the Committee reserved their opinion on this electoral system because it had not been demonstrated mathematically that it would not act in a way favourable to anti-European tendencies.

5. Although no written proposal was submitted to the Working Party to the effect that proportional representation should be adopted as the 'uniform system' for European elections, the majority were clearly in favour of this system. They felt that, subject to any modifications that might be needed to take into account the personal wishes of electors and local conditions, this would be the best system for a European Parliament, one of whose essential tasks would be faithfully to reflect the various shades of political opinion among the peoples of the member States.

6. The Working Party did not expressly state its views on the various proposals outlined in sec. 5, in view of the immense difficulties surrounding the implementation of any uniform system.

#### *B. Difficulties in implementing a uniform electoral system*

7. Although members of the Working Party were already aware of the difficulties posed by the choice of a uniform electoral system, these were brought home with greater force during the consultations the Working Party held in the six capitals.

At present there are three main electoral systems in the Community. Four countries have proportional representation either in a pure or in a slightly modified form, i.e. Belgium, Italy, Luxembourg and the Netherlands. France has a majority system whereas for elections to the German Bundestag a mixed system is applied.

8. The fact that electoral tradition and custom vary widely from one member State to another presented the main difficulty for the Working Party. While in some States pure proportional



representation is regarded as at once the fairest and the most democratic, in others the majority system is argued to be the most politically effective. These differences in outlook are reflected in the electoral laws of the various countries.

Although most of the politicians consulted favoured the same electoral system for all six States, they were not slow to add that they could only accept a uniform system if it were broadly in line with their own.

The Working Party was thus faced with a choice between two political alternatives :

- (i) on the one hand, it could recommend a uniform electoral system for all six countries, but only at the price of upsetting the political traditions of some of them. There would then be an appreciable risk that the draft Convention as a whole would be rejected by these countries simply on the grounds that the proposed electoral system did not suit them ;
- (ii) on the other hand, the Working Party could consider the holding of direct elections in accordance with an electoral system to be worked out by the various member States. The unavoidable difficulty would then be that different voting procedures would be used in making up the European Parliament.

9. After careful reflection, the Working Party and the Committee decided to recommend the second of these alternatives. The choice ought not to be influenced by the existence of theoretical shortcomings. The Working Party has always tried—and the Committee on Political Affairs has followed its example—to find down-to-earth solutions which, even if sometimes they fall short of perfection, are likely to be acceptable to the Council and to the member States.

#### *C. Transitional period and definitive arrangements*

10. The Working Party, with the approval of the Committee on Political Affairs, provided for the electoral system to remain within the jurisdiction of each member State—subject to various common features which will be gone into later in this report—only during the transitional period, as defined in Article 4 of the draft Convention.

Thereafter it will be for the European Parliament itself to lay down the provisions governing the election of its members.

In every modern democracy it is one of the main tasks of a parliament to determine the electoral system, if necessary in co-operation with the executive. The Working Party felt that this fundamentally democratic principle could not be violated at European level.

The technical difficulties the Working Party ran up against in connexion with the adoption of a uniform electoral system (possible changes in electoral rolls and in the boundaries of constituencies etc.) led it to recommend that the Parliament, once elected, ought to get on promptly with the work of drawing up a definitive electoral system. As regards the powers thus vested in the European Parliament by the draft Convention, it is important to note that it will have a completely free hand in this respect.

It should also be borne in mind that the Parliament is not obliged to adopt an absolutely uniform electoral system immediately the transitional period ends, even though both the Working Party and the Committee would undoubtedly like it to be as uniform as possible. The draft

Convention confines itself to assigning competence in this matter to the elected Parliament, but it does not forbid it from gradually introducing a uniform polling procedure in the six member States.

Indeed, one of the most delicate tasks that will fall to the elected Parliament will be that of bringing the different views sufficiently into line to permit of a uniform electoral system.

11. As regards the electoral system to be adopted during the transitional period, two points of view were found to exist among members of the Working Party :

- (a) Some members felt that the draft Convention ought at least to lay down the broad outlines of the arrangements for the election of the European Parliament in the member States during the transitional period. In this connexion the view was put forward that 'personalized' proportional representation on a regional basis, would reflect the voters' wishes most faithfully and at the same time allow for local conditions.
- (b) Most members, however, felt that after the elected European Parliament had been made responsible for laying down the electoral system for the definitive period, the choice of system for the transitional period ought to be left to national legislative authorities. The member States could either adopt the system used for electing their national Parliament, adapting it to the number of seats to be filled in the European Parliament, or introduce another system suitable for European elections.

The latter alternative was finally adopted by the Working Party and Committee on Political Affairs.

12. In framing their legislation, member States will clearly have to take into account the common principles set out in the draft Convention and to be explained in this report. These principles are to be regarded as elements of the 'uniform procedure' called for by the European Treaties.

#### *D. Seats falling vacant*

13. One problem directly linked with the electoral system is that of how an outgoing member should be replaced.

The Working Party stipulated (Article 17) that should a seat filled in elections by direct universal suffrage fall vacant, no by-election should be held. The reasons for this decision are both obvious and of permanent relevance because by-elections could project a distorted view of the political leanings of the whole electorate in a member State. The Working Party also wanted to preclude large-scale resignations by members of the Parliament to force by-elections for this purpose.

During the transitional period, it will thus be for national legislators to lay down electoral provisions ensuring that vacancies can be filled as they occur, subject to the condition that no by-election is held.

This mainly affects countries which have the majority system.

14. Should the seat of a member either elected or designated by a national Parliament fall vacant during the transitional period, the Parliament concerned must then elect or designate a successor.

## *Chapter II*

### **The electorate**

15. The Working Party felt that the principle that ought to govern questions relating to the electorate (Articles 10 and 11) should correspond to those that apply to national laws. The electorate in each member State should consist of such men and women as satisfy the requirements laid down in that State for taking part in the elections of the Parliament by direct universal suffrage. In other words, only persons entered on the electoral rolls of their country may vote in elections to the European Parliament.

Once this principle (see 18 below) had been accepted by the Working Party, it had to insert a number of implementing provisions in the draft Convention prepared by it.

16. First of all there was the minimum voting age. The Working Party would have preferred to standardize this at 21 years of age. Unfortunately this was impossible owing to the risk of considerable constitutional difficulties in the Netherlands, where the minimum voting age for elections to the Second Chamber is 23 years. It is questionable, however, whether this constitutional provision legally precludes the adoption of another minimum voting age for European elections.

At all events the Working Party, as it was unable straight away to fix a minimum voting age, decided that this should lie between two limits, i.e. 21 and 25 years. It very much hopes that the member States in which the minimum voting age has not been fixed at 21 years will do their utmost to see that this is done at the earliest possible moment.

17. To enable all Community nationals, regardless of where they may live in the Community, to take part in European elections, the draft Convention provides that the member States must make the necessary arrangements for their nationals residing on the territory of another member State to exercise their right to vote in their country of origin. Without wishing to settle the details in a European convention, the Working Party is thinking mainly of the scope for voting in consulates.

This is certainly feasible from a technical point of view: several member States (particularly France) offer their citizens abroad facilities for voting.

From the political point of view, the Working Party and the Committee felt that it would be a great psychological asset if all citizens of the Six could take part in elections to the European Parliament.

18. Similarly, the Working Party envisaged the possibility—not the obligation—for member States, in a broad European spirit, to allow resident foreign nationals to vote in the host country.

At the same time steps would have to be taken to prevent citizens from voting twice—i.e. both in their country of residence and in their country of origin. This is why the draft Convention lays down that, in the case under consideration, no one shall vote more than once. Any infringements of this rule would be liable to the penalties imposed by the laws of the voter's country of origin.

## *Chapter III*

### **Eligibility**

19. Article 12 of the draft Convention lays down that 'any man or woman who is a national of one of the States that have signed the Treaties setting up the Communities, may stand for election in a member State...'

This new departure should be regarded as an assertion of an indisputable European will, since this provision will enable every national of one member State to stand for election to the European Parliament in any other member State.

This prospect was opened up at the time the Committee was studying the draft Convention. Previously, mainly for practical reasons, the Working Party had proposed that eligibility in any member State should be restricted to nationals of that State.

On the other hand, those who were in favour of 'European' eligibility argued that although the occasion was not likely to turn up very often in practice, as the elections were, after all, European, every citizen of the European Community ought to have the right to stand as a candidate anywhere in the six countries. This personal right corresponds to the opportunity offered to the peoples of the Community to be represented in their Parliament by whoever they consider the best qualified, irrespective of the nationality of the candidate.

This European eligibility is hedged only with such restrictions as are normally regarded under national laws to constitute grounds for disqualification (for example, certain criminal or civil offences).

As the criteria governing ineligibility vary from country to country, the Working Party and the Committee thought it wiser to leave this matter to national legislators, subject to the grounds of ineligibility being confined to those established by custom. In other words, no new grounds for disqualification, specifically applied to European elections, could be introduced.

Moreover, incompatibility between the exercise of certain European offices and the duties of member of the European Parliament<sup>(1)</sup> will not involve ineligibility. Persons exercising one of the offices listed in Article 8 will thus be able to stand for election to the European Parliament. Once elected, however, they would have to choose between their mandate in the Parliament and the office deemed incompatible with that mandate.

20. In view of the constitutional difficulties your Rapporteur referred to in sec. 16, the Working Party and the Committee simply laid down that the age at which eligibility was acquired should not lie below 25 years or above 30 years. The Working Party hopes, however, that all member States will fix the minimum age at 25 years.

#### *Chapter IV*

##### **Admission of political parties**

21. A problem that frequently cropped up at meetings of the Working Party and during talks with politicians in the six capitals was that of the admission of some extremist parties to the elections. The Working Party was concerned particularly with the situation in the Federal Republic of Germany, where the Constitutional Court at Karlsruhe had ruled that the Communist party was illegal. This had led to the dissolution of the party which therefore could not present candidates for elections in the Federal Republic.

In talks with politicians in Bonn it became quite clear that they were absolutely opposed to the participation of Communist candidates in European elections in the Federal Republic. Such participation would in fact have dangerous consequences within the country itself.

22. The Working Party had therefore to express its opinion on the participation of extremist parties in general. So as to avoid a radical solution that could result either in general exclusion

<sup>(1)</sup> See report by Mr. Maurice Faure on the composition of the elected Parliament.

or in general admission in all member States, the Working Party decided on a compromise arrangement.

The Working Party and the Committee decided that the provisions governing the admission of political parties to the national elections in each member State would also apply to elections to the European Parliament (Article 13). Thus, during the transitional period, it will be for each member State to decide whether this or that party is to be allowed to take part in the elections. When definitive arrangements come into force, the power of decision will, in pursuance of Article 9, rest with the European Parliament.

## *Chapter V*

### Date of the elections

23. Members of the Working Party unanimously agreed that, in order to underline the importance of European elections, they ought to be held on the same day in all six member States, and that no other elections in any member State should be arranged on the same date (Article 14).

The Working Party and the Committee did not feel that European elections should coincide with national elections, whether general or local. Otherwise there would be a real risk that the distinctive character of European elections would be overshadowed by local or national issues brought forward by parties or candidates during the electoral campaign. This would undoubtedly imperil one of the principal aims of European elections—to increase the peoples' interest in European unification.

Moreover, holding European elections simultaneously with national elections might well make for unstable composition of the European Parliament, since national elections are not held at the same time in all member States. In addition, the dissolution of a national Parliament would necessitate fresh elections for part of the European Parliament.

Members of the Working Party and the Committee on Political Affairs thus far preferred simultaneous European elections in all six countries, not only for psychological reasons but also to oblige parties and candidates to draw up really European electoral programmes. They agreed with most of the politicians consulted that the additional expense involved in holding European elections on a separate day would be quite justified by the political and psychological advantages referred to.

24. The Working Party and the Committee consider this to be one of the most important features of the 'uniform procedure' required by the Treaties and one that could on no account be disregarded, even if difficulties did arise because this provision of the draft Convention restricts the freedom of member States to fix their own dates for national or regional elections.

25. The Working Party and the Committee wanted to allow only one exception, i.e. where a member State might decide on grounds of tradition (Netherlands) or of geography (France, with its overseas Departments) to hold the elections one day earlier or one day later than the date fixed for all six countries. If European elections were held on a Sunday in most member States, they could be held in some countries, if these considered it necessary, on Saturday, Sunday and Monday or only on Saturday or Monday.

26. The draft Convention also provides that elections to the European Parliament are to be held not later than one month before the end of each legislative period (Article 15).

It would be for the European Parliament to fix a precise date within this period of one month.

27. As regards the date of the *first* European elections, the draft Convention lays down in Article 20 that these shall be held on the first Sunday following an interval of six months from the day the Convention comes into force (subject to the exception quoted in sec. 25 above). The Working Party wanted, in this way, to ensure that these first elections took place automatically as soon as the Convention had been approved by the six Parliaments and the instruments of ratification deposited. To set the election procedure in motion, therefore, will not call for the intervention of any Community institution.

28. The European Parliament shall sit automatically on the first Tuesday following an interval of one month from the date of the elections.

To ensure continuity in the work of the Parliament and to avoid the difficulties some member States have experienced owing to special circumstances, the draft Convention also provides that the outgoing Parliament shall remain in office until the first sitting of the new Parliament. Under no circumstances can the work of the Parliament be interrupted.

## *Chapter VI*

### **Verification of credentials**

29. One of the basic rights recognized as belonging to any parliament is that of verifying the credentials of its own members. Members of the Working Party and of the Committee were unanimous in wishing to carry on this tradition; this is why the draft Convention provides that it will be for the European Parliament to verify the credentials of representatives and rule on any disputes that may arise in this connexion (Article 16).

30. The Working Party and the Committee realize that one article in the Convention would not be enough to cover the host of—often complicated—problems that might arise in verifying credentials. They felt, however, that these various cases, and the way they should be handled, ought to be dealt with in the Rules of Procedure of the elected European Parliament.

Similarly, it ought to be possible to refer any legal disputes arising from inconsistencies in this sphere between the Convention and the national laws, to the Court of Justice of the Communities.

Some of the problems involved in applying the Convention could moreover be dealt with by the interim advisory committee referred to therein. Details of that committee's responsibilities and composition are contained in Chapter VIII below.

## *Chapter VII*

### **Refund of election expenses**

31. One of the problems discussed at length by the Working Party and, more particularly, by the Committee on Political Affairs, was that of refunding election expenses. Practices vary widely from State to State. In France, for example, the State refunds the expenditure incurred by candidates for the printing of circulars and posters as well as of ballot papers which candidates themselves have to provide. In other countries the State defrays only expenditure incurred on ballot papers. In these countries, therefore, there is no system for refunding certain election expenses.

32. In view of these difficulties, the Working Party thought it ought not to include in the draft Convention an article which, as is the case in a number of member States, provides for the refund of these election expenses to candidates or lists.

A large majority of members of the Committee on Political Affairs, however, felt that a democratic principle was at stake, namely, that of ensuring that no candidate or list should be debarred simply because of inability to meet the material costs involved. Provision should be made for such refunds in view of the large constituencies inevitable in direct elections to the European Parliament. It would further be unreasonable for discrimination to be practised in one or more countries as between candidates for national elections and candidates for the European elections.

33. The Committee on Political Affairs therefore considers that a refund should be made of expenditure incurred by candidates or lists for the printing of ballot papers and circulars, their dispatch to electors and the printing of posters. The size of ballot papers and circulars and the number of posters printed, as well as all practical details, ought, however, to be decided by the Bureau of the European Parliament. The Bureau could thus take account of the various practices followed in the member States.

To avoid refunds of election expenses to candidates or lists that manifestly have no chance of success, Article 18 of the draft Convention provides that only those candidates or lists that secure *not less than 10 per cent* of the votes cast by the electorate in the constituency in which they have stood for election shall be entitled to a refund of certain election expenses.

34. The necessary credits would be entered in the European Parliament's budget to enable such refunds to be made in accordance with a procedure to be fixed beforehand by its Bureau.

### Chapter VIII

#### Interim consultative committee

35. The Working Party and the Committee on Political Affairs realized that the Convention alone could not deal with all the problems connected with so bold an undertaking as direct elections to a European Parliament.

Should any legal or administrative difficulties arise, it may be expected that they will be due to disparities between the Convention and the national electoral laws. In order to bring these national laws into line with the Convention, the Working Party and the Committee propose that an interim consultative committee be set up by the Councils within two months of the entry into force of the Convention (Article 19).

The committee would consist of delegates of the Government of member States and delegates of the European Parliament in equal numbers.

36. This committee, which could be set up without encroaching on the legislative sovereignty of member States, would be required primarily to deliver opinions and put forward legal and technical recommendations on the problems encountered in framing and applying the legislation of member States relating to the organization of elections to the European Parliament.

37. The Working Party and the Committee expressly wanted the tasks to be performed by the interim consultative committee either at the request of the Government, Parliament, or one of the Chambers of the Parliament of a member State, or of its own accord.

It may well happen that members of the interim consultative committee—which will of course have to be kept informed by member States about their relevant legislation and about any changes they intend to make in it—may feel it necessary to intervene. In such a case, however, its decisions will require a two-thirds majority of the votes cast.

**(e) Report**  
**on the representation of the overseas countries**  
**and territories within the elected European Parliament**  
(Explanatory statement to the Declaration of Intent)

by Mr. Ludwig Metzger, Rapporteur

1. Under the terms of Article 138,3 of the Treaty setting up the European Economic Community and Article 108,3 of the Treaty setting up the European Atomic Energy Community, the European Parliament is required to draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure *in all member States*.

Article 21 of the Treaty establishing the European Coal and Steel Community, as amended by Article 2 of the Convention relating to certain institutions common to the European Communities, also provides for the possibility of elections to the Parliament by direct universal suffrage.

2. The Working Party and the Committee on Political Affairs and Institutional Questions had to ascertain whether elections by direct universal suffrage should also be held in the non-European countries and territories associated with the Community within the meaning of Article 131 of the EEC Treaty.

3. The Working Party and the Committee are in complete agreement that the associated countries and territories ought to be treated not as mere objects but as subjects of international law in their relations with the EEC. They fully endorse the remarks made by Mr. Duvieusart in his report (Doc. 67/59) for the Committee on the Association with the Overseas Countries and Territories (delegation sent on a fact-finding mission to the overseas countries and territories) to the effect that the Association has to be adjusted to the new status of partners which these countries and territories have now acquired and that the *unilateral* approach can no longer be reconciled with the progress made in relations between the member States and the Associated States. The Association must assume a *bilateral* character. This means that in relations between the EEC and the Associated States, the latter must have an increasing share in both responsibilities and decisions.

4. In carrying out the task assigned to it in the field of parliamentary representation, the Working Party discussed at length how this co-responsibility was to be achieved. It also asked the opinion of the three members who had been delegated to the European Parliament by the Senate of the French Community to the European Parliament and who represent on the Senate the territories associated with the Community within the meaning of Article 131 of the EEC Treaty. Similarly Mr. Lemaigen, member of the EEC Commission, took part in the crucial discussions of the Working Party and endorsed the views expressed in sec. 3 above.

5. The question whether the associated overseas countries and territories could and ought to take part in direct elections to the European Parliament was thoroughly investigated. Attention was finally focused—as was only logical—on whether participation would be possible. The Work-



ing Party unanimously decided—a conclusion endorsed by the Committee on Political Affairs—that the associated non-European territories could not participate in direct elections to the European Parliament without a radical revision of the Treaties of Rome. The Working Party then searched for other forms of responsible co-operation. In this it was successful, and its findings are discussed later in this report. First, the grounds for ruling out participation in direct elections will be discussed.

6. Article 137 of the EEC Treaty (like Article 107 of the Euratom Treaty and Article 20 of the ECSC Treaty) states that the Assembly is to consist of representatives of the peoples of the States united within the Community. That these States are *the member States* is made clear by Article 138 of the EEC Treaty (Article 108 of the Euratom Treaty, Article 21 of the ECSC Treaty), if such corroboration is necessary. The member States, however, are the *six States* which concluded the Treaties. Article 237 of the EEC Treaty (Article 205 of the Euratom Treaty and Article 98 of the ECSC Treaty), which states that 'any European State' may apply to become a member of the Community, is of indicative value.

Under the terms of Article 79, the ECSC Treaty applies solely to 'the European territories of the High Contracting Parties'. The overseas countries and territories are not involved. Except where otherwise specified, the provisions of the Euratom Treaty apply both to the European territories of member States and to non-European territories under their jurisdiction (Article 198). Here the operative factor for the application of the Treaty provisions is the state of being under the jurisdiction of a member State.

Although the Euratom Treaty also applies to the non-European territories, it provides neither for any special association facilities for them nor for their representation within the Community institutions. An association proper is envisaged by the Treaties of Rome only in the case of the EEC.

Article 227 of the EEC Treaty lists the territories to which the Treaty is to apply but introduces substantial distinctions. It applies—according to sec. 1—to the six States which concluded the Treaty. With regard to Algeria and the French overseas departments, however, the general and special provisions of the Treaty are only applicable, under the terms of sec. 2, within certain well-defined limits. As for the overseas countries and territories (referred to in Annex IV to the Treaty), under the terms of sec. 3 they are the subject of the special arrangements for association described in Part Four of the Treaty (Articles 131 to 136).

Clearly, when the EEC Treaty speaks of *member States* it does not include the overseas countries and territories referred to in sec. 3.

Not only does the structure of Article 227 lend itself to this interpretation, but other arguments support it. According to Article 131 the *member States* (which together form the Community) agreed to associate with the Community non-European countries and territories having special relations with Belgium, France, Italy and the Netherlands. These overseas territories would automatically have become part of the Community had the Treaty not stipulated otherwise. However, by virtue of Article 227,3 of the Treaty, the non-European countries and territories are associated with the Community as a self-contained entity (possessing, according to Article 210, legal personality). These countries and territories are not in the Community: they stand in a special relationship to it but are outside it.

Through the legal act of association, they enter into a new type of relationship with the existing Community, with a legal personality of their own, and become associated with this self-contained Community. That would obviously be neither necessary nor even possible if they were part of the Community itself. Moreover, it can be seen from Article 238, which deals with the association of new countries, that the legal relationship of association is to be regarded as a relationship between partners. Under this Article, the *Community* may conclude agreements with *third countries*; the associated countries become not a part but a partner of the Community.

The very wording of a whole series of Articles also shows that the territories referred to occupy a special position in relation to the Community and its component member States ; Article 132 discusses trade between member States and these countries and territories ; Article 133 presupposes imports *into* member States *from* these countries and territories and vice versa. Article 14 of the Implementing Convention concerning the Association with the Community of the Overseas Countries and Territories makes a distinction between these countries and territories *on the one hand* and the member States *on the other*.

The associated territories thus represent something *outside* the Community brought into a relationship with it through a special legal act (association). But because they are not a part of the legal personality which is the 'European Community' they cannot send representatives to its Parliament as members thereof.

To sum up, according to the EEC Treaty, the member of the EEC is the French Republic (including Algeria and the French Overseas Departments) ; as to the overseas—i.e. the associated—territories, these have a special status established by the Treaty.

7. The opinion<sup>(1)</sup> delivered to the Working Party by Professor Vedel of the Faculty of Law and Economic Sciences at Paris University would not appear to modify these conclusions. Though of great interest, this referred more to French constitutional law than to the EEC Treaty, and it is the latter which requires interpreting. Professor Vedel's arguments do not clear up the position as to the right of the peoples of the associated countries and territories to take part in the elections where they have no 'special relations' with *France*. In any case these arguments would not apply to the other associated overseas countries and territories.

Professor Vedel argues that from an international standpoint, and by virtue of the 1946 Constitution, the true successor to the French Republic would be the French Community, and indeed that the former French Republic (the secession of Guinea apart) is identical, from the point of view of constitutional law, with the French Community. This leads logically to the conclusion that the French Republic under the 1958 Constitution is not the successor to the former French Republic but a new international personality, even though under an old name. This argument would give rise to a controversy which there would be no point in going into here.

Professor Vedel is himself aware of the difficulties raised by his theory and the conclusions he draws from it. He speaks of 'associated representation'. It is in fact in this direction that the political solution lies. We are concerned, however, with associated representation not only of the member States of the French Community but of *all* the associated countries and territories.

8. The course to be followed is indicated in a resolution dealing with the problems raised by the association of overseas countries and territories which the European Parliament passed on 27 November 1959. This recommends that the *multilateral* character of the Association be intensified through closer co-operation with the associated peoples in every field. If we want to bring the Association in line with the new basis of partnership, with which the *unilateral* position of the EEC and its member States is incompatible, then the associated peoples must be given *autonomous* status. This would better serve their special interests and make them more capable, as equal partners, to safeguard them than if they were drawn into problems that are not their own, and became liable, in the process, to lose their identity. The Working Party—in line with the conclusions of Mr. Duvieusart's report, referred to in sec. 3—consider that the non-European associated States should organize a conference or a council of associated countries with a small secretariat, and that they should be given the opportunity of doing this. Mr. Duvieusart's report explains :

'All the countries and territories listed in Annex IV to the Treaty could join this body, whether they belong to the Franco-African Community or are still, in varying degrees, linked with

(1) This is the subject of document APE 2948.

France, Italy, Belgium or the Netherlands, or whether they have become fully independent and have decided, as they were free to do, to maintain the association.'

The idea that the EEC could conclude consultation agreements with this 'association of States'—and it is thus that the conference of associated States should be regarded—with a view to the application of Articles 131 and 133 of the EEC Treaty, shows the extent to which this report too bases itself on the need for the autonomy of partners.

There is no need here to go into the details of such an agreement, regarding which Mr. Duvieusart's report may be consulted. What ought to be ascertained is the scope that exists at parliamentary level. The Working Party believes that the European Parliament should be willing, and express its readiness, to hold discussions with any body freely set up by the associated peoples to represent them, with a view to clearing the way for joint consultation and action.

The Working Party and the Committee on Political Affairs and Institutional Questions therefore propose to the plenary Assembly the adoption of a declaration of intent concerning the participation of the parliamentary representatives of the overseas countries and territories in the work of the European Parliament.

#### (f) Texts submitted for adoption by the European Parliament

##### A

#### Motion for a resolution on the adoption of a draft Convention on the election of the European Parliament by direct universal suffrage

##### I

*The European Parliament,*

- (a) believing that the time has come to associate the peoples directly with the building of Europe ;
- (b) conscious of the fact that a Parliament elected by direct universal suffrage is a key factor in the unification of Europe ;
- (c) in execution of the mandate delivered to it by the Treaties setting up the European Communities ;

approves the following

##### DRAFT CONVENTION

giving effect to Article 21,3 of the Treaty setting up the European Coal and Steel Community, Article 138,3 of the Treaty setting up the European Economic Community, and Article 108,3 of the Treaty setting up the European Atomic Energy Community

on

##### THE ELECTION OF THE EUROPEAN PARLIAMENT BY DIRECT UNIVERSAL SUFFRAGE

The Special Council of Ministers of the European Coal and Steel Community,  
The Council of the European Economic Community,  
The Council of the European Atomic Energy Community,

resolved to take the freely expressed will of the peoples of the member States of the European Communities as the basis of the mission entrusted to the European Parliament ;  
 anxious to enhance the representative character of the European Parliament ;  
 having regard to Article 21 of the Treaty setting up the European Coal and Steel Community ;  
 having regard to Article 138 of the Treaty setting up the European Economic Community ;  
 having regard to Article 108 of the Treaty setting up the European Atomic Energy Community ;  
 having regard to the draft prepared by the European Parliament and adopted by it on...  
 have drawn up the following provisions which they recommend their member States to adopt :

*Chapter I*

**The elected Parliament**

**Article 1**

The representatives of the peoples in the European Parliament shall be elected by direct universal suffrage.

**Article 2**

The number of representatives elected in each member State shall be as follows :

Belgium . . . . .	42
France . . . . .	108
Germany (Fed. Rep.) . . . . .	108
Italy . . . . .	108
Luxembourg . . . . .	18
Netherlands . . . . .	42

**Article 3**

During a transitional period, one third of these representatives shall be elected or nominated by the Parliaments from among their own members, in accordance with the procedure laid down by each member State.

**Article 4**

The transitional period shall begin on the day this Convention comes into force.

The date of its expiry shall be fixed by the European Parliament. This shall not be earlier than the end of the third stage of the establishment of the Common Market, as defined in Article 8 of the Treaty setting up the European Economic Community, nor later than the expiry of the legislative period during which that third stage comes to an end.

**Article 5**

1. Representatives shall be elected for a term of five years.

The mandate of the representatives elected or nominated by the Parliaments shall, however, end with the loss of the national parliamentary mandate or at the end of the period for which

they have been elected or nominated by their national Parliaments. Any representative whose mandate ends in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament.

2. The five-year legislative period shall begin at the opening of the first session following each election.

#### Article 6

Representatives shall vote on an individual and personal basis. They shall accept neither instructions nor any binding mandate.

#### Article 7

1. During the transitional period, membership of the European Parliament shall be compatible with membership of a Parliament.

2. The European Parliament shall decide whether these mandates are to remain compatible after the end of the transitional period.

#### Article 8

1. The office of representative in the European Parliament shall be incompatible with that of :

- (a) member of the Government of a member State ;
- (b) member of the High Authority of the European Coal and Steel Community, of the Commission of the European Economic Community or of the Commission of the European Atomic Energy Community ;
- (c) judge, advocate-general or registrar at the Court of Justice of the European Communities ;
- (d) member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the European Economic Community and of the European Atomic Energy Community ;
- (e) auditor, as provided for in Article 78 of the Treaty setting up the European Coal and Steel Community, or member of the supervisory committee of auditors provided for in Article 206 of the Treaty setting up the European Economic Community and Article 180 of the Treaty setting up the European Atomic Energy Community ;
- (f) member of committees or other bodies established under the Treaties setting up the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community for the purpose of managing the Communities' funds or carrying out a direct administrative task ;
- (g) member of the Board of Directors, Management Committee or staff of the European Investment Bank ;
- (h) official or other servant in the active employment of the institutions of the European Communities or of the specialized bodies attached to them.

Representatives of the European Parliament appointed, in the course of a legislative period, to any of the offices mentioned above shall be replaced under the terms of Article 17.

2. Each member State shall determine whether, and to what extent, the incompatibilities laid down by its laws with regard to the exercise of a national parliamentary mandate shall apply to the exercise of a mandate in the European Parliament.

## *Chapter II*

### **The electoral system**

#### **Article 9**

The European Parliament shall lay down the provisions governing the election of representatives after the end of the transitional period provided for in Article 4.

Until these provisions come into force, the electoral system shall, subject to the terms of the present Convention, fall within the competence of each member State.

#### **Article 10**

Subject to the provisions of Article 11, the electorate in each member State shall consist of such men and women as satisfy the requirements laid down in that State for taking part in the election of the Parliament by direct universal suffrage.

#### **Article 11**

The voting age shall not be under twenty-one or above twenty-five years.

Nationals of a member State residing on the territory of another member State shall have the right to vote in their countries of origin which shall make the necessary arrangements for this purpose.

Should the persons referred to in the foregoing paragraph likewise be granted the right to vote by the State in which they are resident, they shall vote only once. Any infringement of this rule shall be liable to the penalties laid down by the laws of the voter's country of origin.

#### **Article 12**

Subject to cases of established ineligibility laid down by the national law, any man or woman who is a national of one of the States that have signed the Treaties setting up the Communities may stand for election in any member State.

The minimum age for eligibility shall, however, not be under twenty-five or above thirty years.

The cases of incompatibility referred to in Article 8 shall not involve ineligibility.

#### **Article 13**

The provisions governing the admission of political parties to elections in each member State shall apply to elections to the European Parliament.

#### **Article 14**

1. No elections shall be organized in a member State at the same time as elections to the European Parliament.

2. Elections to the European Parliament shall be held on the same day in all six member States.

Any member State may, however, on grounds of tradition or geographical conditions, decide to hold the elections one day earlier or later than the fixed date or to spread them over all three days.

#### Article 15

1. Elections to the European Parliament shall be held not later than one month before the end of each legislative period.
2. The European Parliament shall sit automatically on the first Tuesday following an interval of one month from the date of the elections.
3. The outgoing European Parliament shall remain in office until the first sitting of the new Parliament.

#### Article 16

The European Parliament shall verify the credentials of representatives and rule on any disputes that may arise in this connexion.

#### Article 17

Should a seat filled in elections by direct universal suffrage fall vacant, no by-election shall be held.

Subject to this proviso, an electoral procedure for filling such a vacancy during the transitional period shall be determined by national law.

Should a seat filled in pursuance of Article 3 fall vacant, the successor shall be elected or nominated by the Parliament of the member State.

#### Article 18

Candidates or lists that secure not less than ten per cent of the votes cast by the electorate in the constituency in which they have stood for election, shall be entitled to a refund of certain election expenses.

The necessary credits shall be entered in the European Parliament's budget to enable such refunds to be made in accordance with a procedure to be fixed beforehand by its Bureau.

### *Chapter III*

#### **Transitional and final provisions**

#### Article 19

An interim advisory committee shall be set up by the Councils within two months of the entry into force of this Convention.

This committee shall consist of delegates of the Governments of member States and delegates of the European Parliament in equal numbers.

#### Article 20

The interim advisory committee will be required to deliver opinions and put forward recommendations on the problems encountered in framing and applying the legislation of member States relating to the organization of elections to the European Parliament.

It shall perform this task :

- (a) either at the request of the Government of a member State ;
- (b) or at the request of the Parliament or one of the Chambers of the Parliament of a member State ;
- (c) or of its own accord ; in such a case, however, its decisions shall require a two-thirds majority of the votes cast.

#### Article 21

Subject to the provisions of Article 14, the first elections to the European Parliament shall be held on the first Sunday following an interval of six months from the day this Convention comes into force.

#### Article 22

This Convention replaces Article 21 of the Treaty setting up the European Coal and Steel Community, Article 138 of the Treaty setting up the European Economic Community and Article 108 of the Treaty setting up the European Atomic Energy Community.

#### Article 23

This Convention is drawn up in the Dutch, French, German and Italian languages, all four texts being equally authentic.

#### Article 24

This Convention shall be ratified by the member States in accordance with their respective constitutional requirements.

The Governments of the member States agree to take the steps necessary for this purpose as soon as possible, presenting to the Parliaments any documents that may be needed before approval can be given.

The instruments of ratification shall be deposited with the Government of the Italian Republic which shall inform the signatory States and the institutions of the European Communities when this has been done.

This Convention shall come into force on the day the instrument of ratification is deposited by the last signatory State to carry out this formality.

## II

### *The European Parliament*

- (a) invites its President to submit the draft Convention to the Councils in accordance with the provisions of the Treaties ;
- (b) instructs a delegation appointed by the President of the Parliament, in agreement with the Chairman of the Committee on Political Affairs and Institutional Questions and the Chairmen of the political groups, to establish all the necessary contacts with the appropriate authorities



in the member States and with the Councils of the European Communities with a view to ensuring that this draft Convention is approved and carried into effect as soon as possible.

## B

### Draft Declaration of Intent

relating to the participation of the parliamentary representatives of the overseas countries and territories in the work of the European Parliament

*The European Parliament,*

having adopted a draft Convention on its election by direct universal suffrage which, in accordance with the Treaties, it is submitting to the Councils of Ministers of the European Communities ;

realizing how important it is that the parliamentary representatives of the overseas countries and territories should participate in the work of the Parliament elected by direct universal suffrage ;

declares itself ready to attend a joint meeting, at least once a year, with parliamentary representatives to be appointed by the associated overseas countries and territories, in order to discuss with them, under conditions to be agreed with them, questions arising out of their association with the European Communities.

## C

### Motion for a resolution

on the preparation of public opinion  
for European elections by direct universal suffrage

*The European Parliament,*

convinced that the failure of certain European projects has been partly due to inadequate preparation of public opinion ;

conscious that the mandate confided to it by the Treaties of Rome of drawing up proposals on European elections by direct universal suffrage cannot be considered to have been fulfilled with the submission of these proposals ;

believing it to be its task to ensure that the draft Convention is considered by the Governments and then by the national Parliaments as soon as possible ;

convinced that it also has a duty to ensure that as many people as possible take part in the first European elections ;

invites its Bureau to make available to the appropriate departments of the Directorate for Parliamentary Documentation and Information of the Secretariat all the necessary means for preparing public opinion in the six countries for European elections by direct universal suffrage.

## B. DEBATES IN PLENARY SESSION

(a) Debates of 10 May 1960 . . . . .	68
(b) Debates of 11 May 1960 . . . . .	79
(c) Debates of 17 May 1960 . . . . .	149

### (a) Debates of 10 May 1960

Mr. Battista, *Chairman of the Committee on Political Affairs and Institutional Questions.*—  
(I)\* Mr. President, Ladies and Gentlemen, Article 138 of the Treaty establishing the European Economic Community, and the relevant articles in the Treaties establishing the European Atomic Energy Community and the European Coal and Steel Community read : 'The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States'.

This Article is highly important not only for the future of our Parliament but for the whole of Europe ; the way it is applied will determine the operative emphasis of Community policy as regards the real unity of Europe ; this Article immediately attracted the attention of our Committee whose Chairman then, that is in March 1958, was our lamented colleague Guglielmo. The Committee at once considered how this Article could be fully applied ; in October 1958, therefore, it thought it would be a good idea to set up a working party to look into this and draw up a draft convention on elections by direct universal suffrage. Once approved by our Parliament this would be forwarded to the Council of Ministers for perusal and approval and then it would go to the national Parliaments for ratification.

The Working Party began its work in October 1958. It elected our distinguished colleague Mr. Dehousse as Chairman and Mr. Santero as Vice-Chairman. Its members were chosen from among those who had for a long time been seriously concerned about the political factor in our European activities.

The Working Party was engaged in this task for fourteen months and it worked really hard. After the demise of Mr. Guglielmo, I became Chairman of the Committee on Political Affairs and was able to see for myself the diligence, faith, competence and intelligence with which the Working Party carried out its task. Indeed, it did not confine itself to strict committee work but felt it desirable to consult the heads of government, foreign ministers and leaders of the political parties in the member States, the leading parliamentarians in these countries, the experts in electoral law and all those who seemed able to make a practical contribution to the drafting of a convention ; its approach was thus very open-minded and democratic. This convention had to satisfy the requirements of our Parliament without at the same time causing any unduly serious difficulties in the political aspect of our work ; an attempt was made to reduce the difficulties through the gradual integration of our national economies and the gradual integration of our Community policy.

The work thus proceeded in a very smooth and orderly way. In January, the Chairman of the Working Party submitted its reports to the Committee, which, in turn, thanked the Chairman and all the members of the Working Party for this draft—the result of an extremely competent piece of work.

The Committee sat for four days in Rome in the Montecitorio Palace. It made a very full, frank and democratic article-by-article analysis of the draft Convention. Its conclusion was to

\* The languages used in the debates are indicated thus : (D) = Deutsch ; (F) = Français ; (I) = Italiano ; (N) = Nederlands.

come out strongly in favour of the draft Convention. This was borne out by the fact that when Rapporteurs were appointed, it thought it would be better to confirm in this office those who had submitted reports for the Working Party. Most of them had been engaged on this study and had been involved in reconciling, synthesizing and harmonizing the proposals made by the members of the Committee. In short, it was they who had completed this truly praiseworthy work.

This was why the Committee appointed Mr. Dehousse general Rapporteur, Mr. Faure as Rapporteur for the first part of the Convention and Mr. Schuijt as Rapporteur for the section dealing with the electoral system. Lastly, on a point not directly related to the Convention but of some importance in resolving the general political problem which we discussed, the Committee approved Mr. Metzger's special report on the overseas territories, on the possibility of their being represented and on the possibility of their co-operating with the European Parliament. This problem is one of capital importance against the background of the policy of friendship which we intend to pursue towards the developing countries which we wish to assist.

There is a further problem which the Committee wished to tackle: informing the general public about the need for elections by direct universal suffrage.

European elections will be a success once those who vote are convinced of the political need to vote and once they go to the polling stations to give a wide mandate to the representatives they elect and do so of their own free will. This is why the Committee asked Mr. Schuijt to look into the general problem of keeping the public informed: it passed a resolution on using other more powerful means to bring this matter home to the general public than those currently available to the Secretariat of the European Parliament.

The Committee made a few changes in the Convention and there is no doubt that these filled gaps and improved it. Indeed, the principle underlying the draft Convention is that any too sudden change should be avoided. Just as when the Treaty of Rome was signed, the need was felt for a transition period to allow economic integration to go forward without posing any threat to the economic balance of the member States, it was also thought essential to act on the principle of moving gradually in organizing direct elections.

This is why we thought it better to proceed in stages, even though we should have liked to introduce a convention at once so that all the members of the Parliament could be directly elected on the basis of an electoral law for the six member States.

The draft Convention before you recognizes the need for a transitional system. Until the whole Parliament is directly elected under a single electoral law, the member States will, initially, be free to adopt whichever electoral law suits them best, provided this is consistent with the general principles of the Treaty and provided the links between the national and European Parliaments are maintained, because these will continue to be essential until our Parliament has greater powers of decision.

Indeed, our Parliament—we have often referred to this shortcoming and we have often deplored it—can only give Opinions on an advisory basis and only has one power: that of passing a vote of censure on the executives of the Community; but it has no legislative power and this is an essential prerogative of any parliamentary assembly.

Until we have full powers, we must maintain our links with the national Parliaments; a small number of members will have to sit both here and in the national Parliaments; they, being aware of the needs and the importance of the European Parliament, will be able to intervene on our behalf in their national Parliaments to secure the wider powers we need to achieve political unity in Europe.

These, Mr. President, are the reasons why we propose arrangements for a transitional period. The Rapporteurs who will speak later will give further details.

For the moment, I would dwell on only one point. During the discussion in the Working Party and on the Committee on Political Affairs, some of our colleagues felt unable to approve the draft Convention you have before you because they thought it was premature and that it should not be submitted until our Parliament has obtained wider powers. Some of our colleagues think it very unwise to call on the electorate to elect a Parliament whose powers are not as wide or complete as might be desirable ; this is why they asked our Committee to propose that there should first—and this is something we all want—be an amendment of the Treaties to this effect.

The Committee is aware of the need to increase the powers of the Parliament and has asked Mr. Poher to make a study of suitable proposals to go to the Council of Ministers so that our Parliament can obtain greater powers and really play a decisive part in European politics.

This work is in progress. In June, Mr. Poher will submit his draft proposal ; this will be discussed by the Committee and then submitted to the Parliament. In the meantime, however, we feel it desirable to initiate the procedure for direct elections at once.

This stems from the provisions of the Treaty.

Yet I should like to go still further. When we succeed in getting elections by direct universal suffrage, and when there are 426 representatives (as envisioned in the Convention) instead of 142 in this Parliament ; and when two-thirds of them are directly elected and receive a mandate conferred on them by more than 100 million people ; we shall, as a Parliament, carry much more weight. We shall enjoy greater prestige and we shall more easily be able to ask and obtain the status of a legislative assembly as opposed to that of a consultative one. This is, at least, the principle which we felt bound to reassert in approving the Convention in the form you now have before you.

Today, Mr. President, we paid tribute to a great European, President Schuman, and we did so on the tenth anniversary of his declaration of 9 May 1950 : the first step towards the European unity which we are trying to develop and complete. On this occasion, moreover, moving tributes were paid to our distinguished Honorary President. But I think that the best tribute we can pay to him is to approve this draft Convention on elections by direct universal suffrage. This would be one more major step forward towards the European unity we want, which Robert Schuman called for on 9 May 1950 and to which so many eminent parliamentarians, some of whom are, alas, no longer with us, devoted their efforts.

It is ten years since a practical start was made in this distinctly European endeavour and I think we must now make an act of faith in approving the Convention. By doing so, we shall have again progressed towards political integration ; this, indeed, is necessary, Mr. President, if we want economic integration to make sense.

**Mr. Dehousse, Chairman of the Working Party.**—(F) As we open this debate, Mr. President, my thoughts are of a great assembly which once attempted a much greater task than the one now facing us. I refer to the *ad hoc* Assembly whose task it was, in 1952-1953, to draw up the statutes for a European political community. I still regard this as an example and a guide.

That endeavour yielded a wealth of experience and documentation which we and the generations after us can draw on. I hope, too, that we shall be able to regain something of the momentum of that assembly for we need it in today's difficult times !

Our own task is a more limited one. It is determined by an Article which recurs three times, namely Article 21 of the ECSC Treaty, as amended by a Convention annexed to the Treaty of Rome, Article 138 of the EEC Treaty and 108 of the Euratom Treaty.

These three texts read as follows :

'The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

These texts, Mr. President, define the purpose of our mission very clearly. Obviously, we are not here to draw up the statutes of a political community and this is the tremendous difference between ourselves and the *ad hoc* Assembly to which I referred a few moments ago.

Indeed, a political community would involve much more than the direct election of a Chamber. It would involve setting up a government which was invested with a certain number of responsibilities towards this elected Chamber. It would also involve setting up several other institutions, including those appertaining to the judiciary.

The mandate which the Treaty gave to our Parliament does not go so far. There is absolutely no question of our drawing up the statutes of a political community.

Secondly, this mandate does not give us the power to draw up statutes of a bi-cameral parliament. There are some who find this regrettable. I know some very good Europeans who would like a Senate—side by side with a directly elected Chamber—to represent something other than the citizens of our six States.

This is, Mr. President, a wish which I personally share but which does not in any way come within our present terms of reference. It is a wish that we shall not be able to fulfil until a later stage if, indeed, progress is made towards a political community.

Nor is it within our terms of reference to plan for a Chamber, i.e. our own, which is elected otherwise than by direct universal suffrage.

Nor am I unaware of the fact that suggestions have, from time to time, been made that our Parliament should not be elected directly by the men and women in the member States but by representatives of the regions and of the local authorities.

This is also outside our terms of reference. The text of the Treaties of Rome does not allow us either to devise a political community or a bi-cameral parliament ; nor indeed does it permit us to consider any other method of electing Parliament than by direct universal suffrage.

I would add that our mandate under the Treaties only concerns this Parliament. It does not either directly or indirectly cover the two other European Assemblies—for it would seem that there are two—the Consultative Assembly of the Council of Europe and WEU Assembly. Under the terms of the texts which I have read, these two Assemblies are completely outside the scope of our deliberations.

If this is so, it is not merely a matter of form—and I shall be careful not to go into legal niceties—it is because the countries which belong to WEU and, what is more to the point, to the Council of Europe (i.e. those who do not belong to the European Communities) do not appear ready to accept any alternative to their present way of appointing representatives, viz. through their national parliaments.

Our British friends, for example, are still strongly attached to the idea of national control over their national Parliament ; I hasten to add that this control is effective and, indeed, more effective sometimes than in some of the member States where great play is made of the European idea and there is a tendency to forget national control at the national level. What is certain, however, is that our British friends are not at all prepared to accept the idea of a joint body controlling their national policy and government. This, too, limits the scope of our deliberations.

There is one further reason why neither the WEU Assembly nor that of the Council of Europe can envisage the direct election of their members. It is because even if the six member States were to accept this method of electing their representatives in the two Assemblies concerned, these would be composed in two different ways. While, Mr. President, I do not wish, as a lawyer, to carry legal niceties too far, there is, however, one point on which I think we should be quite adamant: the rules under which these Assemblies are made up must be homogeneous; they cannot vary according to the country represented in the Assembly. I do not think it would be in the interest of either of these two Assemblies to have two categories of representatives sitting here: one elected by universal suffrage and the other being appointed under a system of indirect election.

All this seems quite clear. We have a task that is precise and clearly defined as to time and space. If I may be allowed to utter a wish at the opening of this discussion, then let me suggest that we should not digress in our deliberations towards the idea of (i) a political community, (ii) a bi-cameral Parliament, (iii) an Assembly, i.e. our own, elected otherwise than directly, or (iv) entertain any proposal to the effect that the representatives of the six countries should be directly elected to all three Assemblies.

There are, Mr. President, two points I should like to make here. You know that direct elections are envisioned in the Treaties. These provisions were in force before there was any question of increasing our powers. The authors of the Treaty thus acknowledged that direct elections could take place *rebus sic stantibus*, the institutions remaining what they are and attracting no new powers. This is, to my mind, a vital point which will refute some of the objections which will no doubt arise in this context.

Another point is that this text clearly indicates that our Parliament is—unfortunately—not a sovereign body. As regards direct elections it has the right only to make proposals. It makes suggestions to the Council of Ministers. The term is used in the singular. In the text to which I referred, each of the Councils of the three European Communities is in fact involved and it is laid down that this Council shall unanimously enact certain provisions.

This means that it has the power to decide what action to take on the proposals we put forward. It may quite simply accept them, and I do not need to tell you that this is what I should like; this is, however, a very Platonic wish. It could also simply reject the proposals or, again, accept them in amended form. And here we come back to the problem raised by our Chairman, Mr. Battista, on the Committee on Political Affairs: how will we stand in relation to the Council of Ministers after the vote is taken?

I would suggest, Mr. President, that this point be taken up when we have decided on the draft Convention itself.

Under Articles 21 of the ECSC Treaty, 138 of the EEC Treaty and 108 of the Euratom Treaty, the powers the Council receives are thus not consistent with its normal terms of reference.

Normally, the Council of Ministers has the power to take decisions if it can meet the conditions laid down, particularly regarding the question of a majority. Here it is the Council itself which examines our proposals, which accepts or amends them, but can then do no more than make a recommendation to the six member States of the Communities.

The relevant Articles read: 'The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements'.

In the discussions held prior to this debate, it was asked whether it was really necessary to secure a ratification for the draft drawn up by our Parliament and subsequently adopted by the Council. There are some who maintained—and the report you have before you (Document

No. 22) makes this point—that this was simply a matter of implementing the draft Convention. The Treaty has a clause said to be designed solely to promote its full implementation.

Hence, it was argued, the national Governments and Parliaments had no cause to intervene.

For the legal reasons that I have just given, I believe this theory to be wrong. May I be allowed to add that even if it were legally sound, we should have to reject it firmly from the political standpoint because it would be inconceivable that a vote on electoral regulations should not be debated by our national Parliaments? We should, Mr. President, be taking the greatest risk if we did this and if we considered that the texts we shall vote on do not need to be ratified by the six member States.

The Working Party, of which I had the honour to be Chairman, made a number of further points which I should like to emphasize concerning the mandate of our Parliament.

I would like to begin by drawing your attention to the fact that in referring to proposals for direct elections, the text of the Treaty uses the plural :

‘The Assembly shall draw up proposals’.

It was our good fortune to have on our Working Party two eminent men who took part in the negotiation of the Treaties of Rome and who, indeed, appended their signatures to them: Mr. Martino and Mr. Maurice Faure. Thanks to their kindness, we were given access to the preparatory documents and these show that the plural was used deliberately here. The use of the plural is meant to connote that the Assembly will not have used up its option to prepare its own elections by submitting one proposal. It has the right to present a second or even a third or further proposals should the first one—which God forbid—be rejected.

I was anxious, Mr. President, to make this point clear.

The text uses another expression which has raised a great deal of controversy in the past and which will no doubt continue to do so :

‘The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.’

What are we to understand by ‘a uniform procedure’? Both the Working Party and the Committee on Political Affairs looked into this point; they came to two conclusions :

The first is that ‘uniform’ is not necessarily synonymous with ‘identical’. All our legal systems have what are known as uniform laws, such as those covering bills of exchange and promissory notes which stem from international conventions. These uniform laws are not identical; they involve a certain freedom of application and allow of a certain differentiation on the part of the national legal systems.

Nor is there any stipulation in the Treaties that the uniform procedure for direct elections has to be introduced in a single stage; there could be two: a transitional and then a final one.

Interpreting this Article in this way, the Working Party and the Committee introduced a key principle into the draft which you have before you and without which the text would be unintelligible: the distinction between a transitional period having certain characteristics and a final period to follow in due course.

We were thus prompted, Mr. President, to make it clear which of the texts in the draft Convention are transitional and which will be permanent.

May I refer you to paragraph 20 of my own report? This details the texts which relate to the transitional period and, again, those which relate to the final period.

Another very delicate issue held our attention : to what extent has our Parliament (and, at one remove, its Committee on Political Affairs and the Working Party) the power to revise existing Treaties ?

When I speak of revision I naturally mean proposals for a revision because here again we have no power of decision. But had we any right, in the context of the procedure initiated, to touch the existing Treaties and propose changes ?

By far the most members of the Working Party, and then of the Committee on Political Affairs, accepted the interpretation of the text which I read at the beginning of my speech as being tantamount to a partial, limited revision clause. When it comes to direct elections, we do not have the right to touch the Treaties as a whole but we felt that it was for the bodies to whom I referred to do so in so far as elections made this necessary. This is true of the question of the number of members of the Parliament, which is very much affected by direct elections. The Treaties lay down that the Parliament shall consist of 142 members : 36 for France, 36 for Germany, 36 for Italy, 14 for the Netherlands, 14 for Belgium and 6 for Luxembourg. We felt we had the right to multiply this number by a given index—in this case 3.

Thus we should have a partial and limited revision clause ; this, Mr. President, is how we interpreted Articles 21 of the ECSC Treaty, 138 of the EEC Treaty and 108 of the Euratom Treaty.

You will observe that the procedure for revising the Treaties with which we are confronted is perfectly normal. It differs from the usual procedure in only one respect : the part played by our Parliament. Mr. Van der Goes van Naters had a felicitous turn of phrase to describe the rôle entrusted to the European Assemblies by the Treaties. He described it as 'parliamentary diplomacy'. This is, indeed, what it is. For the first time, I think, in the history of the law of nations, a parliamentary assembly is endowed with prerogatives whereby its part is that normally played by a conference of plenipotentiaries.

But the difference goes no further. Once our Parliament has fulfilled this function of parliamentary diplomacy and exercised its right of initiative, the Council of Ministers of the Communities appears. What does it do ? It signs a Treaty in proper form and this is then submitted in the same way as all the European Treaties in our experience (ECSC Treaty, EDC Treaty, etc.) to the six national Parliaments for ratification.

I should like to add that there is one more difference between the traditional procedure and that deriving from the texts to which I have referred. We took this difference into account in the way we presented the draft Convention you have before you. It is submitted to you in the form of a deliberation of the three Councils : the Special Council of Ministers of the ECSC, the EEC Council and the Euratom Council. It is a corporate act but—I should like to couple this point with what I said a moment ago—it does not carry with it any power of decision. The power of the three Councils is not what it is in other fields ; it is simply the power to make a recommendation and it is subject to ratification by the member States.

My colleagues in the legal profession and those expert in the law of nations will no doubt find a way of accounting for this by describing it as an act *sui generis*. This is what is normally said when it is not possible to classify a particular procedure in any established category.

As a matter of fact, we are here confronted with a special concept which lies midway between customary international law and what would be a genuine supranational order. If we were dealing with a real supranational order, the act of the three Councils would of itself constitute a decision. This is not the case here because of the Treaty provisions and this is why we turn to the traditional procedure used in drawing up international treaties.

I hope, Mr. President, that you will excuse me for making these legal comments but I feel that they are important. We do need to know exactly what we are doing and exactly what our



prerogatives are. It has been repeatedly stressed that this debate is extremely important. This is why I have tried, as a former Chairman of the Working Party, to be so precise.

I have frequently referred to the Working Party. The eminent Chairman of the Committee on Political Affairs did so before I did in a way which went straight to my heart. May I be allowed to return the compliment and tell him how much I and all the other members of the Working Party appreciated not only his constant help when we were drawing up our draft, but the quality of his experience and of his political vision. We all have the greatest affection for Mr. Battista.

Mr. President, the Working Party was an offshoot of the Committee on Political Affairs. I have paid tribute to the Chairman of the Committee and I should now like to pay tribute to all the members of the Working Party. It will never be sufficiently realized under what difficult conditions they contributed their utmost to our deliberations. For myself, I should not hesitate to say that, whatever the future may hold, my chairmanship of the Working Party on European elections will remain one of the happiest memories of my political career, not only for the friendships I made, but also for the atmosphere in which we have worked.

We had a very difficult task. It took not fourteen months, as Mr. Battista said, but fifteen. Indeed we began our work in October 1958 and completed it in Brussels on 4 February 1960. On page 12 the report indicates that, in all, the Working Party sat for 30 days during this fifteen-month period.

From the outset, the Working Party adopted an original approach to its task. We were all, I think, acutely aware of past failures: the outcome of great and ambitious projects which we had from time to time drawn up. I do not know, because I have no way of telling, what fate awaits the draft Convention under discussion; but I do know that the Working Party and the Committee made every effort to rule out the possibility of a failure.

It was for that reason that we conducted our enquiries on the spot. As Mr. Battista, our Chairman, told you, we went to the six capitals to talk to the prime ministers, foreign ministers and parliamentary leaders to consult them about our problems.

Our draft, Mr. President, is thus of an unusual nature. As a rule such drafts are in line with a certain theory or the subjective views of their authors. Our draft is a 'finding', a common denominator of what our enquiries have led us to believe will be acceptable to the Governments and Parliaments of the six countries.

In spite of this we have been subjected to many criticisms. It has been suggested that our visits to the six countries were objectionable from the budgetary point of view. This criticism is baseless. The visits of the Working Party to the six countries were authorized by the Committee on Political Affairs and by the Bureau of the Parliament as required by our regulations. The relevant expenditure appeared in the budget of the Parliament in the required manner.

On the other hand, our subject is one dominated by political considerations; it is hard to imagine how it could have been tackled without our having been to see those political or parliamentary personalities on whom the ultimate ratification of our draft will depend.

I have always maintained, and still maintain today, that our attitude in this respect is quite orthodox. There is no doubt that the way we approached our work led us to make a choice which was sometimes painful and which brought us much criticism from the militant members of various European movements. We have, time and again, been obliged to choose between the desirable and the possible which means—life being what it is—that we have often been obliged to sacrifice the desirable to the possible. Does this mean that we have here become 'Mensheviks'? Allow me to say in reply, Mr. President, that we do not think so. We simply wanted to be realistic and to give the political Europe every possible chance. This is what prompted us to act as we did.

The criticisms levelled at us, put me in mind of what I sometimes call—when I lecture on this subject—the visit of friends to a young married couple. These friends come to see the young couple, newly settled in, and ask: 'Why don't you have a refrigerator? Why don't you have a television set? Why don't you get a more comfortable flat?'

Mr. President, I am no longer at the age of young married couples but I can put myself in the place of the young married couple having to listen to such questions. I should reply that I want a refrigerator and that I should like a television and that I should like a comfortable flat but that it is simply that I lack the material resources to obtain them.

The draft we are discussing makes me think of the visit of friends to the young married couple in the sense that the criticisms are often baseless because those criticized would like nothing better than to reply in a more positive manner but they are unable to do so for obvious reasons.

I still have two questions to deal with before finishing with this general report. The first is: why have elections? The second concerns the problem of the powers of the Parliament.

Why have elections? Here, we must be fair; the Treaty places us under no obligation regarding direct elections: it opens up the possibility. Why are we taking up this option now?

In reply I should like to say there are several reasons. I remember listening to the voice of a very great Frenchman (whose political views I do not share but whom I admire and respect and by whose side I found myself during the war) who said: the European Assemblies lack legitimacy and can only acquire such legitimacy if they hold their mandate from the people, i.e. if they are elected by universal suffrage.

General de Gaulle made this point several times and I should like, in all modesty, to endorse it. I do not believe that an assembly that is appointed indirectly, as our is, can fully measure up to the 'democracy' requirement of our time. This is the first reason for having elections by universal suffrage. I might add that this alone is sufficient justification for having elections. As was pointed out in a text which was adopted the day before yesterday by the conference of the six Socialist Parties in the Community, elections by direct universal suffrage do measure up to one of the imperatives of democracy.

The second reason is one of justice. If, as we hope, the Communities develop and ultimately succeed in achieving European unity—which is essential—could we go on deciding issues which have an immediate effect on the future of our peoples without their being consulted, without their having the least say in these decisions? I should like to say very sincerely that I do not think so and this is why, at the risk of appearing to be an old-style revolutionary, I use this old word 'justice' which is so out of date in this age of iron in which we live and yet so close to my heart.

It is not only for the sake of legitimacy but also for that of justice that electing our Assembly by direct universal suffrage is necessary.

The third and last reason is one of efficiency.

When, Mr. President, the Senate of my country was called upon to ratify the Treaties of Rome, I naturally voted in favour but I was also among those who commented at the time on the institutions set up by the Treaty.

To some extent, the institutions were rather overlooked in the Treaties of Rome. We were given a magnificent objective but I am not certain if it is materially possible, with these institutions, to achieve it. In other words I am not at all sure that we can create the Common Market with the institutions of the Common Market. Similarly, we shall only be justified in creating it if the general public gives these institutions the support they most certainly need.

Take our Parliament: I have a great deal of respect for it and recently, at a political congress, I would assure you that I defended it as was due, that is to say, quite uncompromisingly. I said how much I admired the way it exercised its control. I said that there are very few assemblies that are on the same level in this respect. But I had to recognize, too, that in many respects—and this will become increasingly the case if it is not directly elected—it is evolving into something like an economic and social council. I may indeed add: a great economic and social council. It is already so through the choice of its representatives: rather than sending parliamentarians, certain countries choose technical experts. I am in favour of specialization and I will certainly not suggest that parliamentarianism and technical expertise are in conflict. But the function of parliamentarianism is not to tackle technical problems in a technical way but to draw up policies with respect to technical problems. And we shall not be able to do this if we continue to be nominated; in other words, if we are not elected directly.

There may perhaps be others whose ingenuity will furnish further reasons to add to those I have mentioned to justify direct elections to our Parliament. For my part I would stick to three reasons: legitimacy, justice and efficiency; they appear to me to be both convincing and decisive.

The next problem is that of powers. Tomorrow, no doubt, this will become the focal point of our debate. It may be said that our Parliament has not sufficient powers to justify calling to the polling booths those millions of men and women who constitute the electorate in our six countries.

The intentions behind this argument may vary. They may be good ones, like those of my friend Mr. Metzger, who would like a directly elected Parliament to have increased powers. Yet the intentions behind this argument may be less praiseworthy: it may be to demand that the elections be coupled with increased powers simply in order to ensure that the whole scheme falls through so that we obtain neither direct elections nor any new powers.

This is in my view the great weakness of the argument of making an increase in our powers a 'pre-condition' of direct elections. I would stress the word 'pre-condition'. This argument seems to be unacceptable in so far as it makes an increase in powers a *sine qua non* of direct elections.

It is quite clear that the members of the Working Party and of the Committee on Political Affairs are nearly all, if not all, in favour of this increase in powers. You know what politics is; we the Europeans of yesterday, have now almost been thrown back on the defensive. The 'minimalists' of yesterday have become the 'maximalists' of today. They ask, 'are you, who have been striving for a European federalism since the beginning, are you not in favour of increased powers?' The answer is 'yes'. We are in favour of increased powers but we want this to be on a reasonable basis and we do not wish to follow any procedure which will torpedo both direct elections and this increase in powers. In other words, our intentions are valid and we have no exceptionable ulterior motives.

I should like to make another point here. When we speak of direct elections, too little emphasis is placed, I think, on the comparative angle. I am by calling a teacher and much more active in this capacity than my critics would suggest; I am a teacher of international law. I may say that of all the institutions, our Parliament is undoubtedly the one which has attained to the highest degree of development.

For three years I was President of the Consultative Assembly of the Council of Europe; I know, from experience, the difference between a purely consultative body like the Assembly of the Council of Europe and our own. If we look at the General Assembly of UNO, on the other hand, we find another consultative assembly, with no power beyond that of making recommendations.

Our Parliament is different. It is of course not a real parliament but it is much more than a consultative assembly; it is a body which is at the half-way stage in its development and we do not know for certain whether we will fall back and become consultative and diplomatic or whether we shall go on to become a real international parliament.

Its great weakness is that it has no hold over the Council of Ministers. I strongly sympathize with those who ask that the Executives should be responsible to the Parliament ; but I am very much afraid that the 'maximalists' of today are getting beginnings and ends mixed up.

We could perhaps gradually arrive at the idea of ministers' being responsible to our Parliament but this is not a condition that we can make at the outset.

I should like to ask one question : which parliament has from the outset possessed the powers which it at present holds ? I should like to take as an example the parliament which is regarded as the mother of them all : the House of Commons of the United Kingdom. Did the House of Commons have in 1215, as the time of Magna Carta, the prerogatives with which it is today invested ? Are not its prerogatives rather the consequences and the product of a long and untiring effort and of a long and continuing struggle between the power of the parliament and that of the executive ? If the British had been told in 1215 'We want the powers of 1960', the House of Commons would simply never have come into existence, nor indeed, by definition, could it have become what it now is.

I am, Mr. President, among those who are willing to bet, I am among those who believe that as soon as our Parliament is directly elected it will acquire powers—which it will have difficulty in obtaining, it is true, but which it will acquire—which will gradually lead us to the stage where the Council of Ministers is responsible to it.

We have not yet reached this stage and all those whose approach to society is one of seeking gradual reform must recognize that it would be unfair to treat the European Parliament in any other way than one might treat a national Parliament ; it should not be submitted to conditions that are more stringent than those laid down for a national Parliament at its inception.

This being the case, I am opposed to laying down pre-conditions ; like the majorities on both the Working Party and the Committee on Political Affairs, I reject the idea that direct elections should be made contingent upon an increase in powers. If I do so, it is because I am among those who advocate parallel developments—and this cannot be repeated too often—that progress towards direct elections should go hand in hand with progress towards an increase in our powers. I am quite frankly convinced that this is the solution and that we should be making a serious mistake if we adopted any other course.

I will conclude. I am aware that I have taken up too much of your time. But this subject is so close to my heart that I felt it was impossible for me not to cover all these points.

What is at stake is of real moment. What is at stake is whether our old democracies are capable of adapting to the demands of the present, of overcoming conscious or unconscious nationalistic feelings and of organizing themselves internationally. This is the real problem.

Everyone is looking at us. We are confronted with a Soviet Union—though I do not wish to make a monster of it—which is cast in a monolithic mould and characterized by unity of conception and unity of execution. Our answer to this is association. The case that is being tried in this House is that of democracy, of the virtue of association. The question is whether this democratic idea can overcome the obstacles and the difficulties of our time.

A few moments ago we were reminded of an admirable phrase in Mr. Robert Schuman's declaration of 9 May 1950, and it is with this that I should like to conclude : 'World peace can only be safeguarded by creative efforts commensurate with the dangers that threaten it.'

To my mind, direct elections to the Parliament will help to usher in a new order in relations between the States of Europe—a creative effort we cannot, with a clear conscience, shrink from making.

(b) Debates of 11 May 1960

Mr. Maurice Faure, *Rapporteur*.—(F) Mr. President, Ladies and Gentlemen, yesterday evening our Chairman, Mr. Dehousse, spoke of the prospects and limits of the great endeavour we are engaged in in connexion with direct elections to our Parliament.

My task is more modest and above all a technical one. I am to submit to you the conclusions of the Working Party and of the Committee on Political Affairs on a number of specific points concerning the composition of the elected Parliament.

I shall deal with three points as briefly as possible, as I am sure we shall have an opportunity of going into them in greater detail, during discussion of the articles and amendments, when attending to the criticisms likely to be levelled at them.

I should like to speak first about the number of representatives, secondly about the links between the European Parliament and the national Parliaments, and thirdly about the nature of the European parliamentary mandate.

Obviously, these points have to be dealt with one by one. It is unfortunate that they cannot be dealt with simultaneously because the conclusions we reached on each of these points depend, to some extent, on those reached on others; indeed, all the decisions we should now like to submit for your approval are closely inter-related.

As regards the number of representatives, the problem was whether we should keep to the number of 142 members in a directly elected assembly, or increase it. Increasing it would raise an ancillary problem; by how much should it be increased, i.e. by what co-efficient should the number of members of the present Parliament be multiplied?

Both the Working Party and the Committee on Political Affairs were unanimous as to the need for increasing the number of members—and this for a number of reasons.

To be practical, first of all, one could not envisage calling out an electorate of 100 million men and women in the six countries of our Community simply to elect 142 representatives. In Germany, France and Italy, for example, this would mean asking between 28 and 30 million voters to elect 36 members. The result would be one member elected for every 900,000 voters—and I mean voters and not inhabitants—ruling out any direct contact between the candidate and his electors and therefore detracting a great deal from the value of the electoral campaign.

What we expect from direct elections is, of course, that they will give our peoples a closer grasp of the entire range of problems we discuss here in a somewhat restricted circle, beyond the direct range of the general public.

If the number of representatives is too small, the electoral campaign will lose its value. Moreover, during his term of office the elected representative will be unable to maintain and develop those contacts which, I repeat, are the main justification for direct elections, as pointed out yesterday evening by Mr. Dehousse, our Chairman.

There are other arguments for this view. In the countries of Western Europe, democracy is often reflected in a proliferation of political parties. There are times when we may deplore this kind of fragmentation but we may as well recognize it. After all, a country will only really be faithfully represented if the various shades of political opinion which go to make it up can be reflected in the European Parliament. Hence the need for a larger number of members.

Finally, to the extent—and I shall return to this point in a moment—that we decide, at least to begin with, to retain in this assembly a number of representatives who continue to be appointed indirectly (i.e. by the national Parliaments) we shall, with even more reasons, be faced with the need to increase the number of representatives.

I speak of increasing the number of representatives, not of altering present weighting, i.e. the distribution of seats as between States. It is all too easy to argue that the present proportions are somewhat undemocratic and that in a directly elected assembly voters in Luxembourg, and even in Belgium and the Netherlands, would be assigned a proportionately larger number of representatives than their French, German or Italian counterparts. This is true. The rather rough-and-ready weighting established by the Treaties of Rome could only really be remedied within the framework of a two-chamber system.

What is certain is that if we reopen this issue we shall come up against almost insurmountable difficulties. After all, our Community does not aim at abolishing States. It aims, not at merging them, but at bringing them into association; even the most ardent federalists have never gone farther in their political thinking—either in their ambitions or in their plans. Consequently we must continue to be reasonable and retain the present system of weighting.

This brings me to the second point: the actual number of representatives. If we accept that it is reasonable, and indeed essential, to increase the existing number, by how many should the figure be multiplied?

Many of our colleagues felt that all that had to be done was to double the present figure, i.e. to increase membership from 142 to 284. Others suggested a fourfold increase, giving the reasons mentioned earlier, viz. (i) the need for the closest and most frequent contacts possible between electorate and representatives, and (ii) the need to avoid constituencies so vast as to be practically inhuman.

The champions of a fourfold increase, however, bowed to a number of arguments levelled against it. The first of these is that as parliaments with a large number of members are not 'popular' institutions, coupling direct elections with a fourfold increase in membership is liable to run into criticisms which, for all their oversimplification or demagogic bias, are bound to have some effect on the general public.

The second point is that a large number of members does not necessarily make for the greatest efficiency; it would mean that committees too would be overcrowded, so that their work, which calls for some degree of intimacy between members, would be bound to suffer.

Lastly, it was feared that if the constituencies were made too small, this would give too much weight to representation of local interests.

But the most telling argument was that many of our colleagues were reluctant to see the European Parliament have four times as many members until such time as its powers had been increased. This line of reasoning was brilliantly developed yesterday evening by Mr. Dehousse, our Chairman, who has followed the progress of our work almost step by step. Under these circumstances, we felt it reasonable to stick to a multiple of 3.

I shall be told that this is a compromise between 2 and 4. This is true, but why should it be condemned on that account? This multiple would give us 426 members for a population of 170 million. I do not think that this figure will be regarded as too ambitious, let alone bloated, if it is compared with that of 435 representatives for the United States, where the population is 180 million people. At all events it is less than that of most of our national Parliaments. Indeed, the Bundestag has 519, the French National Assembly 546, and the Italian Chamber of Deputies 590 members.

The coefficient 3 would allow us—at least during the transitional period—to detach some of these 426 members for indirect election by the national Parliaments.

This brings me to the second major issue I was asked to tackle here: links with the national Parliaments. Here again, there is first of all a question of principle. It may be thought preferable

to make the clearest possible distinction between functions and representatives in the national assemblies—chambers of deputies or senates—on the one hand, and in the European Parliament on the other. It may be felt that since the two institutions have different assignments and areas of competence, they should, while not of course ignoring each other, work quite apart. It might on the other hand be thought that if—as is likely long to be the case—Europe can only be built with the active support of the national Parliaments, it would be better to organize co-operation between the two kinds of assembly on institutional lines and even to permit a degree of interpenetration between them, for which purpose the sharing of some of their members cannot be improved upon.

After many discussions and after questioning the political or legal experts we met in the six countries, we settled for the second alternative. We thought it would be wrong to make a radical separation between the European Parliament and the national Parliaments, and that it was our duty, at least at the beginning, to introduce a number of clauses which would necessarily associate them in the same work.

How were we to give practical expression to this realistic appreciation of the situation? There are two ways of ensuring that the same member can sit both in the European and in a national Parliament.

The first is to establish the compatibility of twin mandates.

Under this system, however, one could not be sure that members of the European Parliament would be holders of national mandates. This would be decided by the elections. But let us acknowledge the strong possibility that if twin mandates are allowed, the politicians already elected to their chambers of deputies or senates and who feel the urge to be candidates, will stand at the elections to the European Parliament, be elected in large numbers and meet each other both in the European Parliament and in their national Parliaments.

This is a big problem about which there has been a great deal of discussion. There are some who think it would be ill-advised to agree to members' holding two mandates. They feel that each of the two responsibilities is alone onerous enough in the life and work of one man. They see in the simultaneous exercise of the two offices an inevitable source of confusion. There would be, they expect, serious clashes in timetables such as those referred to yesterday evening by the Belgian delegation.

For the other side, it was pointed out that as every election involves a risk, and particularly as an election concerned for the first time with little-known issues, and involving such a large number of voters, is bound to present an even greater risk and even, perhaps, be something of a gamble—it is as well to take whatever precautions are necessary. One of the surest would undoubtedly be—and this was the Committee's view—to declare the compatibility of twin mandates. In this way those going to the electorate would be familiar figures on the political scene, and this might perhaps produce a larger turnout at the polling stations than would be the case if all the candidates were standing for the first time.

Theoretically both points of view can be defended. Our preference for the second is essentially practical and stems from a feeling that it is our duty to take every precaution against the risk of abstentions in the first European elections.

The first system, that of combined mandates, does not however rule out the second. What is the second? It is a more radical system under which a certain percentage of the members of the European Parliament would have to continue to be elected indirectly, i.e. by the national Parliaments.

One criticism of this approach is that it would be wrong for members of a representative assembly to be recruited by two different methods. This is perfectly true. But we felt that we should not hesitate to combine these precautionary measures and that we should lay down not

only that two mandates may be held simultaneously but also that during a transitional phase, one third of the members of the European Parliament—i.e. 142, the present number—would continue to be elected by the national Parliaments.

Above all we decided on the compatibility of twin mandates and on the continued indirect election of one third of the members of the European Parliament by the national Parliaments only for the transitional period, i.e. the first phase in the existence of a directly elected European Parliament.

This first (transitional) period would be strictly limited. We decided both the earliest moment at which it may be terminated and the latest date by which it must have expired—known in the legal fraternity as *terminus a quo* and *terminus ad quem*.

We decided that the transitional period could not expire before the end of the transitional period of the Common Market itself, but would have to terminate at the end of the legislative period during which the transitional period of the Common Market expired. Above all we decided and I emphasize this problem because, though a technical one, it strikes me as being of crucial political importance—we decided to view the 'transitional period' from two different points of view, that of the compatibility of twin mandates on the one hand, and that of indirect election of a third of the Parliament on the other.

As regards the indirect election of 142 representatives, this cannot go on beyond the transitional period, after which all members will be directly elected and no one will be able to decide otherwise. This will form part, as it were, of the initial body of decisions which will be of an irreversible nature.

As regards the compatibility of twin mandates, on the other hand, we decided that this should be the rule during the transitional period, but left open the question whether it was to continue thereafter or to be abolished, referring the matter to the European Parliament itself. We felt that the experience it would gain in the intervening years would enable it, when the moment came, to arrive at a decision based on reflection and sound reasoning. It should not be forgotten that the Parliament will take this decision after the 142 members indirectly elected leave it. The choice then will be between strict separation of mandates and offices and the maintenance of the compatibility of twin mandates as a link between the members of the European Parliament and of the national Parliaments—though only if and in so far as the electorate may think fit.

These then are the decisions we took on this second point as regards links with the national Parliaments.

I should like to close by saying a few words about the nature of the European parliamentary mandate.

Firstly, this mandate will be for five years. A comparative study of mandates in our various Parliaments shows that in some countries the term of office lasts four years and in others five. We suggest that you standardize the European parliamentary mandate at five years.

Of course exceptions will have to be made for those of us who are elected by the national Parliaments in the initial, i.e. transitional, phase, whose mandate will not be for five years. It could extend beyond the lifetime of the Parliament nominating them, and might even be shorter if that body decided on a briefer term for its delegation. This, however, is an exception on which I do not want to dwell.

The questions concerning incompatibilities are more important.

You know that the legislation of each of our countries contains a body of provisions on the incompatibility of certain functions with the exercise of parliamentary duties. These bans have been decreed for practical, moral or logical reasons and are part of the domestic law of all member States.



We could have taken the laws of the six countries one by one and tried to draw up a list of incompatibilities in relation to the European Parliament. Logically this might have been a satisfactory endeavour but, in practice, it would probably have been somewhat tedious and we decided to refer back this system of incompatibilities to domestic law.

Let us be quite clear on this point. We did not decide that all incompatibilities specified by domestic law as regards duties in a national Parliament would apply *ipso facto* to the European Parliament. There may be perfectly good reasons for saying that certain national duties may not be exercised at the same time as the national parliamentary mandate, but these reasons may not apply in the case of the European Parliament.

We therefore decided that this should be a matter for national law-making bodies. In other words, each of the member States will have to say whether, and to what extent, it intends to apply the incompatibilities at present in force on its own territory to elections to the European Parliament.

This does not, however, by any means exhaust the subject. In our Community there are new non-national functions which could not have been covered by our domestic laws. These 'European' functions, which came into being with the Community itself, include those performed by officials of the Communities and by members of the High Authority of the Coal and Steel Community, the Commission of the Common Market, the Euratom Commission and the Courts of Justice.

We propose that you should lay down a European rule regarding incompatibility, or, to be more precise, a provision to the effect that the duties of a member of the European Parliament shall be incompatible with those of (i) judge, advocate general or registrar in the Court of Justice of the Communities, (ii) member of the Consultative Committee of the Coal and Steel Community, (iii) member of the Economic and Social Committee of the European Economic Community and the European Atomic Energy Community and (iv) auditor—in each case laid down in the Treaties—and with those of a number of committees and other bodies, and of members of the management committee and employees of the European Investment Bank.

This left one final problem: should this incompatibility be extended to the duties of minister in a member State and to those of member of any of the three European executives?

This raised a basic question concerning the political philosophy each of us abstracts from the parliamentary system. Is this system one of strict separation of powers necessarily entailing incompatibility between the duties of minister and the duties of parliamentarian, for example, as in the Netherlands and, since the latest constitution came into force, in France? Or is the parliamentary system a much more flexible one in which the simultaneous exercise of the duties of parliamentarians and minister is not only wholly feasible but even logical?

We argued at great length on this point, each in turn making a contribution that reflected the laws of his own country or his personal temperament. In the end the proposal to abolish incompatibility was rejected, the same number of votes being cast for and against. In short, on the question of compatibility we were exactly divided into two camps.

Your Rapporteur is required to defend a theory to which he does not subscribe. Personally, I supported the compatibility of mandates as a means of imparting greater political emphasis to the mandates of members of the executives. On this point, my example was not followed—the votes, I repeat, were equally divided—and, in the end, I am required here to argue the case for incompatibility. I shall not do so at greater length because I think the question will come up again when we discuss the articles and amendments. In this connexion I think we may fully rely on Mr. Van der Goes van Naters to put the case for incompatibility convincingly, that is, skilfully, for you need conviction if you are to be skilful.

It was also decided that ministerial duties were incompatible—for a legal reason to which I personally attach little weight, namely, that as ministers of the national Governments could be mem-

bers of the Council of Ministers, i.e. of another Community body, there is little chance that they would belong to both at once. We come back here to the same argument, and the lack of conviction evinced concerning the first point necessarily applies to the second.

I have now finished this somewhat technical report and must ask you to excuse me if I have made it a bit dull at times. I began by telling you our reasons for reaching this compromise of 426 members; then, why we felt that close links ought to be maintained with the national Parliaments during a transitional period through members holding two mandates and through the arrangement whereby a third of our colleagues would continue to be elected indirectly; lastly I spoke about the nature of the European parliamentary mandate.

May I, in conclusion, stray from the technical path for a few moments? I should first like to emphasize two points. Undoubtedly there are risks involved in direct elections to the European Parliament. One can never tell what will emerge from the ballot-boxes; we may have unpleasant surprises, and the support of the peoples of our countries for the European construction may be less striking and less certain than we believe. Yet we should not hesitate to run these risks—even though we should keep them to a minimum—because if, at the very worst, elections show that there is no popular support for the construction of Europe, I should ask you what would we have built on, and what chance would we have to further the cause of a European political community in the absence of the popular support in whose name, indeed, we wish to build it? This is definitely a risk but it is one we cannot shirk.

Secondly, we all feel that the time has come to revive Europe politically. Our Chairman, Mr. Dehousse, said yesterday, when talking about the limits of our mandate, that it was not our business, in this debate, to build a European political community or a European political authority. This is perfectly true but none of us wishes to hide the fact that these elections by direct suffrage are the only path now open to us to progress towards a European political authority and a European political community. The elections in themselves will not constitute an authority but merely one stage on the road that leads to it. This is why I think we shall all agree, in principle at least, on following this course.

I am convinced that if we invite the peoples of the Community to go to the polls and if we conduct a vigorous electoral campaign with political leaders who are fairly well known and who take up the cudgels, if need be, on this issue, then the Assembly elected by these one hundred million men and women will—and this point was quite rightly made—undoubtedly have more freedom of action and more authority than one elected indirectly. Everything else will follow in its wake. At all events I am convinced that these elections will take us to the 'point of no return', after which we shall all be together, for better and for worse, partners in the present and in the future.

**Mr. Schuijt, Rapporteur.**—(N) Mr. President, Ladies and Gentlemen, yesterday Mr. Dehousse, with the precision one might expect of an experienced lawyer turned politician for whose skill and energy as Chairman of the Working Group I have the profoundest admiration, described to us the spirit in which the 'uniform procedure' laid down by the Treaty found expression in the draft Convention before us, the outcome of a difficult search for a common electoral system.

I need not return to this point but should just like to add one or two comments.

First of all, the uniformity requirement could also mean that direct elections must take place in all six countries; this contrasts with what is laid down in the Statute of the Council of Europe, under which each State may decide for itself whether its representatives in the Consultative Assembly are elected directly or not. This requirement thus rules out any form of indirect election. The legal basis, like the democratic basis, of the European mandate is thus made completely uniform.

Does this 'uniform procedure' requirement mean that elections must take place in exactly the same way in all six countries?

Such an interpretation would appear quite justified but fails, I think, to take proper account of today's political realities. It stems from the idea that Europe already exists, whereas the facts force us to admit that this Europe has still to be painstakingly built as it is still in the throes of development. Those who set out from this strict interpretation seem to be confusing their wishes—which, incidentally, I share—with realities. They also seem to be confusing means with ends. European elections can be regarded as a forceful and effective means of speeding up progress towards European unity, which must stem from a common will on the part of the citizens of Europe—a common will based on an enlightened sense of responsibility, morally acceptable and recognized as politically necessary.

Once we have got so far—and despite our present difficulties, I hope that our generation will witness this achievement—we shall have better grounds for talking about the technique of uniformity. Even then it may happen that attention will be drawn to the phenomenon—observable in our own times—of constitutional structures in which broad policy lines are settled on a centralized and uniform basis but it is left to subsidiary bodies to take the necessary measures to implement them.

The provision of the draft Convention leaving the choice of electoral system to member States during the transitional period can therefore also be considered in the light of this democratic demand for maximum decentralization.

The federalist, almost by definition, fights shy of artificial standardized structures. This is why he demands that matters that cannot be settled nationally should be dealt with at supranational level. He also wants subordinate bodies to retain those powers which, without danger to the ultimate objective, can well be exercised by these 'non-central' bodies in accordance with the age-old practice of delegating responsibility to subordinates.

That, broadly, is the outcome of the study made of this question, at all events in the opinion of the vast majority of Committee members. I say 'vast majority' because there were still a number of idealists on the Working Party and on the Committee on Political Affairs who were unwilling to yield to political realities.

That was the result of our work but not its point of departure. We all began as idealists, hoping that all six countries would be willing and able to accept as uniform a system as possible. I am glad, Mr. President, to be able to say this, because when I say that there were still some idealists who were not ready to give way, you may get the impression that the others—the vast majority—were not idealists. Now, to say this would be not only unkind but untrue because I do not really see how one can be a politician, or at least remain one, without being an idealist.

Must we then conclude that we were all idealists to begin with but that only a few of us have remained so to the end?

Not at all; the only difference was one of pace. There were the sprinters who thought the goal could be reached in one sharp burst, and we, the plodders, handicapped by our sense of reality, who saw it at least two laps away. But we were all lined up at the start. This is why we spent so much time in studying the various proposals—in the main three—submitted to us.

Mrs. Probst, a member of the Working Party—and I am sure she will return to this point—proposed a mixed electoral system, guided in the first instance by procedure followed in Bavaria and Luxembourg. Under this, every voter would have two votes. The first would be cast for a list of candidates—entered by a particular party in a fairly large constituency (*Wahlkreis*)—on which voters show their order of preference; the second could be given for a specific candidate in another constituency (*Stimmkreis*). In this way proportional representation based on the voters' order of preference (party list system) is combined with the majority system (election of candidates in single-member constituencies).

Some members of the Working Party were in favour of this system ; they thought it satisfactorily combined the virtues of proportional representation and of the majority system. It would indeed permit the various shades of political opinion in a country to be proportionately represented in the Parliament. Again, the voter would be able not only to choose between the ideologies represented by the various political movements but also to express his preference for an individual candidate in a single-member constituency.

Other members of the Working Party felt that this mixed system might be too complicated for countries whose electorate is used to a simpler system.

During the discussions in Rome, Professor Schepis, an Italian expert on electoral law, proposed an alternative system. This system has a number of points in common with those contained in Mrs. Probst's proposals. It takes over the main features of the electoral system at present in force in the Lands of the Federal Republic of Germany. Professor Schepis also submitted a wealth of technical details to facilitate appraisal of his suggested procedure.

Broadly the same criticisms were levelled at this procedure, and the advantages claimed for it, as at the system suggested by Mrs. Probst.

Finally, an entirely different system was proposed by the Dutch expert on electoral law, Professor van den Bergh. This system, known as the 'single transferable vote', is at present in force in Ireland and Tasmania and is used for local government elections in a number of American States.

Broadly speaking, the voter has as many votes as there are candidates for election in a particular constituency. These votes are not, however, of equal value, but subject to an order of preference. Under number 1 the voter enters his first preference, and under number 2 the candidate—either of the same or of another party—whom he would like to see elected if his first preference fails to poll the requisite number of votes ; and so on down the list.

Mr. van den Bergh argued that this system was the only one which would secure a mathematically proportionate relationship between the number of votes cast by the electorate as a whole and the composition of the assembly to be elected.

Some members of the Working Party approved of this system because it is not in application in any of the member States. Consequently it could be brought home to voters that elections to a European Parliament was something quite new. The overwhelming majority of members of the Working Party and of the Committee on Political Affairs were, however, opposed to this system. Far from being an advantage, they felt that the fact that the electorate in the six countries were not familiar with this system was a disadvantage. They also pointed out that the single transferable vote would be hard to apply in countries where voters are used to a simple electoral system. Finally, the count—even if carried out in one place by means of electronic computers—could take at least three days.

In the end, the Working Party and the Committee reserved their opinion on this electoral system because it had not been demonstrated mathematically that it would not act in a way favourable to anti-European tendencies.

The question is, on what grounds was none of these three plans, or some other uniform system, accepted ?

The main reasons, apart from those given above, can be summed up as follows :

1. The choice of an electoral system is not so much a technical matter as one of principle, as Professor Hermans, the well-known German expert pointed out to the Working Party.

Indeed the points at issue relate to democratic structure. Proportional representation encourages or maintains the existence of a great many political parties. Under the majority system, on

the other hand, political movements tend to regroup into only a few main parties. Then again, the idea that is entertained of the assembly to be elected also counts. If it is desired that it should provide the most faithful reflection of the wishes of the electorate, then proportional representation would appear to be the answer. If, however, the emphasis is placed on a strong and homogeneous government, then the majority system would seem to have advantages.

Electoral laws reflect the traditional ideas on this point prevalent in the various countries. And traditional ideas are political phenomena that need to be handled with kid gloves.

2. Broadly speaking, there are three district electoral systems in the Community. Four countries have proportional representation either in a pure or in a slightly modified form, i.e. Belgium, Italy, Luxembourg and the Netherlands. France has a majority system whereas for elections to the German Bundestag a mixed system is applied.

The experts and politicians consulted by the Working Party favoured the same system for all member States, but immediately added that they could only accept a system of this kind if it were broadly on the lines of their own national system.

This, Mr. President, is a well-known European phenomenon. All agree on the need for a common policy—at the moment the parallels with agriculture are truly disturbing—and for only one European policy, but always on condition that it remains as close as possible to their own.

It is in this sense that everybody has been, and remains, European ; but as soon as this Europe begins to take shape so do differences in outlook emerge.

These are the main objections ; they are much more political than technical in nature and thus have far greater impact on the lives of the people. These difficulties have led us to work out a realistic arrangement under which every member State will remain responsible for its electoral system during the transitional period, and it will be for the directly elected European Parliament to decide how its own members shall be elected.

There were three arguments in favour of this :

1. In any modern democracy it is one of the inalienable tasks of the parliament to establish an electoral system, if necessary in co-operation with the executive authority. It is my view that we ought not to violate this clear democratic principle at the European level ;
2. In carrying out this task, the Parliament elected will be able to take advantage of the experience gained in earlier European elections ;
3. Technical difficulties, which should not be underestimated—changes in electoral rolls and boundaries that may prove necessary—make lengthy preparations necessary. This is why the Working Party and the Committee on Political Affairs recommend that, once elected, the Parliament ought to get on promptly with the work of drawing up a uniform regulation on the subject.

Thus, although the choice of an electoral system remains with the member States, the draft Convention proposes a number of principles that may be regarded as European components of the uniform procedure called for by the Treaties.

I am merely summarizing them because each of them is described in more detail elsewhere in this report :

1. The procedure to be adopted on a seat becoming vacant to avoid by-elections ;
2. The minimum voting age : between 21 and 25 ;
3. Minimum age for eligibility : between 25 and 30 ;
4. An independent date for European elections not coinciding with national, regional, provincial or local elections. Almost all the national experts consider that the financial difficulties attendant

on elections ought to take second place in view of the political importance of European elections held everywhere on the same date ;

5. Centralized machinery for refunding part of the election expenses, on which the present practice varies widely among the member States. In France, for example, the State refunds not only the costs incurred by candidates for printing circulars and posters but also the cost of printing ballot papers. In other countries the State defrays the cost of all printed matter except circulars and posters. These countries thus have no system for refunding certain election expenses incurred by candidates.

We want in this way to observe the democratic principle that not a single candidate or list ought to be excluded because the candidate or party is unable to bear the expenses of standing for election. Moreover, the sheer size of the constituencies necessitated by direct elections to the European Parliament make such a refund essential. Lastly, any discrimination between candidates for a European and candidates for national elections would be intolerable. The last-mentioned features form the essentially European nucleus of the draft Convention.

It could be said with justice that this does not amount to much. It would be wrong, however, to couple such a remark with a feeling of disappointment with the work of your Committee, or even with a slight measure of criticism, as it is not the Committee that is to blame for all this but the political situation in Europe for which we are all responsible.

If I may add a personal comment, it is that the development of European unity is becoming more and more of a technical problem which, since the European citizen can no longer grasp it, has ceased to interest him. A directly elected European Parliament could, we hope, impart a strong impetus to the spiritual integration of Europe ; politics, in its widest sense, serving as the link between all these technical aspects.

It will not be until our European Community has achieved this degree of spiritual unity that people's minds will be sufficiently prepared for a single electoral system devised and based on a central concept. Only then will the future European Parliament be able to decide on the introduction of a completely uniform electoral system.

In my opinion, it will be time enough then to talk of 'the most uniform system possible'. Indeed we must try to make sure that some sections of the population in our Community are not kept away from the polling-booths simply because, in a spirit of well-meant idealism, we impose upon them a centralized electoral system which is out of key with their traditions or way of thinking. These differ from country to country and in many cases ought to continue to do so.

The yearning for freedom underlying the faith of our peoples in national institutions and traditions will not operate at European level until they can see that the European edifice we are engaged in building is going to give them the same freedom and prosperity, and that this edifice is worthy of the same faith.

The grave danger that threatens us is that of perfectionism. We want a perfect system in a perfect Europe. Yet it is better to have a system that works well in a less perfect Europe because then we can help this Europe forward towards the ultimate objective : the best possible political society for the best possible citizens of Europe.

**Mr. Metzger, Rapporteur.**—(D) Mr. President, Ladies and Gentlemen, I am very glad that the report I have to submit to you is only a short one. All of us, both on the Working Party and on the Committee on Political Affairs, agreed that, in discussing European elections, we could not leave out of account the associated overseas territories. We discussed this matter both in its legal and in its political aspects. In this oral report I will not discuss the legal details, for which I would refer you to my written report.

From a political point of view, we were agreed that we could not go on indefinitely regarding the associated territories and their peoples as mere objects of EEC policy, but that they should progressively acquire the status of legal subjects in their relations with the Community. At the time the Treaty was concluded the overseas territories were, to all intents, mere objects, being represented by their respective home countries. There was no possibility of asking them if they wished to be associated. They were associated at a time when their condition was purely passive.

Yet since the Treaty was concluded enormous changes have taken place. We are all aware of this. Some of these associated countries have since become sovereign States. Others are half-way to becoming so. This very year we shall see fresh territories, such as the vast area of the Congo, attaining sovereign status.

This state of affairs must be borne in mind. The Working Party and the Committee on Political Affairs agreed that the status of these territories would have to be changed, not only because of the force of events but also because they wanted this and because it seemed fair and desirable. They felt that the overseas territories ought to have a joint say, and share responsibility, for any decisions.

In this connexion we had first to examine the legal question whether the population of the overseas territories should vote in the European elections. The conclusion we came to was, quite simply, that this is not possible under the terms of the Treaty, which permits only the peoples of the member States to elect the Parliament.

Far from finding this conclusion unfortunate, we felt it reflects the relationship between the EEC and the associated territories. The EEC is a self-contained Community. It enjoys legal personality and is a subject at international law. The overseas territories are associated with, that is, affiliated to, this Community. They are not, however, simply an appendage to the EEC. The relationship should be seen as one existing between two partners: on the one side the EEC, and on the other the overseas territories, which we hope to see develop one day into a community capable of representing itself.

In carrying this line of thought further, we were only echoing the Parliament's own declarations and what had already been discussed on other committees. The special delegation that visited Central Africa last summer had already concluded that the African and other overseas territories could no longer be regarded as mere objects and that support would have to be given to their development, ultimately also in the political sphere. Mr. Duvieusart's report, which was approved by the Parliament, sets out these ideas, and on the Working Party we have again clearly endorsed them together with the proposals made in the report.

I repeat: the EEC is a self-contained unit possessed of legal personality. Opposite this Community stand the associated territories—not, of course, as enemies but as partners. It was on this assumption that we set out, and this partnership ought to be given practical form.

If, for legal reasons and because of the structure of the EEC, the associated territories are unable to take part in elections to our Parliament, they must be given an opportunity of giving expression to this relationship between partners. This means that they must be able to get together at parliamentary level and thus become a partner in the dialogue with our Parliament, the Parliament of the EEC.

This idea has, in the meantime, taken firmer root. Proposals have been made that a start should be made at once, both at parliamentary and at governmental level, on these talks between two partners, each and jointly responsible. There is certainly no lack of arguments, and no lack of points for discussion, to justify holding such talks. For example, the way the association is to be organized and the future of the Development Fund are matters of particular concern to the overseas territories, and, like the Parliament, we hope that the overseas territories will be present as independent partners sharing responsibility.

We therefore expressed the hope that once the European Parliament was elected—and in the meantime progress has been made and we are already in a position to do something—it should attend a suitable parliamentary assembly of the overseas territories at least once a year, to discuss and decide on matters of common interest at parliamentary level.

In the declaration of intent we are submitting for approval by the Parliament we have deliberately adopted a cautious approach. We say: 'The European Parliament declares itself ready to attend a joint meeting, at least once a year, with parliamentary representatives to be appointed by the overseas countries and territories ...' The phrase 'declares itself ready' was specially chosen to convey that we were neither demanding that such joint meetings be held nor asserting that they ought to be held, but leaving the decision to the overseas territories. We have no wish to keep them under surveillance or to drive them on; all we want is that they should have an opportunity to set up a Parliament of their own.

We said that parliamentary representatives should be appointed by the overseas territories under conditions reflecting the will of their peoples. In the statement of intent we made it quite clear that we not only respect the personality, independence and responsibility of the overseas territories but should like our Parliament to be willing and able to hold at parliamentary level, with a partner of equal standing, discussions aimed at reaching decisions serving the interests of both parties.

We believe that in all this we are setting out on a course of great political importance—one, incidentally, already mapped out by the European Parliament. Its outstanding value will lie in establishing between Europe and Africa and the overseas territories in general a relationship of friendship, mutual trust and responsible co-operation. This was the idea behind our statement of intent and—as I said before—I am delighted that on this point members of the Working Party and of the Committee on Political Affairs saw completely eye to eye.

**Mr. Vendroux.**—(F) Mr. President, Ladies and Gentlemen, I have the honour to submit to you, against the general background of today's important debate, a draft amendment which, if approved, would, I think, increase the significance and scope of European elections.

It is not so long since the idea of organizing European elections appeared to be a mere abstraction. I am sure that at the time the Treaty of Rome was being signed, the rosiest optimists in our midst would have been astonished to be told that our Parliament would be tackling the problem in a practical way as early as in 1960.

It is worth dwelling for a moment on the speed with which the situation has developed, for the fact that we have reached the stage where these elections are one of tomorrow's realities is one of the surest proofs that Europe is in the process of being formed. But the stakes are too high, and the game—let us admit it—is too fine for us not to play our trumps wisely.

In the course of the years, sections of the general public, varying in size from one country to another, have given ear to criticisms that tended to limit the Communities to a Europe of politicians existing side by side with a Europe of technicians. The peoples, or some of them at least, have not allowed themselves to be carried away by the ideological nature of the growth of European solidarity. Although attitudes have gradually been influenced by the way the Economic Communities have gained breadth and depth, the general public is still mainly impressed by whatever gives it the assurance, or hope, that the experiment serves, or will eventually serve, its material interests. Our Rapporteurs clearly grasp this when they write:

'What is largely lacking in the European Communities—and this has been stressed by others—is popular support, awareness on the part of the peoples of Europe of their solidarity, a shared realization that the national framework is too cramped and that if Europe is to have any sort of future at all, it can only be in the Communities.'



The election of the Parliament should thus be a salutary shock to the peoples of the member States. Only from conscious participation can spring the will required to see the Community venture through despite all the contingencies, divergences and sectarian attitudes of the moment.'

I heartily agree but I would not go as far as the Rapporteurs ; at all events I am not quite so sanguine as fully to endorse their view that :

'These considerations bring us back to the fundamental principles of political science, to the very roots of the democratic system which is the basis of our civilization. For we know and practise, under various forms, only one means of expressing the popular will and of associating the peoples with the running of public affairs—namely, free elections.'

Personally, I think that European elections must be held fairly soon and I support the general principle underlying the draft Convention submitted for your approval. If I do not fully share the views of the Rapporteurs regarding some of the provisions, among them those concerning the distribution of seats, it is not my intention in a speech which—in response to the President's wish—I want to keep short, to dwell, in today's general discussion, on this or that specific provision. I wish to stick to the main point, namely, that European election will certainly provide the firmest foundation for Europe. Permit me, however, to express my conviction that these elections will do irreparable damage to European development if they turn out a failure, regarding which Mr. Maurice Faure, a few moments ago, voiced his fears, if not his expectations. The danger, in short, is that the elections may proceed here or there in a climate of indifference and that the percentage of abstentions may be too high in certain areas. This is something we do not want : the elections must not be allowed to fall a prey to apathy or—even worse—to ridicule.

What authority could the first elected Europeans hope to have if—in countries where voting is not compulsory—they represented only a third or a quarter of registered voters, the remaining two-thirds or three-quarters having gone fishing or on an outing ? Far too often, in some politically highly developed areas of our respective countries, important elections marked by a spirit of the keenest rivalry have drawn a mere 60 per cent of the voters to the polling booths. It is not unreasonable, therefore, to fear that European elections, which have so far not exactly fired the imagination of the masses, may bring only a handful of people to the polls.

What increases the risk is that suspicion and disappointment may lead some electors to regard the elections as something artificially contrived by politicians. Let us not delude ourselves ; the fact that we ourselves are increasing the number of parliamentarians is liable to be highly unpopular. We all of us hear so much on this subject !

Does this mean that we should put back the date of the European elections ? I do not think so. On the other hand I am convinced that to allay any suspicion among the public that elections not of their choosing have been forced upon them, they must be given an opportunity of deciding for themselves as to the desirability of such elections by subjecting the proposed Convention to a general referendum. Then, and only then, will the peoples—to use the wording of the report—be associated with this undertaking ; they will grasp what is at stake and will make known their will. As stated elsewhere in the report, 'it is only fair that they should do so because it would be out of the question for measures of such vital concern to them to go on indefinitely being taken without their direct participation. Men in the twentieth century are not objects but subjects at law.'

If the great majority of the voters are to take a direct interest in such elections, the decision to hold them must, when all is said and done, be taken democratically by the peoples themselves. Europe must be neither imposed upon them nor even something to which they merely assent ; it must be something they both want and decide.

But, some of you will tell me, such a referendum would raise two kinds of delicate legal problems : Article 138 of the Treaty and some difficulties involving perhaps the constitutions of

the member States. This is possible, I admit, but I think these problems can be solved by men of goodwill.

What does Article 138, so often read and re-read, in fact say? I shall read it out once again: 'The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

'The Assembly shall draw up proposals for elections by direct universal suffrage.' My proposal is, in fact, only a plan that would 'permit' direct elections to be held. I would even go so far as to say that this proposal lends considerable strength to the notion of a 'green light'.

Further on the text adds:

'in accordance with a uniform procedure in all member States'.

The procedure I propose is uniform. I should like to dwell for a moment on this point.

Why are our legal experts so meticulous about my proposal when they have without further ado ignored this requirement of Article 138 in the Convention submitted to us? Learned though the explanation given by Mr. Dehousse may be, the question remains, I think, highly debatable.

This leaves us with the main objection that can be levelled against my proposal: referendums are not provided for in the constitutions of some countries. This is true; first of all, however, it must be acknowledged that the constitutions of the member States were drawn up and adopted for domestic use, in general at a time when there was no question of extending national provisions to a broader entity.

Let us accept, however, that the guardians of constitutions that make no provision for a referendum are opposed to a procedure they regard as clearly unconstitutional. I am not asking them to prove that the absence of such provision implies a ban on referendums. I would not have the cheek to become involved in interpreting the constitutions of allied countries, that of my own country sufficing to keep alive my interest in these problems.

To my knowledge, however, public opinion polls have never been prohibited in any of our free countries. In the absence of a constitutional referendum, therefore, it would no doubt be possible, in countries whose constitutions make no provision for a referendum, to sound the opinion of all the electors. The moral significance would be the same.

It is with these considerations in mind that I have the honour to lay before the Bureau of the Parliament an amendment that will be submitted to you in due course. I am convinced that its adoption would be of immense help in preserving the quality and vigour of the common European policy we are determined to pursue.

**Mr. Metzger.**—(D) Mr. President, Ladies and Gentlemen, we were in agreement on the Working Party and on the Committee on Political Affairs as to the need for direct European elections. To avoid any misunderstanding, I should like to emphasize that I too am in favour of such elections. But this does not mean that we can close our eyes to hard facts. It is our duty to look these straight in the face.

I realize of course that the natural eagerness with which this problem is approached sometimes leads people to brush facts to one side, as Mr. Dehousse, in his capacity as Chairman of the Working Party, is and has been, perhaps, obliged to do. But yesterday, as Rapporteur, he allowed

his unbounded enthusiasm to carry him a long way beyond the limits normally set to someone acting in that capacity.

If, however, we feel it our duty to build Europe, it is equally our duty to draw attention to the facts. First, there can be no doubt that the structure of the European Economic Community is not everything it should be. We have seen that the national Parliaments have ceded certain powers, not to one operating at a higher level—our Parliament—but to an institution of a quite different kind, i.e. an executive authority.

I am not exaggerating when I say that this amounts to distorting the principle of the separation of powers. It is not by chance that in our democracies this principle is regarded as a highly useful one. Although it has not been applied slavishly, we have always seen to it, in our national democracies, that there should be a wide variety of powers, one acting as a check on the other, and that the legislature does not interfere in the executive's work and vice versa.

Yet this is precisely the case in the EEC Treaty. Matters falling within the Parliament's province are left for the Councils of Ministers to decide upon. The Councils have become legislative bodies and all the Parliament can do is to stand helplessly by. At most it can exercise very limited supervisory powers. Even its supervision of the work of the High Authority and the Commissions is open to doubt because this too is subject to qualified majorities.

We want European elections and we want them to be direct. There is no doubt about that. But what is it we want to elect, and for what purpose? I do not think this is a question we can simply ignore. Some people are so fascinated by the idea of direct European elections that they no longer consider what they are designed to achieve.

If the elections are conducted on the basis of the Treaty, we shall be asking the peoples of Europe to elect a parliament which in fact will not be a parliament at all. These are the facts.

We are faced with a dilemma. Either we spin a tale to the voters, telling them what they are being asked to elect is a really grand affair, and that they will then see meeting in Strasbourg, or in some other European capital one day perhaps to be decided upon, a parliament that will carry out grandiose European tasks. If we say this—let me be quite frank about this—we shall be lying to the electorate. Later, disillusion will inevitably follow. The electors will then wake up to the fact that the body they have elected, though it calls itself a parliament, has nothing to say and is quite incapable of getting really important things done.

If it is retorted that this Parliament has certain legislative powers, as has been demonstrated in the social sphere, I can only say that the very existence of this modicum of power proves that, in other respects, the Parliament has no legislative power at all. Indeed, the trifling nature of the legislative power possessed by the Parliament clearly shows the real position it finds itself in. The electorate will not be long in noticing this.

What then shall we have achieved? We shall have aroused the people's enthusiasm for Europe and kindled illusions in them. The disenchantment that must follow would be frightful and inevitably it would be the European idea that would suffer.

Or else, Ladies and Gentlemen, we could tell the electorate the truth. You must—we would tell them—make a real effort to go to the polls. You must enlist the help of your friends and others in ensuring that the European Parliament is elected. But this European Parliament is, in fact, a highly doubtful affair.

Can we seriously believe that, in this way, we shall be able to stir up enthusiasm for the European idea? For this, after all, is the declared aim of such elections. No, any such attempt would be doomed to fail. All we would get was a Parliament elected by a handful of people who would in any case have gone to the polls, and the Parliament elected would therefore not enjoy much prestige.

Now, the advocates of elections at any price, cost what it may, argue that 'This is all very well but you do not see the realities. It is we who are the realists. If the Parliament is elected by the people it will have such prestige that it will acquire its powers as a matter of course.'

Now I regard 'realists' who talk like this as dreamers. My friend Mr. Dehousse spoke yesterday about minimalists and maximalists. I do not want to argue about where the maximalists and the minimalists are sitting. I should much prefer it if this idea were not introduced into the debate. It reminds me too much of the distinction between good and less good Europeans.

I would say that those who voice doubts do so in Europe's interests and not merely to oppose something. They voice doubts in order that the European idea may not be debased. It does seem important to me that we should have people in this Parliament capable of sober reflection and of expressing their objections in a level-headed way.

What are we to make of the assertion that the Parliament will only obtain powers by virtue of its being directly elected? I think we are all agreed that these powers will not fall from the skies but will have to be fought for. I share the general view that our Parliament should already be battling for extra powers. It too should be trying to get its powers widened by means of consuetudinary law.

Mention was rightly made of the Common Assembly of the European Coal and Steel Community, which succeeded in acquiring certain new powers. But do not forget, Ladies and Gentlemen, that these powers belonged to no one and were, so to speak, there for the picking. The only question was who would be the first to grab them.

But we are not in the same situation. We are concerned mainly with legislative powers, and more especially with budgetary powers, which also fall within the province of the legislative authority. These powers are in the firm grip of others. And where else in politics does one see tightly clutched powers relinquished without a struggle?

Now, the Treaty expressly invests the Council of Ministers with legislative powers, while allowing the Commission a say in these matters. The Parliament, however, is not brought into the picture.

It is argued that once the Parliament is elected the Councils will probably be quite willing to hand over their powers to it. Such a view says a lot, I must say, for the good faith of those who hold it. But if the Councils realize that the Parliament ought to be given legislative powers, why are they not now prepared to hand them over to it? Why wait for direct elections?

I hold the opposite view. Experience shows that elections are followed by a period of calm. The Councils will then ask themselves why they should give up such convenient powers when it is so much easier for them to take legislative decisions themselves—in short, why, unless forced to, make over these powers to the Parliament?

Then there are others—whom I would describe as the real romantics—who hold that the people will eventually force the Councils' hand. But how? Is it seriously believed that the people will rise up in Rome, Paris, Bonn, Brussels or elsewhere solely to oblige the Councils to cede their legislative or other powers to the Parliament to whom they rightly belong? No one can really believe this.

We know too well how—in democracies too—public opinion can be influenced, and also the grounds that can be invoked for getting round it. I do not believe, therefore, that the Parliament's powers can be changed by pressure of public opinion. In any case, if it were possible, the public could do something about it right away. But there is not the faintest sign of such a development.

The powers could be changed if a Parliament qualified to draw up a constitution were elected. There is no doubt that this is quite out of the question. The Treaty offers no scope for this. We

could make no headway in that direction ; if we could, we could also alter the constitution, i.e. the Treaty, without further ado.

Alternatively, the Treaty might be amended through negotiations, first with the Councils and then with the national Governments. But here again, if this is possible now, why wait till later ? I even think that the fact that the Parliament is ready to organize direct elections once its powers have been modified, increases the likelihood of something being achieved.

My friend Mr. Dehousse says that if you ask for everything you get nothing at all, and that if you are not for general democratic elections you will have neither elections nor powers. This means that we must be ready to indulge in an indirect form of deceit by organizing direct elections, knowing full well that we cannot count on any change in our powers.

This appears to me extremely risky. As I have said, a backlash among the public would be the inevitable result. The consequences for the democratic idea would be equally unfortunate.

The fact that there have for so long been professedly European Parliaments which, basically, have really got nothing to say, is of itself liable to vitiate both democracy and democratic feelings. In the long run, nothing good can come of the fact that hundreds of men and women meet, in a spirit of democratic understanding and will, to do no more than make speeches without deciding anything. Democracy cannot but suffer. I should like to ask you to think seriously about this.

If I proffer objections, it is because I think that we are putting both the European and the democratic cause in jeopardy.

There is one more point. I come from the Federal Republic of Germany. We are struggling with the East to secure free elections for the whole of Germany. Yet to show the East that free and democratic general elections can be held for something that is basically of minor importance is to set the worst possible example.

In our approach to the East are we not exposing ourselves to a serious danger ? Might it not take it into its head to accept free elections, provided they were for nothing more than a European Parliament which they felt had not a thing to say ? This is perfectly conceivable. This is a matter that concerns not only Germany but also Europe and the entire free world.

We should avoid venturing into deep waters by calling upon the masses of democratic voters to give its verdict on something which cannot in fact have much importance while it lacks the necessary powers.

I think that we should give this matter a good deal of thought. It is quite easy to race ahead towards Europe and, in the process, to miss our target altogether. This is a real danger. I am all for enthusiasm and can myself become enthusiastic about many things. But we must still look soberly at the facts and weigh up the consequences of our decisions.

This has nothing to do with being a 'minimalist' or a 'maximalist', or a good or bad European. These objections spring from a responsible attitude to democracy.

We are also told that the Treaty expressly requires us to establish an electoral system and to see to it that elections are held.

Put this way, I don't think this statement is correct. Legally, it is open to debate. Article 138 of the EEC Treaty, like its equivalents in the other Treaties, does not say when these elections are to be held. All it says is that they shall be held. It is for us to examine subject to what conditions they should be held and to ensure that these conditions are met.

Apart from this, the Working Party and Mr. Dehousse agree that Article 138 does not amount to an order to be executed immediately and unconditionally. Article 138 does more than simply say that an electoral system must be worked out. It stipulates that the elections must be conducted

in accordance with a uniform procedure. Now the electoral system does not make provision for such a uniform procedure, and this for plausible reasons. But one cannot proceed on these lines unless one admits that there is no legal obligation to hold immediate or complete elections. In the present case, the advocates of the draft Convention want elections held as soon as possible but only partially. The mandate given by Article 138 is not wholly carried out.

There is another point. We say that we must stick to the Treaty, that we should not seek any change in it, the time for this not having arrived. In fact the draft Convention already involves a change in the Treaty not provided for in Article 138, namely, the establishment by the elected Parliament itself of an electoral system.

This recognizes the elected Parliament's legislative power in one particular matter. And if we believe it possible to obtain legislative power for the Parliament, I do not see why we cannot go further, why we cannot challenge the Councils of Ministers and the Governments and wrest wider legislative powers from them so that our Parliament can really carry out its parliamentary functions.

There is another reason why I find it hard to accept this draft Convention on elections. Mr. Faure has dealt with this question. The Working Party and the Committee on Political Affairs proposed that the membership of this Parliament should be tripled. I have serious objections to this. Mr. Faure—as skilful in his choice of the telling phrase as he is in marshalling his arguments—dwelt on the need for the smallest possible constituencies. These alone, he maintained, would render an election campaign feasible, so that the new Parliament ought to include as many representatives as possible—more than 400, i.e. 426.

Now, all this sounds very plausible ; nor will I deny that there is something in it. But even if the new Assembly has three times the present membership, we shall still have constituencies far larger than those in our national elections. Even if we triple the number of representatives, we shall still have constituencies of about 600,000 people.

There can be no doubt that we must conduct the electoral campaign for the European Parliament on lines quite different from those adopted in national elections. We would, I think, be deluding ourselves if we thought otherwise. We ought to cudgel our brains as to how an electoral campaign for a European Parliament should be organized. The progress made in science and modern techniques offer us ample enough means and we must—not only should but must—make use of them.

The crucial question is not whether a constituency would contain 600,000 or even 900,000 inhabitants if the number of representatives were doubled. Compared with the other matters that have to be considered, this question, though not unimportant, is a secondary one.

What should exercise our minds is the thought that if we triple the number of representatives in our Parliament—as it is, look at all of us here now, and if we were all here it would be even more impressive—we shall not be creating a parliament but a vast heap of men and women. I am being blunt, and deliberately so.

We all know that this Parliament, with its four languages and representatives from six countries, already has difficulty, for purely technical and linguistic reasons, in bringing about the necessary understanding. When we meet here in plenary session or on the committees we have our head-phones and each can understand what the other is saying in his language. But we old parliamentarians, we know that the plenary sessions and the committee meetings are not everything, but that explanations given in personal conversations in the lobbies are an essential part of the Parliament's work. This is true of all parliaments and must be the same in a European one.

In this Parliament, which we can take in at a glance, there are enough men and women who can understand each other, even if at times with some difficulty. By tripling the number of representatives we should greatly increase the number of those who could not understand or make

themselves understood and would therefore be unable to follow our proceedings. This would lead to a very dangerous state of affairs. A parliament must be made up of members who co-operate actively and who share their responsibilities. The more lumber it carries, the harder it will be for it to work efficiently and the more likely is it to respond to pressures and to be misused.

It is all very well to cite other parliaments with perhaps as large a membership. What is forgotten is that in these only one language is spoken, so that all members can understand each other and things go much more smoothly. But if in a Parliament where four languages are spoken, we bring together 426 people, I should like to know how things would really work out.

We should therefore consider whether it is not our responsibility to elect a Parliament endowed with powers and capable of using them, and not placed in the terrible situation of being used for heaven knows what purposes. That such a danger exists no one can deny. I think that this danger is greater than that of having to conduct a difficult electoral campaign in an outsize constituency. Such a campaign would, I believe, be perfectly feasible, however difficult it might be. But a parliament as large as that proposed would not work or be able to shoulder its responsibilities.

We should also, I feel, consider the views of the man in the street. Ask him what he feels about tripling the membership of the Parliament at one fell swoop. He would, believe me, be anything but delighted. The man in the street would prefer us to show restraint. True mastery lies in exercising economy. This is the view of our peoples, or at any rate that of the people of my country whom I think I can claim to know very well.

These psychological factors must also be borne in mind.

This, then, is my opinion: yes, let us hold European elections, direct European elections by universal suffrage. But we must take steps to ensure that the necessary preconditions are brought into being.

We are accused of lacking faith. Allow me to return the ball to the other court. You do not believe that we can succeed in changing the Treaty, in changing the structure—the unfortunate structure—of the EEC, of the European Communities. Whoever has so little faith must despair of any further progress. As for myself, I believe that it is those who are prepared to fight for conditions that are reasonable and necessary who display the greater faith. I count myself among those who strive, and intend to carry on doing so without flagging, for a Europe founded on a sound and solid basis. We must not construct a building on shaky foundations, a building that will one day totter and collapse in ruins.

I beg you to consider very carefully whether you really believe we can build a Europe—even if, to start with, it is only a Europe of the Six—if its parliament assumes non-existent responsibilities and nourishes the insidious hope that—be it out of charity or mercy or for some other reason—it will be granted powers to enhance its prestige that it cannot—or so it is asserted—at the moment obtain?

I at any rate believe we have done a good job. There can be no doubt about it. All the men and women who have taken part in it have given of their best. Despite our sometimes heated arguments, we have always worked together in a friendly spirit. But we should try not to hush up our differences. We should not pretend no objections exist. We should not bury our heads in the sand but should look facts in the face and act accordingly.

This is why I want a strong parliament, a parliament modest in numbers but ready to make its demands where it can assume responsibility and do a useful job.

Mr. Smets.—(F) Mr. President, Ladies and Gentlemen, our Parliament has not, I regret to say, so far had an opportunity of discussing this question. A Working Party has been engaged

on it a very long time but apart from this Working Party and the Committee on Political Affairs, there are a large number of members who are keenly interested in this question and I am among those who feel that we are about to take a hasty decision.

It would be better to put off a decision at this stage because this issue raises too many problems and conscientious members ought to have an opportunity of stating their views.

Mr. Dehousse himself points out in his report that the Parliament instructed to draw up the plans ought, before going into implementing measures, to choose the moment at which to exercise the initiative conferred on it.

Mr. Dehousse made it clear that the Working Party began its work convinced that the time had come to move on to the final stage. My own conviction is quite different, and I should like to emphasize that the Treaty empowers us to work out plans. I should at least have appreciated it if the Committee on Political Affairs had produced a general design showing how far it was desired to go in the initial stage and indicating the stages to follow.

In fact the Working Party and the Committee acted as though their task was fully accomplished with the submission of the draft Convention.

Certain arguments have furthermore been brought forward which are, to say the least, speculative. I should, for my part, like to keep to the essential issue which, I feel, is a problem of parliamentary democracy.

It is a fact that when the Parliaments ratified the Treaties, they ceded some of their prerogatives and delegated some of their powers.

But to whom? To a supranational Parliament? No, to members of national executives! This is something we must change. I belong, it is true, to a Parliament which has from time to time delegated powers, but this has always been for a limited time. We must tackle this issue without delay.

There was a time when, for reasons of expediency, we accepted this rough and ready arrangement although we did stress it was just that. We who want the European Community to become a reality had to accept the harsh terms of those who want to do the least possible. The Treaties reflect the lowest common denominator of governmental views. A Community has not yet come into being, and in this respect as well as in regard to the Parliament a great deal remains to be put right.

I am delighted to see that the French text of the draft Convention speaks of elections by direct universal suffrage. When we achieved this in Belgium, we spoke of universal suffrage pure and simple. We have reached a point where constitutional provisions are no longer a dead letter but where all power is actually derived from the people. Elections must be by universal suffrage pure and simple for a Parliament which should have not merely something but everything to say.

The preamble to the draft Convention wants the European Parliament to be based on the freely expressed will of the peoples. Hence, if the sovereign people freely expresses its will and elects you, you ought to have the sovereign rights and powers of a Parliament. It would be deceiving the elector and the peoples to go back later to them and explain: 'We should have very much liked to have done this or that but the Treaty reserves this matter to the national ministers.' Do not therefore say: 'Look at what we could achieve if we had a Parliament elected by universal suffrage!'

The struggle for parliamentary prerogatives has been going on for centuries. Why accept now, for a European Parliament, a status lower than that of our national Parliaments? This would be a singular kind of progress.



If I may paraphrase a famous man, I should say that although no one should expect to get back something he has given up, we must persevere in our efforts to restore its rights to parliamentary democracy.

The situation must be remedied. I belong to a party whose general council has decided that this must be done forthwith. This calls for a revision of the Treaties, and this must not be introduced through the back-door. Let us not resort to dodges because, no matter how smart we may be, our proposals go to the Council and the Council is wily enough to outwit us. After that, the Parliaments will have to ratify them. Let us go in then by the front door.

It would be better if we could have, either now or as soon as possible, a draft Convention reflecting our standpoint and our wishes. Let us not forget that once this draft leaves this assembly we shall no longer have any power in the matter. We shall then have to put our trust in the ministers.

The Treaty states that the 'Council shall unanimously decide on the provisions which it shall recommend to member States for adoption.'

In his report, Mr. Battista, aware of this danger, tries to reassure us and to allay his own fears when he says :

'It is hard to believe that the Councils could depart appreciably from a proposal by the Parliament without consulting the institution directly concerned or without stating its reasons and discussing the wisdom of any amendments made.'

These are mere wishes ! We must be on our guard against pious wishes and not forget that the draft provisions drawn up by us, as European parliamentarians, are issued by the Councils and submitted to the national Parliaments without our being able to do anything else but say yes or no. No amendments are then possible.

This is why we should not try to be too clever. We should not forget the serious obstacles that ministers can put in our way and how easy we would be making it for them. The ministers made the most of their position in Rome and they will not willingly give up what they gained from the parliamentarians, for it would appear, as a general rule, that the characteristic feature of ministers is to want to minimize the Parliament's powers and curtail its scope for action.

We have delegated powers, Mr. President. We must put an end to this delegation of powers. If not, we may be accused, and even guilty, of surrendering parliamentary prerogatives.

It would not be difficult to think up some good jokes on the subject of our Parliament's powers. If I resist the temptation it is partly because it is getting late, but there are other reasons. The main one—and here I am falling in step with Mr. Metzger—is that we should not give a false impression to the peoples, in whose hands sovereignty lies. In his report Mr. Dehousse included a remark which Mr. Vendroux has just quoted : In this age people are not mere objects but persons invested with legal rights. If they are no longer objects it is because they can make up their own minds. We ought therefore to stand in dread of their opinion if we persist in an attitude that would lead us to give up the struggle.

We should not pursue seeming satisfaction of our demands because if we do, we shall simply be strengthening the hand of the Councils, and this could interfere with economic integration.

It is gratifying to note that Mr. Dehousse takes this into account in his report, although he does not set out the full implications :

'The focal point is the Council of Ministers which, for all the legal formulas, remains a conference of national ministers answerable to their respective Parliaments. We are not sure, as others are, that the Council can evolve towards a form closer to the Community concept and ultimately become an actual institution of the Community.'

And it is to this Council that we would submit a proposal which falls short of what we would like to achieve ! You may be sure that you will get far less.

I cannot resist quoting our friend Mr. Dehousse once again :

'The connexion between elections and the powers of the Parliament is too obvious to need underlining.'

Nevertheless it is still worthwhile to make an effort to strengthen these powers, but it appears to me that some of the champions of the draft Convention are befogged by the idea of elections.

This is borne out by what Mr. Dehousse has to say ;

'If elections are to make any sense at all they must endow the Parliament, through direct investiture, with a legitimacy and strength from which it will draw political power.'

These are mere wishes and speculations, nothing more !

In the same vein, Mr. de Battista says :

'The great majority of members (of the Committee) felt that the historic and political significance of European elections justified sacrificing one or other of these principles, and that it was essential that the first elections be held promptly under conditions acceptable to Parliaments and Governments alike.'

Ladies and Gentlemen, I am against sacrificing principles because this means a surrender of rights.

**Mr. Maurice Faure.**—What rights ?

**Mr. Smets.**—The rights of the Parliament, parliamentary powers. There is a danger that we shall sacrifice the substance to the shadow.

Do not insist on this. The advocates of the draft Convention have tried to classify us and to label us. This is a mistake. There may be in our midst some who consider that their function in this Parliament is to continue in the campaign waged against the ratification of the Treaties in their own parliaments. I am not of their number and hope there are very few of them here. For my part, I voted wholeheartedly for ratification.

To sum up, there has to be a link between the European Parliament and the national Parliaments. Mr. Faure makes this point at least ten times in his report. He was not being repetitious or merely careless. The fact is that both Mr. Faure and the members of the Committee on Political Affairs, for whom he wrote the report, attach great importance to this issue.

The draft Convention provides for such a link only during the transitional period ; after that it will simply be abolished ; unless, of course, there is a new draft introduced extending the arrangement.

But now I have started commenting on the text of the draft Convention, which is a hybrid affair.

Mr. Dehousse spoke of 'maximalists' and 'minimalists'. I do not know into which category he is put by 'European maximalists' but I heard one of them criticizing the Working Party for passing the hat round in all the capitals, collecting whatever people were kind enough to put in, and transferring the contents—with nothing added—to the draft Convention.

I see this draft Convention covered in a dust-sheet and concocted of remote views and profound considerations, or, if you prefer, remote considerations and profound views ; but when you

whip the dust-sheet away you find a half-finished job and one, I am convinced, that is fraught with dangers for our Parliament because it poses a threat to parliamentary democracy.

It is not reasonable to try to force a vote on this draft. There are, I repeat, members who are interested in it even though they are not members of the Committee on Political Affairs, but they have had no opportunity of voicing their views. Only since yesterday afternoon have they had any say in the matter, yet already you want the vote taken on Monday evening or on Tuesday evening at the latest.

There will be a long string of amendments. Let it not be said that those who table them are engaging in sabotage, as someone has already suggested to me. Not at all. It would have been sabotage if these amendments had already been rejected two or three times and had been resubmitted as a delaying tactic. The truth is that this is the first time all members have the right, and the opportunity, to table amendments to show where their views differ.

I should like briefly to indicate the gist of some of these amendments. First there are those dealing with the number of members. The number proposed is too large. I will not repeat Mr. Metzger's comments, with which I am in complete agreement. If we act on the lines indicated by the Committee on Political Affairs, we are going to have a Parliament that needs more committees, even though we have today decided that there are too many of them. If each member were to sit on only one committee, the committees would have the size of a Belgian provincial council and I would defy them to do any practical work. You would then begin systematically setting up sub-committees and working parties. This would mean that as time went on more and more parliamentarians would only come here to endorse committee decisions. This is a threat, a very real threat, to democracy. The number of members who do nothing but endorse decisions must not be allowed to grow unchecked.

The position is quite different, as Mr. Metzger explained, in a single country. May I simply add that however many members there are in a national Parliament, they can still keep right up to date with all current business and follow all the questions discussed very closely.

I would prefer the present stage. Subsequent stages can be left to a Parliament made up, in equal numbers, of directly elected representatives and of members of the national Parliaments. After all, direct representation of members of the national Parliaments in the European Parliament will long, if not always, be a necessity and will soon become so for all.

What puzzles me about the draft Convention is that there is no mention of substitutes. This idea was none the less brought up in the Belgian Parliament, at the time of the ratification, as well as elsewhere.

I am in favour of substitutes, provided they are active ones. One often needs somebody smaller than oneself! In Norway, a member of Parliament can give up his seat temporarily to a substitute better versed in a particular matter, and the Norwegian Parliament reaps the benefit. The Consultative Assembly of the Council of Europe has already followed this example. Why should we not do the same for the European Parliament?

With regard to direct elections, I quoted earlier a passage from the preamble to the draft Convention: 'Resolved to take the freely expressed will of the peoples as the basis of the mission entrusted to the European Parliament.'

From this point of view the draft Convention merely confirms the situation existing in the various countries. To be effective, universal suffrage requires the same rules to be applied everywhere. The European Parliament must include members of all shades of opinion and not be the product of ingenious manipulation. There should be no exclusiveness but real proportional representation.

Could this Parliament tolerate no opposition? Could it not trust its own capabilities, its powers of persuasion?

We cannot go on accepting the present situation where 12 million voters in one country elect 12 Social Democrat members to this Parliament while in another country, with more or less the same population, 12 million Christian Democrat voters are electing 28. This anomaly cannot be allowed to persist and we must take a firm stand about it.

If Parliament is to reflect the will of the peoples, it must have the right to recommend remedies for situations harmful to democracy. And yet, at this very moment, many are prepared to accept a situation where we are not even entitled to frame our own electoral law, something that is the prerogative of every parliament. They would be ready to accept direct elections based on an electoral law which the executive condescends to bestow on us and over which we in this Parliament have not the slightest influence.

I am now speaking of those directly elected and still dwelling on the term 'universal suffrage pure and simple'. I do so, perhaps, with some feeling because I remember the sacrifices my parents made to achieve universal suffrage. I belong to organizations that go on an annual pilgrimage to the cemeteries where those who fell in the battle for universal suffrage are buried. Universal suffrage must not be mutilated. There must not be different systems for direct elections, but the electoral conditions and the conditions of eligibility must be identical. Absolute impartiality of the system of representation must be guaranteed—something, incidentally, which requires control over funds used for election campaigns.

I favour a contribution towards election expenses but, as I see it, what really matters is that the expenditure should be kept within limits and supervised. I should like us to imitate the example of the United Kingdom, the largest member of EFTA, where a check is kept over funds used in election campaigns, accounts having to be submitted. This would be at least a friendly gesture towards the British people, but also a sound and practical measure for our Parliament.

Another aspect of the impartiality of the system : there must be no national obstacles to the presentation of candidates. The European Parliament alone should decide on the eligibility of its members, in the same way as any other parliament. No other authority must be allowed to interfere. In our country, there could be no question of this : nothing and no one may come between the putting forward of a candidate and his entry into the Parliament.

Incidentally, I am prepared to concede to Mr. Dehousse the slight provisional exception made in Belgium, of which I personally cannot approve.

All this means that I am opposed to Article 8,2. I should also like to be told exactly what is meant in Article 12 by the phrase 'subject to cases of established ineligibility laid down by the national law'. This is a dangerous provision because traditions, or so it seems to me, can become established in a moment, even as a result of a short bill passed without the slightest fuss. Our assembly should have the right to recommend adjustment of the electoral laws.

Article 13 refers to 'the admission of political parties to elections'. What would this mean ? It would open the door to all kinds of intrigues and to scores of mischievous interpretations because, once the Communist party, say, is banned in one country, nothing would be easier than to reach the convenient conclusion that another party one has reason to fear is pseudo- or neo-Communist.

I still believe that our Parliament ought to be driven by the freely expressed will of our peoples.

I should like to conclude, Mr. President, by asking once again that we should not classify the members of the European Parliament as some have been tempted to do even in this House. My concern, like yours I am sure, is to build a democratic and prosperous Europe in a world at peace.

I shall not ask the Rapporteurs to recall Boileau's counsel that a piece of work should be gone over twenty times. It would be too easy for them to retort that they have been at it for more than a year. But since I have strayed into the literary field, I should like them to consider Molière's example. Molière, who occupies a place among the immortals, rewrote some of his plays as many as three times, and it was precisely these that are regarded as his best works, his masterpieces.

Please bear these observations in mind ; take your time to produce a piece of work better than that which now lies before us.

**Mr. Battaglia.**—(I) Mr. President, Ladies and Gentlemen, as I shall be free to step in again when amendments are put forward to the draft Convention drawn up by the Working Party and the Committee on Political Affairs, I can assure you right away that I shall be brief, not only to meet the wish expressed this morning by our Vice-Chairman, Mr. Fohrmann, but also because I feel that the value and significance of elections by direct universal suffrage are self-evident.

Moreover, I believe that the arguments in favour have already been explained, and that the specifically political significance of a European Parliament directly elected by the peoples has been clearly brought out. These arguments have been presented skilfully and convincingly by the Rapporteurs and previous speakers, and I can only endorse what they have had to say.

I personally prefer to consider as self-evident—as they must be to all of us—the three basic arguments for making this change as a matter of urgency. What are these three arguments ? In his excellent speech Mr. Dehousse summed them up in three terms which, though themselves abstract, have a highly practical content.

He said that direct elections are justified by three immutable principles : legitimacy, justice and efficiency—legitimacy in the sense of a real popular representation, i.e. democracy ; justice, because our Parliament cannot go on shaping the future of our peoples without their direct participation ; efficiency, because a Parliament elected in this way will certainly carry much more weight than the present one.

The change in question will not be merely one of electoral arrangements but will have ideological and political significance and usher in a new phase on the road to European unification. If there is one point on which it is perhaps worth dwelling, it is that of the psychological effect of direct elections on the peoples of our six countries.

It would be impossible in my opinion to find a better way of publicizing the European idea. By calling the voters to the polling booths to elect their representatives to the European Parliament we shall bring home fully to them for the first time—repeating the process at every subsequent election—the Community aspect, as distinct from the geographical aspect of the word 'Europe'. The electorate will feel they are actively taking part in building Europe ; at that moment Europe will be born, will become a reality and cease to be merely an ideal.

The new Europe, the new European system, will pivot about the Parliament as direct representative of the European peoples, and the European district as a territorial unit, seat of the European institutions and embodiment of a legislative and executive authority no longer national but European. It matters little whether this be supranational, federal or confederal ; the main point is that the process of integration and unification should be steadily consolidated and stepped up till it has left differing legal structures well behind. In this way we can build a firmly united Europe organized as a force directed by a common brain, a common intellect and a common spirit, and capable of measuring up, in all fields of activity, in research, science and moral, cultural and industrial progress, to powers such as the USSR, the USA and China, themselves continents, real unions of powers. Direct elections to the European Parliament are therefore a pressing need, even though they will involve a risk, as Mr. Faure pointed out this morning.

I thus naturally come to a consideration of the draft Convention which reconciles the theoretical and scientific problems with the practical difficulties and with what is really possible at this juncture.

The Working Party and the Committee on Political Affairs deserve our congratulations : the Working Party for all the work involved in drawing up a draft accepted almost without reservations by the Committee ; and the Committee for examining the draft with such care. The few amendments made say much for the quality of the preliminary work and fit satisfactorily into the draft Convention.

From a strictly theoretical point of view, the draft Convention may be open to some criticisms, all of which, however, arise from its main virtue—namely, that it is a happy political compromise between European and national needs. We need to remember Europe has to be built in a practical way, and that it is we Europeans who must build it and not a handful of idealists. Just as we chose a gradual process of integration in preference to political and military union, so today we welcome the fact that, given a choice between theoretical perfection and the practical risks of a purely scientific draft, preference has been given to a compromise. This means that we are not incorrigible idealists but really want Europe to be built up step by step. We must always stay on the move, never marking time ; at the same time we must resist the temptation to go ahead too quickly, as this could prove dangerous.

I must confess that when I first read the draft Convention, the lawyer in me, and the political idealist committed to the European ideal, were uppermost. From these standpoints the draft Convention struck me as badly got together ; I found it hard to accept the transitional period or the fact that one in three of the members of the new Parliament were to come from the national Parliaments. I was very worried about the compatibility of the European mandate with the duties of member of parliament or senator of a member State. I was also troubled by the absence of a uniform electoral system for all six countries, and of provision for by-elections as a means of filling seats falling vacant. But deeper reflection completely dispelled my doubts and misgivings. For there is one argument that comes before all others and that cannot be ignored ; namely, that even today there is need for vigorous publicity in support of Europe in the national Parliaments and in the member States, and for an intense effort to reconcile national and Community requirements.

Hence the need for a transitional period during which, by means of the machinery provided, the number of top-flight politicians in the service of Europe can be increased without touch being lost with the national Parliaments and without the national Parliaments' losing a group of men so badly needed in any publicity campaign in support of Europe.

This is the real case for a transitional period. It would be irrelevant to say that it would enable us to apply what had been learned from the first elections, since that experience could equally well be acquired without a transitional period.

From a scientific standpoint, the lack of an electoral law common to the six countries is another drawback of the draft Convention. Politically speaking, however, the solution opted for, namely, to refer to national laws for the implementing provisions, brings the date of the elections of the first European Parliament much closer. This is why, on a second reading, I found the draft Convention worthy of praise for the moderation, discretion and common sense displayed by its authors.

Moreover, Article 9 of the draft Convention specifies how, when the time comes, uniformity of the electoral procedure will finally be established. The elected Parliament will lay down the provisions governing the election of representatives after the end of the transitional period, the principle of direct universal suffrage stipulated in Article 1 being, of course, respected.

It might be as well, perhaps, to give the wording of Article 9 a more decisive, peremptory and inflexible ring.

But what we must at all costs avoid is a transitional period which is allowed, through sheer inertia, to go on indefinitely. We can by all means increase the length of the transitional period and prepare for the subsequent stages, provided we do not succumb to the forces of inertia.

The best way of overcoming this inertia, while getting the most from maintaining the *status quo*, is to be found, in my opinion, in the bicameral system suggested by Mr. Faure in his report. This suggestion, to which I have drawn attention before, continues to have my support.

The Rapporteur tells us that a few members of the Working Party thought that the indirect election of part of the Parliament could give rise to the nucleus of an Upper House and ultimately to a bicameral system. I think the time has come to take a serious look at this possible development of the structure of our Parliament. It strikes me as one way of averting any clashes of interest and the onset of inertia at the end of the transitional period. There is no denying that the bicameral system comes into its own precisely when there is a clash between common and private interests. In a federal State, the Second Chamber, the 'chamber of nationalities', performs a basic function. While in unitary states the Second Chamber is concerned merely with reviewing, and proffering advice on current legislation, in a federal State it becomes, as the reflection of the various nationalities and as collaborator in performing the functions of that State, the very pillar of the system.

If Europe is ever to be built, its representative institutional structure must lead us to widen its Parliament's powers and, inevitably, to introduce a bicameral system. It is precisely now, when we are on the point of adopting the draft Convention for direct elections, that we ought to be investigating and discussing these questions. We shall be serving the cause of Europe best if, in planning for a Parliament entirely elected by the peoples of Europe, we at the same time make provision for it to have a bicameral structure bringing together, within the legislative assembly of Europe, representatives of the individual European nations.

If we do this—and I am certain that we shall—we shall have made another great stride towards our goal—a united Europe.

**Mr. Bohy.**—(F) Mr. President, Ladies and Gentlemen, my first concern is to deal with one or two remarks made by previous speakers.

I must first crave your indulgence because my speech is entirely improvised. However, as I said before, improvisation—at least as to form—is not a bad thing in an assembly in which the great danger is a tendency to become academic. The Parliament's mission, and the challenges it faces today, require it to win back its parliamentary character in the cut-and-thrust of debate, which alone can breathe life into it and justify its existence.

This is why, Mr. President, the form and perhaps the structure of my speech will leave much to be desired, but I believe that what I have just said may serve as my excuse.

I began by pointing out that my main concern was to deal briefly with some of the remarks made here. Firstly, I cannot see eye to eye with Messrs. Metzger and Smets on their proposals for cutting down the number of members stipulated in the draft Convention.

I find the arguments advanced by Mr. Faure on this point highly convincing, and I am sure that it will please my friend and opponent Mr. Duvieusart to hear me say that, this being the case, I shall heed his advice of this morning and not repeat things that have already been well thought out and equally well expressed.

To begin with, I should like to reassure Mr. Metzger on one point. Earlier this morning he seemed to fear that his arguments might be dismissed as petty. I, personally, did not find them so. On the contrary, they struck me as substantial and to the point, and well worth thinking about. If I do not go along with him, it is not because I think his arguments carry no weight.

The fact is simply that, having put his and Mr. Faure's arguments in the balance, I found the latter slightly weightier. Faced with a choice, I chose the arguments that seemed to carry the most weight.

This morning, Mr. Smets observed—in perfect good faith, I am sure—that with such a large number of members, each of them could belong to only one committee and would thus be reduced to idleness, this in turn robbing the Parliament of most of its drive.

I follow this argument and admit there is much to be said for it. Unfortunately, it is not arithmetically sound. Mr. Van der Goes van Naters looked into this matter with members of the Secretariat. We took as the basis for our inquiry all committees that would be made necessary by an increase in the powers of the authorities, commissions and—as a result—of the Parliament itself. We then sought the composition most likely to give the best results. Mr. Smets is right in fearing committees with too large a membership. It is not on them that the best work is done.

Our calculations led us to the conclusion that every member of the Parliament would belong on average to two committees. So long as we—by our reckoning a third, according to Mr. Smets at least half of us—had to combine our national and European mandates,—membership of two committees would be a heavy burden. We all know, moreover, that there are special or exceptional tasks to be carried out, such as that performed by the Working Party, the product of whose painstaking efforts now lies before us. Some of us, indeed, will be sitting on as many as three committees and will already be groaning a little under our burden, something neither strictly necessary nor, perhaps, even desirable.

I listened to our colleague's speech with considerable interest for it was certainly studded with the best intentions. Now that I have set him at ease on this point, I should like to add that, while all the other points provide food for thought, on one particular one I am in flat disagreement with him.

Mr. Smets told us this morning that he wanted direct elections but only on certain conditions. I can well understand this. But when he asks us to strike out Article 13, he brackets a reform he wholeheartedly supports with an impossible condition. Article 13 was not included following a decision of the Working Party. It was put in because we ran up against insuperable obstacles in the institutional systems of some member States. I am referring to Dutch provisions, on the one hand, and to the judgment of the Karlsruhe Court on the other. Here are two legal and institutional facts which we simply cannot ignore.

Mr. Smets has every right to deplore the existence of such institutional provisions in certain countries. I too, perhaps, feel the same way but that does not alter the facts. Either we accept Article 13 or else we give up the idea of elections. One way or the other, a choice must be made for it is impracticable to call simultaneously for elections and for deletion of Article 13. For some of us, I know, this is a severe restriction, but it is one imposed by hard facts. The facts are there, and until they are substantially changed, we shall continue to run up against them and shall have to come to terms with them as best we can.

My last comments on previous speeches relate to the remarks made by Mr. Vendroux. Our colleague suggests that elections should be preceded by a referendum. One can always learn from Mr. Vendroux; the clarity and sharpness of his observations are such that one never tires of listening to him. If I oppose his ideas, then, it is not because I am biased against him.

While I do not really see the point of a referendum, I am very much aware of its snags. Indeed, Mr. President, where do we stand as regards the procedure to be followed? To us it appears as a three-stage affair—we are now in the third—yet to an outsider the third stage appears to be only a fraction of the first: setting up a Working Party; drawing up a draft; discussion, amendment and adoption of the draft by the Committee on Political Affairs; reference back to our Parliament, whose task now lies in referring this draft to the Council of Ministers—and perhaps the Council, after examining it, after making this or that amendment reflecting, perhaps,



views expressed by some of us, may have the kindness, the courtesy—I hope so—to send it back to us before drawing up a final version. Once this has been settled, the ministers will have to sign it and pass it for ratification to the national Parliaments, since it will be dealing with a draft treaty.

The document before us is indeed a draft treaty. It was not out of preoccupation with mere form that the Working Party—in whose work, though not a member, I participated in a rather odd capacity—decided that it should be so. From the institutional point of view, this seemed to us the most convenient road to success. Since, after all, we were required to work up an article from three treaties, we thought that the best approach would be to prepare a sort of supplementary or auxiliary treaty.

Thus, we have all the legal arguments on our side. There was, however, yet another, this time of a political nature. By opting for the form of a treaty, we backed the principle of ratification by the national Parliaments and called upon the peoples to speak through the representatives elected by them to take decisions on their behalf. In other words, the wishes of Mr. Vendroux have been met; the peoples will make known their views. They will do so, however, not through the exceptional medium of a referendum—for which I see no justification—but in the form customary in a democracy, namely through their freely chosen and freely elected representatives.

I am sorry to have to say, in the temporary absence of Mr. Vendroux, that his reasoning struck me as singularly weak when he tried to justify recourse to the exceptional procedure suggested by him, and especially when he tried to deal with institutional and constitutional objections. I am sorry to have to tell him that, as far as my own country is concerned at any rate, the constitutional objection is the overriding one, and that Belgian representatives cannot support our colleague's proposed amendment without violating our national Constitution.

Mr. Dehousse, *Rapporteur*.—Very good!

Mr. Bohy.—Even if he had convinced us, we would have been obliged to counter with an absolute *non possumus*. But we do not care to follow him for quite another reason.

It seems paradoxical to me that a parliamentary election in a democracy should be decided otherwise than through a parliamentary procedure. In this respect the proposal contains an apparent contradiction which, perhaps, Mr. Vendroux will be able to resolve. Try as I may, I am unable to do so.

I have now achieved my first object, which was to reply to such comments by previous speakers as I thought worth taking up.

My next concern is—if the press will forgive me—to make good what have appeared to be a number of inadequacies in recently published press reports.

Last Saturday and Sunday, by courtesy of the staff, an informal meeting was held in this hall. The press barely mentioned this. Now I hope I may be excused for regarding this meeting as important, for it brought together all the Socialist members of this Parliament and the leading representatives of the Socialist party executives of the Six.

I do not wish to boast about the views I hold but I believe they are shared widely enough to warrant the interest and attention of our Parliament. I venture to add that Socialist members of this Parliament and the leading representatives of the executives I have referred to passed a resolution unanimously, with two abstentions, on the subject we are discussing.

The conference first expresses the view that 'the election of the European Parliament by direct universal suffrage is one of the prerequisites of democracy'. This means that the basic principle now occupying the centre of our attention is not only absolutely agreed upon but regarded as a necessity.

The resolution then strongly recommends members of the Parliament's Socialist group—for, happily, it recognizes the individual's freedom of conscience and the right to think for himself that goes with it—should come out in favour of elections at any early date.

I should like to dwell for a moment on the phrase 'at an early date'. I think that, in spite of everything, we can continue calmly with our work. At meetings of the Working Party—which I attended under circumstances already described—I heard Mr. Dehousse say several times that elections could perhaps be held in 1962 but certainly in 1963. I would be all for this but I am decidedly less hopeful than he is. I believe, Mr. President, that we can look forward to this event within the next five years. We must all do our best to hurry it on, and I think that the conference of Socialist parties was right to call for elections at an early date.

We must go ahead establishing the best possible conditions, carrying out the necessary studies, and working out the best arrangements. It is much better to take three months longer to do the job properly than to do it less well for the sake of finishing it three months earlier.

I have no qualms, therefore, about continuing the perusal of the resolution passed by the conference. This put forward another idea: although the principle is so explicit and clear-cut that any comment would be superfluous, this does not mean that the conference enounced it without giving it careful thought. I should like to explain what I mean.

Mr. President, it is going too far to assert that this Parliament, over which you preside with so much authority, is without powers—a myth that certain people are inclined to spread around. Alone the fact that not so long ago we amended Article 56 proves that this allegation is unfounded. It would be absurd to underestimate the economic and social implications of this exercise of real legislative and quasi-institutional authority.

While, therefore, it is wrong to say that, by virtue of Article 56 of the Treaty and in respect of the situation being considered, the Parliament has no powers, we may on the other hand—or so I think—assert that it does not have all the powers it ought. It is hardly strange, therefore, that a section of the Socialist-minded public has misgivings about mobilizing one hundred million electors to vote on powers regarded as far too slight. I think that the Socialist conference is well within its rights in asking that we should continue our efforts to secure wider and more substantial powers for the Parliament and we ought to try to meet this request.

The conference called upon the Socialist group to submit, as soon as possible, the text of a bill for increasing the Parliament's powers. What exactly does this mean?

The bill in question would be an institutional instrument having the force of law and, to some extent perhaps, constitutional force. In what way, Mr. President, would you envisage such a text? Probably, as I do, in two parts. The first part would aim at increasing our powers within the framework of the Treaties. If I did not fear to take up too much of the Parliament's time, and if I had not promised to comply with your request that we should try to conclude at a reasonable hour and without a night session, I would not hesitate to go into all the aspects in which these powers could be considerably—well, at least reasonably—increased, without tampering in any way with the three Treaties. Perhaps the Parliament has not been sufficiently exacting or forceful over this point; no doubt too the Council of Ministers has not proved amenable enough.

This is the first point to be looked into. But there is another. If we were to list the increases in powers that could be effected under the Treaties, we should not be surprised to find that these were still inadequate, and would therefore try to ascertain what Treaty amendments were needed for this purpose.

You may wonder why I attach so much importance to this part of the recommendation of the Socialist International which met here. I will tell you.

When the Treaties were drawn up, when most of those here now ratified them, they concerned something in the future; the institutions were yet to be set up. The ECSC enjoyed the privilege of appearing on the scene a little earlier than the other Communities, but all three were erected, brick by brick, on brand-new and uncertain foundations. Only a purblind observer could fail to have noticed that with the passage of each transitional period provided for in the Treaties the executives' powers are increased, not only in range, but even more in depth. Now, the more these powers increase, the more they are taken—with our consent—out of the hands of national Parliaments. One may regret this as I do, or rejoice—it makes little difference! If the powers of our Parliament are not widened, it follows that there is an increase in powers not subject to the necessary parliamentary control. In other words, as the powers of the executives grow, wider powers for the Parliament become an absolute necessity if we want to safeguard the rights of democracy in matters affecting its basic interests.

Now, these interests are vital. We are wont to speak here about so many tons of coal or of steel, about production, cyclical policy and structural unemployment. But behind these abstractions, which the economist in his study grasps as formulas that can be expressed in logarithmic form, stand the realities—the life, work and daily bread of individuals. And these individuals—our electorate—have the right to know what is being done about their life, their work and their daily bread. This Parliament must be theirs. This Parliament must have the power to exercise the control essential for safeguarding the livelihood of those from whom it has received its mandate.

This is the object that should underlie an increase in the powers of the Parliament. You will therefore understand why a Socialist conference should have placed the main emphasis on this requirement. As I was saying earlier, is it reasonable to expect for one moment that a text which, by its very nature, is bound to assume an institutional character, can be finalized between now and Monday, when the Parliament is due to take a vote? To lay down such a condition is to ask the impossible. It is completely out of the question.

The gap must, however, be filled. First, I would ask the Parliament not to treat this request with indifference. I ask it to set up a working party as soon as possible—if necessary, the Socialist group itself will take the initiative—with a view to drawing up the bill called for by the Socialist conference. In the meantime, I repeat, we must fill the gap and show that ours is not just a pious wish but a definite, firm and honest intention.

I have reason to believe that Mr. Metzger has a text in mind. I do not know its precise wording but I think its contents will fully satisfy our requirements. I hope its author will be able to complete it and lay it before the Parliament. It will take the form of a motion but I trust that the Parliament will understand the concern I have just expressed and give Mr. Metzger's motion the widest support. Only its adoption by a large majority can allay the misgivings felt by some among us and enable them on Monday to cast a vote they might otherwise have withheld.

The Socialist conference also expressed two wishes. The first, which may perhaps seem rather obscure to you at first sight, was that 'measures be taken to ensure effective checks on the financing of the election campaign'.

This seemingly cryptic phrase reflects two preoccupations. The draft Convention submitted by the Committee on Political Affairs provides that European elections shall not be held on the same date as national elections. This means organizing a campaign for European elections quite distinct from national campaigns.

It is always unpleasant to talk about money—unpleasant but all the same necessary. A party like the Socialist party, which derives its main support from the workers and the less prosperous sections of the population, cannot rely on a steady flow of funds, and the costs of an election campaign are heavy.

It is to be feared, therefore, that other parties might be better equipped for the contest—parties, perhaps, that are not represented here. We have had some experience of totalitarian ventures and know too well that they were backed by trusts. We are therefore justified in feeling concerned on two counts. First as to the cost of the election campaign itself: I need not dwell on this point because it seems to me that Article 18 of the draft Convention deals adequately with it. Then there is the danger, to which I have just alluded, that at some stage there may come forward political forces—whether honest or suspect—whose financial resources would be such that they would crush a party like mine—or like yours, Mr. Pleven, for you too claim for your party the virtue of poverty.

We should therefore like certain measures to be taken—guided, perhaps by British or French practice—to restrain orgies of publicity whose cost runs into millions. As you know, Mr. President, our Internal Market Committee expressed concern about financial and industrial concentrations, and about political pressures they might exercise in some member States. At a time when certain holding companies and trusts are establishing capital concentrations across the frontiers, we may surely wonder whether such pressures might not be applied in European elections. The Socialist conference wishes this danger to be averted. Perhaps Article 18 could in due course be amplified accordingly.

The Socialist conference's second wish is that steps should be taken to ensure uniform application of rules concerning the electorate, eligibility and the impartiality of the representative system.

I should not like for one moment to appear unyielding. It would be a poor return for the hospitality shown me by the Working Party in Paris, Rome and elsewhere if I were to forget the real difficulties it faces. When the difficulties over the electoral traditions of the various countries arise from laws, regulations and so forth, one knows how to deal with them; their wording can be amended and their interpretation made more flexible. But electoral practice also embodies customs and habits that do not stem from an institution or arise by chance but are the reflection of the feelings of a people which we can only sweep aside at the price of an inhuman kind of standardization wholly out of keeping with the spirit that animates us.

Without wishing in the least to criticize the Working Party and the Committee on Political Affairs, I suggest that between this human limit, beyond which we must not go, and the limit of the regulations, there lies an area insufficiently explored by the Working Party.

Whatever the merits of the text before us, I believe that Chapter II did not go far enough in standardization. My considered opinion is that the Working Party should have gone further even at the risk of being forced back by the Governments, on whom we cannot count in our efforts to achieve unification.

It was not, believe me, an obsession with logical, geometrical uniformity for its own sake that prompted the Socialist group to demand greater standardization of procedures. Nor was it a desire to comply with the clause in question calling for a uniform procedure, while that proposed is not uniform. It is something quite different; but I shall not dwell long on this point because a number of speakers—Messrs. Smets and Metzger in particular—have already referred to it. Our concern is that the vote of an elector in Sicily should carry the same weight as that of an elector in the Frisian Islands, Ostend or Munich. Otherwise we shall not have a real European democracy. I realize that such a balance is not easy to establish, but I feel far more ought to be done in this direction.

I believe, Mr. President, I have now dealt with the main difficulties we are up against. I listened to the previous speakers with the respect due to every honest opinion. I am aware of the task that lies before us and thank the Working Party and the Committee on Political Affairs for all the work they have done. I hope you will excuse me for having dwelt on what I and like-minded colleagues of mine believe to be imperfections. Being human, however, our colleagues

on the Working Party and on the Committee will realize that no offence is intended, for all that is human is imperfect.

This shows, Mr. President, that our struggle is not yet at an end. This brings to mind an incident from Anatole France's novel 'Penguin Island', to which I should like to allude in the hope of raising a smile among you before I sit down again.

The incident occurred at the time of the Dreyfus Affair. Anatole France introduces a character whose name I have forgotten but who is a caricature of Zola, the famous novelist, who, you will remember, took an impassioned part in the case. In the passage alluded to, Zola, who was short-sighted, is being chased by a gang of wild butchers' boys when he stumbles over a gully-hole unfortunately left uncovered. After being mishandled and beaten about, he topples into the ooze below. Landed in the sewer, his trousers now in tatters, he starts groping about for his pince-nez but all he encounters are the slimy bodies of rats and other unpleasant things. Finally, after a good deal of reflection, he makes the following observation: 'I am beginning to realize that it's going to be a tough struggle.'

I, too, am beginning to realize that the struggle is going to be tough. But the task before us is of such importance that we must take on the difficulties and fight on resolutely.

I repeat, the originally limited powers of the executive, which found it had sufficient elbow-room, are expanding. The parliamentary power of this House must also be increased, and direct elections are the only means of bringing this about, and of endowing the Parliament with power and prestige, authority and effectiveness.

I said earlier that this power of control was perhaps the work, the sweat, the hardship and the bread of mankind. By constantly thinking about the work, sweat, hardship and bread of mankind, we shall persevere in our efforts.

**Mrs. Probst.**—(D) Mr. President, Ladies and Gentlemen, the provision in the Treaties of Rome requiring this assembly to draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure, is binding to a higher degree than the terms of earlier European treaties. The earlier version of Article 21 of the ECSC Treaty speaks only of a procedure to be determined by each member State. Article 38 of the draft EEC Treaty wanted a democratically elected Assembly, whereas the plan for an *ad hoc* Assembly for the European Political Communities goes much farther and speaks of a Community law laying down the principles of the electoral system.

The Treaties of Rome want much more. Professor Picella, Secretary General of the Italian Senate, told the Working Party that the Treaties call quite plainly for election in accordance with a uniform procedure.

That the electoral system is part of this uniform procedure the experts consulted by us have left no reason to doubt. Professor Schlichting of Nijmegen University said at The Hague that the electoral system is the main feature of the expression 'uniform procedure' used in the Treaty. Professor Martino, one of the authors and signatories of the Treaty, similarly interprets 'uniform procedure' to imply a uniform electoral system.

During the discussions it was suggested that the Treaty provisions should not be taken too seriously and that the ministers had not been deeply concerned about uniformity of the procedure. The actual text—it was alleged—was a compromise, perhaps even only adopted to save time. The Governments had obviously not given sufficient thought to the difficulties. Indeed—the argument went on—if the ministers had really meant to stipulate a uniform procedure, the inference, in the light of the existing difficulties, must be that they themselves were opposed to European elections.

The obvious retort to these defeatist arguments, understandable though they may be at first sight in view of the difficulties, is that the Treaties of Rome not only concerned the Council of Ministers but were fully endorsed by one Government and the national Parliaments themselves, after lengthy debates, through the solemn act of ratification.

Mr. Bohy has just said that a number of members of our Assembly took part in this ratification procedure. The fact that the provisions of the Treaties of Rome were ratified by the national Parliaments made them international Treaties ; they are thus constitutive and binding.

Ladies and Gentlemen, the task falls on this Parliament, and no one else, because it will be easier for us to carry it out—with our smaller membership of 142 representatives, our close contact with the national Parliaments and the parliamentary experience on which we can draw—than for a much larger assembly which, according to what has now been decided, will have 426 members, only some of whom would be in direct contact with the national Parliaments, while some would not have so wide European and parliamentary experience as distinguished members of the present Parliament.

I am also convinced that the Treaty requires this Parliament itself to draw up proposals for the first elections by direct universal suffrage, and to do this by reference to a common European standpoint.

The Treaty, in fact, makes the first direct elections subject to the drawing up of proposals in accordance with a uniform procedure. The assignment is clear-cut ; it is one and indivisible both in a practical sense and as to the timing of its implementation.

The question that must now be asked is whether the draft Convention, in its present form, is consistent with the requirements of the Treaty.

There is no doubt—and we should give its authors the credit for this—that the draft Convention contains valuable ideas worthy of discussion on a more or less uniform way of dealing with specific aspects of electoral law—the number of representatives, eligibility, voting age, incompatibilities, length of the legislative period, date of the elections, rules governing election expenses, and so forth. Nothing, however, is said about the specific nature of the uniform procedure—the electoral system—so that there is a definite gap in the draft Convention.

Article 9 states that the future European Parliament is only to lay down the provisions governing the election of representatives after the end of the transitional period, that is, not before the end of the third stage of the Common Market. Until then the electoral system shall fall within the competence of each member State.

In other words, the draft Convention in its present form confines itself to saying that the election arrangements are to be determined by the future Parliament itself at some still unspecified date. Nothing at all is said any longer about a uniform procedure.

I am quite sure that if we were to adopt the draft Convention in its present form, it would divert us from the task assigned to us by the Treaty, seriously delay its execution, and even fail to convey it in its entirety.

The provisions of Article 9 define the future Parliament's task so vaguely that the forceful spirit of Article 138 in its present form would be considerably weakened. As a result neither the spirit nor the intention of the Treaty would be complied with.

To sum up, if this Parliament approved the draft Convention it would lose any influence it might have on the composition of the first directly elected European Parliament ; and this despite the fact that the Treaty—wisely enough and, from the historical point of view, quite naturally—expressly wishes it.

This is highly unsatisfactory. I would even agree with Mr. Smets that it would be dangerous. It would imply that our Parliament is not prepared, and perhaps even feels that it is not capable, of accepting the task expressly assigned to it by the Treaty. To approve the draft Convention just as it stands would be to repudiate the only really political assignment issued by the Treaty—an assignment of the first order, part constitutive, part legislative, which gives the Parliament, for the first time, a real right of initiative—and to pass it on, in a watered-down form, to a Parliament of unknown composition at some unspecified and perhaps remote date in the future.

In 1953 the *ad hoc* Assembly merely stated that the election arrangements would be determined by the future Parliament itself. But this, Mr. Dehousse, is no excuse for our decision today. After all, we ourselves are the future Parliament to which the *ad hoc* Assembly referred in 1953, a Parliament that has been given not only a recommendation but a clear-cut task, namely to draw up proposals in accordance with a uniform procedure.

One could never cite the *ad hoc* Assembly in support of a decision after abstaining from establishing uniform principles, at least for the first elections. It was indeed the *ad hoc* Assembly which asked that a law on common elections should be drawn up in accordance with uniform basic principles.

Mr. President, I believe that no one in the future will relieve us of the responsibility; nor do I believe we can discharge this responsibility by transferring it to other bodies.

There is no real justification for prematurely giving up the struggle. The original report by Mr. Schuijt gave only two reasons and I am glad to see they do not reappear in the final version.

The first argument, which crops up again and again, runs as follows: We want Europe to become united as soon as possible; if we must first change the national laws and find common solutions, we shall be holding up the elections to an extent for which we cannot accept responsibility.

This argument sets out from a premise that I should like to look into more closely; namely, that the first elections could be held without changing the national laws.

I am convinced, Mr. President, that this premise is false. It would be impossible to hold the first elections without changing the national laws. Let us take a clear look at the actual situation.

In Belgium, 212 members are directly elected to the Chamber of Representatives. Under the draft Convention, 28 members would have to be elected to the European Parliament.

In the Federal Republic of Germany 497 members are directly elected to the Bundestag. For the European Parliament, 72 members would have to be elected.

In France, 546 members are elected to the National Assembly. For the European Parliament, 72 members would have to be elected.

In Italy, 590 members are elected to the Chamber of Deputies. For the European Parliament, 72 members would have to be elected.

In Luxembourg, 52 members are elected to the Chamber of Deputies. For the European Parliament, 12 members would have to be elected.

In the Netherlands, 150 members are elected to the Second Chamber of the States General. For the European Parliament, 28 members would have to be elected.

The resulting changes in the ratio of voters to representatives as well as in the size of constituencies, would be so great that national electoral laws would have to be brought into line

with the new situation arising from European elections. The first European Parliament of the transitional period will thus have to be elected under new electoral laws, i.e. national laws, since we have decided for the time being not to exercise any influence in this respect.

These are the sober facts, impartially presented and realistic. I am convinced that the *ad hoc* Assembly, which called for common principles, set out from this down-to-earth appraisal of the situation, as did the authors of the Treaties of Rome when they called for a uniform procedure for the first elections.

If this essential process of adjustment is to be effective, every member State will obviously need to have its harmonization principles.

I know that experts in electoral law in the Federal Republic are already wondering how the changes should be made in the German electoral law needed for the first European elections so as to prepare for harmonization with the other electoral systems in force in the Community. These experts are already calling for a broad European framework within which to carry out their preparatory work with the first European Parliament in mind.

A valuable contribution could be made by our Parliament if, true to its mandate under the Treaty, it helped to distil common principles from the existing electoral laws of our countries for submission to their experts.

If we do not draw up common basic principles for the first European elections, there is a danger that national electoral laws will tend to diverge to such an extent that the newly elected Parliament will be unable to establish a common electoral law based on uniform principles.

Moreover, we cannot expect the elector to welcome frequent changes in electoral laws. There is one more point: temporary arrangements tend to become permanent. It was Mr. Hirsch who pointed out that a transitional arrangement is likely to become permanent, and this would distort the nature of the Parliament as a directly elected assembly.

We should not underestimate the might of facts, the dead weight of what exists. Every electoral system has something static about it and does not lend itself easily to change.

Nor should we overrate the chances of bringing about such changes. Hence the immense importance of the first elections, for which a change in system is obviously necessary and not a matter of whim.

Allow me to give you an example taken from history. The disadvantages of the system at the time of the Weimar Republic—anonymous lists, abstentions from the polls—were recognized to make for disunity. The Government wanted to remedy this situation, to bring the personality of representatives more to the fore, cut down the size of constituencies and give the voter greater influence. The Weimar Parliament, however, did not go along with the Government. The weight of the situation as it existed prevailed over the realization of what ought to be done—a gruesome example when one considers the appalling consequences that flowed from it.

The second argument against a uniform electoral procedure was a political one. Even Mr. Wigny, a minister, has for a time served himself of it. It is argued that political divergences may arise in relative party strengths in the Community and in individual member States. As to this, I should like to draw attention to Mr. Faure's telling retort: So long as such divergences reflect a real change in the will of the elector, the process is a natural democratic one and worthy of our respect. But the same must apply to the common European standpoints that win acceptance at these elections. The criteria in national elections differ from those in European elections. The electors have other ends in view. An example of this is the difference between Land and Federal elections in the Federal Republic.



All that has to be feared are the repercussions on the Community and on the national Parliaments—the same law applies to both. These would arise if the new electoral law was not brought closely into line with the basic principles which bind together member States and the Community. These must faithfully reflect the will of the electorate, as I believe is at present the case in our various countries.

A case for rejecting a common European solution cannot, therefore, be deduced from this argument. Quite the contrary, the best insurance is to keep the situation well in hand, harmonize it, and review it in the light of these common basic principles.

Let us look through the minutes once again. I took the trouble to go over them. It is impossible to do this without being impressed. Problems have been seriously grappled with, and a substantial job of work has been done. As a member of the Working Party, I should like to thank both the chairmen. I hope, Mr. Dehousse, you will permit me to say that so far no telling argument has been brought against the idea of a well-thought-out Community solution carefully lined up with the situation in member States. On the contrary, experts and representatives of political bodies have, on balance, been in favour of a uniform procedure and of the common principles.

I should be very glad if our capable information service would work out the exact percentages of 'ayes' and 'noes', for the rumour keeps going around that there were more votes against than for. This is not true. A great many arguments were brought forward in support of the common procedure. Mr. van den Bergh pointed out that a uniform procedure would prevent European elections from being unduly influenced by national considerations. Mr. Dehousse spoke to the same effect. Professor Schlichting observed that differences in electoral law could lead to the situation where representatives of a political party in one country would be elected to the Parliament while the same party in another country might be put at a great disadvantage because of a different kind of electoral law.

Force is added to this argument by the existence of a wish to harmonize the programmes of the political parties, as has been suggested by a number of eminent persons, among them Mr. Romme of the Netherlands. Mr. Schepis holds that every State should create a system broadly along the lines of the one in force, but differing from it, so as to bring home to the electors the European character of the elections.

The Working Party never interpreted the term 'uniform procedure' as implying a perfect electoral system worked out down to the minutest detail. We all felt, on the contrary, that for the first elections we should simply lay down common basic principles and create a broad, flexible framework within which each State could apply its electoral law either amended or as it stood, but at all events adjusted to meet the needs of Community elections.

We thus find ourselves on the same ground as the *ad hoc* Assembly which had spoken of these common basic principles. Mr. Martino also put the case for them. In Brussels Vice-President Marjolin stated that common principles ought already to be established in the first phase because this would make it all the easier for the newly elected Parliament to draw up its electoral law.

The President of the Italian Council of the European Movement also spoke to this effect—I do not want to take up too much of your time by mentioning all those who did so—as did Mr. Nicola Picella, expert in electoral law, and many others. Mr. Bohy too argued that, although national traditions ought not to be violated, it was quite possible to achieve the objective by means of general principles or an outline text. It may perhaps be of some interest to recall that our colleague from Luxembourg, Mr. Margue, also recommended that we should at least draw up common principles even if not straight away a common procedure.

We fully realized that even the common principles could only be drawn up in so far as national traditions were scrupulously respected. I fully endorse Mr. Schuijt's advice that we should handle this matter with velvet gloves. I think there is only one approach, namely to set out deductively,

empirically, from the facts and in this way, work our way towards common principles. If we do this we shall avoid the discouragement which is otherwise bound to set in if this immense task is considered in the abstract, and which has already at times cast a shadow on the Working Party's activities.

We had excellent material to draw on for our work in the form of a survey of the electoral systems of the six countries prepared by the Directorate General Parliamentary Documentation and Information. We have also been able to consult eminent experts on electoral law during our visits to the various capitals.

Yet the Working Party itself has never tried to carry out a systematic comparison of electoral systems. You know, Mr. Dehousse, that I should have liked, at least for a time, to change the Working Party into a seminar on electoral law at which we could have looked at the results of a joint conference of experts from the six ministries of internal affairs, to be called by the Council of Ministers, and compared them with our own findings.

I suggested such a comparative study as long ago as January 1959 at our meeting in Brussels, when I asked that the experts from the Six should meet round one table. I asked the Council of Ministers to lend its support because I was convinced this would make the whole task much easier. Mr. Carboni spoke to the same effect, and said he hoped that the Governments would give our work their full backing.

In the course of our work, we became aware of one shortcoming: our Parliament is not a real Parliament; what it lacks is an executive. In making laws one needs discussions with a real executive as a co-ordinating body. We had to abandon this idea, despite the great support we received from the various people and bodies who co-operated with us.

Allow me briefly to outline the results of a comparative study of this kind.

In Belgium, there is proportional representation coupled with a personalized party-list system. The elector may cast his vote for an unaltered list as a whole or preferentially for one candidate. The regional situation is taken into account by dividing the country into thirty constituencies, in which the list is drawn up and the results of the polls are evaluated in accordance with the d'Hondt system, by adding together list votes and personal votes.

Luxembourg combines proportional representation with a largely personalized party-list system. In theory, therefore, this differs from the Belgian practice only in degree. The elector can again vote for an unaltered list as a whole (having as many votes as there are candidates to be elected) or, subject to his not exceeding his total number of votes, he may give two votes to preferred candidates, from whatever list. He can thus vote on the same 'ticket' for candidates belonging to different parties, and cumulate votes. Above all he can influence the order of candidates elected on the list. The regional factors are taken into account by dividing up the country into four constituencies. The results are ascertained in these constituencies on the basis of an electoral quota.

In the Netherlands there is a combination of proportional representation with a personalized party-list system. The elector has a straightforward personal vote which he can give to a candidate on a list signed by twenty-five electors and containing a maximum of thirty candidates. The country is divided into eighteen constituencies to take the regional factors into account. The only difference is that the count is taken at a central point. At this stage the Netherlands becomes a single constituency. This is not, however, proportional representation in its purest form. This system too is made much more flexible by the personal vote and the respect for regional interests.

Italy also combines proportional representation with the personalized party-list system. The elector may either vote for an unaltered list as a whole or give up to five preferential votes to candidates named on the same list. His decision is respected in that the number of preferential votes given to any candidate determines his order on the list. The will of the voters thus decides how

candidates are ranked. The country is divided into thirty-two constituencies to take the regions into account. The results of the polls are determined on the basis of an electoral quota. The remaining seats are transferred to the national constituency. This system is very like the others. All these systems may thus be regarded as similar. A comparison of this kind restores confidence as it shows that differences are not as wide as we had feared.

In France, the majority system results in a high degree of personalization and regionalization. You are all familiar with the system, so that I need say no more.

As regards the Netherlands, I should add that votes are transferred to the national constituency. Professor Schlichting, the electoral expert, drew our attention to the underlying danger, namely, a tendency towards dispersion of votes and to give an advantage to extremist groups. To meet this danger, candidates are required to put down a deposit.

The Federal Republic of Germany operates, as you know, a mixed system: personalization is ensured by the fact that the first vote can be given to a candidate in a constituency while the second goes to an overall list which is anonymous—a feature absent in other countries and precisely one to which we are making no attempt to convert others. The elector cannot voice a personal preference. His second vote cannot be used to influence the ranking of an elected candidate. If common principles are adopted, this feature of German electoral law will have to be changed.

To sum up, we regard it as a uniform general principle that the electoral systems of our countries, should, as far as possible, take into account both the personal wishes of the electors and regional conditions.

There are, as Mr. Schlichting has told us, systems that combine the majority system with proportional representation. I have described a system of this kind for Community elections—as an example, not as a perfect model—which is, broadly speaking, a blend of the legal systems in force in Luxembourg and in France and which is applied in practice in a similar form.

There are simple variants of quite another kind. To give you just an example, with the same vote you give to a candidate under the majority system, you can at the same time vote for a list under proportional representation. This is another way of combining the two systems. At the same time the voter preserves his right to vote for the candidate in the constituency. The underlying considerations are practical and technical, but the main intention remains the same, namely, to exercise a personal vote and to take the regional situation into account.

Mr. Schlichting has confirmed that regionalism, far from being foreign to the European idea, is of its very essence.

I should like to propose that these two principles be discussed and decided upon for the purposes of the first elections. This would ensure that common principles were applied right from the start, and that no restriction was placed on the elector's fundamental right to defend his interests by way of the personal vote and the regional system. This danger might arise if, in accomplishing the immense task of amending their electoral law with a view to European elections, the States were to feel themselves abandoned by the Community and tempted to take the line of least resistance, giving the preference for these elections to anonymous lists at national level.

Now, I am convinced that we can find a common approach. I agree with all those who have said: The last word has not been spoken; we shall, indeed, we must, carry on. We must combine the wisdom and courage necessary to meet the challenge history has issued to us.

I am convinced, Mr. President, that there is only one course worthy of our Parliament, that is, to comply with the provisions of the Treaty and do all in our power to ensure that European elections, organized in accordance with a uniform procedure, are held at the earliest possible date.

**Mr. Santero.**—(1) Mr. President, Ladies and Gentlemen, may I begin with the pleasant duty of congratulating the Rapporteurs on their highly praiseworthy efforts? I thank them all and especially Mr. Dehousse, who, as former Chairman of the Working Party, guided its activities for fifteen months with such enthusiasm and constancy, and with so much authority, skill and friendly understanding.

In my opinion there can be no doubt either about the desirability or the need for direct elections to the European Parliament or about the need to hold these elections as soon as possible. The people's conscious and active participation in the discussion and handling of European questions will speed up the solution of the major problems of economic integration, and is one of the prerequisites of political integration.

Only a Parliament with greater political authority can overcome the obstacles which the experts may be held up by. Moreover, when one thinks about it—and as Mr. Dehousse pointed out yesterday—it would be intolerable to decide the fate of our peoples almost without their knowledge. An electoral campaign provides the only means of informing and instructing the European citizen.

The draft Convention before us is the outcome of a well-thought-out attempt to reconcile different requirements. Like everything human, it is imperfect and can be improved upon.

Some speakers have argued convincingly that the elections can only make sense if the new Parliament is endowed with wider powers.

Both Mr. Battista, Chairman of the Committee on Political Affairs, and Mr. Dehousse, Rapporteur, have stated, in their reports and yesterday when they presented them, that all members of the Committee and of the Working Party agreed that these powers should, if possible, be widened right away.

Two points arise in this connexion. The first is that direct elections will of themselves endow the Parliament with a degree of legitimacy and strength from which it will be able to derive political power. The second is that the need to increase its political authority is such that we must act as quickly as possible.

For this we should not lump the difficulties together but rather split them up. This is why I think it sounder to separate the convention on elections (drawn up pursuant to the Treaties) from a possible convention calling for further powers—one seeking to satisfy a requirement which, logical and urgent though it be, is entirely new and not covered by the Treaties.

Other colleagues have criticized the draft Convention for not containing a uniform, Community-wide electoral system for all the member States. We have just heard Mrs. Probst's impressive comments on this subject.

The Working Party and the Committee on Political Affairs felt that it was better to concentrate on early elections than to aim at perfection; for this reason they decided to lay down a limited number of common principles and to leave their implementation to the domestic law of each State.

It was further decided to get the new Parliament to draw up an electoral law for the Community. I would add that if, for the sake of completeness, the Convention should lay down a procedure not only for the first elections but also for the future, I agree with those who maintain that the new Parliament ought to enjoy absolute authority and to be free to decide on its own future, on the length of the transitional period, on how and when it will draw up a bill for a uniform electoral law for the whole Community, and so on.

I should like, Mr. President, to say something about Article 3 of the Convention which states that during the transitional period one third of the representatives are to be elected or

nominated by the national Parliaments from among their own members in accordance with a procedure laid down by each member State.

There can be no doubt that until the most important decisions have been taken by the Council of Ministers, i.e. by the national Governments, it is the national Parliaments, which exercise control over these Governments, that must induce them to forge ahead with economic and political integration.

This seems to me to be the point on which all who have looked into this problem are agreed. Hence the view that a certain number of members of the national Parliaments should also sit in the European Parliament. It is precisely these members who must ensure that the national Parliaments act in the interests of Europe and, by their very presence, that the European Parliament can call upon sufficient members enjoying national prestige and of whose parliamentary experience there can be no doubt.

If the entire Assembly were directly elected and if members were able simultaneously to hold national and European mandates, this requirement would be met. A link would be formed that was based on the personal identity of a proportion of total members—varying, it is true, but probably not less than one third. This would stimulate the candidature of high-calibre applicants with a national reputation, and ensure the gradual disappearance—in the light of subsequent events and experience—of representatives holding two mandates. Furthermore the homogeneity of the Parliament would be assured from the outset, and electoral arrangements facilitated. There would really be one elected member per about 400,000 inhabitants instead of one per 600,000, as would be the case today with only 284 members directly elected.

For these reasons I began by supporting the direct election of all members of the European Parliament with compatibility of twin mandates. Later, after thinking it over more deeply, I decided—and still think—that it would be better initially to establish the link with the national Parliaments by having a third of the members directly chosen by them.

It would be better if the national Parliaments felt directly responsible for the work done in the European Parliament, that they should feel responsible, through their chosen representatives, for the successes and failures of this Parliament, and be more inclined to hand over to it the powers it needs if it is to exercise its parliamentary function.

This is why I endorse Article 3 of the draft Convention. I feel, however, that this essential link with the national Parliaments, ensured by the application of Article 3, is sufficient. I am therefore sorry that I cannot endorse Article 7, and equally that I feel obliged to stress the serious disadvantages to which it could give rise. Under the provisions of Article 7, during the transitional period—that is, at a time when the national Parliaments would continue to send us 142 members—representatives directly elected by the people would be able to exercise twin mandates.

The effect of this provision would be that the majority of members in the new Parliament would be holding two mandates. The Parliament's own work would be liable to take second place to the business of the six national Parliaments. These would find it difficult to get along with so many of their members absent, and not only at plenary sessions but also on committees, since several of these meet in one and the same week. Similarly, the valuable personal contacts between members of an assembly comprising representatives of different countries would be more difficult to cultivate, as there would be less time for meeting and inevitably a large number of members would be absent. This could lead, paradoxically, to our getting, because of the larger number of absences, a Parliament not only less effective but also carrying less authority, and therefore in a poor position to call for, and obtain, wider powers and responsibilities.

There is yet another danger. In view of the large number of members absenting themselves from sessions of the national Parliaments in order to attend the European Parliament and to sit on its committees, the Council of Ministers, i.e. the national Governments, might not agree to the

tripling of the present membership of the European Parliament. It might be led merely to double the number of members of the new Parliament—especially as voices are already being raised in this House for a smaller membership.

This strikes me as a serious drawback, as even the elections would be put in peril. After all, it is hard to justify direct elections, calling out a hundred million voters, to elect a small number of representatives.

These disadvantages, and the danger just alluded to, could be avoided by ruling that two mandates cannot be held simultaneously by a member elected or nominated by a national Parliament, and that a directly elected member must choose between the national and European mandates.

Let us now consider the disadvantages arising from my proposed ban on twin mandates. It has been said that the European Parliament ought, during the transitional period, to include men of wide parliamentary experience. But the 142 members whom the national Parliaments would continue to send to the European Parliament would meet this requirement. Moreover, there would certainly be a number of former parliamentarians holding no office who could get directly elected by the people. I even hope that there would be a few parliamentarians holding office who would, if given the option, choose the European mandate.

There is another objection which may, at first sight, appear to carry even more weight, namely, that the incompatibility of twin mandates would debar people of authority in the national Parliaments and parties.

I do not think that this objection stands up to criticism because this requirement can be met in every case. There is nothing, for example, to prevent such eminent persons as Mr. Martino or Mr. Scelba or Mr. Segni from submitting their candidature, even though we know that, once elected, they would choose to exercise their national mandate and would sit in this House as nominees of their national Parliaments.

It is the custom in Italy for leading personalities to stand for election in several constituencies at once, in order to add lustre to party lists and pull in more votes. They can stand simultaneously for election to the Chamber of Deputies and to the Senate of the Republic. The elector knows perfectly well that they will ultimately have to make a choice, but in spite of this he is only too happy to demonstrate his faith in them by giving them his vote. In practice, the seat may be filled by the candidate of the same party placed second under the party-list system, or by the next in line in a single-member constituency.

I believe that the holding of two mandates should be made compatible after, rather than during, the transitional period, when the 142 parliamentarians will no longer be chosen by the national Parliaments. This would ensure that the link with the national Parliaments is not suddenly broken off but phased out gradually in the light of subsequent events and experience.

I believe that of the three weaknesses of our Parliament—(1) inadequate powers, (2) the simultaneous exercise of two mandates, (3) limited membership—the last two could easily be remedied by the draft Convention before us. Instead, as it stands at present, it is of help only as regards the lack of sufficient members, and even then only theoretically because, although these members may be listed in the Parliament's Handbook, if they are not free to attend our meetings, the work of the new Parliament will not gain much in effectiveness.

I have been struck in recent months by the number of members of the European Parliament who have retired from the Consultative Assembly of the Council of Europe; this shows the difficulty, almost the impossibility, of exercising two mandates even for such members—if I may quote names—as Mr. Dehousse, Mr. Van der Goes van Naters and Mr. Schuijt, with their outstanding abilities, wide experience and European convictions.

It would be better, I think, if such colleagues were to make a real effort to continue exercising the two offices ; this would help to ensure that the political atmosphere in one assembly did not contrast too sharply with that of the other.

I therefore hope that it will be this new Parliament which will soon send the representatives of the six member States to the Consultative Assembly, and no longer the national Parliaments. After all, the latter have no grounds for crossing swords with the Consultative Assembly which does not ask them to surrender any powers. I admit, that this is hardly the time to go deeply into this problem, but I do feel the course I suggest would be the right one.

At all events, the resignation of these highly experienced colleagues proves that it is impossible to build a new and united Europe during the few spare moments left to parliamentarians by the exercise of their manifold duties, whether in their family or profession, in their political party or national Parliament. To attach so little importance to its work would, I feel, be to set too low a value on the European Parliament. The politicians of the Community must show by deed, and not only by word, that one of the major tasks of our time is in fact the creation of a united Europe.

Yesterday, when we were paying tribute to our revered guide and master, Robert Schuman, Mr. Faure observed with his customary eloquence, that politicians are all too ready to slip back into the well-worn tracks and that it is hard to break with the past in order to build a different future. This is very true, and all the more so for politicians who cannot devote enough time to thinking about, and working for, the future.

It may be argued that it is for government and other experts whose main task is the building of Europe to study the problems and suggest to the ministers how they could be tackled. With all due respect for the work done by experts and officials, I venture to suggest that ministers and politicians should themselves look thoroughly into the various problems and the various solutions, so that they can judge them, and pick them out, from a political point of view.

It is the politicians, the parliamentarians in direct or indirect touch with the peoples of the Community, who are best placed to interpret the Community's real interests. This is why the work of politicians, ministers and parliamentarians must be more closely linked with that of the officials.

I should therefore like to close my remarks by inviting members to ponder over two facts, two established truths : (1) as a rule—for I realize there are praiseworthy exceptions—representatives cannot exercise the European mandate as they should if at the same time they exercise a mandate in their national Parliaments ; (2) it is unreasonable to expect more than a third of the members of the European Parliament—that is, more than 142—to get permission from the national Parliaments to devote only such time to national parliamentary work as may be left over from their other occupations, including the commitments entailed by their work in the European Parliament.

I shall be tabling an amendment to replace Article 7 of the draft Convention, to the effect that during the transitional period, that is, so long as the national Parliaments continue to send 142 members to the European Parliament, directly elected members shall not be allowed to hold two mandates. My amendment does not sacrifice the possible to the desirable, nor will it increase the difficulties that the draft Convention will meet in the Council of Ministers or in the national Parliaments. On the contrary, it will considerably lessen these difficulties and bring direct elections closer. The election campaign made necessary by these elections will give us a unique opportunity to bring home to our peoples where, how and when their future is to be decided.

Mr. Van Dijk.—(N) Mr. President, Ladies and Gentlemen, I should like first to congratulate members of the Working Party, and particularly the Rapporteurs, on the heroic efforts they must have made to finalize the document now before us.

I do not wish to follow up the many criticisms heard today. I shall try to fall in with Mr. Duvieusart's wish and keep my remarks as brief and as free from repetition as possible.

In his report Mr. Dehousse says that European elections should impart a salutary shock to the peoples of the Six, from whose conscious participation alone could spring the will to carry on the Community venture in the face of all the contingencies, clashes of opinion and sectarian interests of the moment.

This shock therapy of Mr. Dehousse is largely responsible for my putting to one side many criticisms that sprang to my mind on my first reading of the documents. My experience was the same as Mr. Battaglia's. At the first reading I found a number of points to criticize. There are still many points on which I should like to express criticism. But the essence of the plan submitted to us lies in bringing together the European electors and getting them to fix their ideas on a European policy. I agree with Mr. Dehousse that it may be possible to shock the electors into doing a larger share of the work, the brunt of which has so far fallen on the few who have become engrossed in it and have themselves taken on responsibility for it.

If we follow the course now proposed, despite all the snags and shortcomings entailed, we shall be able to consult the great mass of the public on all the problems that arise.

After looking more closely into the nature of these elections as they appear in the proposal before us, I should like to quote from Mr. Faure. 'The Communities', he says, 'are guided by federal principles. Their aim is not to abolish the States but to unite them into a whole.'

Mr. Faure stressed this point when he submitted his report. His conclusion is that in Community politics we must constantly strike a balance between national and European trends.

I should like to make a comparison, even though it is not wholly apt, based on the way the various electoral systems have developed.

Every electoral system begins at regional level. In some cases it stays there; in others a different direction is taken and an attempt is made, with the aid of proportional representation, to bring the broad political element to the fore. We often hear criticisms of these systems from both sides. The champions of the regional system complain that matters of general policy are too often neglected; those who live under the proportional representation system complain that regional links are suffering.

A choice has not been made in the draft Convention. It has been left to the future, namely, at the end of the transitional period. Differences will indeed appear between the electoral systems of the various countries. In other words, the election of members of the European Parliament will involve a series of national elections rather than real European elections.

Understandably, a good deal of criticism is heard today. I should have preferred to opt at once for a uniform system—at least if this were possible. We should spare a thought for the elector to whom we have to explain that he has to vote from a European point of view and consider European problems as his own. Can we then confront him with a foreign electoral system? He must know what the effect of an electoral system will be.

Provision is made in the draft Convention for a transitional period which can have an influence in two directions. It may give us time to acquire greater experience of electoral systems in the light of which to choose a better one. Again—and this has already been pointed out—it may lead to the systems applied in the various countries coming more closely into line.

I come now to the simultaneous exercise of a national and a European mandate. I shall not go deeply into the matter as I feel Mr. Santero has adequately outlined the pros and cons.



His conclusion is that it would be a good thing if we were to agree to the direct nomination of a third of the members by the national Parliaments. He wants to rule out any possibility of elected representatives holding a national mandate. I believe—and fear—that this would mean shutting out highly capable men and women.

In my opinion, we should avoid becoming rule-bound. We should place greater reliance on the judgement of politicians and leave some matters to them. The members of the political parties—which, after all, are generally the centres of political activity in the various countries—must grasp the significance of any given combination and be able to decide in what cases it is possible or not.

I do not think it right that we should regulate these matters in advance, down to the last detail. It is, after all, a transitional period we are discussing. Let us avail ourselves of it to acquire wider experience.

Much has been said about the incompatibility of twin mandates. I should like to confine my remarks to the incompatibility of a European mandate and membership of one of the European executives. An exhaustive lecture could be delivered on the constitutional aspects of the subject, but I certainly have no intention of doing so myself. The solutions preferred vary from one country to another. The question is, to which is our preference to be given?

One argument for making membership of a European executive compatible with membership of the European Parliament is that this would enhance the political character of the executive concerned. But is this a sound argument for holding two offices under present circumstances?

The European executives are appointed by the Council of Ministers. Subject to certain well-defined conditions, the Parliament may exert its political influence, through a motion of censure, forcing that executive to resign as a body. Assuming the Parliament were actually to do this, what would then happen? What would the Council do?

The Parliament has no influence over the Council. Would a new executive then be set up in response to the Parliament's political wish? Would this political wish be met? This is something we do not know.

So long as the political character of these executives remains as feeble as it is at present, so long as a semi-official—if that is the right word—situation can exist, I do not see how the political mandate can be reconciled with membership of one of these executives.

A great many objections have been levelled at the system now proposed. I will not repeat them; many I can sympathize with and understand. Motions for amendments have been announced. I think it would be as well not to deal with them now but wait until they have been tabled. We shall probably be better able to discuss them when we embark on an article-by-article study of the draft Convention.

In Mr. Schuijt's report I find the following passage: 'In every modern democracy it is one of the main tasks of a parliament to determine the electoral system, if necessary in co-operation with the executive. The Working Party felt that this fundamentally democratic principle could not be violated at European level.'

This is why the Convention requires the Parliament to lay down the new electoral law once the transitional period is over.

At the moment, Mr. President, there is something I miss in the proposals before us. In all, or at any rate in the majority of our six countries, legislation is a product of co-operation between the people's representatives and the executive, i.e. the government. I feel that the people's representatives ought to have a champion in the government camp. The government too must be in a position to express its opinion on the bill drawn up and, depending on the circumstances, take the

appropriate action ; namely, by resigning or in some other way. This is what is missing from the present proposals. I should be glad if the Rapporteurs, who have probably looked into this point, would tell us more about it.

One further point on the implementation of the proposals on which the Parliament is expected to take a decision. As I see it, and if I have read Mr. Dehousse's report on the legal structure of the Convention aright, it will be the Governments—or rather, the national Parliaments—who will ultimately decide if this Convention is to be adopted, and if so, in what form.

Mr. Battista, Chairman of the Committee on Political Affairs, writes, in his introduction to the report, that discussions with the Council of Ministers will give rise to many further difficulties. He speaks of a shuttle-service. Yesterday Mr. Dehousse said he did not want to discuss this point at present, preferring to wait for the right moment after the Convention has been adopted. I agree with this.

I should like now to comment on a number of points in Mr. Battista's report. In sec. 14 he states : 'But given its wide-ranging character and the publicity accorded to it'—referring to public discussion of these reports with the Councils—'it seems hardly likely that it could serve to smooth over any difficulties that might arise.' A little further, we read : 'It is common knowledge that contacts with the bodies concerned yield far better results than public meetings, particularly when ticklish and complicated issues have to be discussed.'

The report then suggests that a delegation from the Parliament should take over these discussions. This delegation could then make its report to the Committee on Political Affairs, and presumably the Parliament could be advised thereon.

I cannot help wondering whether this would be the right way to set about doing things. The value of any parliamentary discussion lies in the public attention it attracts. I should not feel really happy if, a delegation from the Parliament having been sent out—this is how I understand the passage—to carry out wide-ranging discussions, the Parliament could be presented with the *fait accompli* and told, in so many words : Here is an amended Convention ready for renewed discussion.

Although I recognize the need for preparatory work and discussion in a delegation, I still come to this conclusion : The Convention now adopted in this Parliament will in due course come up for open discussion—in the form in which it is adopted and after being worked over in detail—with the Councils of Ministers, after which the matter can, if necessary, be looked into more closely.

I do not think, however, that this question should be dealt with behind closed doors. I hope I am mistaken, as otherwise I must stick by this standpoint.

One of the crucial points of today's debate is whether we are going to have European elections with a simultaneous—and therefore inseparably linked—widening of the Parliament's legislative powers, or European elections coupled with recognition and acceptance of the need for increasing the Parliament's powers. The Committee on Political Affairs finally decided to deal with these two points separately. On a proposal by the Working Party, it stated that while it realized that the powers were inadequate, it none the less feels that European elections should be given priority.

Mr. Dehousse states in his report that it will be for the Parliament to decide whether decisions as to general elections are to be bracketed with the question of the Parliament's powers.

I should like to say at once, Mr. President, that I am not in favour of bracketing the two questions in this rigid fashion.

Article 138, 3 of the Treaty expressly calls upon the Parliament to draw up proposals for elections by direct universal suffrage. I believe that the Parliament would be failing in its mission if it neglected this task.

The question that immediately arises is whether, under present circumstances, it would be reasonable, as far as the electors are concerned, nevertheless to organize such elections ?

I hasten to say how glad I was to learn that the question of the Parliament's powers is to be discussed as soon as possible.

I would add, however, that I do not think if we organize general elections under present conditions we shall be deceiving the electorate, as Mr. Metzger suggested. The electors can perfectly well be told the truth.

Mr. Dehousse.—Quite right ! That happens from time to time.

Mr. Van Dijk.—(N) I do not think that the Parliament's powers are as slight as is asserted.

The political strength of a parliament depends on the forcefulness with which it is able to pursue its policy. Legislative powers are an effective means of developing a parliament's influence and political strength, but it must itself widen its political powers. I could put it like this : there are few parliaments in Europe that only exercise such powers as are assigned to them by law. Perhaps I may go more closely into this point.

I should like to compare the position of this Parliament with that of such executive bodies as the Councils of Ministers. The ultimate decision rests with the Councils, but if an executive's proposals, and a parliament's debates and conclusions, are really sound, it is difficult for the Councils of Ministers constantly to disregard these decisions.

The great value of parliamentary work lies, I think, in the public attention it attracts. When it is transacted in public, when parliament's wishes are both reasonable and clear, and the policy it lays down and recommends is understandable, consistent and clearly defined, I cannot help feeling that, even without legislative powers, it could none the less exercise its political influence, leaving to one side that its wish—and I say this quite bluntly—is to have its powers sanctioned by law.

Perhaps I may give an example. Our Parliament has a definite part to play in the drawing up of the budgets of the Communities. From a legal point of view, this power amounts to very little. The Commissions draw up the preliminary draft and the draft budgets themselves are drawn up by the Councils of Ministers. In the interval, the Parliament is expected to make known its opinion.

I quote this example because, throughout history, all the powers and responsibilities of parliaments have stemmed from budgetary law and the fixing of taxes.

For years now the Rapporteur of our Budget Committee has been asking the executives to provide a policy statement in support of their budgets—in other words, to make known their policy so that the Parliament can conduct a political debate regarding it. I cannot say that this request has so far been ignored because no objection has ever been raised against it, but the information actually provided is of a summary nature and usually limited to strictly financial details. This is highly interesting to financial experts concerned with finance but this Parliament, although it too fortunately numbers such experts among its members, is first and foremost a political institution and must make a point of discussing future policy along with the budgets. Policy, after all, is pursued by means of the credits voted.

The question is, what effect would it have if this Parliament decided, at a given moment, to refrain from making known its opinion on the ground that it had not received a suitably drawn up statement of policy?

Then, under the relevant provisions of the Treaty—I am speaking, of course, hypothetically—the draft budget will be considered as finally adopted, and the matter as closed; I cannot help wondering how, at that moment, the political position of the executives could be regarded as particularly strong.

In my country there is no provision for votes of confidence or motions of censure—at least not in our written constitutional law. Yet it is possible to pass motions of this kind. Their effects are not, however, subject to definite rules. Nevertheless, I would strongly advise any Government against remaining at the helm once such a motion had been passed.

I am all for the Parliament's demanding the powers it regards as necessary if it is to carry out its duties effectively. At the same time I think that it must be possible, as a matter of parliamentary practice—and this Parliament is made up of experienced parliamentarians and not yet of members elected from outside the national Parliaments—and even under the present provisions, unsatisfactory as they may be, to exercise political influence over the course of events.

I should like to make just one observation on a point that was not brought to the fore in the reports, namely, where the elector stands in relation to these future elections.

A special report was envisaged on the subject, the subject-matter of which was embodied in the plan to introduce a special publicity system for the Community.

I believe that this is a good idea, because whether or not voters follow the elections with eager expectancy and actively participate in them is a question that does not concern our Parliament alone. The whole matter must be dealt with in such a way that the European voter grasps what is going on in our Community.

I began my speech by pointing out that all this supranational work has been done by a small group of individuals. Not long ago I was asked a question in this gathering: 'What is it that you actually do in Benelux?'

The Benelux Union is itself partly to blame for this, because it has done practically nothing to make itself known to the public. As far as the Communities are concerned, therefore, I think we should do our utmost, before the elections are held, to ensure that the peoples of Europe know what they stand for and what they are doing.

One last comment. Publicity of this kind—I hope that the public relations men will forgive me—will always be to some extent unproductive because it must stick as close as possible to the facts.

It is our task as politicians of these European Communities to breathe life and warmth into these sober facts by imparting to the electorate, to whom we must get much closer, our view, our political view, of the work we know is being done here. In default of this personal element, I do not believe it will ever be possible so to carry out elections as to bring into being a union of European peoples ready and willing to work wholeheartedly for a real European Community.

**Mr. Rubinacci**—(1) Mr. President, Ladies and Gentlemen, all the problems, all the arguments, all the snags and criticisms that have arisen over the draft Convention have been exhaustively investigated by the Committee on Political Affairs and the Working Party set up by it.

After fifteen months of useful contacts and detailed discussions, we have now before us this draft Convention on which our Parliament, after careful study, is to pronounce its final judgement. It will not, I think do any harm if all these problems, arguments, snags and criticisms are

once again aired before this assembly by one who did not have the good fortune to take part in every phase of this difficult task and who therefore was not involved in the process of bringing the proposals now before us to a state of maturity.

We are here today to hold a general discussion, not only to deal with technical aspects but also—and this is even more important—to arrive at a political assessment of the draft Convention as a whole. I do not hesitate to say right away—not least to justify the observations I intend to make—that the Parliament ought to approve this Convention. The Treaty explicitly calls upon us to draw up proposals for elections by direct universal suffrage, and I believe it is our duty to carry out all the tasks assigned to us.

As staunch champions of the European idea, of the progressive unification of Europe, we must set a good example by discharging all our responsibilities under the Treaty. I believe that alone the obligation to carry out the provisions of the Treaty justifies our voting in favour of the draft Convention.

Like most members of this Parliament, I am convinced that direct elections will have a marked influence on both the pace and pattern of gradual development towards European unification. For the first time, the people will be called upon to take a direct interest in this problem. For the first time, the magic word 'European Community' will be heard in the squares of all the towns and villages of Europe, awaking an echo in the hearts of our fellow citizens and spurring them on to show a practical interest in the varied aspects of our work. In other words, elections by direct suffrage will certainly create an impact on the public and impart a great psychological impetus to the construction of Europe.

It has to be remembered, however—and the Committee on Political Affairs has not neglected this difficulty which it considers must be overcome—that although direct elections can be of help in relaunching the unification of Europe, after the elections a deep feeling of disappointment may set in among the public. The judgement, at times rudimentary, that the peoples are called upon to deliver at the polls may give them the impression that by electing representatives to the European Parliament they are giving them a mandate, not only to proclaim principles and impart a new impetus to politics, but also to do something practical for the unification of Europe. But could the directly elected Parliament really do much to bring European unity nearer? Unless things change, it will be able to do no more than to continue exercising political pressure. Will the weight it carries be so much greater than that of our present one?

I do not believe that the directly elected Parliament will acquire a prestige much greater than that our present Parliament has succeeded in doing. I know that much has been said of the strength of a Parliament elected by direct universal suffrage, but I feel we would be more realistic, and less likely to suffer disappointment, if we scaled down these hopes to more modest proportions.

Allow me, Mr. President, to praise the political rôle which this Parliament—constituted as it was, and precisely because it was so constituted—has succeeded in playing. Within the narrow limits set by the powers invested in us under the Treaty, we have exercised legislative power; and we again thank the High Authority of the ECSC for enabling us to do so under Article 56A of the ECSC Treaty. In rendering opinions on specific problems, we have undoubtedly exercised the powers of consultation invested in us on a broad scale. I need only mention the thorny and highly important problem of health protection of workers in nuclear industry and the Social Fund of the European Economic Community.

Above all we have exercised our power of critical assessment of reports—in the political, economic and social fields—passed on to us by the three executives.

We have performed these institutional tasks and, as things stand at present, the future directly elected Parliament will continue to have to do so. But we have done something more: because we are the product of a synthesis of the national Parliaments, and because our powers of

representation derive from the representative institutions of our six countries, we have played an outstanding political rôle. This Parliament has not merely made this and that law or laid down this and that rule, nor has it exercised purely advisory powers. This Parliament has performed a political function of immense significance.

I would remind you that during the negotiations held here last November, a call went out for a co-ordinated foreign policy, that is, the most typically political prerogative of each of our six countries. The result—meetings of the Foreign Ministers at regular intervals—may be a modest one, but our Parliament has shown the direction subsequent developments must follow. It was from here that the idea of speeding up the completion of the Common Market sprang and was accepted. It was here that the need for a new policy on relations with the overseas countries was for the first time announced. In other words, the Parliament has above all exercised a political function in spurring on and bringing pressure to bear on those responsible for uniting Europe—the executives, the Councils of Ministers and the national Governments.

I am convinced that this political rôle is, as I said, closely bound up with the membership pattern of this Parliament, to which leading figures of the national Parliaments bring the prestige acquired over years, even decades, of service to their native countries, and which benefits from the experience gained by all its members in their national Parliaments. Precisely because members of the European Parliament belong to the national Parliaments—which, after all, hold the key to Europe's future—they have been able, in their respective Parliaments, to bring pressure constantly to bear, propagate European views and battle for further progress.

It is this that I wanted to recall, not so much for the satisfaction that it may afford every one of us as to put us on our guard against a radical change which might deprive this Parliament, whose function is of so special a nature, of that combative spirit which is absolutely essential. We must bear in mind that Europe will only progress towards unity if our countries, our Parliaments and our Governments follow this road with determination. This Parliament cannot, and will not be able to do anything more than exert pressure. It is at national level that we must wage our campaign.

This is the view of one who would clearly love to see these problems resolved, if it were only possible, on a Community basis.

I would also recall what many of our colleagues have said about the need simultaneously to tackle—though not necessarily to solve—the problems of direct elections and of a fundamental change in the structure of our Community that would enable our Parliament to play a rôle more likely to meet the electorate's wishes.

I agree with Mr. Battista's shrewd comment that if we try to resolve the two problems together we may lessen the chances of adoption of the Convention on direct European elections. This is why I speak of their being tackled—not solved—simultaneously.

Mr. Battista will, I hope, permit me to say that I feel it unwise to get bogged down in speculation as to which came first, the chicken or the egg. We can cut the Gordian knot and, as far as we in the European Parliament are concerned, set out on the one path open to us—that of the Convention on direct elections—because the other, i.e. increasing Parliament's powers, is not one we can take with the hope of achieving anything practical or useful. We have the right to tell the Council, the Governments and the national Parliaments that the European Parliament has done its duty. Its task was to make proposals for direct elections, and this it has done. But we must insist that direct elections are to be the first step in a wider development, the first item in a programme for speeding up the economic and political integration of Europe.

But, this must not be an isolated measure. It would be wrong for those responsible for Europe's future to say: 'First let us do this, and later we shall see what will come of it!' Nothing will come of it unless we arm ourselves with a clear and carefully worked out plan covering the

subsequent necessary steps. These steps will depend—some degree of political pressure apart—not on the future of the directly elected European Parliament but on the political will of the national Parliaments, and therefore of the Governments whose duty it is to translate this will into action.

We must urge the Councils of Ministers to tackle a series of important problems without delay: the first of these is where the official seat is to be located. Direct elections must be held, but the people must also know where the executive organs and the parliamentary representatives of this Europe are to establish themselves. We should really be failing in our duty to the peoples we are inviting to electoral meetings if we fail to remedy a shortcoming that reflects nothing else but a lack of Community spirit.

Alongside this question, which can be settled within the context of the Treaties, there is another problem we have to study and solve: that of transferring to the Commissions and to the European Parliament some of the powers of decision of the Council of Ministers, the only decision-making institution. (This does not, of course apply to the High Authority of the ECSC, but does, at all events, apply to the European Economic Community and the European Atomic Energy Community).

Nor can there be any Community, any real economic or political integration, so long as this organization is governed from the top by a conference of national ministers—for that is what the present Council of Ministers amounts to. We need a body with some stability of its own, with a relatively constant pattern of membership, one whose meetings are always attended by the same persons, and where we do not find today the Foreign Minister, tomorrow the Finance Minister, and the next day the Minister of Trade taking over.

If we are to endow this Europe with a modicum of even superficial appeal, we must start up by giving its representative organs at least the beginning of a concrete form.

Having made these general comments, I should like to discuss one or two fundamental issues raised by the draft Convention.

The main point I want to make is that I am opposed to any ban on holding more than one office. I am sorry to disagree here with my dear friend and colleague Mr. Santero, whom I regard as one of the pioneers of the European Parliament in Italy.

We should set out from the principle that we may venture on direct elections in the hope that the bulk of the voters will come to the polls, provided that we all go down into the arena—leading representatives of our national life, prominent figures already sitting on these benches, and influential members of our political parties. Members of the Parliament will carry all the more weight in this House, and their services to Europe will be all the more valuable, if they retain close links with national politics rather than cut themselves off from them, so that they can make their voices heard, exercise influence and throw their personal prestige into the scale in the national Parliaments, in which they can really help the cause of European unity.

Let it not be said that one could conduct an electoral campaign and then choose between the European Parliament and the national Parliament. This would be out of the question, if only because we should thus be depriving ourselves of a link we must preserve. Again, it is quite certain that this would be unacceptable to the electorate. I should like here to recall a personal experience. I was a candidate at the 1953 elections to the Italian Chamber of Deputies and Senate, and the electorate were kind enough to elect me to both. I opted for the Chamber of Deputies. When I stood again in the 1958 elections, the electorate told me frankly to make a choice beforehand. I naturally gave way and was elected to the Chamber of Deputies. I wanted to tell you this to illustrate the dilemma we shall be faced with if we uphold the principle of incompatibility of offices.

I also think we should not overestimate the amount of work we shall have to do in the European Parliament; its volume will not be such as to prevent members from doing their duty in their national Parliaments. Somehow we have managed to forge ahead even with half-empty benches; we have done our duty and furnished plenty of evidence of our good will. It will be the same in future, especially if we succeed in preventing this Parliament from getting too deeply immersed in technical questions and if we do not confine our work to drawing up reports and indulging in academic discussions about words and ideas. We are here to practise politics. In a Parliament like this our job is to discuss resolutions and to vote on them. We are not a technical organization such as the ILO or the World Health Organization may be; nor are we a study centre set up to gather information and go into the finer points of reports and other publications.

At all events, even if our time is limited—and I am thinking particularly of members exercising two mandates—we shall probably be able to do an effective job and to enhance the Parliament's reputation. I can imagine, on the other hand, what would happen if this Parliament severed all its links with the national Parliaments. It would be made up of men who were, no doubt, highly capable but devoid of experience or rejected by the voters in their own countries. Their coming here would only accentuate the very technical aspect of our work, and would contribute precious little to the drive the Parliament needs to bring about the unification of Europe.

I agree with Mrs. Probst who has spoken up so strongly for a uniform electoral system. But I believe that we should start out with what is possible and that, to begin with, slightly more flexible machinery will enable us to make more progress. Otherwise, because some countries may find it hard to accept an electoral system other than their own, we may be adding to the difficulty of making Europe comprehensible that of explaining how and why elections should be conducted in a particular way.

I have tried to express my views clearly. I am in favour of adopting the Convention. Mr. Battista and the Rapporteurs, who stinted no effort on the Working Party, could have done no more. But it must be borne in mind that direct elections will do more harm than good to the cause of Europe if this historical event is not accompanied by the gradual and systematic implementation of a programme, previously drawn up in the light of agreements between the Governments of our six countries, giving effect to the measures to which I referred a few moments ago.

We have done our duty. With the adoption of the Convention, another book will have been added to the corpus of European laws. The European edifice will have gained a little in height but will not provide shelter for Europe until it is completed. For the sake of our peoples' future prosperity, we must do our utmost to bring about economic integration, which was the object of the Treaties of Paris and Rome. Nor should we forget that man lives not by bread alone, that we have a host of interests that reach out beyond economics, and that we must preserve the legacy of European civilization for handing down to future generations. Hence the need to round off the Economic Community by setting up alongside it the Political Community of Federal Europe.

Mr. Le Hodey.—(F) Mr. President, Ladies and Gentlemen, I am very glad to have this opportunity of congratulating the Working Party, the Committee, its Chairman and its Rapporteurs, not only on the work they have done in drawing up this Convention but also on the realism they have shown in listening neither to people like Mr. Smets who say: 'European elections now?! What are you thinking of?' nor to the enthusiasts who dream of a constituent assembly or, failing that, a single electoral law, provided it fits in with their own ideas.

The Working Party have been more reasonable in choosing a middle course. They have given to the term 'uniform electoral law' a legally bold interpretation. Listening to Mr. Dehousse yesterday, I began to wonder whether the French language really makes a distinction between 'uniformity' and 'diversity'. Mr. Dehousse seemed to me at that moment to be not a lawyer but a poet, and one who believed the old adage that boredom was born one day of uniformity.



Legally, I do not think you are right, but politically you are, and that is far more important. The argument for progressive, stage-by-stage standardization of electoral laws strikes me as far more seductive than that for holding that uniformity equals diversity.

The text before us is a good text and a flexible one. The Convention lays down only general principles, and leaves it to each of the member States how elections are to be carried out, and to the future Parliament the onerous task of drawing up the electoral law. Nothing is more dangerous than the craving for perfection we so often encounter in our European work. Everything must be foreseen, every detail settled in advance; the result is that disputes arise over minor points of detail so that the ship, instead of moving forward, runs aground on one sandbank after the other.

I believe, however, that the proposed text calls for a number of comments. Amendments are needed.

In its present form it does not make a sufficient distinction between the provisions for the transitional period and the final provisions. The Committee on Political Affairs discussed this at length while in Rome, and Mr. Dehousse provided further explanations in sec. 20 of his report. Only yesterday he told us the text would be unintelligible if a distinction were not made between the transitional and final arrangements.

Let us not forget that the Parliament will not be able to lay down the electoral law unless the Convention gives it the power and authority to do so. The Parliament will not be able to modify the final provisions; that can only be done through a new Convention which will have to be ratified by the six national Parliaments. It is thus highly important to make a clear distinction because, despite the details provided by Mr. Dehousse in sec. 20, the position is still somewhat ambiguous.

As regards the incompatibilities of office set out in Article 8, I would suggest that this Article be included in the transitional provisions, for there could be no question—as paragraph 2 of that Article provides—of deciding on certain incompatibilities while the European Parliament had no authority in the matter.

As to the question of the incompatibility of a European parliamentary mandate with the exercise of other offices, I shall resume the battle I waged at meetings of the Committee on Political Affairs and Institutional Questions. 'To err is human, to persevere diabolical.' Well then, I shall be diabolical for I do not think it is reasonable to introduce all the cases of incompatibility that have been provided for, even during the transitional period.

It does not seem reasonable to me to make membership of the European Parliament incompatible with the exercise of a ministerial office in one of the member States. We have precedents. For ten years one such colleague has been sitting in this House; I will not mention him by name but I will say that he plays an outstanding rôle here. From time to time he has held high ministerial office in his own country without this raising any difficulty here.

Do you believe it wise so to arrange matters that in future our countries will be the poorer for no longer being able to choose any ministers from among the ranks of the European Parliament, or our Parliament the poorer for being unable to count among its members anyone holding ministerial office in his own country? This does not strike me as at all reasonable. What appears unacceptable to me is to try to declare membership of the European Parliament incompatible with that of the Commissions or of the High Authority.

Some members of the Parliament, among them Mr. Van der Goes van Naters, are impressed by the fact that in several of our countries a member of Parliament may not hold ministerial office. This is true; but the functions of a member of the Commissions or of the High Authority are not real ministerial functions.

How are these functions going to develop in the future? These people are going to become either officials, high officials or highly-qualified technicians—but still, as officials, subject to an authority—or else real political leaders shaping the future of the European Communities. These are the alternatives.

For the purpose of building Europe, we should do all in our power to ensure that the European institutions develop into a real European Government. This can only happen if members of the Commissions and of the High Authority are elected on the basis of universal suffrage, and keep in touch with the electors and with members of the Parliament by themselves belonging to it and understanding and sharing its concerns. In this way they would become a force in European policy. But if we debar them from our Parliament, we shall be casting them back into the category of European officials.

This is one of the most serious decisions provided for in the draft Convention. This morning Mr. Maurice Faure, as a faithful but neither highly convinced nor highly convincing Rapporteur, outlined the views of the Committee on this point, and did so in such a way that I can be certain of his support—and I am very glad of this—when the amendment comes up for public debate.

What, Mr. President, do we expect from the European elections? First, the support of the general public. Oh, I know that it will not be easy to conduct an election campaign about European problems. A campaign centring on local issues is much easier; these are readily grasped by the electors whereas those at stake at European level seem to the man in the street as remote as the stratosphere.

Elections remain the only means of arousing the interest of the masses in European problems. The obligation to outline problems in simple, readily intelligible terms, the confrontation of viewpoints, and the polemics of the electoral contest, will make of the European electors new Christopher Columbuses. They will discover, however, not America but Europe.

The first election campaign is bound to be difficult to organize and perhaps more instructive than political in character.

The second aim to be achieved through the European elections is the strengthening of the Parliament's authority.

This brings me in turn, after so many other speakers, to the problem of powers. Before holding elections, it is argued, let us increase the Parliament's powers. This is a facile suggestion sometimes made by people who do not want to see an increase in the powers either of the Parliament or of the European institutions. This seems to me to be a classic example of a pointless precondition.

A few moments ago Mr. Rubinacci alluded to the case of the chicken and the egg. Where, then, should we begin? We should begin by applying the Treaties before thinking of changing them. Yet to increase the Parliament's powers is to amend the Treaties; to hold European elections, on the other hand, is to apply the Treaties.

It is easier to apply the Treaties than to amend them, and the result is obvious: the elections will create powers. Powers will be brought into being by custom and usage and by the moral authority enjoyed by the Parliament. The whole nineteenth century and the British tradition are there to prove it—and Mr. Dehousse, incidentally, alluded to this yesterday.

A Parliament based on universal suffrage is bound to wield more power than a co-opted assembly, and an authority quite other than that of a delegated assembly. A treaty is not needed to give powers to an elected Parliament. It obtains them automatically because universal suffrage gives it the authority to do so; and even if it proved necessary to amend the Treaties, the moral authority of an elected Parliament for asking Governments and national Parliaments to make any

changes, would be different from that enjoyed by the present Parliament, which holds its powers only from the national Parliaments from which it has something to ask.

At present we have to petition our principals, whereas an elected Parliament will be independent of the national Parliaments and better able to deal with them.

Incidentally, let us examine the objection concerning powers a little more closely. Do you really believe our Parliament has so few powers as we tend to imagine? What does it do with its right to table a motion of censure? With its right to exercise supervision? What does it do with its real right of interpellation, that is, to put oral questions involving debate *vis-à-vis* the Commissions and the Councils, under Articles 28, 29 and 44 of our Rules of Procedure?

Do you not think that a clearly-defined resolution—Mr. Van Dijk mentioned this a short while ago—passed by a directly elected Parliament would carry the utmost weight with the Community institutions and the general public, whatever the wording of the Treaties may be?

A directly elected Parliament will not convert itself into a convention or a constituent assembly; we are not living in a revolutionary era. But it will be strong enough to insist on being given the rôle that a parliament must play in any institution.

I should like to close by quoting a famous saying of a well-known author whose name has slipped my memory. A short while back Mr. Bohy remembered the name of the author but had forgotten the name of the character. But I can no longer remember the name of the author. He wrote that the French Revolution was carried out with three Latin words: *veto, deficit, unigenitus*. Let us in turn say that the construction of Europe—to speak of a revolution would be going too far—also hinges at present on three words: acceleration, association, elections.

Acceleration of the Common Market, not only for technical reasons but because it proves that the Governments and the peoples sincerely desire to unite the Europe of the Six.

Association which, if the Community really wills it, if it displays sufficient imagination and flexibility, will solve the problems not only of relations between the Six and the Seven, but of the new sovereign States in Africa that have been created recently and of the many more that will come into existence this year.

Elections! Mr. Maurice Faure concluded this morning by saying that they would make European unification irreversible. European elections will endow Europe with power delegated not by the States but by the peoples.

Mr. President, I look forward to the day when the Parliament that takes over from us can say that it is sitting—no matter where, for the question of an official seat is not to me of such importance—not by the will of a treaty but, as Mirabeau put it, by the will of the people.

**Mr. Carboni.**—(1) Mr. President, Ladies and Gentlemen, I must begin by telling you that I am personally in a very delicate position: I find myself obliged to make many criticisms of the Convention submitted to us but at the same time I am on very good terms with all the members of the Working Party, and especially with its Chairman who was kind enough yesterday to tell us that he treasures his activities on the Working Party among some of his happiest memories in a political life rich in experience.

We thank you, Mr. Chairman. May we add that any criticisms we allow ourselves will in no way detract from the respect and friendship we feel for you?

Having said this, I must say I realize the appalling difficulty of the task entrusted to the Working Party. There are no grounds for thinking that others, had they been in our place—for I, too, was a member—could have done a better job. We have the clearest recollection of those first meet-

ings held in Brussels under the most difficult conditions and beset by uncertainties, and of an uninterrupted flow of work the results of which now lie before you.

I shall make criticisms, both as to form and as to subject-matter. I shall make them if only because, having taken up this attitude on the Working Party, I am anxious to explain it before the members of this House who did not follow our work and cannot therefore know how we set about things.

I need not say that I am neither a 'maximalist' nor a 'minimalist', and neither a good nor a bad European; I am simply a European who believes in Europe and has proved as much. I therefore need no identity card or pass for this world which seems to me to be reserved exclusively for good Europeans.

The Treaties of Rome assign a clearly defined task to our Parliament: to draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States. The draft Convention must therefore embody two key features: direct elections and a uniform procedure.

The draft before us does not, however, provide for direct elections. Although this principle is set forth in Article 1 it is withdrawn in Article 3 which states that during a transitional period—we shall see later how ingenious this device can be—one third of the members are to be elected or nominated by the national Parliaments from among their own members.

The principle of a uniform procedure is also not respected. There is no need to repeat here what Mrs. Probst has said about the diversity of electoral systems under which, in the future, a European Parliament will be elected.

These are the different systems in force in the six member States. In reply to Mr. Bohy, who asked whether the Sicilian elector's vote would carry the same weight as that of an elector in Munich, I believe that the answer is No. One will take part in the elections under the German system—an interesting blend of personalized voting and proportional representation—and the other by a different method even more difficult to fix, because we have two procedures in Italy, one for the Chamber of Deputies and one for the Senate. It is for you, Mr. Bohy, to choose the one you prefer.

I have searched in vain for these two key features in the draft Convention. On the other hand, I find something else: on a number of points we have gone beyond our mandate because we have amended the Treaties of Rome in regard to the number of representatives.

We are thus faced with a draft which, on the one hand, falls short of the aims by virtue of which we were given our mandate, and, on the other, goes beyond this mandate in proposing amendments to the Treaties, something it has no brief to do.

So much for the subject-matter. But there are also faults as to form which we cannot simply pass by. No doubt changes in the Treaties of Rome, for example, may be justified by the fact that if we are to conduct an election campaign, we cannot call on the people to elect a mere handful of representatives. But such an amendment ought to have been made the subject of a special Article stating that Articles 138 of the EEC Treaty and 108 of the Euratom Treaty were to be amended accordingly. After all, such an amendment is a precondition, not a consequence, of the electoral law.

I am personally all for clarity and technical perfection, as indeed we all ought to be—otherwise we should offer easy targets to the bolts launched by Georges Ripert in his book criticizing parliaments which, he asserts, have made profound changes to the Civil Code without being aware of it. I think it necessary, when a constitutional rule is being changed, to employ a process in keeping with the character of the law to be amended. The first part ought, therefore, to have carefully listed all constitutional changes; this would have shown a proper respect for form and avoided any impression that we were trying to smuggle these amendments in, either because we felt that the

Governments would not notice them or because we lacked the courage to declare them. Personally, I think these changes were necessary, but they should have been made quite openly, and I am sorry to have to say that proper respect for form was not shown.

Let us take a brief look at the Articles of the draft Convention. I object to the one that states that a number of representatives must be nominated by the Parliaments; I will not budge in the matter of universal suffrage. I regard this as the cornerstone of any parliament, of any parliamentary assembly. If our Parliament wants powers with which to face the Governments, it will only be able to secure and wield them if they are firmly based on the votes of the people. That, after all, is what democracy is about.

It is said that what has been proposed is needed to ensure a link between the national Parliaments and the new European Parliament. I think, however, that this co-ordination, this union, can perfectly well be achieved if we accept the proposal made by Mr. Rubinacci, who, unlike Mr. Santero, does not want membership of a national Parliament to be declared incompatible with the European parliamentary mandate. It will be for the parties, for the national Parliaments themselves, to decide who shall exercise the two mandates. Let us leave the decision to them. This is undoubtedly what will happen, if only because it is a requirement of an election campaign that is bound in any case to be difficult to organize. It is no easy matter to induce a people to vote on a Europe of which they still know so little, and about which, perhaps, they have false ideas.

As Mr. Rubinacci said, all leading figures should therefore take part in the election campaign. All of us will have to join in the struggle but if one of us knows that—even without holding meetings or travelling a step—he will, as an influential member, be nominated by the Parliament out of the third of the membership available to it for that purpose, then he is bound to ask himself, if only from that sense of economy we all possess: Why go through all the trouble of an election campaign when I am certain to be nominated by the Parliament?

I fear that the campaign would thus be deprived of those very persons who could support it to the greatest effect. This being the case, I can see no theoretical or practical reason why a third of the representatives should be sent by the national Parliaments, whether they be elected or nominated by them.

It was argued that this would only be for the transitional period. But this term 'transitional period' is one I do not like. Right from the start I pointed out that it was unsuitable, and this for several reasons. First, it is difficult to say how long the period is to last; if you read Article 4 through, I think you will not find it easy to explain to me exactly what it means. But there is one simple reason why I find it unconvincing: the transitional period is taken over from the Treaties of Rome, but there it relates to economic facts, to measures to be taken on customs duties or on relations with third countries. Now, we know perfectly well, for it is a reality we are experiencing, that these transitional periods were based on assumptions since shown to be false. Indeed, the acceleration now being called for with this Parliament's backing represents a shortening of one of these economic stages.

Now, it strikes me as rather odd to link up the life of the Parliament to an economic relationship affecting the activities of the executive organs. We would therefore be required to decide on the life of the future Parliament in the light of an economic factor completely extraneous to it. This is why I would prefer not to talk about a transitional period. I would rather say that certain rules should be applied for the first elections, and that it should be left to the future Parliament, which we all hope will reign supreme—as it will because it will stem from the people and therefore enjoy original and direct sovereignty—to decide on its future existence. Is it really for us to say in advance what that existence is to be?

I find this provision not only incorrect vis-à-vis the future Parliament but also dangerous, all the more so because that Parliament's future would depend on changes in economic relations that have nothing at all to do with it.

Article 14 is another which I should like our Parliament to consider carefully. It states that national elections in the member States may not be held simultaneously with European elections. Now, only this morning or this afternoon, it was pointed out that lack of funds could land some political parties in difficulties. But I should like to add—the comment is not mine, having been made by Mr. Bosco in Rome—that we could in this way restrict the power of the head of State of our country to dissolve the Parliament and call for new elections in pursuance of the rules governing general elections.

One could thus say that it was desirable, in principle at least, that there should be no national elections ; this should not be made a binding rule, however, as we might run up against a constitutional requirement and this would be a very serious thing.

Even more disquieting, in my view, is Article 19 which talks of an interim advisory committee to consist of delegates of Governments and delegates of the European Parliament in equal numbers. This committee would be empowered to deliver opinions and put forward recommendations on the problems encountered in framing and applying the legislation of member States. In other words, it would have broad powers to supervise the activities of the Governments and Parliaments, powers it could exercise not only at the request of the foregoing bodies but also on its own initiative if decided by a qualified majority.

Frankly I do not see how the national Parliaments could allow a committee, half of whose members were representatives of their own Governments, to interfere in their work and render opinions, and I know not what besides, on their legislative activities through a qualified majority.

I know that Mr. Scelba approved of this Article when it was discussed in Rome, but he thought that it referred to one of those parliamentary committees set up to help governments during elections with opinions and recommendations. In fact the matter is far more serious because the committee in question is one half of whose members would be government representatives and which could intervene at legislative level.

I therefore feel that this provision would encroach considerably on the sovereignty of the national Parliaments, and I doubt whether the Governments would have the courage to propose it, or the Parliaments the majorities to accept it.

I believe, Mr. President, that within the limits I set myself, I have been very brief. I should like to make one last statement. I am extraordinarily lucky. Hardly one of my proposals—and I make enough of them!—arouses the slightest response ; almost all fall on deaf ears. I am in good company, however ; my experience is shared by Mrs. Probst and Mr. Metzger and many others. I did not speak because I want my ideas to be taken up. I only spoke because I felt the need to do so, to do my duty as someone who wants these questions to be resolved but who knows in his heart of hearts that anything really worth doing takes time. I do not mean by this that the draft Convention should be rewritten like Molière's comedies, three times. Yet it is certain that this draft must be re-examined if ours is to be a real Parliament, both in its constitution—that is, elected by the people—and in its powers—that is, sovereign—and if it is to be a worthy successor to the present Parliament to which we feel so much attached.

**Mr. Kopf.—(D)** Mr. President, Ladies and Gentlemen, the mandate given in Article 138 of the Treaty setting up the European Economic Community and in the corresponding Articles of the other Treaties is, by its very nature, a political one. The report which the Committee on Political Affairs has submitted is one of outstanding political significance. European elections must be seen from a political standpoint.

Legal and technical experience, of course, plays a great part in the drawing up and appreciation of the draft Convention. But we should never forget that the authors of the Treaties of Rome, our Working Party and the Committee on Political Affairs have regarded our work as

primarily political, designed to promote the union of our countries and to give the European Parliament greater political importance through the introduction of direct elections.

The mandate of this new Parliament will be directly conferred by the peoples and not by the Parliaments of our six countries. This is something quite new.

The elections leading up to the constitution of the new Parliament will be conducted on the basis of political programmes with political ends in view. They will help to awaken an interest in European questions among many sections of the public in our countries which have so far displayed a certain indifference to the activities of our Parliament. Indeed, programmes of European scope must be presented, and European viewpoints brought home to the electorate.

Against this background I welcome the work which the Committee on Political Affairs and the Working Party have submitted to us, for I see this as a contribution to the political unification of Europe. I should particularly like to thank those who have been largely responsible for this success: Mr. Dehousse, Mr. Battista and the former Chairman and the Rapporteurs.

I would add, however, that this recognition of what has been achieved does not dispose of the need for us to make certain criticisms.

It is true that the Working Party and the Committee on Political Affairs were not in a position to carry out their task fully or as well as it ought to be done, and that the draft Convention leaves it to the member States to make the necessary arrangements for European elections during the transitional period.

I should have been very happy if it had been possible to introduce a common electoral system for these first European elections or to issue directives as a basis for the procedure. This, however, proved impossible. Several speakers have said they find this regrettable, and have drawn attention to shortcomings in the draft Convention. Some have asked whether it would not be better to refer it back to the Committee. We should look to the future, however, not into the past. We should be more hopeful about the effects of the first European elections provided for in our draft Convention.

It would not therefore be a good idea to get the organs of our Parliament to make good this deficiency. In any case I do not believe it could be compared to Penelope's trick of constantly weaving and then unpicking the shroud. On the contrary, I think that making good the deficiency would be the same as if Penelope were to finish the garment.

In spite of everything I have faith in the future, and I hope that this draft Convention will be adopted. I am convinced that this first Parliament, elected on a European basis through the direct mandate of our electors, will give our European idea such a powerful political impetus that we are justified in adopting this draft Convention even if we do leave the initiative to the member States during the transitional period.

The Working Party and the Committee on Political Affairs often discussed the link between direct European elections and the widening of Parliament's powers. The connexion existing between the two has indeed been repeatedly pointed out. Both the Working Party and the Committee felt, however, that the two issues should, as stated in sec. 6 of Mr. Battista's report, be dealt with separately.

I cannot agree with the speakers who said that widening the powers of our Parliament was a prerequisite for introducing direct elections. At the same time I do not think it is right to embark on European elections without regard for their results in connexion with the question of wider powers. Our Parliament should pursue these two objectives simultaneously.

One of the reports refers to the need for a certain strategy. It may be agreed that a single, clearly recognized objective is easier to attain if a second objective is not pursued at the same time.

Yet there is such a close relation between wider powers and the effectiveness of a directly elected European Parliament that I consider the two aims should be pursued simultaneously. I conceive it possible that once the first European elections are under way or the draft Convention is ratified, an attempt will be made to widen these powers to some extent, for example in the field of Community budgetary law.

Indeed, when we look at certain provisions of the draft Convention, we are struck by the need for such a synchronized procedure. I should like to quote two examples of this inherent connexion between the two measures.

Under the draft Convention, the number of members in the future Parliament is to be tripled, that is to say, increased to 426. This number is, of course, not too high for a Parliament worthy of the name. A Parliament of the countries of our Community to which far-reaching legislative tasks are entrusted, would never be too large with a membership of 426, a number smaller than in many of our national Parliaments.

The question, however, is whether this number would still be suitable if we had failed to widen our powers sufficiently by then.

We have both the desire and the will to secure this increase in our powers but we cannot say when this will be.

It would therefore have been as well to go forward step by step and to start off with a smaller membership, say with double the present figure, at least for the transitional period during which the Parliament's powers will not have been increased sufficiently if at all. We could then have left it to this Parliament, to which we will have transferred extensive authority for organizing the future elections, to take a decision on increasing the number of its members in anticipation of the time when its powers are adequately increased.

Another example of the connexion between increasing the Parliament's powers and having it directly elected is the question of gearing the national Parliaments to the European Parliament. After lengthy discussions it was laid down that for the transitional period a third of the members of the future Parliament should be elected by the national Parliaments. I consider this right. But here again it can be argued that separating the future European Parliament completely from the national Parliaments, and thus doing away with this gearing, will be justified only when the future Parliament has far-reaching powers. Once it achieves complete independence and has powers comparable to those of a national Parliament, it will be able to assert its right to plan its own existence. Then it will no longer be necessary for some of its members to belong to national Parliaments; the European Parliament will be able to lead its own existence as a parliament of the peoples and countries united in our Community.

But this goal is still a long way off, and the distance will have to be covered in stages.

I wonder if it was a good idea to link up the gearing we have provided for so arbitrarily to the transitional period, which more or less coincides with the transitional period in the Common Market. We hope that our Parliament will be given adequate powers long before the end of this period. We may perhaps then give up this link; but even at the end of this period we may still not have adequate powers, and shall therefore be obliged to preserve it.

What worries me is the introduction of this limited transitional period coinciding more or less with that provided for under the EEC Treaty. (We have provided for a starting date and an expiry date, and may expect to reach the end in 1970, if not a little sooner.) Such a transitional period is a fixed term which does not allow of our doing full justice to our particular problem, namely, that of the inherent connexion between the range of powers and the activities of our Parliament.



I was glad to note that the declaration of intent on which Mr. Metzger commented this morning, reflects a concern we all share. Mr. Metzger says in his report that the associated territories should cease to be mere objects of our solicitude and increasingly become responsible subjects actively engaged in co-operation. It is therefore both right and consistent with our common wish that we foster relations with representatives of the associated territories, some of whom have already entered on their parliamentary activities while others are about to do so. The declaration of intent expresses a number of wishes which I wholeheartedly endorse.

By adopting this draft Convention we shall simply be carrying out the task assigned to us, afterwards passing the draft on to the Council of Ministers or the Ministers for further discussion. But before it leaves our hands we should ask that before the Convention is finally signed, this House should be given a further opportunity to come back to this draft to be discussed and settled by the Ministers.

The fact that we intend to leave it to the member States to make the electoral arrangements under their own laws during the transitional period, should not induce us once again to make good this deficiency. We should, however, devote our interest, care and hope to the subsequent shaping of the draft Convention. Its next stage will be the governmental one. It would be desirable, at some point following the provisional conclusion of this governmental activity but preceding the final signature of the draft Convention, for the Parliament to be given an opportunity of coming back to it for the purpose of making critical yet constructive comments thereon.

Mrs. Probst expressed the wish that during the transitional period an attempt should be made to bring the electoral procedures in the six member countries more closely into line. I am aware of the difficulties raised by the discussion of this question on the Working Party and on the Committee for Political Affairs. On the other hand, it is instructive to compare existing electoral systems. One finds that they are not after all so very different, that several countries have not got pure proportional representation but that their systems have been personalized in certain respects.

I shall not make any practical proposal; but when we come to adopting this draft Convention it might be worth embodying in a resolution a wish for some measure of harmonization of electoral systems even during the transitional period. I also wonder whether it would not, after all, still be possible to establish certain principles, though not details, on which we might agree.

We should also take advantage of the adoption of this draft Convention to reiterate our desire for an adequate increase in the powers of this Parliament.

I should like, Ladies and Gentlemen, to support this draft Convention in spite of all the imperfections to which I have alluded. If I do so, it is because it represents for me a step into the future, a means of consolidating the Community not only of our countries but also of our peoples, and of bringing nearer the goal of co-operation between our peoples united in the Community.

**Mr. Micara.**—(1) Mr. President, Ladies and Gentlemen, our attention, as I see it, should not be focused so much on the formal, legal or technical aspects of the draft Convention on direct elections to the Parliament as on the political aspects.

The Working Party and the Committee on Political Affairs have drawn up a text with which I am in full agreement. They worked on this for fifteen months; they consulted government representatives, political leaders and experts in these matters. The results of their work can be seen in this draft Convention which I do not think could be bettered at present; we have every reason for satisfaction and to thank our colleagues for the sterling work they have done.

If we examine the draft Convention in detail, we may find that it is imperfect and falls short of certain wishes and requirements of each one of us; but the mechanics of the Articles should not cause us to lose sight of the primary political aim of our action, and it is this political will of ours that must be the driving element of the draft Convention.

There is no point in our dividing up into maximalists and minimalists or into good or bad Europeans, as has been suggested. This draft Convention is a realistic compromise between the desirable and the possible, as Mr. Dehousse so rightly pointed out.

It also represents the common denominator of the wills of the Governments and of the political parties. The argument as to whether the Parliament should be given wider powers before elections are held seems to me—as already pointed out—the problem of the chicken and the egg.

We are always demanding greater powers for our Parliament ; today we have the opportunity of exercising a power expressly conferred on us under Articles 138 of the EEC Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty. This power to draw up proposals for elections by direct universal suffrage may perhaps be regarded as an absolute duty.

This is the unique opportunity to express our political will. This is what is being demanded by our peoples who do not want to remain mere spectators but wish to play an active part in this wonderful enterprise for achieving the political unity of Europe.

I should like to act as spokesman here of the European local government representatives who met in Cannes recently—many colleagues were there at that time—and unanimously called on the European Parliament to draw up proposals without delay for elections by direct universal suffrage. There were at Cannes 3,000 European local government officials representing, through the associations affiliated to the Council of European Local Authorities, 40,000 members. We are therefore quite justified in saying that the people of Europe are behind us.

Moreover, we cannot at this point dash the hopes of the people, and this—as Mr. Dehousse has again pointed out—for the sake of democracy, justice and political efficiency. Our Parliament, which is more of an economic and social council than anything else, must become a real parliament representing the European people.

It is said that if we do not first endow this Parliament with greater powers our work will be in vain. I disagree. One has only to reflect on how different will be the position of directly elected members and of government representatives voted in by the national electorate. There will be a difference both in the degree of responsibility and in the political significance of their mandate. It could be said that the new Parliament would be in the position of a federal parliament in relation to a regional government.

It is true that it is those Governments that will have to give us wider powers. But what resistance will they be able to offer when they find themselves caught between two fires ; on one side the drive of a Parliament deriving its strength from its election by direct universal suffrage, and on the other, pressure from below from an electorate that demands wider political rights of representation and action for its representatives ?

There is no doubt that the new Parliament will, from the democratic point of view, possess a sounder legal and political title than that on which the national Governments are based.

I should like to make one last comment. I believe we are all agreed that there can be no real economic integration without some degree of political integration. This is becoming increasingly obvious as we come to deal with the problem of economic integration. This is inevitably a parallel process : if we wish to proceed with economic integration we have to integrate politically. The two must go together ; indeed, many of us—and I among them—think that political integration must come before economic integration.

Be this as it may, we now have a unique opportunity and everything depends on us alone. Elections by direct universal suffrage are undoubtedly a tool now in our hands which, properly used, could play a substantial part in a new drive for the political integration of Europe. We

must use it wisely, it is true, but at the same time with determination. The draft Convention submitted by the Working Party and the Committee on Political Affairs seems to me to possess the virtues of wisdom and determination.

It would really be embarrassing if the Governments, which we are always criticizing for being nationalistic and inactive, were right now to outflank us. By accepting the Commission's proposals they are trying to speed up economic integration, and it would be a bitter pill for us to find that, at a time when they were trying to meet our demand for swifter progress in the economic sphere, we were incapable of making good use of the instrument available to us today to speed up political integration. Such a glaring political incongruity would weigh heavily on our consciences. With the speeded-up economic process and the application of the common external tariff we are on the way to transforming our economic union, our customs union, into a real economic community.

Similarly, elections by universal suffrage could be a decisive step towards political integration. I do not wish to indulge in European nationalism but perhaps many of us are not always alive to the political and economic significance that Europe possesses today.

I should like to refer—as I have done on previous occasions—to an article which appeared in an American review. This asks: Whose will this century be? Will it belong to the United States, to the USSR or to Europe? The article is based on American sources and the facts and figures, which are extremely accurate, are supplied by our American friends whose conclusion is that there is no certainty that this century will be that of the United States. They rule out Russia but cannot decide between the USA or the Europe of the Six. And this on the basis of facts and figures.

A bloc such as ours has a national income of 250,000 million dollars as against 480,000 million dollars for the United States and 200,000 million dollars for the USSR. Our steel production is 80 million tons, as against 110 million in the USA and 64 million in Russia. Automobile production in the Europe of the Six is two-thirds that of the USA, whereas the USSR manufactures only 125,000 vehicles, that is, a mere 4 per cent of the output of the Six. If to all this we add the fact—and this is what matters most—that the balance of trade of the Six attains the astronomical figure of 35,000 million dollars as against 17,400 million for the USA and 4,400 million dollars for the USSR—so that our trade can be said to have almost 10 times the volume of that of the USSR, one can conclude that the Europe of the Six is the largest trading power, and the second largest industrial power, in the world. This may serve to bring home to us our responsibilities not only in the economic but also—and mainly—in the political sphere. We have only to consider the balance of trade figures and properly interpret them to realize, for example, that the Europe of the Six buys 44 per cent of the raw materials of the developing countries.

If, therefore, a policy is needed towards these countries, it is from the European Economic Community that it should come.

These figures, which perhaps we often are unaware of or simply forget, indicate the scale of the political problem and impart significance to the vote on this draft Convention for elections by universal suffrage. What we need after all is a Parliament capable of shouldering these responsibilities. The figures speak for themselves: we must see to it that the political dimension is brought more closely into line with the monetary and economic dimensions.

This is why, in conclusion, I think that we should adopt—if possible, unanimously—the draft Convention submitted by the Working Party and the Committee on Political Affairs. I would go even further and say that we should at the same time ask the Governments to approve it as soon as possible, at a time when economic integration is beginning to pick up speed, so that political integration and economic integration can run parallel, as they ought.

In this way the Governments will be giving a practical demonstration of their desire for political integration because, as we have shown, there can be no economic integration without political integration. We thank them for all that they have done already and hope that the talks now in progress in Luxembourg will lead to results we will find satisfactory. At all events, we believe that the speeding-up process will, at the latest, start on 1 January 1961. I propose that this draft Convention be approved before that date.

We shall then see our Parliaments vying with each other in ratifying the Convention, and I believe that 1961, because of the political and economic revival it will bring, will be a happy year for Europe. We shall be the witness of the interesting spectacle of a contest between economic and political forces. I trust that the political forces we represent will win the day.

**Mr. Corniglion-Molinier.**—(F) Mr. President, Ladies and Gentlemen, the problem occupying us at present has been clearly defined in three speeches: the outstanding speech by my friend Mr. Maurice Faure, whose talent comes more into evidence every day, the astonishing lesson in law given by our Chairman, Mr. Dehousse—my word, Mr. Chairman, if most of my teachers had shared your talent and your gift for making the most difficult questions clear, I would have been a much better student of law—and the speech made by our friend Mr. Battista. These speeches even gave us an idea of how we can better shape our future, an idea which will surprise my old friend Mr. André Malraux. If I add to this the verve of Mr. Bohy, the good sense of Mr. Le Hodey and Mrs. Probst, the report by Mr. Schuijt and the many interesting comments of other speakers, including some made by the previous speaker, I think I can say that everything that had to be said has been said.

My speech mainly concerns the report by Mr. Metzger who clearly understands the current problems that link the African States with our Economic Community. Perhaps, however, I may be allowed to suggest that he does not sufficiently stress how urgent it is for us to prevent Africa from becoming welded to Asia, an Asia described as 'immense and indestructible' by a famous statesman at present well known in France and throughout the world.

We need carefully planned and constructed political institutions to ensure that 'Eurafrica' may live. We can already see coming into being in Africa small groupings which will grow along the lines of our continental European Community—the alliance centred on the Ivory Coast, the Equatorial Union formed by Chad, the Central African Republic and the Congo, and Mali bringing together Senegal and Sudan.

One need not believe in spontaneous generation to realize that these very young, these newly born States are drawn to each other and merging so that they can together forge a future they do not wish to leave to chance.

Very few statesmen foresaw the course events would take in Africa. One who did is among us. I am glad that he is not today in a lift! I refer to my good friend, Mr. Pleven, who, as a free man and a great statesman, sketched out in 1944 in Brazzaville, under such unhappy circumstances, the broad outlines and structure of the future Africa, in a world that was at the time in a state of complete upheaval.

Few listened carefully to him; this is the fate of all who, like him, can see far ahead. At that time, nearly twenty years ago—how many hard years have passed since then—he brought home to a few people how tempting a prey was Africa for this immense Asia to which I have alluded. The African Governments of today have need of real courage, of political courage, to resist the call of certain enticing and venturous sirens of the East.

It may be feared that these African Governments, recently promoted to independence, may lend an increasingly attentive ear to these enchanting voices of the Far East. This is why 'Eurafrica' needs sufficiently solid institutions to prevent the newly promoted 'blacks' from succumb-

ing to the 'red' or 'yellow' temptation. I must say that the otherwise excellent reports prepared by the Working Party and the Committee on Political Affairs did not go very far in ascertaining what could be done to get the new African States represented in our midst. I am not blaming them for I know the difficulties of the subject, on which they did consult my friend Mr. Vial and me.

I hope that when the proposals we are discussing are submitted to the Council of Ministers, the Parliament will itself point out this shortcoming. Why should it not suggest to the Council of Ministers that it be entrusted with the study of this question? I am sure nobody could do it better.

I beg you not to keep silent about this problem. I insist on this because I am sure it faithfully reflects the views of my colleagues here representing the overseas countries. Not a day is to be lost for Africa is developing at a giddy pace, and in defining new relations between Europe and Africa it is no use running if we do not start off in time.

It is not by holding an annual conference, grudgingly agreed to, that you will win the confidence of the African States. Nor will it be through missions, despite their satisfactory results, that we shall secure the lasting friendship of these nations which have just stepped onto the world political stage. It is through clear, forward-looking institutional links that young Africa will be happy to live with us, to prosper with us, to shape a new future for herself and for us.

**Mr. Fischbach.**—(F) Mr. President, Ladies and Gentlemen, at a moment when the responsible ministers of our six countries have just reached agreement, not without some difficulty, in Luxembourg on their attitude to speeding up the completion of the Common Market—a circumstance some believe will show the world that the Common Market 'exists'—our Parliament is discussing and getting ready to approve a draft Convention on the first direct European elections, to be held by 1963 at the latest. It is thus preparing to carry out an idea expressly set forth in the Treaties. But its main concern is to prove to statesmen and political circles in the member States that it is ready to take over its rôle as a real parliament.

Direct elections are the key element of any democratic and sovereign parliament. Although our powers are drastically circumscribed by the Treaty, this does not prevent the institutions, particularly the Commission and the Parliament, from making full use of all the means placed at their disposal by the Treaties to enable them to play their part as effectively as possible.

I think it is idle to talk of increasing powers at the moment. What matters is to believe in the ultimate success of the Common Market and to do one's utmost to build a real Community as soon as possible rather than another international organization of which so many already exist.

The European Commission's wish to speed up development at executive level must have as its corollary the Parliament's determination to exert every effort to ensure that this quickened pace of development wins the support and co-operation of the general public in our member States. We must prepare for the future, that is, resort to all ways and means of achieving the ultimate goal of the Community, which will necessarily be political.

It was this determination that guided the members of the Working Party and of the Committee on Political Affairs when they drew up the draft Convention. They fully realize that the draft Convention they have submitted to the European Parliament and to the Governments falls far short of the uniform procedure called for in the Treaty of Rome. None the less it has the advantage of permitting direct European elections in each of the member States in accordance with certain common rules, particularly as regards the minimum voting age, the date of the elections, certain incompatibilities and the lifetime of the elected Parliament.

As regards the draft Convention, two attitudes are possible; they stem from the reply given to a question of principle that concerns us all, namely, whether we are for or against direct European elections.

Let us say right away that no draft Convention can ever be satisfactory to the opponents—fortunately few—of the idea of direct European elections. On the other hand, those in favour of them can choose between two possible attitudes. They can be theoretically 'for' while feeling that a uniform procedure would run up against stiff opposition in each member State and hesitating to accept any measures that clashed with the psychology of their national electorate. To those in favour of European elections the draft Convention as it stands clearly offers all possible guarantees. It is indeed a compromise capable both of dispelling the fears of the sceptics and the waverers who urge us not to move too fast, and of affording a measure of satisfaction to those who would like European elections to be as uniform as possible from the very start.

As regards the first group, the draft Convention largely takes into account all the objections there could be to a final and uniform system. The Working Party and the Committee on Political Affairs have considered all the points liable to provoke criticism and run up against opposition in the member States.

The draft Convention first leaves it to each member State to devise its own procedure for the European elections. It sets out from a recognition of the crucial need for the general public in each country to regard the European parliamentarians as having been democratically elected. What matters is not so much that the electors should know that they are going to elect the members in accordance with a uniform procedure, but that they should be convinced that they can vote in the way that seems to them the most democratic.

Even the experts have not felt it to be essential, in order to enhance the prestige of parliamentarians, to elect them by the same procedure in each member State. In fact the laying down of a uniform procedure would not meet with the agreement of the people, who want not only to vote for their own national candidates but also to vote in accordance with the procedure in force in their country.

The problem of the number of members has also been solved in a reasonable manner. It was decided to triple the present number of members in the Parliament. The majority endorsed this proposal, and this for several reasons. Firstly, the number must be such as to allow of at least a minimum of contact between candidates and voters during the election campaign. Secondly, the national Parliaments should retain the prerogative of nominating part of their members to the Parliament as in the past. A third consideration concerns the smaller countries; their representation in the European Parliament would, if quadrupled, be unduly large in relation to the number of their national parliamentarians.

The authors of the draft Convention spent a long time discussing whether all members should be directly elected or whether some of them should continue, as in the past, to be nominated by the national Parliaments. The second approach was finally agreed upon.

Two considerations underlay this decision. The first was the advantage of maintaining direct links with the national Parliaments, at least during the transitional period. The second was a recognition of a circumstance that is bound, within a few years, to make itself felt in practice; namely, a *de facto* incompatibility in the exercise of two mandates which will oblige the political parties, even for the first European elections, to include in their lists candidates who are not yet members of a national Parliament.

None the less, the authors of the draft Convention did not feel bound to establish the principle of the incompatibility of twin mandates, at least for the transitional period, because it would be too much to ask members of national Parliaments to give up their comfortable national mandate for a mandate which, though European, carries no real power.

The question of the Parliament's powers is, of course, the one most closely linked with the idea of direct elections. What has to be decided is whether the absence of power is reason enough for not already deciding, at this moment, in favour of European elections. Will these be

of real interest only if the powers of the Parliament are enlarged? I think it would be wrong to put the question thus and to make approval of the draft Convention conditional on an increase in powers.

We regret that the Parliament's powers are even more limited than were those of the Common Assembly, since ministers are not answerable to the parliamentarians—a circumstance that renders our famous motion of censure somewhat illusory as it is aimed at a Commission which, as far as powers are concerned, depends on the Council of Ministers.

In spite of this, it would be dangerous to set up an increase in powers as a precondition. The really important step we must take is direct elections. In so far as this helps to consolidate the Community, it will automatically bring with it an increase in powers.

As national laws and customs had to be taken into account in dealing with many aspects of the organization of direct European elections, it was an excellent idea to proceed by stages and to introduce a transitional period in the draft Convention. At the end of this period, when we shall have gained valuable experience, it may be possible to solve some of these problems, including that of the electoral system.

I am thinking in particular of the incompatibilities referred to in Article 8 of the draft Convention. I have therefore decided to bring up again the amendment I put forward in Rome limiting to the transitional period the incompatibility of membership of the High Authority or of the Commissions with membership of the European Parliament.

If we really think that members of the Commissions should one day be nominated or elected from among members of this Parliament, we have every reason to enhance its importance by admitting members of the Commission to it.

I hope, however, that once the transitional period ends and a uniform system is in force, it will be borne in mind that the Treaties of Rome were signed and ratified by six sovereign States and that national frontiers should therefore also be considered when constituencies are rearranged and lists of candidates drawn up.

I would conclude by repeating that the draft Convention is a useful and sensible piece of work which deserves the approval of the great majority of members of this Parliament. It has every chance of winning the approval of the Governments and thus of opening up the way to a Parliament springing from the will of the people. I am sure that one day it will be said that, just as there would have been no Common Market without list G, there would have been no European Parliament wielding real powers without the compromise afforded by the present draft Convention, which we should adopt and pass on to the Council of Ministers.

**Mr. Battista, Chairman of the Committee on Political Affairs and Institutional Questions.—**

(1) Mr. President, Ladies and Gentlemen, you have asked me to take the floor to wind up this debate. My task has been made much easier by the high degree of understanding shown by all the previous speakers.

I should like to thank everybody for the immense support given to our draft Convention on the election of the Parliament by direct universal suffrage. I am particularly grateful to you because when you have worked a long time on a committee and have got to know all the members and their opinions pretty well, it is really heartening to go on to win the approval of such a large and authoritative assembly. Permit me therefore, Mr. President, to thank all the speakers by name.

I should like first to thank Mr. Battaglia for his earnest and well-thought-out words, and then Mr. Bohy who, in an outstanding speech, told us that the Socialist parties of the Six have

decided to support the draft Convention, and showed that the powers of the present Parliament are not, after all, so slight as to make the persons gathered here appear utterly useless.

I thank Mr. Santero, an old European and one of the pillars of the Parliament. He has again put forward an amendment already suggested by him in committee, for he is the sort of person who, if he believes in something, believes in it wholeheartedly. At all events, this amendment will be discussed simultaneously with the Article to which it relates, and on the same occasion the Rapporteur will be able to set forth the Committee's views.

I should also like to thank Mr. Van Dijk. In the course of his speech he complained, sharply but courteously, that the executives had not been called upon to co-operate with us in drawing up the draft Convention. This was not really out of a lack of respect for the executives, whose work we greatly appreciate. But although we admitted observers sent by the executives first to the Working Party and then to our Committee, we felt that the discussion and framing of the draft Convention did not fall within their province, the task having been allotted to us by the Treaty which, as it gave us a right of initiative *vis-à-vis* the Council of Ministers, did not oblige us to pass through the executives. In any case the latter were kept constantly informed about the progress of our work because a representative of the EEC Commission was always present wherever in Europe our Committee met.

I should like to thank Mr. Rubinacci for his thorough and wide-ranging speech. While he expressed certain doubts and hopes, he recognized that the work submitted for your approval is the best that could be achieved.

I should like to thank Mr. Le Hodey for his straightforward, yet highly effective speech. As always, his arguments hit the nail on the head. He too submitted some amendments which were not passed in committee and which he intends to lay before the Parliament, which will consider them in due course.

I should like to thank Mr. Micara for his bird's-eye view of the Community's economic situation in relation to that of the great continental blocs, which filled us with hope. He quoted figures that were undoubtedly accurate, and hoped that we should see in the political sphere the same encouraging development as in the economic sphere. His was a really striking speech.

I should like to thank Mr. Corniglion-Molinier. He spoke about the overseas territories which are close to all our hearts. As a representative of one of these territories, he naturally appreciated the outstanding contribution made to this discussion by Mr. Metzger's report. We are grateful to him for approving the draft Convention and stressing the importance of the policy it is intended to pursue with regard to the overseas territories.

I should like to thank Mr. Fischbach. We are familiar with his ideas. He did a lot of hard work on the Working Party and has therefore been one of our closest collaborators.

I should also like to thank all the speakers who made criticisms, because opposition and criticism—particularly when constructive—are necessary in any parliamentary discussion worthy of the name. I therefore thank those colleagues for the criticisms—at times weighty—levelled by them at the very principles underlying our draft Convention.

My thanks are due therefore to Mr. Metzger, Mr. Smets, Mrs. Probst and particularly Mr. Kopf who, in a truly European spirit and out of a desire to fall in with the determination felt on all sides to get this Convention adopted, managed to overcome the doubts that assailed him and with which he is still probably grappling. The efforts Mr. Kopf made to join in this chorus of approving voices, despite all his understandable doubts, were therefore highly appreciated.

And now I must answer above all those who have made basic criticisms of the draft Convention. Criticisms of detail will be dealt with by the various Rapporteurs when the Articles of the Convention are discussed. The weightiest basic criticism, which was both familiar to and



expected by us, can be summed up as follows: why draw up a Convention for the election of the Parliament by direct universal suffrage without first securing for it wider powers? Mr. Metzger and Mr. Smets said quite bluntly that if we acted in this way the electors would feel themselves betrayed. They would ask us why we had called upon them to elect a Parliament that had no powers and could do precious little during its lifetime. As I was saying a few moments ago when I thanked Mr. Bohy—and this point was also made by Mr. Rubinacci—it is not altogether true to say that this Parliament, which has been maligned during this debate as a collection of people who meet to make more or less academic speeches, has no powers of its own.

Yesterday Mr. Dehousse, who is highly knowledgeable in these matters, recalled the far-off date of 1215 when, if I am not mistaken, Magna Carta was signed. He rightly pointed out how much that first constitution, that first parliament, differed from the present British Parliament. With Mr. Dehousse's permission, I would add that the subsequent increase in the British Parliament's powers was due not to laws, treaties, conventions or constitutions, but to following a practice which grew up little by little; and because of this, England today has an unwritten constitution. Happy England, because it is always better to have an unwritten constitution than to be bound, sometimes rigidly, by a written one.

It might be argued that since 1215 almost eight centuries have passed; the thought of taking eight centuries to build Europe is a depressing one.

But without waiting so long, indeed with the firm resolve to achieve our objective rapidly, I would say this: This Parliament has already enlarged its powers. Through a practice that has grown up over barely two years, it has acquired more and more weight in the life of the Community. At the last session we heard Mr. Schaus, President of the Council of Ministers, who accepted various requests made by us at the 'colloquy' of 25 November last year.

The Council will in future ask our opinion not only on points covered by the Treaty but also on a great many other important issues. Whereas the ministers have in the past only rarely attended our sessions, we have now got a promise—let us hope it will be kept—that there will always be one or other of them at our sessions. This practice is thus gradually being built up, and I do not think that the work of the Parliament over the last two years has been to no purpose.

What, then, should we do now that we have reached this stage? The Treaty gives us a right of initiative. I myself interpret paragraph 3 of Article 138 not so much literally as in the sense that it confers on us a right of initiative to present a bill for elections by direct universal suffrage. Well, are we to forget this right of initiative, put it on one side, and wait for another treaty endowing the Parliament with wider powers? May I remind you, Mr. Bohy, that you said the Treaty can also be interpreted broadly as regards increased powers? While I agree with everything else you said, on this point I have some doubts.

By following a given practice we could, of course, build up better relations with the Council of Ministers and with the executives; but clearly we could not go beyond certain limits. If, as Mr. Kopf suggested, we want the right to discuss and adopt budgets, we cannot acquire it on the basis of custom, but only by virtue of a treaty. And if one day we were to ask—and this is quite possible—that the Council should be obliged not only to consult but also to accept our opinion, clearly that too would require an amendment to the Treaty.

But if we had waited for the Governments to widen our powers through such an amendment, what would we have achieved? We would have shelved our right to present an electoral bill and have embarked on a major battle for greater powers—powers not provided for in the Treaties and which we have no right to demand. On the other hand, we can already do something that the Treaty permits; we can submit the draft Convention on direct elections.

Let us admit that for some years now we have been passing through hard times. Fresh difficulties meet us at every step. Let us tackle the problems one by one, rather than complicate them

by trying to deal with them all at once. If we concern ourselves with the Convention on direct elections and wider powers for the Parliament simultaneously I fear we shall get neither the one nor the other.

And with what result? I do not think anything practical would be achieved. Mr. Kopf said that these two questions ought to go hand in hand and to be brought to a conclusion simultaneously. I should be glad if this were possible. Mr. Poher has for some time been considering drafting a report on this problem. But even if the Council of Ministers were to approve the Convention before approving an increase in the Parliament's powers, I would ask Mr. Kopf not to nourish too many hopes on this point.

Let us hold these elections even before resorting to the referendum Mr. Vendroux calls for. At all events it will be a great step forward.

Mr. Metzger has described those of us who believe in the immediate value of these elections as romantics, himself as a realist. I do not know if he is right, and I even wonder if it is not we who are the realists, we who want to take immediately what the Treaty has to offer. Should we not indeed be dreamers if we were to wait for something that is still a long way from any chance of success?

As proverbs have been quoted, may I add an Italian one which says that the better is the enemy of the good? Naturally, Mr. Metzger, we all wholeheartedly want the Parliament to have the widest possible legislative powers. We who believe in European unity will, for this purpose, work hard—and not less in the national Parliaments—to secure wider powers; but pending anything better, let us make sure of at least something!

Obviously the draft Convention is not perfect, as some would have wanted it to be. Mr. Carboni made a number of criticisms which I respect. He is a lawyer and a professor, as is Mr. Dehousse, and his criticisms have a legal basis; but my answer is that the draft Convention has to be accepted for what it is.

Mr. Carboni has today raised many objections he did not make before members of the Committee or of the Working Party, because he too was convinced at the time that we were doing the best we could.

The Treaty, for example, makes no reference to a transitional period but simply to proposals for elections by direct universal suffrage. Mr. Carboni says that the draft Convention makes no provision for direct universal suffrage since we have given the national Parliaments the opportunity to nominate a third of the representatives. He then objects that the transitional period is not provided for by the Treaty and is puzzled as to how to interpret Article 4.

Obviously, Mr. Carboni, with this Convention we are amending the Treaty. This has never been denied. It has also been constantly said that we are amending the Treaty in order to increase the number of representatives and to introduce the transitional period. This Convention will, in fact, follow the path of all international treaties; it will be signed by representatives of the Governments and ratified by the Parliaments.

Why, it was asked, have a transitional period? Our reply was: to prepare us for a radically new departure in the history of Europe which allows its people to elect their own representatives. This is the great innovation which we are still not able to fit perfectly into the scheme of things. We can only hope to do this by stages. Hence the need for a transitional period; we wanted to spare the countries that have to ratify the Convention the trouble of having to pass an electoral law that would have to be more or less the same in all member States.

You know, Mrs. Probst, how highly we all think of you and how great is my own personal esteem for you. I appreciate your strength of character, your tenacity in argument, your determination to overcome the stiffest obstacle. Allow me to say, however, as I have already said privately,

that in the face of an event as revolutionary as that of calling out a hundred million electors to elect their representatives in a European Parliament, the difficulties would become even greater if each country had to pass an electoral law that might be completely different from its domestic law—as, for example, would be the case in France. Let us be content with what is possible; otherwise the better could be worse than the good. Let us be satisfied with what we have achieved and work for the future, so that at the end of the transitional period we may be able to bring this phase to a close and have a Parliament completely elected by the voters of Europe, as envisaged by the Treaty.

In this way we shall also have this uniform law we all desire, and then we shall really be able to say we have taken a final step forward. The step we are contemplating at the moment, though not a big one, suffices. Let us hope that this Convention will soon be accepted by the Council of Ministers and that we shall shortly be able to embark on this first great experiment.

### (c) Debates of 17 May 1960

**President.**—The agenda calls for a debate followed by a vote on the Articles and on all the texts submitted by the Committee on Political Affairs and Institutional Questions to conclude the debate on the election of the European Parliament by direct universal suffrage.

I would remind you that the report by the Committee on Political Affairs concludes with three texts :

- (i) a motion for a resolution for the adoption of the draft Convention on the election of the European Parliament by direct universal suffrage ;
- (ii) a draft declaration of intent on the participation of the parliamentary representatives of the overseas countries and territories in the work of the European Parliament ;
- (iii) a motion for a resolution on the preparation of the general public for European elections by direct universal suffrage.

I call Mr. Battista, Chairman of the Committee.

**Mr. Battista, Chairman of the Committee on Political Affairs and Institutional Questions.**—

(1) Mr. President, Ladies and Gentlemen, the Committee on Political Affairs sat all day yesterday and perused the thirty-six amendments tabled. It also examined a number of motions for resolutions.

We discussed the amendments and the motions for resolutions and we took a vote on them.

As a result, we should like now in this discussion to adopt the following system. For each amendment discussed, one of the Rapporteurs of the draft Convention on elections by direct universal suffrage will outline the position taken by the majority of the Committee on the amendment in question. This will not of course commit either the Parliament or the movers of amendments, the purpose being solely to inform the Parliament of the opinion of the Committee concerning each amendment and each motion for a resolution.

If, Mr. President, this procedure is acceptable to you, I would ask you to adopt this method for discussion.

**President.**—I call Mr. Carboni.

**Mr. Carboni.**—(1) It is of course understood that each mover of an amendment has the right to explain it.

**President.**—I think, Ladies and Gentlemen, that there is a slight difference between the proposals just submitted.

According to Mr. Battista, the Rapporteur would speak first about the amendments, whereas Mr. Carboni suggests that the mover of the amendment should be the first to speak.

Is the House agreed that the mover of the amendment should speak first and then a representative of the Committee?

**Mr. Battista, Chairman of the Committee**—I agree with this proposal.

**President.**—Are there any objections?...

Then it is so decided.

Mr. Gaetano Martino has asked to speak in order to make a statement.

I call Mr. Gaetano Martino.

**Mr. Gaetano Martino.**—(F) Mr. President, Ladies and Gentlemen, the Liberal and Allies group has asked me to make the following statement on its behalf:

Before we begin discussing amendments, the Liberal and Allies group feels it ought to explain its general position concerning the report by the Committee because it is this general position which will determine the way most of the members of the group will vote on the amendments proposed.

The group, represented by several of its most eminent members, took part in the activities of the Working Party. Moreover, its representatives on the Committee on Political Affairs put the case for a fairly large number of amendments which were, in the main, adopted. The group feels that the Committee's report is the result of a particularly thorough piece of work that reconciled a strong desire for the progress of the European institutions with a realistic awareness of what is politically and psychologically possible.

This is why the Liberal and Allies group is almost unanimously in favour of the Committee's report although it is reluctant to adopt any additional amendments which could upset the delicate balance achieved in the Committee's report.

We should like to draw the attention of our colleagues, and especially those who have signed amendments, to the fact that the draft Convention under discussion is exposed to a great many risks.

The first of these is that it may be rejected by the ministers. The latter—and perhaps this point has not been made sufficiently clear—may reject it for two reasons: either because they do not approve its provisions or because they do not think that the time is right.

There is also the risk that once it is accepted by the Council of Ministers, the draft Convention may not be ratified by one or other of the Parliaments of the member States.

There is lastly the risk—an even more serious one—that even after it has been approved by the Council of Ministers and ratified by the Parliaments, it will not win popular support, i.e. that elections to the Parliament may run up against indifference on the part of the general public.

The Liberal and Allies group is ready to accept these risks and to strive with all the influence at its disposal in each of the member States to avert them. But it thinks that these risks would be greater if some of the amendments—or motions for resolutions such as those concerning the powers of the future Parliament—were to be adopted. We share the hopes expressed in the amendments

but feel that they are premature. And since we have assessed the risk, we would like the President, or one of the Committee's Rapporteurs, to explain to us the conditions under which the draft Convention will be submitted to the Council of Ministers.

Will the draft Convention be accompanied by a letter from the Chairman of the Committee or from the President of the Parliament? Will this letter include an explanatory statement concerning the draft Convention? Will the Chairman and the Rapporteurs of the Working Party not ask to be heard by the Council of Ministers in order that they may make it clear that the spirit underlying the work of the Committee was one of caution?

Another point should be made clear. If the Council of Ministers should envisage making major changes in the draft Convention, will the Working Party or the Committee ask the Council of Ministers for notice of these changes before they are adopted by the Council? And this, in order to enable those of our colleagues who have devoted almost two years to this work to obtain a hearing before the text that will emerge from our debates is radically changed.

We know that the draft Convention is a compromise text with regard to a number of points such as incompatibilities and the number of members. We see this as a reason for supporting it because when we have to support the draft Convention in the national Parliaments, this compromise text will have a greater chance of being ratified than any other. We would ask you to bear in mind all the time that this draft Convention has to overcome very many obstacles before it reaches its goal.

The Working Party and the Committee on Political Affairs weighed the pros and cons of the resolutions they now propose to you at great length and with considerable care. The Liberal and Allies group asks its members to be on their guard against any swings and improvisations that may occur in the course of the debates, and to give their support exclusively to the Committee's text.

Many of us have observed that there is a direct link between speeding up the development of the Common Market and electing the Parliament by direct suffrage. There are still unknown factors; the rate of abstentions, for example, is as yet quite unforeseeable. But does this not depend on the wisdom and farsightedness we display at the moment?

The problem is one of popular support; it is there, as Mr. Maurice Faure said, that the main risk lies.

There is also the great problem of the overseas representatives, with all its consequences not only for Europe and Africa but for the whole world.

Other cyclical and even structural problems will come up in the months ahead. Let us therefore not complicate our tasks by quibbling over the sex of angels.

Let us be reasonable and think above all about the urgency of uniting Europe; let us leave aside our personal preferences of the moment. Direct elections will be the last item of a development which we have no right to hold back.

We were once the Common Assembly. This did good service for Europe. If we want our present Parliament to deserve well of Europe, it is our duty to speed up its development at a time when the pace of events is speeding up everywhere.

Let us act in such a way that no one will later be able to criticize the present Parliament for having held back the real European Parliament that will emerge from real universal European elections.

*(Applause from the Liberal and Christian Democrat benches)*

**President.**—Before calling on other speakers, I would remind members that the general discussion is now at an end and that the debate will now focus solely on Articles and amendments.

I shall now call Mr. Bohy.

**Mr. Bohy.**—(*F*) The statement made by Mr. Martino on behalf of the Liberal and Allies group is an important one. I should, however, like one point to be clarified.

Mr. Martino has just expressed the wish that the amendments should be set aside. Are we to understand that he wishes the Parliament to stick to the text which emerged from the deliberations of the Working Party, or is it—and I hope it is—the text as amended yesterday by the Committee that Mr. Martino is referring to? This is very important to make the point at issue clear.

**Mr. Gaetano Martino.**—(*F*) The view of the Liberal and Allies group is that the Parliament should support the text as amended yesterday by the Committee on Political Affairs.

**President.**—I call Mr. Bertrand.

**Mr. Bertrand.**—(*N*) Mr. President, Ladies and Gentlemen, I asked to speak solely on a point of order. I am sorry to have to do this.

I have here a document, which has been distributed, headed 'List of amendments'. On it is stated: 'Only available in French'. This is not consistent with the rule that our Assembly should use four official languages. I would ask that this rule be respected with regard to the documents distributed to us.

(*Applause*)

**President.**—What you suggest is technically impossible at present. The text will be translated into the four languages and distributed later.

**Mr. Smets.**—(*F*) I ask to speak.

**President.**—I call Mr. Smets.

**Mr. Smets.**—(*F*) I ask to speak about the statement made by Mr. Gaetano Martino, the spokesman for the Liberal and Allies group, and about the reply given to the supplementary question which my friend Mr. Bohy has just asked.

I cannot regard it as in order for the Parliament to decide that no amendment will be submitted apart from those which the Committee on Political Affairs has accepted. In my speech—I hope you will forgive me for repeating this—I stressed that the members of this Parliament who were not on the Committee on Political Affairs had not had the opportunity of expressing their opinion and thus had the right to submit amendments.

**President.**—It has never been suggested that there should be a ban on the tabling of amendments. Mr. Martino simply said on behalf of the Liberal and Allies group that this would only accept the decisions of the Committee on Political Affairs; the Parliament itself, of course, remains free to discuss the amendments submitted.

**Mr. Smets.**—(*F*) I welcome your statement, Mr. President, because the reply to the supplementary question put by Mr. Bohy could have been taken to mean that it was not possible for our Assembly to exercise its freedom by holding a full and free discussion on all the texts submitted.

(*Protests*)

**President.**—That settles that point. There was simply a misunderstanding.

Before calling on the Parliament to express its opinion on the texts proposed by the Committee, I have to submit an amendment by Mr. Carboni (No. 2, first part) for the insertion, in front of the Committee's text, of a new motion for a resolution reading as follows :

MOTION FOR A RESOLUTION

concerning amendments to be made to the Treaties setting up  
the European Coal and Steel Community, the European Economic Community  
and the European Atomic Energy Community

*The European Parliament,*

1. With a view to permitting the elections provided for in Articles 21 of the Treaty setting up the European Coal and Steel Community, 138 of the Treaty setting up the European Economic Community and 108 of the Treaty setting up the European Atomic Energy Community, recommends the Governments of the member States to approve, by means of a Convention concluded for this purpose, the following new text of paragraphs 2 and 3 of the three Articles referred to :
2. The number of representatives elected in each State shall be as follows :
 

Belgium . . . . .	42
France . . . . .	108
Germany (Fed. Rep.) . . . . .	108
Italy . . . . .	108
Luxembourg . . . . .	18
Netherlands . . . . .	42
3. The Parliament shall draw up proposals for elections of all or some of its members by direct universal suffrage in accordance with a procedure conforming to the common general principles.

I call Mr. Carboni to support the first part of his amendment.

**Mr. Carboni.**—(1) Mr. President, Ladies and Gentlemen, I shall be very brief in outlining the reasons for which I have tabled the amendments which the President has quoted. I must make one point quite clear to Mr. Battista who, in replying to my speech the other day, said that a great many of the objections that I then made had not been submitted previously.

I feel bound to say that this is not true. My attitude has always been clear and what I said the other day was something I had already said on the Working Party and on the Committee for Political Affairs during the meeting in Rome.

Most of my amendments were, in fact, not discussed by the Committee yesterday because the Working Party and the Committee itself had already rejected them. I should not like what I am saying now to raise the slightest controversy because I have not the least intention of entering into a quarrel. The matter is of such importance that I think that calm and reflection are the two great virtues that should preside over any discussion of these issues.

I come now to my amendments. I must say, and I think this is disputed by none, that the draft Convention as submitted to us amends the Treaties. It amends them with regard to the number of members, and it amends them because universal suffrage is not fully applied. It amends them because the procedure is not a uniform one.

Now, this raises serious questions. The first is one of competence. Are we competent to amend the Treaty or are we not? Even if we accept the theory of the revision clause, whereby we would be authorized—and I am here giving exactly the terms in which the theory was put for-

ward—to propose a revision of the Treaties where this appears necessary to enable elections to be carried out, I do not see what difficulty there would be in accepting what I have proposed. I am raising above all a matter of form ; I think that, as we are concerned with the revision of a constitutional act, which is what the Treaties amount to, we ought to follow the normal form for the purpose. Clauses amending the Treaties must therefore be clearly set out and be given the place they deserve in view of the priority they enjoy over other provisions. We must therefore follow the usual practice, a practice recently followed in cases very close to our own.

I would remind you that a constitutional bill sponsored by Mr. Sturzo was introduced in the Senate of the Italian Republic and that Mr. Bosco, one of our colleagues here, was the Rapporteur. The procedure is as follows : the first two Articles relate to the amendment of the Constitution, and the second Title to the implementing provisions. This case arose in regard to elections, i.e. the new composition of the Senate according to criteria not provided for in the Constitution.

The same technique was used in revising the French Constitution. Before settling future relations between France and countries which may tomorrow become independent but wish to remain in the French Community, the Parliament found it necessary to indicate in a single Article what the new Articles were to be, after which it indicated the rules with which these new Articles were concerned.

Now this is what I suggested because I wanted to eliminate three kinds of questions which may be asked concerning our draft Convention. One could ask questions about the form, questions about legitimacy or purely political questions.

Indeed, the form I have chosen is one that does not give rise to discussion, particularly because, by changing paragraph 3 of Article 138 I intend to change the formula used by the Treaty—which is restrictive because it talks of universal suffrage and of a single procedure—in the sense that universal suffrage may be either partial or total, and that the procedure need not necessarily be uniform, it being enough if it complies with common general principles.

I would ask you to note that in principle I am not in favour of either of these two arguments, but as I thought the Parliament was of another opinion, I did not want to change the text by introducing some wording that supported my own argument. Such as it is, the wording goes against it, or at least it permits of both of these two different arguments.

It seemed to me that this would be a way of justifying an incomplete form of suffrage—some of the representatives being elected indirectly—under a procedure which, though not uniform, complied with more or less common principles, thus meeting wishes expressed on all sides in this Parliament but which, if this draft Convention were followed, would amount to a violation of the Treaty in its present form, since the procedure is certainly not a uniform one. Now, if we act as I propose we shall avert the dangers both of inadequacy of form and of illegitimacy, since in my wording all the changes we have introduced as regards the election procedure and the electoral system would have been rendered completely legitimate.

Mr. President, Ladies and Gentlemen, we are faced with a serious political issue. We want elections by universal suffrage as soon as possible. Now, because our proposals go to the Council of Ministers, which must accept them unanimously, and then to the Governments, which must enact the implementing provisions, there is a danger. One of the six Governments, which perhaps does not want to admit a lack of European spirit but wishes to be punctilious about form, may dig its heels in over such a matter of form and thus prevent our draft Convention from getting any further.

So far all is not lost ; we are best placed to discuss this matter and any amendment is a proposal coming from the Parliament. The position would be quite different if we had to discuss a draft Convention the Governments had rejected. We who want to see our Parliament acquiring increasing weight and wider powers, would find ourselves in the position of being, so to speak,



criticized by the Governments, something which would certainly not serve the interests of our Parliament. This is why I think that a constitutionally better form would not be out of place. Then again, I wonder what harm it would do to adopt a stricter constitutional form. We may be told that we attach excessive importance to form but to this we can retort that we are constitutionalists.

We should thus avoid any comment about form or about substance because if the Treaty were amended in accordance with my modest proposals, we should be able to move with greater flexibility and no one could say to us that elections that were not completely direct were contrary to the Treaty. This is why I submitted my amendments; the political issue is not so much one of submitting a draft Convention but of ensuring that we can proceed to elections in the best way possible, backed by a vast mass of people who follow us, understand us, and want to help us. For this purpose, we have to run a risk, as Mr. Martino pointed out; but we want to run it under the best possible conditions.

I do not believe that by introducing such a constitutional change as we are discussing into a normal law, we shall achieve that scrupulous respect for form which we should cultivate above everything else if we want to be a legislative Assembly. This is the first time that our Parliament has embarked on a legislative act and I should not like us to do this in an unsatisfactory manner.

I would add that I have not much hope that my amendments will be accepted. When I visited Mr. Dehousse's lovely home, I had the opportunity of admiring some coats of arms which had perhaps belonged to the previous owner and which bore the following inscription: *Dum spiro spero*. I should like to adopt this device even if I have reason to believe that my amendments will not be accepted because I still have hope in the future of Europe.

**President.**—I call Mr. Dehousse to speak on behalf of the Committee.

**Mr. Dehousse, Rapporteur.**—(F) *Dum spiro spero*. Mr. President, Ladies and Gentlemen, we were indeed guided by this maxim, first on the Working Party and then on the Committee on Political Affairs, when we embarked on this vast enterprise which has now been submitted to the judgement of the Parliament.

Mr. Carboni has just dealt with the problem which he had already raised on the Working Party and to which he again referred yesterday on the Committee on Political Affairs. As the Committee's Rapporteur, I am obliged to say that Mr. Carboni was alone in holding his view. No member of the Committee shared it.

The report which I had the honour to submit to the Parliament (Doc. 22, p. 12, sec. 14), Mr. President, goes into the question raised by Mr. Carboni at great length and very thoroughly.

To begin with it is obvious that anything we do here can only have the character of a proposal. Hence when we talk of a 'revision of the Treaties' or of 'amending the Treaties' we must remember that all this amounts to is a proposal for a revision or a proposal for an amendment.

This being so, the question is whether the Parliament would be inclined, in the matter of direct elections, to propose changes to the existing Treaties? The Working Party and then the Committee concluded that such was the case. We based our conclusion on the fact that the Treaties contain two types of revision provisions, one providing for a general revision—and with this we are not here concerned—and the other for partial and limited revisions.

I give one example in the report, that of what we call the 'small revision' of the ECSC Treaty, under Article 95,3. This is a typical case of a partial and limited revision. Here we are in exactly the same situation: we have the right to propose changes to the existing Treaties but only in so far as rendered necessary by the tasks we have to carry out. Our revision is thus not of a general nature but is confined in scope strictly to the aim we are pursuing.

The question was raised in connexion with a problem we were discussing just now of increasing the number of members of the Parliament in the event of elections. We felt that if elections by direct universal suffrage were to have real value, the number of members would have to be increased. On this point we applied the interpretation I have just indicated, namely, that paragraph 3 of Articles 21 of the ECSC Treaty, 138 of the EEC Treaty and 108 of the Euratom Treaty, constitutes a partial and limited revision clause.

It is thus not possible for us, Mr. President, to accept Mr. Carboni's proposals.

**President.**—Is there anyone else who wishes to speak?... I should like you to vote, by a show of hands, on Mr. Carboni's amendment.

*(The amendment is rejected)*

**President.**—I now call upon the Parliament to vote successively on the various parts and on the whole of the motion for a resolution for the adoption of a draft Convention on the election of the European Parliament by direct universal suffrage (Text A - Title I).

I would point out that 43 amendments have been tabled and that if each one takes about ten minutes to deal with we must reckon with a session which will end at midnight at the earliest.

I invite every speaker, therefore, to try to be brief. If not, we shall find ourselves obliged this afternoon to reduce the speaking-time allowed to each member, and we should naturally like to avoid taking such a step.

I have some good news for you. I have just been informed that seven amendments have been withdrawn. I am glad of this !

I should like first of all to read out the first four clauses of the motion for a resolution submitted by the Committee :

#### MOTION FOR A RESOLUTION

on the adoption of a draft Convention  
on the election of the European Parliament  
by direct universal suffrage

*'The European Parliament,*

believing that the time has come to associate the peoples directly with the building of Europe ;  
conscious of the fact that a Parliament elected by direct universal suffrage is a key factor in the unification of Europe ;

in execution of the mandate delivered to it by the Treaties setting up the European Communities ;  
approves the following...'

On these clauses, I have been notified of no amendment.

I put them to the vote.

There are no objections ?...

These clauses are adopted.

We now come to the draft Convention.

I shall read out the Title proposed by the Committee :

DRAFT CONVENTION

giving effect to Article 21,3 of the Treaty setting up the European Coal and Steel Community, Article 138,3 of the Treaty setting up the European Economic Community, and Article 108,3 of the Treaty setting up the European Atomic Energy Community on the election of the European Parliament by direct universal suffrage.

Here I have amendment No. 2 (second part, a) from Mr. Carboni.

The Assembly would no doubt prefer to vote on this amendment once it has completed its study of the Articles of the draft Convention ?...

Mr. Dehousse, *Rapporteur*.—(F) I should like to speak.

President.—Mr. Dehousse has the floor.

Mr. Dehousse, *Rapporteur*.—(F) The wording of the title of the draft Convention is the result of the vote which has just been taken. Once the Parliament has endorsed the legal interpretation of the Committee—as it has done—it clearly approves the title proposed by the Committee.

In other words Mr. Carboni's amendment is invalid.

Mr. Carboni.—(F) I agree.

President.—This part of Mr. Carboni's amendment is thus no longer valid.

There is no other amendment to the title of the draft Convention.

I put it to the vote.

Is there any objection ?...

The title is adopted.

I shall read out the Preamble to the draft Convention.

'The Special Council of Ministers of the European Coal and Steel Community,  
The Council of the European Economic Community,  
The Council of the European Atomic Energy Community,  
resolved to take the freely expressed will of the peoples of the member States of the European Communities as the basis of the mission entrusted to the European Parliament ;  
anxious to enhance the representative character of the European Parliament ;  
having regard to Article 21 of the Treaty setting up the European Coal and Steel Community ;  
having regard to Article 138 of the Treaty setting up the European Economic Community ;  
having regard to Article 108 of the Treaty setting up the European Atomic Energy Community ;  
having regard to the draft prepared by the European Parliament and adopted by it on <sup>(1)</sup> ;  
have drawn up the following provisions which they recommend their member States to adopt :

On this Preamble there are no members down to speak and no amendments.

I shall put it to the vote by a show of hands.

*(The Preamble is adopted)*

<sup>(1)</sup> The draft Convention was adopted on 17 May 1960.

**President.**—We come now to Article 1 of the draft Convention which reads as follows :  
'The representatives of the peoples in the European Parliament shall be elected by direct universal suffrage.'

On this Article Mr. Smets tabled amendment No. 6 (second version) reading as follows :

Article 1 is to be amended as follows :

'The representatives of the peoples in the European Parliament shall be elected partly by direct universal suffrage and partly by the national Parliaments.'

But Mr. Smets has withdrawn this amendment.

**Mr. Smets.**—(F) I should like to speak.

**President.**—Mr. Smets has the floor.

**Mr. Smets.**—(F) I withdrew this amendment but, in connexion with Article 1, should like to say what I feel about the way this important question has been treated.

Up until last week members of the Parliament who had not sat on the Committee on Political Affairs had had no opportunity of taking part in this discussion or of voicing their opinions. I should have liked the proposed text to have been drawn up in a quite different way. I accept the fact, however, that a good number of members have already taken up a position.

For this reason, Mr. President, I will not insist further with regard to Article 1. I have brought all my proposals down to three, and am glad that some of the amendments put forward by me have given rise to proposals for amendments to the text submitted by the Committee.

**President.**—Does anyone else wish to speak? I shall put Article 1 to the vote.

*(Article 1 is adopted)*

**President.**—I shall read out Article 2 :

'The number of representatives elected in each member State shall be as follows :

Belgium . . . . .	42
France . . . . .	108
Germany (Fed. Rep.) . . . . .	108
Italy . . . . .	108
Luxembourg . . . . .	18
Netherlands . . . . .	42

On this Article I have amendment No. 2 (second part, b) submitted by Mr. Carboni with a view to striking it out.

**Mr. Dehousse, Rapporteur.**—(F) This amendment is no longer valid, Mr. President.

**President.**—Indeed, this amendment is now ruled out following the rejection of amendment No. 2 (I).

Two other amendments have been tabled : the first, No. 3, submitted by Mr. Metzger and several of his colleagues ; the second, No. 31 (amended), submitted by Mr. Smets.

These amendments, which can be made the subject of a general discussion, are as follows :

Amendment No. 3, tabled by Messrs. Metzger, Kopf, Bergmann, Berkhan, Burgbacher, Geiger, Hahn, Illerhaus, Kalbitzer, Kreyssig, Margulies, Odenthal, Philipp, Richarts, Helmut Schmidt, Martin Schmidt, Smets, Storch, Weinkamm and Mrs. Strobel.

Article 2 to read as follows :

'The number of representatives elected in each member State shall be as follows :

Belgium . . . . .	28
France . . . . .	72
Germany (Fed. Rep.) . . . . .	72
Italy . . . . .	72
Luxembourg . . . . .	12
Netherlands . . . . .	28

Amendment No. 31 (new) submitted by Mr. Smets :

Article 2 to be amended to read :

'The number of representatives elected in each member State shall be as follows :

Belgium . . . . .	28
France . . . . .	72
Germany (Fed. Rep.) . . . . .	72
Italy . . . . .	72
Luxembourg . . . . .	12
Netherlands . . . . .	28'

For each representative a substitute shall be elected who shall succeed him in the event of his resignation or death.'

I have just been informed, Mr. Smets, that you have withdrawn your amendment.

Mr. Smets.—(F) I handed a note to the Bureau indicating the amendments I was withdrawing. On Article 2, I have struck out the first clause in my amendment together with the table that follows it, but I am keeping the rest of the amendment.

President.—I am taking note of this.

I shall first open the discussion on Mr. Metzger's amendment.

I call on Mr. Metzger.

Mr. Metzger.—(D) Mr. President, Ladies and Gentlemen, this amendment has been submitted by members of the Parliament's three political groups. Its purpose is to see that the Parliament to be elected will have twice—not three times—the number of members of the present Parliament.

I shall try to set a good example by being very brief. We have discussed this question at length in our debate. I would refer to what I said during our exchange of views and would ask my colleagues to do the same.

It has been argued that the number of representatives must be tripled so as to reduce the size of constituencies and to make the election campaign livelier and more effective. I pointed out that, whether we double or triple the number of members, the constituencies will in any case be much larger than they are for national elections, so much so that we shall have to apply different methods in the election campaign for the new European Parliament. This is why I think this argument is not pertinent.

It also seems to me extremely risky to enlarge—to the point of rendering it ineffective—a Parliament bringing together representatives from six countries and making use of four languages. It is more difficult for 426 representatives to understand each other than for a smaller number of members. This point must not be ignored ; it seems to me important because of the confidence that people must have in the Parliament and in its ability to work.

The spokesman for the Liberal and Allies group has just said that the draft Convention must be made acceptable to the Governments. This Convention has to be accepted, however, not only by the Governments but also by the national Parliaments. If we exaggerate with regard to the number of representatives, this could give one or other of the national Parliaments a good reason for not going along with us. This applies at all events to the German Parliament, especially since German parliamentarians know that an excessive increase in the number of representatives in the Parliament is, for various reasons, anything but popular among the German people.

For reasons of cost too, we should consider whether we want a Parliament of 426 representatives or whether it would not be better to be more modest. These are the only points I want to make here. I would remind you of what I have said in greater detail ; I do not think you will have yet forgotten it, so that the Parliament is now in a position to reach a decision.

**President.**—I call Mr. Faure, Rapporteur.

**Mr. Maurice Faure, Rapporteur.**—(F) Mr. President, Ladies and Gentlemen, this is the first really important decision the Parliament has had to vote on.

The number of members of the future European Parliament to be elected by universal suffrage has aroused a great deal of controversy. I would repeat that no one has ever disputed the need to increase the number of members of the present Parliament when direct elections are held. The only point at issue is whether the present number should be doubled or tripled.

Mr. Metzger has replied through his amendment that this number should be doubled. The Committee on Political Affairs, following the Working Party, suggests in the reports distributed to you that the present number should be tripled.

The discussion broke out again yesterday and Mr. Metzger is right to suggest that there would be no point in going back to the basic issues. Mr. Metzger's amendment was rejected by 15 votes to 4. Our Committee felt that there ought to be some correlation between two decisions : one on the number of members and the other, to which we shall shortly come during this debate, on whether a certain proportion of members should continue, at least during the transitional period, to be nominated by their national Parliaments. Obviously, if we continue to have a certain number of members nominated, universal suffrage will initially only apply to the others. If we act on Mr. Metzger's proposal, that is double the membership, we shall go from 142 to 248 members. If 142 members are nominated, this will mean holding elections by universal suffrage for only 142 members for the whole Community.

Let us take an even more specific example with which I am more familiar, that of the French Republic which, with Algeria and the overseas Departments, has approximately 55 million inhabitants. You are then going to have these 36 members elected by 55 million inhabitants, i.e. one member per 1,500,000 or 1,600,000. Mr. Metzger objects that our system would give one member per 750,000 or 800,000 inhabitants, already a high proportion by national standards. My answer is that I prefer a ratio of one member to 800,000 inhabitants to that of one member per 1,600,000. If you think that we should leave the domain of the relative for that of the absolute, then we might as well go the whole hog and elect only one member for each country !

In fact this is not a problem of doctrine but a practical question. I feel that it is virtually impossible to elect only one member per 1,600,000 inhabitants. The system proposed by the Com-

mittee on the other hand will, I repeat, give one representative per 800,000 inhabitants at the first elections, and in the final period, when nominated members will no longer sit in the Parliament, one representative per 500,000 inhabitants. This figure would not seem to me to be excessive.

When we in France explain that it will often be necessary to lump two or three Departments together to have one representative elected, the general public will not feel that we have increased the number of members excessively.

Mr. Metzger put forward one final argument, that of the quality of the work done by a Parliament with 426 members. I would counter this with the argument he himself used a few moments ago: does he believe that a Parliament with 426 members must inevitably do less work than one with 284 members?

I would also point out to our colleague that he is being really hard on some of the Parliaments of our member States: in France, Germany and Italy, not to mention the United States of America or the British House of Commons. These countries have far more representatives than we propose for this Parliament. And what are we to say of the Supreme Soviet? But this is an area into which it is today dangerous to venture.

I conclude by reminding you that the Committee rejected the figures proposed by Mr. Metzger—for the practical reasons given—by 15 votes to 4.

**President.**—I call Mr. Smets.

**Mr. Smets.**—(F) Mr. President, Ladies and Gentlemen, someone pointed out that we should not go beyond the figure of 142 members: that someone was I. The Rapporteur should know this.

I should like to make it clear at once—some may feel I am rather harping on this point—that we never had an opportunity of expressing our opinion on this report and that the majority of members of the Committee systematically shut themselves up in a closed circle.

I hope, Mr. President, that we shall not forget that the Parliament is expected to work out proposals and that we shall soon be studying something different from this one, which can only hobble along.

When I endorsed the proposal to double the number of members, I did so out of resignation because I was liable to be regarded as the odd man out. Although I am not normally afraid of adopting such an attitude, it is not one that should become an invariable habit. This is why I supported Mr. Metzger's proposal to double the number of members for the transitional period.

In comparing the figure of 426 members proposed for the European Parliament with the 500 members—and even more—in the Italian, French and German Parliaments, one tends to forget an important point, namely, that national Parliaments are much closer to the national parliamentarians than the European Parliament is to European parliamentarians. Although I am not a member of any committee in my own country, I am abreast of what is taking place there. I have always been able to take an interest in every plan, in every proposal. This applies with even greater force to parliamentarians in other countries where only one language is spoken. In Belgium there are naturally exceptions; those of my colleagues who have not the advantage of speaking both Dutch and French cannot talk with parliamentarians who do not speak their mother tongue.

This is a circumstance of some importance in this Parliament, and one that must be borne in mind. If the European Parliament is to be effective, the number of its members must not be increased unduly.

Replying to my friend Mr. Metzger, Mr. Faure said that it would only be for a transitional period that one European representative would be elected in France per 800,000 inhabitants, and that if the numbers in this Parliament were tripled, after that period, one representative would be elected per 550,000 inhabitants. Now, whether the constituency comprises 800,000 or 550,000 inhabitants, the elected representative will still be a long way off from his electorate. Other methods will have to be used. Let us therefore not make comparisons with the situation that exists in Mr. Faure's country and with which he is no doubt extremely familiar.

Moreover, it follows logically from Mr. Faure's argument that, in the spirit of the draft Convention before us, after the transitional period no member of the European Parliament can any longer be nominated by the national Parliaments. I think, Mr. Faure, you are anticipating matters; the proportion could well remain one representative per 800,000 inhabitants. Your argument is therefore not a sound one.

Mr. President, I am backing Mr. Metzger's proposal, in the hope that experience will serve as a guide to us for the future.

President.—I shall put Mr. Metzger's amendment No. 3 to the vote.

Mr. Smets.—(F) I said a moment ago, Mr. President, that I was maintaining the second clause of my amendment.

President.—I shall come back to it after the Parliament has voted on amendment No. 3.

Mr. Smets.—(F) My amendment could affect this vote.

President.—Agreed. You propose that a substitute be elected at the same time as each member, to succeed him in the event of his resignation or death.

This constitutes an amendment to Mr. Metzger's amendment.

I give you the floor to put forward your amendment to the amendment.

Mr. Smets.—(F) I developed my arguments during the general debate; I think that it is very useful to have a system of active substitutes.

Bearing in mind the attitudes taken up, I realize that I should get nowhere by maintaining this point of view but I still prefer active substitutes, i.e. an arrangement under which a member can always ask the President to invite his substitute to take his place in the Parliament and on committees.

It was objected that this is the system used in councils or consultative assemblies. Now, the consultative assemblies with which we are acquainted took this idea from Norwegian legislation which makes use of this system.

Beggars can't be choosers. This is why I have tried to put the case for substitutes in the hope that once this system is adopted, its advantages will be recognized and the system itself will serve as a guide for our future work.

It is only logical that we should have substitutes who will follow the course of our work. It would be to the advantage of our Parliament, not only because they may one day be called upon to sit in the European Parliament but also because they will become imbued with the European idea and take an interest in the work of the European Parliament. It should not be forgotten that we are still at a stage where we cannot afford to neglect the help of anyone in the pursuit of our goal.



President.—I call Mr. Schuijt.

Mr. Schuijt, *Rapporteur*.—(F) The Committee on Political Affairs discussed this matter yesterday and considered that Mr. Smets' proposal was quite superfluous since Article 17 of the draft Convention provides that national legislators are to make all the necessary provisions to replace a retiring member.

Article 17 is quite clear on this subject.

I would simply point out to Mr. Smets, who is in favour of doubling membership, that his system would result not in twice but in four times the present number of members.

Mr. Smets.—(F) That is a facile argument. I have said that I was not in favour of doubling the number of seats.

President.—I am putting Mr. Smets' amendment to a vote by a show of hands.  
(*The amendment is not adopted*)

President.—I now put Mr. Metzger's amendment No. 3 to the vote.  
(*The amendment is not adopted*)

President.—Does anyone else want to speak ?...

I put Article 2 of the Committee's text to the vote.  
(*Article 2 is adopted*)

President.—We come now to Article 3 :

'During a transitional period, one third of these representatives shall be elected or nominated by the Parliaments from among their own members, in accordance with the procedure laid down by each member State.'

I have an amendment from Mr. Carboni (No. 2, second part, c) to the effect that this Article should be deleted.

Mr. Dehousse, *Rapporteur*.—(F) This amendment is no longer valid.

President.—There is a subsidiary part of Mr. Carboni's amendment which I shall put to the vote later.

Mr. Dehousse, *Rapporteur*.—(F) This amendment is now devoid of any object, Mr. President.

President.—Does Mr. Carboni agree ?

Mr. Carboni.—(F) No, Mr. President, because it has not yet been discussed.

President.—I call Mr. Carboni.

Mr. Carboni.—(I) Thank you, Mr. President. I shall be brief as usual.

There are two main reasons why I am opposed to this Article. Above all, I am convinced that parliamentary assemblies must be based completely on the wishes of the people. I can well

understand that this may disturb many of our colleagues who have never taken part in a lively election campaign from which one emerges either a winner or a loser. But because this is my job and because I have, thanks be to God, fought in all the Italian elections, I believe that if we want to interest the people, it is we who must hold election meetings and must ask the voters, in the name of Europe but also on our own modest account, to go along with us in this campaign.

I do not therefore think that the proposed system could win widespread popular support because obviously the third of the members nominated by the national Parliament will not go down into the arena. Faced as we would be with the immense difficulty of getting people to the polling booths, we would sorely miss in our electoral struggle some of the most representative figures in our national Parliaments who could exercise a considerable pull on the voters. I am all the more convinced of this because certain attempts very like our own have shown that the people do not take as much interest in these election campaigns as we should like.

I am therefore opposed to this Article on grounds of principle as well as for a practical reason, namely, because the election campaign would cover only two thirds of the candidates.

My second fundamental objection is that this Article amounts to a flagrant violation of the Treaty.

**President.**—I call Mr. Faure to speak on behalf of the Committee and of the Working Party.

**Mr. Maurice Faure, Rapporteur.**—(F) Mr. President, Ladies and Gentlemen, I do not think there is any need for a lengthy discussion on this point.

Mr. Carboni's idea is that we should have all the members elected by direct universal suffrage from the outset. This is a perfectly defensible idea. In its favour it can be said that it is more directly consistent with the letter of the Treaty. At the same time it clashes head on with Mr. Smets' proposal whereby a proportion of the representatives in the Parliament would always be nominated by their national Parliaments. This is a political choice and one which the Parliament must decide.

I have no need to tell you that the solution proposed by the Committee is a sort of compromise. The Committee thinks that during the first stage it would be more reasonable to preserve a binding institutional link with the national Parliaments by continuing to have a certain proportion of us nominated by them.

I will not reopen the question of whether this provision is constitutional or not, or whether or not it is consistent with the Treaty. If we decide, Mr. Carboni, in the light of the political judgement we alone can exercise, that we must have a transitional period before going on to complete universal suffrage, it is for us to say so and this is the purpose of the vote you are going to be asked to cast.

**Mr. Smets.**—(F) I should like to speak.

**Mr. Maurice Faure, Rapporteur.**—(F) Then I should like to speak on a point of order.

**President.**—I call Mr. Faure.

**Mr. Faure, Rapporteur.**—(F) In principle, the Committee should be the last to speak. When an amendment is discussed, its mover explains his views; he is followed by two speakers, one for and one against, and then the Committee winds up the discussion.

I should have liked, a moment or two ago, to have disposed of two or three points raised by Mr. Smets, but to save the Parliament's time I did not do so. Now Mr. Smets is asking to speak

again. If speakers always wish to speak again after hearing the Committee's views, I myself shall feel myself free to take the floor a second time on behalf of the Committee. And this is certainly not a very good way of working.

*(Applause)*

Mr. Smets.—*(F)* Listen to the applause!

*(Laughter)*

We ought all the same to take a close look at the Committee's attitude.

Mr. Maurice Faure, *Rapporteur*.—*(F)* I have nothing to fear.

Mr. Smets.—*(F)* Mr. President, Ladies and Gentlemen, Mr. Faure spoke immediately to Mr. Carboni's amendment and I had no chance to ask to speak. But Mr. Faure's statement induces me to do so now because we are, after all, a Parliament which has to take decisions. We are a Parliament which at this moment, it would appear, ought to take the Committee on Political Affairs as its guardian.

Mr. Dehousse, *Rapporteur*.—*(F)* How mistaken you are!

Mr. Smets.—*(F)* You say I am mistaken, Mr. Dehousse, but in this case you have applied a method that is not usual in Parliaments.

Mr. Dehousse, *Rapporteur*.—*(F)* There is not the slightest foundation for what you say.

President.—Please, my dear colleagues, no personal exchanges!

Mr. Smets.—*(F)* Is this any way to work, Mr. President? When someone puts forward a point of view which clashes with that of the majority of the Committee on Political Affairs, some members become very touchy.

*That is wrong!*

When you opened the session, Mr. President, you announced 41 amendments. I did my best to reduce this number to 30 by withdrawing some of my own.

*(Laughter)*

But the shower of amendments we witnessed when this session opened clearly shows that the proposal we are debating has not been sufficiently gone into and discussed with all our colleagues. I would not say this if I did not think I was expressing a deep-felt concern of theirs. In this respect, I have no fears of being alone in this House.

This Parliament must work like a national Parliament. I do not like to have things attributed to me which I never said. I did not propose, as Mr. Faure alleged a few moments ago, that there should always be national representatives. My amendment No. 6 provided for an entire system. It read: 'After the end of the third stage of the Common Market, the Parliament may decide that all the representatives in the European Parliament be elected by direct universal suffrage.'

You have this document in your files, Mr. Faure, and you have no right to say that I am asking that there should always be national representatives.

*(Interruptions)*

**President.**—I see that we are making progress towards becoming a real Parliament since we are indulging more and more in personal exchanges.

*(Laughter and applause)*

Does anyone else wish to speak ?

I put to the vote, by a show of hands, Mr. Carboni's amendment to the effect that Article 3 be struck out.

*(The amendment is not adopted)*

**President.**—On Article 3, I have still two amendments. The first is from Mr. Carboni (No. 2, second part, c, subsidiary provision) ; the second is from Mr. De Bosio (No. 19). These can be discussed together.

Mr. Carboni's subsidiary amendment would replace the words 'During a transitional period' by the words 'At the first elections'.

Mr. De Bosio's amendment No. 19 would replace the words 'During a transitional period' by the words 'During the first legislature'.

I call Mr. Carboni.

**Mr. Carboni.**—*(I)* I believe, Mr. President, that Mr. De Bosio could explain this second part of the amendments better than I.

**President.**—I call Mr. De Bosio.

**Mr. De Bosio.**—*(I)* Mr. President, Ladies and Gentlemen, the question is not whether I can deal with this subject with more, or less, skill. I myself believe that few of us can rival Mr. Carboni in courage and ability.

I would point out, first of all, that my brief speech will cover not only the amendment relating to Article 3 but five others tabled by me concerning Articles 3, 4, 7, 9 and 17. This is why I am now going to clear the ground of a certain number of amendments.

On the Working Party, on the Committee for Political Affairs and in the Parliament, two points of view emerged concerning the complete application of paragraph 3 of Article 138 of the Treaty setting up the European Common Market and of Article 108 of the Treaty setting up Euratom. The first idea was to ensure the immediate application of paragraph 3 of these Articles as regards the introduction of direct universal suffrage ; the second concerned the electoral system with a uniform procedure. This viewpoint was more or less abandoned in the course of discussion, and we came to the question of introducing direct general elections coupled with the system of indirect election, any decision on a uniform electoral procedure being for the time being shelved. For this purpose a transitional period was introduced with the object of enabling elections by universal suffrage to be organized without delay so as to get round the formidable difficulty of creating a uniform electoral system in the six countries.

The Working Party and the Committee on Political Affairs did a lot of hard and effective work on this problem but were faced with such dissimilar situations and such radically different points of view in the member States that they were obliged to set this principle to one side. This was, no doubt, a wise decision and I endorse it.

But after having established this principle, both the Working Party and the Committee were, I feel, influenced, in their subsequent handling of the draft, by the rules concerning the transitional period in the EEC Treaty. Now, these rules cannot be adapted to a special electoral system

because elections are held once every five years, whereas the implementation of the Common Market goes on uninterrupted, even if in three stages, to lead up to the economic and social unification of our six countries and finally to that political unification for which we are all striving.

Now, it seems illogical to me to follow the system of the transitional period established in one of the Treaties. (We all know that the transitional period for the European Coal and Steel Community has expired, as also the transitional period for Euratom.) That system was studied and worked out, perhaps, with excessive caution, as our Parliament has already shown by insisting on the need for speeding things up. An electoral system, I repeat, has nothing in common with economic development; it cannot represent a great change in social systems and it cannot serve, without more ado, for achieving political unity. The most it can be is an instrument, a prerequisite of all this.

This is why it seems to me that, from the political as well as from the legal point of view, which Mrs. Probst and Mr. Carboni, have discussed at length, it is neither desirable nor reasonable to link the transitional period to the stages of the European Common Market.

I should also like to draw your attention to Article 4 of the draft Convention. There it is stated that the provisional electoral system will remain in force for a term corresponding to the transitional period of the European Common Market; but then it is added that the new Parliament may also extend it. On this I would comment that the minimum term, which it is hoped to shorten, could on the contrary be extended to 15, and even 17, years following a decision by the European Court of Justice; in other words, the proposed electoral system could last for as long as 20 years.

Have we really to wait twenty years before the Treaty comes fully into application? A transitional period is, I repeat, necessary, but if we overdo things we shall never get Europe built. We must show a little courage, and in my amendment I am not asking too much; I am simply proposing that this transitional period, which we certainly need to enable us to think things over and await developments in the various countries, should be for five years, i.e. the term of a single legislature.

Moreover, this five-year period will end up by lasting eight years. Two or three years will pass before this Convention is approved by the Council of Ministers and ratified by the national Parliaments and we hold the elections. Would it really be impossible, in eight years, to work out a scheme for a uniform electoral procedure for our six member States?

Our Committee on Political Affairs, on which I had the honour to sit, informed me yesterday that it would not be wise to bring forward the time-limits. My reply that if we are over-wise, if we are over-cautious, Europe will never be built. Let us display a little more courage, a little more boldness—even if we cannot quite emulate our friend Mr. Carboni in this respect—otherwise Europe will never be built!

May I recall the words uttered in this House during the Parliament's first session? To build Europe we need courage; we must be not only experts but, even more, politicians. The uncertainty that springs from a craving for perfection often leads the experts to solutions that are unsatisfactory, at least to us politicians.

We politicians must show courage, and it is hardly courageous to believe that we cannot decide on an electoral law within the space of eight full years!

This is why I rely on you, Ladies and Gentlemen, to vote for the amendment under discussion and those appended to it.

**President.**—I call Mr. Maurice Faure, Rapporteur.

**Mr. Maurice Faure, Rapporteur.**—(F) The text which Mr. De Bosio has defended with such laudable conviction differs only slightly from the one the Committee is proposing. In his speech

Mr. De Bosio has touched on a great many subjects. As we are now voting on Articles and amendments, I should like, for the moment, to speak only on the subject-matter of amendment No. 19. This aims at replacing—in Article 3, which states that one third of the representatives shall be indirectly elected or nominated—the words ‘During a transitional period’ by the words ‘During the first legislature’.

In other words, Mr. De Bosio is objecting not to the introduction of a transitional period but only to its duration. He wants it to last five years.

As, at the very best, the elections will not take place before two or three years, the ‘final’ arrangement would therefore not come into force for eight years.

I would point out to Mr. De Bosio that owing to the speeded-up development of the Common Market—which came into being on 1 January 1958—we would find ourselves in 1968, at the end of the tenth year; that is, roughly at the end of the development period in question.

The Committee proposes that the first direct elections of all representatives should be held after the complete implementation of the Common Market Treaty. There is a strong possibility that the two dates will coincide. Hence, when Mr. De Bosio appeals to our courage, he finds here people who reply: ‘present’, because, I repeat, things will come to pass more or less as he wishes.

Why did the Committee feel that the final period should begin at the time of the first elections following the completion of the Common Market? It is because it felt that, even at the political level, there should be a certain parallelism between the popular control we wish to see exercised over the institutions of the Common Market, on the one hand, and the nature and implementation of the Common Market itself. While the Common Market is only partly applied the need for control by the people will be less than when it is completely in force.

That is our justification; but, I repeat, in reality Mr. De Bosio’s proposal is only separated from ours by the thickness of a rose petal.

*(Laughter)*

**President.**—Is there no one else who wishes to speak?

I put Mr. De Bosio’s amendment No. 19 which Mr. Carboni has supported, to a vote by a show of hands.

*(The amendment is not adopted)*

**President.**—I have here amendment No. 11 (*new version*) submitted by M. Birkelbach on behalf of the Socialist Group and reading:

Article 3 to read as follows:

‘During a transitional period, a number of these representatives shall be elected by the national Parliaments from among their own members, in accordance with a procedure that ensures fair representation of the political parties.’

This amendment gives no indication of the proportion of members to be elected by the national Parliaments because its mover wished to wait until the vote had been taken on Article 2.

I call upon Mr. Van der Goes van Naters to complete the amendment.

**Mr. Van der Goes van Naters.**—*(F)* Mr. President, Ladies and Gentlemen, I should like to explain this amendment on behalf of my friend Mr. Birkelbach.

You know that the Socialist Group is very anxious that the requirement in Article 138 concerning a uniform procedure should be complied with. Our amendment aims at bringing about this

harmonization, this uniformity, as far as possible. Now, we noted on the Committee that although several members agreed on the principle, the word 'proportional' appears to shock some of our colleagues. We therefore reconsidered this amendment and decided to change it, replacing the words 'proportional ... to the number of their seats', in our original amendment, by the single word 'fair'.

This amounts to laying down a directive to the national Parliaments to the effect that each shall, according to its own procedure, provide for fair representation of the political parties.

With this slight change, which will no doubt be approved by several of our colleagues, I hope that the Parliament will accept our amendment.

**President.**—In your text you do, I take it, refer to a proportion of one third ?

**Mr. Van der Goes van Naters.**—(F) Certainly, Mr. President.

**President.**—I call Mr. Scelba.

**Mr. Scelba.**—(I) Mr. President, Ladies and Gentlemen, the amendment submitted this morning is—or at least is intended to be—an improvement on the original one. For all that, I have to reject this new version also. I do not think there is any democratic Parliament which does not, in its rules of procedure, guarantee fair representation of all political parties. For this reason I think there is probably no point in the amendment as it stands. We cannot accept it for a fundamental reason : we agreed with the Committee on Political Affairs that the task of drawing up electoral laws should in practice be left to the national Parliaments. We wanted, at least during the initial period, each country to be free to choose its own electoral law. This amendment would mean discarding this idea and, what is worse, imposing two electoral laws : one for representatives directly elected by the people over which the national Parliaments would freely decide, and the other for representatives elected by the Parliaments on whom we would in fact impose proportional representation. This, I repeat, clashes with the general idea, already accepted, that the national Parliaments should draw up electoral laws, taking local usage and customs into account.

Nor did the Committee accept proposals made by Mrs. Probst on general guidelines to be followed by the national Parliaments in framing the laws. We felt that we should leave the national Parliament completely free, simply reserving the option to submit suggestions to the Governments or Parliaments with a view to bringing the various laws into line.

If we accept the amendment submitted this morning the national Parliaments will be obliged to send to the European Parliament representatives of political parties clearly opposed to European unification. To speak frankly, you will oblige them to send here Mr. Khrushchev's fifth column, if not proportionally, at least to a fair extent. Now if there are popular elections, it is probable that we shall not succeed in keeping the Communist fifth column out of the European Parliament. Indeed, except in Federal Germany, if I am not mistaken, the Communist party enjoys civic rights in all member States, and consequently, it will enter the European Parliament. It does seem to me to be going too far to oblige democratic parliamentarians to vote to ensure fair representation also for people who have no respect for justice when they are in power, and who believe neither in Europe nor in democratic institutions. With this exception, I think that the rules of the free parliamentary systems already afford an absolute guarantee of fair representation of all political parties. As regards Italy, for example, all the parties are now represented in this House with the exception of the Social-Communists.

As regards the Socialists, the Social Democrats are already represented in the European Parliament. As for those Socialists who take up the same positions as the Communists, we offered them fair representation if they agreed to part company with the Communists. We Italian democrats

could not offer representation to the Communists because they contested and voted against the Treaties setting up the European Communities.

We therefore urge that this amendment be rejected. This does not mean, however, that we reject the objects of the amendment itself. We consider these objects, in any case, as already achieved because the rules of procedure of all the democratic Parliaments, including the Italian one, provide the means of ensuring fair representation of all parliamentary parties in the European Parliament. But I persist in opposing the amendment, above all on a matter of principle. Just as we agreed that it should be for the national legislator to determine the procedure for electing two thirds of the representatives to be elected directly by the people, so we want it to be left to the national Parliaments to determine the procedure for the election of the remaining third, that to be nominated from among the members of these Parliaments.

*(Applause)*

**President.**—I call Mr. Smets.

**Mr. Smets.**—*(F)* Mr. President, Ladies and Gentlemen, I should like to point out that Article 138 of the ECSC Treaty provides that elections shall take place 'by direct universal suffrage in accordance with a uniform procedure in all member States'.

It would be running counter to this provision not to accept the recommendation in the Socialist amendment.

Then I would remind Mr. Scelba that the Treaty was signed by Mr. Segni, with whom he is, I think, well acquainted, as well as by Mr. Martino, and that this was a real commitment.

Mr. President, I also asked to speak because the expression 'Social-Communist' made me prick up my ears. I must tell my esteemed colleague that in Belgium ...

**Mr. Scelba.**—*(I)* The term applies only in the situation in Italy and has no equivalent in any other country.

**Mr. Smets.**—*(F)* ... I am represented, in the publication of a party similar to yours, as a Social-Communist. In this sphere we must be careful. It is, moreover, very easy to resort to discrimination by showing a political party in a false light.

Then again, those who know me know that I am as far from being a Communist as the most rabid anti-Communist. This does not prevent me from being put by some people into that category. This could occur under pressure of strictly partisan political concerns.

Once bitten, twice shy !

**President.**—I call Mr. Friedensburg.

**Mr. Friedensburg.**—*(D)* Mr. President, Ladies and Gentlemen, opinions may well differ as to the merits of the proposal put forward by our Socialist colleagues on the participation of indirectly elected representatives. I do not think however, that we can allow the reasons given by Mr. Scelba for rejecting the amendment to go unanswered.

A democracy that has not the courage to come to grips with its opponents is no democracy.

*(Applause)*

As the only member of this Parliament to come from behind the Iron Curtain, and as one who has for fifteen years been fighting ceaselessly with the Communists, I can only say: We fear a Fifth Column much more when it is a real Fifth Column, that is, when it operates in the shadows.



A Fifth Column forced to descend into the democratic arena ceases to be a Fifth Column in the sense in which this term is so often understood.

So I urge that we should not vote on this ground against the proposal of our Socialist colleagues. With all respect for the experience of our friend Mr. Scelba, I feel, in the light of my own experience, that we should argue out our differences openly in the new European Parliament. This would at all events do less harm than if opponents of the European movement were able to exercise their influence in the national Parliaments, while we permitted no such arguments in this House, the right place for airing them. This is why I support the proposal of our Socialist colleagues.

**President.**—I call Mr. Vals.

**Mr. Vals.**—(*F*) Mr. Scelba's remarks prompt me to clarify some of the points in the motion for a resolution contained in the Convention before us.

In the recitals it is stated that we are 'resolved to take the freely expressed will of the peoples of the member States of the European Communities as the basis of the mission entrusted to the European Parliament' and that we are also 'anxious to enhance the representative character of the European Parliament'. The previous speaker showed that, in the matter of democracy, there were a number of principles which we could not violate. This is why the Socialist group has called for 'fair' representation. If I stick to the definition of this term, it is not only democracy but also justice that is involved. Are we to refuse to embody this concept of justice as regards representation in the European Parliament in a motion for a resolution? Surely, my dear colleagues, we cannot agree to this.

It is too easy these days to bracket the adjectives 'Communist' and 'Socialist' by interposing a hyphen as Mr. Scelba did, and to talk of Social-Communists. If we allow this idea to spread, I do not know where this will lead us one day in our national Parliaments.

Democracy is not easy to practise and, as Mr. Bohy was saying before the Committee on Political Affairs, it has to be deserved. As democrats, we shall accept fairness in the matter of representation in the European Parliament.

(*Applause*)

**Mr. Carboni.**—I should like to speak.

**President.**—Only the mover of the amendment ought to be able to speak. Just now I gave the floor to other members but we should not reopen the general discussion.

I would draw your attention to the fact that we are all still at Article 3.

I shall call Mr. Van der Goes van Naters and then Mr. Carboni.

**Mr. Van der Goes van Naters.**—(*F*) Mr. President, as mover of the amendment, I should like to speak last.

**President.**—I call Mr. Carboni.

**Mr. Carboni.**—(*I*) Mr. President, Ladies and Gentlemen, this Article has caused us to digress somewhat. Mr. Scelba made certain observations to those of us who are Italians and Christian Democrats which we cannot pass by in silence.

I should be glad if Mr. Friedensburg would repeat his highly interesting remarks in the Bundestag and if he obtained there what he is asking from us.

We, in Italy, have a Communist party and another which constitutes a serious threat to democracy, and we cannot be criticized for taking a number of precautions in the interests of Europe itself.

I should furthermore like our French friends to note that it is not we who give the Socialists the title of Social-Communists; it is they themselves who assume this title, having concluded a pact for common action which we are unable to break.

Obviously when we make these observations, we are speaking about our parties. That Mr. Smets should be so described by his friends has nothing to do with us.

I am making this statement in order to clarify matters.

I agree with Mr. Scelba that as we have recognized the right of member States to work out an electoral system, it would be running counter to this Article if we accepted that the States should comply with certain general principles on this point. It would also be wrong because the amendments that would have made this possible have been rejected.

Mr. Van der Goes van Naters.—(F) I should like to speak.

President.—I would ask you to avoid any polemics. You have the floor.

Mr. Van der Goes van Naters.—(F) Mr. President, Ladies and Gentlemen, I would just like to clarify one point, for it is difficult, when new arguments are presented, not to reply to them.

A new argument was raised by Mr. Scelba, who criticized us for having introduced two conflicting criteria into our texts, that of Article 1 and that of Article 3. But as far as the composition of the future Parliament is concerned, these Articles set out from exactly the same principle. The principle underlying Article 1 having been adopted, we want to bring into line with it Article 3 which lays down the conditions for nominations by the national Parliaments. Hence we are applying only one criterion and it is Mr. Scelba who is asking us to apply two. I do not think that makes sense.

President.—I call on the Rapporteur to explain the Committee's views.

Mr. Maurice Faure, *Rapporteur*.—(F) The Committee relies on the wisdom of this House.  
(*Laughter*)

President.—Is there anyone else who wishes to speak ?...

Mr. Birkelbach's altered amendment provides that 'During a transitional period, one third of these representatives shall be elected by the Parliaments from among their own members, in accordance with a procedure that ensures that the political parties are fairly represented.'

I shall put this amendment to the vote by a show of hands.  
(*The amendment is adopted*)

This amendment becomes the text of Article 3.

The Committee of Presidents had proposed that, subject to agreement among the groups, Mr. Deist's report should be heard at the end of the morning.

I therefore propose that we break off our present debate and go on to the next item on this morning's agenda.

Are there any objections ? ...

It is so decided.

We shall resume discussion of the texts submitted by the Committee on Political Affairs on the election of the European Parliament by direct universal suffrage.

The Parliament had reached this morning Article 4 of the draft Convention.

This Article reads :

'The transitional period shall begin on the day this Convention comes into force. The date of its expiry shall be fixed by the European Parliament. This shall not be earlier than the end of the third stage of the Common Market, as defined in Article 8 of the Treaty setting up the European Economic Community, nor later than the expiry of the legislative period during which that third stage comes to an end.'

I have three identical amendments from Mr. Carboni (No. 2, second part, d), Mr. Smets (No. 32) and Mr. De Bosio (No. 20) for deleting Article 4.

But Mr. Smets has just told me that he is withdrawing his amendment.

Moreover, these amendments appear to be no longer valid because of the vote taken this morning on Article 3.

I assume that the movers of these amendments are agreed on this point.

Does no one else wish to speak ? ...

Then I put Article 4 to the vote as submitted by the Committee.

*(Article 4 is adopted)*

**President.**—I shall now read out Article 5 :

'1. Representatives shall be elected for a term of five years.

The mandate of representatives elected or nominated by the Parliaments shall, however, end with the loss of the national parliamentary mandate or at the end of the period for which they have been elected or nominated by their national Parliaments. Any representatives whose mandate ends in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament.

2. The five-year legislative period shall begin at the opening of the first session following each election.'

I have amendment No. 33 by Mr. Smets to this Article :

The Article to read as follows :

'Representatives elected by direct universal suffrage shall be elected for five years.

The mandate of representatives elected by the national Parliaments shall end with the expiry of their national mandate. The same shall apply to the mandate of representatives elected to replace a retired or deceased representative.'

I call Mr. Smets.

**Mr. Smets.**—(F) My proposal is that Article 5 should state more clearly, so as to avoid any confusion, that 'representatives elected by direct universal suffrage shall be elected for five years',

but that 'the mandate of representatives elected by the national Parliaments shall end with the expiry of their national mandate. The same shall apply to the mandate of representatives elected to replace a retired or deceased representative.'

The last sentence can naturally be left out since my proposal concerning substitutes did not win much support from the Parliament. I confine myself, therefore, to the first two sentences, and should like to draw attention to the fact that in Article 5, as drafted by the Committee, reference is made to mandates of 'elected or nominated' representatives.

My amendment omits the word 'nominated'. I believe this should be struck out because this House is agreed that representation of political parties must be fair. There is no reason for retaining the word 'nominated' because this could give the impression that Parliaments can make up their delegations exactly as may suit them.

In the Belgian Senate we consider that when a member is nominated, for example by being co-opted, he is elected. The same applies when the Senate nominates European parliamentarians. The President notes that the number of candidates tallies with the number of seats to be filled and declares the nominated members elected without holding an election.

Thus, what takes place is not a nomination but in fact an election.

I should also like to draw your attention to a contradiction inherent in Article 5. It provides that the end of the parliamentary mandate determines the end of the European mandate but adds that the representative who loses his national mandate shall remain in office until the mandate of his successor has been confirmed.

This seems to me impossible. When we were discussing eligibility I was told that a candidate could not be considered eligible if, for example, he had incurred a penalty involving the loss of civil rights. Now, a parliamentarian may lose his mandate for such a reason, whereas by virtue of your text he would remain a member of the Parliament until his successor's mandate had been confirmed.

I quote this example taken from yesterday's discussion. It is fundamentally and in reality impossible for a national Parliament to continue to be represented in this House by someone who is no longer a member of that Parliament.

We need to take a close look at this. When I addressed the Committee yesterday I made an effort to get this point across and I will try to do so again today. I really think that the text I am proposing is better. We should not speak of a representative 'whose mandate ends in this way'—namely, by losing his national mandate—and who would remain in office until the mandate of his successor had been confirmed in the European Parliament.

If your concern here is to ensure the continuity of the work of our Parliament, Article 15 should allay your fears as it states that 'the outgoing European Parliament shall remain in office until the first sitting of the new Parliament.'

There you have your continuity. This Article will be complied with and continuity preserved even if a number of former members do not sit again.

I strongly urge that this text be amended and that my wording be accepted. It reads simply enough: 'Representatives elected by direct universal suffrage shall be elected for five years. The mandate of representatives elected by the national Parliaments shall end with the expiry of their national mandate.'

**President.**—You are thus striking out the end of the second paragraph which reads: 'The same shall apply to the mandate of representatives elected to replace a retired or deceased representative'?

**Mr. Smets.**—(F) That is automatic, Mr. President. Once a substitute is elected, he comes under the same rule. The expiry of his national mandate determines the end of his European parliamentary mandate.

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) Mr. Smets has just said that his amendment is quite simple. Perhaps it is too simple; perhaps this is one reason why it won no support when the Committee voted yesterday.

I am therefore obliged to state on behalf of the Committee that it is against the amendment.

None the less Mr. Smets raised an interesting question as regards the expression 'representatives elected or nominated by the national Parliaments.' We chose these words because we wished to take into account situations existing under constitutional law in some countries. We were thinking particularly of the Netherlands. After careful reflection, however, we are now told that we could delete the words 'or nominated' without clashing with the legal situation in that country, simply saying, therefore, 'The mandate of representatives elected by the Parliaments shall, however, end, etc.'

Speaking for the Committee, I am therefore prepared to accept the deletion of the words 'or nominated'.

We come now to the other part of the sentence to which Mr. Smets took exception: 'Any representative whose mandate ends in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament.'

Mr. Smets here introduced questions of ineligibility or disqualification following the forfeiture of civil rights. I think, Mr. President, that this would be making a great fuss about a small matter because, after all, these representatives whose national mandate expires nationally would retain their mandate only exceptionally and for a very short time.

I may add that the same rule is included in the regulations of the Consultative Assembly of the Council of Europe, which allows a representative to remain in office until his successor has been nominated and confirmed in office. To date, however, and despite the long experience of the Council of Europe, I do not know of a single case where the danger referred to by Mr. Smets has materialized.

This is why I ask this House to follow the Committee on Political Affairs and reject the amendment, it being understood that we agree that the words 'or nominated' shall be struck out.

**President.**—I call Mr. Smets.

**Mr. Smets.**—(F) Mr. President, Ladies and Gentlemen, some of my colleagues may think me obstinate but my persistence stems from a profound conviction.

We have to look at things objectively. I read in Article 5 that 'the mandate of representatives elected or nominated by the Parliaments shall, however, end with the loss of the national parliamentary mandate...'

How can one say, then, that a representative whose mandate expires in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament?

I did not, Mr. Dehousse, refer only to forfeiture of the mandate after incurring a penalty involving the loss of civil rights; I merely alluded to this in passing. My real point was this:

how can a member of the European Parliament continue to be the representative of his Parliament when his national mandate has expired? This appears to me to be impossible. This is telling a national Parliament that it must change its rules and procedure. What reason can there be for allowing a representative to retain his European mandate when he has lost his national mandate?

Under these conditions, Mr. President, I propose, as a secondary matter, the deletion of the second sub-paragraph of Article 5: 'Any representative whose mandate ends in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament.'

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) I would not say that I am guided by the teachings of Mr. Khrushchev (*laughter*) because his is not a school I approve of. In his second speech, however, Mr. Smets raised a point which is dealt with in our Rules of Procedure and against which he has never, as far as I know, objected.

Article 5,2 of the Rules of Procedure, which is headed 'End of term of service of representatives', reads: 'In the latter case, a representative whose original term of service has not expired may continue to serve.'

**Mr. Smets.**—(F) Oh! Oh!

**President.**—No bickering please! We are not yet a real Parliament.  
(*Laughter*)

**Mr. Dehousse.**—(F) Mr. Smets you possess the incomparable art of quoting phrases incompletely. Allow me to finish the sentence: '... a representative... may continue to serve until his successor has been appointed.'

In this treaty on European elections we are faced with a special situation: there will be two classes of representatives, some elected by universal suffrage and the others nominated by the national Parliaments. As regards the latter, we begin by referring to the provisions of Article 5,2 of the Rules of Procedure and say that their European mandate will normally end with the expiry of their national mandate. But we add—and we can always do this in a treaty—that by an express provision to this effect we relieve them of this obligation to retire.

The sentence beginning with the words: 'Any representative whose mandate ends in this way...' is indeed designed to cover this point.

The Committee on Political Affairs, after going into this matter at length, sees no reason why it should change its points of view. I therefore ask the House to reject the amendment and to pass Article 5 exactly as it stands.

**President.**—I think that all the various opinions have now been expressed and that this House understands the position.

I am therefore going to put Mr. Smets' amendment to the vote.

**Mr. Smets.**—(F) I should like to speak.

**President.**—May I remind you, Mr. Smets that under the Rules of Procedure the mover of an amendment may only speak once?

Mr. Smets.—(F) I wanted to comment on Article 5.

Mr. Dehousse, *Rapporteur*.—(F) That is just what I have done, fully and honestly.

President.—The amendment has been fully explained to the House. It is already 4 o'clock and we have not yet adopted this Article. I put Mr. Smets' amendment, as amended by him, to the vote.

*(The amendment is not adopted)*

Mr. Smets.—(F) And the Committee's text?

In my speech I proposed that the second sentence of the second subparagraph should be struck out from the Committee's text.

I said this, but even if I had not done so, I could come back to this proposal now.

President.—I shall put this subsidiary proposal by Mr. Smets to a vote by a show of hands.

*(The proposal is not adopted)*

President.—The Committee proposes that, in the second subparagraph of Article 5, the words 'or nominated' should be deleted.

Is there anyone else who wishes to speak? ...

I put Article 5, so amended, to a vote by a show of hands.

*(Article 5, so amended, is adopted)*

President.—I shall read out Article 6: 'Representatives shall vote on an individual and personal basis. They shall accept neither instructions nor any binding mandate.'

There is no one else listed to speak on this Article and no amendment has been referred to me.

Mr. Dehousse, *Rapporteur*.—(F) Mr. President, I am really delighted to see that the treaty provides that no one here may accept a binding mandate.

President.—I put Article 6 to the vote.

*(Article 6 is adopted)*

President.—I would emphasize that this Article has been passed unanimously. This is an excellent example.

*(Laughter)*

I shall now read out Article 7:

'During the transitional period, membership of the European Parliament shall be compatible with membership of a Parliament.

The European Parliament shall decide whether these mandates are to remain compatible after the end of the transitional period.'

I have before me five amendments, those of Messrs. Carboni (No. 2, second part, e), Santero (No. 5), De Bosio (No. 21), Smets (No. 34) and Smets (No. 42).

Mr. Smets has told me he is withdrawing his amendment No. 34.

As regards the amendments of Messrs. Carboni and De Bosio, this House has already expressed its views on Article 3.

The other two amendments can be discussed jointly.

I shall read them out :

Amendment No. 5 submitted by Messrs. Santero, Moro, Turani, Braccesi and Granzotto Basso :

Replace Article 7 by the following :

'During the transitional period, membership of the European Parliament through election by direct universal suffrage shall be incompatible with that of membership of a Parliament.'

Amendment No. 42 submitted by Mr. Smets :

The second paragraph of Article 7 to read :

'The European Parliament shall decide whether these mandates are to be deemed compatible or not after the end of the transitional period.'

I call Mr. Carboni.

Mr. Carboni.—(I) Mr. President, Ladies and Gentlemen, I think I may be permitted to discuss paragraph 2 because I do not think that this is affected by any of the previous votes. It has thus not lost its validity, and as I propose that it should be deleted, I should like your permission to give my reasons.

President.—You have the floor.

Mr. Carboni.—(I) Mr. President, Ladies and Gentlemen, I shall be very brief. I am against this paragraph because it speaks of a transitional period. I do not believe that a Parliament can enter the world for a transitional period. I fully realize that there may be transitional provisions : but because a transitional period suggests something passing, short-lived or liable to change, I am opposed to this term.

I take particular exception to the idea that a Parliament like ours, which is not an elected assembly, should determine what a Parliament elected by universal suffrage ought or ought not to do.

I think it is both wrong and pointless for us to do this. There is no point in doing this because a Parliament brought into being by popular elections will draw its sovereignty direct from what we regard as the source of sovereignty, namely, the votes of the people. I do not therefore think that we can lay down such rules for the future Parliament ; it will do whatever it thinks fit.

Nor is it right that we should do this. We are not an elected Parliament and cannot therefore play the part of mentors and decide here and now : 'You shall do this' or 'you shall not do that'. We must regard the Parliament we wish to see set up over against the executive as having full sovereignty. It will therefore be for that Parliament itself to decide what ought and what not ought to be done.

These are the reasons why I should like the second paragraph of Article 7 to be struck out.



President.—Mr. Carboni proposes, then, through a subsidiary amendment, that the second paragraph of Article 7 should be deleted.

I think that all these amendments can be discussed together. I therefore call Mr. Santero.

Mr. Dehousse, *Rapporteur*.—(F) Do you not think, Mr. President—I apologize to our friend Mr. Santero—that it would be better to discuss and vote on each amendment separately; otherwise we are liable to become involved in a highly complicated discussion?

I should prefer the House to vote on Mr. Carboni's amendment here and now.

Mr. Carboni.—(I) I have no objection.

President.—I understand Mr. Dehousse's point of view but it must be agreed that in this case these various amendments are on the same lines.

Mr. Dehousse, *Rapporteur*.—(F) Not exactly, Mr. President; there are differences, however slight.

President.—Very well. At your service.

Will you allow me to call Mr. Santero?

Mr. Dehousse, *Rapporteur*.—(F) Of course, and the general comment I made did not imply any lack of respect towards Mr. Santero.

President.—Mr. Santero has the floor.

Mr. Santero.—(I) My amendment completely replaces Article 7 and therefore its second paragraph. I should none the less like to comment on it.

President.—Please proceed.

I feel I ought to give the floor to Mr. Santero because his amendment goes further than Mr. Carboni's.

If it is rejected, then the others will be rejected *ipso facto*.

Mr. Dehousse, *Rapporteur*.—(F) Mr. President, I should have preferred the approach I have just advocated but I accept your suggestion.

President.—I made this proposal because I have Mr. Santero's agreement on this point.

Mr. Dehousse, *Rapporteur*.—(F) Mr. President, I am prepared to bow your request and shall, when you wish, reply to any observations.

President.—I thank you for making my task easier.

I call Mr. Santero.

Mr. Santero.—(I) Mr. President, Ladies and Gentlemen, my amendment, which bears the signature of several members of this Parliament, completely replaces Article 7. I propose that

to make voting easier, the article should be voted on section by section. At all events I think that my amendment and Mr. Carboni's could be discussed together.

My amendment is closely bound up with Article 3—I am glad that the House adopted it this morning—to the effect that the national Parliaments are to send the European Parliament a third of its total membership, or 142 members, exactly as at present. As long as the national Parliaments remain, for all practical purposes, the builders of Europe because they delegate some of their powers to this House and ratify its decisions, like those of the Council of Ministers, they must feel directly responsible, through their nominees, for what the new Parliament does and for its successes and failures.

There must therefore be a link with the national Parliaments but that established in Article 3 should suffice. A third of the members who will sit here will also have a national parliamentary mandate, so that, if we keep to Article 7 as it stands, i.e. if the elected representatives are able to exercise two mandates, the majority in the new Parliament will consist of members holding two mandates.

If this is so, the working time-table of the Parliament and its committees will be increasingly geared to that of the national Parliaments. I say 'increasingly' since, if it is already difficult to take part in European activities even now that there are 142 of us, it will be much more difficult when we are more than double the number. I believe that it will be hard for the national Parliaments to do their work satisfactorily in the absence of forty or more representatives, particularly in the case of Italy which is the furthest away from Strasbourg. It must also be remembered that there is not only the European Parliament's work but also that of the committees which meet in Brussels, Luxembourg, or Strasbourg.

This is why my colleagues and I have submitted this amendment whereby elected members have to choose between the European and the national mandate. Otherwise, even those who voluntarily chose the European mandate, would not make this choice, because this would be rendered pointless by the fact that the majority of members of the Parliament have to take into account the simultaneous exercise of two mandates and consequently draw up a time-table to enable them to cope with this difficult situation.

This would have the paradoxical result that although we wish to have a new elected Parliament wielding greater authority, a more effective Parliament that could speed up the process of European unification, we should on the contrary find ourselves with a Parliament whose authority and effectiveness would perhaps be reduced by a higher rate of absences among its members. This is certainly not a good basis on which to seek greater powers and responsibilities. We should end up by weakening the resolution of the new Parliament in advance if we were to say, by our actions if not by our words, that we thought that it could only build the new Europe if it devoted to that task the spare time left to its members after they had discharged their duties in their respective parties and in their national Parliaments.

There is a further danger which became even clearer this morning when we saw how many members of this House would like the membership to be doubled rather than tripled. The Council of Ministers, which cannot but be interested in the activities of the national Parliaments, with the support and pressure exercised by those members of this Parliament who this morning urged that membership should be doubled, will decide to increase the number of representatives to sit in the new European Parliament to no more than 284.

I would add that even if parliamentarians directly elected by the people cannot accept two mandates, the majority in the European Parliament will certainly be made up of parliamentarians or former parliamentarians: not of parliamentarians simultaneously exercising two mandates, but partly of persons exercising two mandates and partly of former parliamentarians exercising only the European mandate.

I also think that this provision has the advantage of having a Community character ; it is one of the rare provisions that must serve all the member States. As it stands, Article 7 allows of a choice either way—as we pointed out on the Committee on Political Affairs—and its effect will be that the various national parties or countries will decide on, interpret, and apply this choice in different ways. This could also lead, and perhaps will lead, to the principles governing the composition of this Parliament being assessed and applied differently.

Moreover, since we propose to replace the whole of Article 7, i.e. both paragraphs, it follows that when Article 3 ceases to apply, the version of Article 7 proposed by us will also cease to apply. Consequently, when the transitional period ends, the incompatibility we want to write into Article 7 will automatically vanish since no other Article of the Convention states that there should be incompatibility between the two mandates.

For all these reasons, I hope that the Parliament will adopt my amendment. After the transitional period is over, when the national Parliaments can no longer delegate the 142 members who are their direct representatives in this House, there must be no incompatibility, so that this personal link is not suddenly and completely broken off but disappears gradually in the light of experience and of the international situations arising.

This is not a question of doctrine but of a practical way of enabling the new Parliament to work effectively for the unification of Europe, which now appears to be more necessary than ever.

*(Applause)*

**President.**—We have here two proposals which clearly clash.

The Committee's text states that 'during the transitional period membership of the European Parliament shall be compatible with membership of a Parliament'.

The amendment of Mr. Santero and his colleagues, on the other hand, provides that 'during the transitional period, the office of representative in the European Parliament elected by direct universal suffrage shall be incompatible with that of member of a Parliament.'

I should like speakers to discuss only this problem. The subsequent amendments including those of Mr. Carboni and Mr. Smets, are subsidiary ones—this does not mean to say they are of minor importance—because they relate to the second paragraph.

I call Mr. De Kinder.

**Mr. De Kinder.**—*(F)* Mr. President, Ladies and Gentlemen, I am in agreement with the substance of the amendment tabled by Mr. Santero and several of his colleagues. I believe that we should establish incompatibility between the two mandates for all the reasons already discussed. Yet the deletion of the first paragraph of Article 7 appears to me to clash with Article 3 as passed by the Assembly.

I was among those who voted against Article 3 ; but once we have accepted that the national Parliaments should nominate part of the European Parliament, we must, I think, uphold compatibility, at least for a certain time. If not, we shall arrive at a paradoxical situation in which the national Parliaments could use Article 3 to introduce into our new Parliament a series of members to whom they would like to give a second chance. Such a system existed in one of our countries for some time. I believe it is a bad system.

Since Article 3 has been passed, we must act accordingly, and despite all the sympathy I have for the essence of Mr. Santero's amendment, I think that we should reject it.

**President.**—I call Mr. Ferretti.

**Mr. Ferretti.**—(I) I have only one objection to raise against Mr. Santero's proposal. I think we all agree that it would be desirable to have men of outstanding political reputation taking part in the first elections. If we decide on incompatibility we shall be presenting to the electorate candidates who do not enjoy anything like the same reputation in the political life of our countries.

This is the only reason why I am against the proposal.

**President.**—I call Mr. Carboni.

**Mr. Carboni.**—(I) Mr. President, Ladies and Gentlemen, the interpretation given to Article 3 in conjunction with article 7 is not correct because Article 3 states that representatives shall be elected by the Parliaments from among their own members. Clearly, the exercise of twin mandates is to be confined to such representatives. Article 7 of Mr. Santero's version says, in effect: for this third, yes, but not for the others. The sense is that only representatives nominated by the Parliaments from among their own members can hold twin mandates. We believe, Mr. Ferretti, that the Parliament will choose from among its members precisely those of outstanding political reputation to whom you referred. The expression 'of outstanding political reputation' recalls something very near to your heart.

**Mr. Ferretti.**—(I) University professors are chosen because of their reputation, not as a result of a competitive examination!

**Mr. Carboni.**—(I) This is a relic of the past, an age-old mistake. You know what I mean. There are some things, alas, which last...

**Mr. Ferretti.**(I) Which are eternal.

**Mr. Carboni.**—(I) It is in this sense that we should understand the fact that twin mandates can only be exercised by persons elected by the national Parliaments from among their own members, and not others.

**President.**—I call Mr. Battaglia.

**Mr. Battaglia.**—(I) I have the impression that Mr. Ferretti is right and that Mr. Carboni has not understood the reasons underlying Mr. Ferretti's remarks. Mr. Ferretti did not confuse Article 7 and Article 3. He maintained, as I do, that at the first elections, that is, during the transitional period, it would be a good thing if our people were inspired and won over by candidates 'of outstanding political reputation'; and since these could not be parliamentarians of lesser stature, candidates should, at least at the first elections, be men enjoying considerable prestige.

**President.**—I call Mr. Santero.

**Mr. Santero.**—(I) I will answer Mr. Ferretti and Mr. Battaglia by telling them that it is the tradition in Italy for the most eminent politicians of the parties to stand as candidates for elections to the Chamber of Deputies in several constituencies, and for party leaders and eminent men to stand as candidates both for the Chamber of Deputies and for the Senate, so as to attract votes and add lustre to the lists of candidates. Hence the need to present men of au-

thority as candidates for the European Parliament ; even if one knows that they will choose the national mandate, this will not prevent them from lending an added appeal to the election campaign. For example, everybody knew that de Gasperi could not be elected in more than one constituency, and everybody knows that Mr. Nenni cannot be elected in more than one constituency ; but outstanding persons such as these regularly stand in several constituencies and simultaneously for the Senate and the Chamber of Deputies.

**President.**—I am not at all familiar with the situation either in Tuscany or Sicily, for which I have, however, a great deal of sympathy.

*(Laughter)*

On this point, however, I think that the Committee has an opinion, and this is why I am calling Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—*(F)* Mr. President, I interpret your legal standpoint as meaning first of all that Mr. de Bosio's amendment has now become irrelevant because Mr. de Bosio's amendment No. 19 to Article 3 was rejected.

We therefore still have two amendments : that of Mr. Carboni and that of Mr. Santero and others.

**President.**—And the amendment of Mr. Smets !

**Mr. Dehousse, Rapporteur.**—Indeed, Mr. President. The three musketeers were four and the two amendments are three !

*(Laughter)*

You were right in pointing out, Mr. President, that Mr. Carboni's amendment and that of Mr. Santero express completely different viewpoints.

As regards Mr. Carboni's amendment, the Committee regrets it is not able to accept it ; it considers that this House cannot bind the future directly-elected Parliament as to the compatibility of two mandates after the transitional period.

Yesterday we heard eloquent appeals on this subject, notably that of Mr. Le Hodey who called on us to show some respect for the future Parliament. We thus feel that we have no right to impose anything whatever on it. Now, this is what Mr. Carboni's amendment finally amounts to ; it begins with the words 'during the transitional period' in the first paragraph, which means that Article 7 would acquire a permanent character. Then again, Mr. Carboni's amendment deletes the second paragraph which empowers the elected Parliament to decide on the compatibility of two mandates. As I was saying a few moments ago, this would be binding the elected Parliament. Your Committee opposed this, and asks you, Ladies and Gentlemen, to do the same.

Next we come to the amendment of Mr. Santero and others which took up a great deal of time on several occasions.

I should like to say at once that the comments I am going to make imply no lessening of the respect all militant Europeans have for Mr. Santero, a friend and militant from the earliest days. Yet despite the many claims Mr. Santero has on our sympathy, the Committee rejected his amendment. Politics is not the place for drawing-room manners... Seventeen votes were cast against and two for. For what reasons ?

Mr. Santero said first of all that by accepting the compatibility of the two mandates, i.e. of the European mandate and of the national mandate, during the transitional period, we would be

endangering the operation of the Parliaments—not only of the European Parliament but also of the national Parliaments.

I have only one thing to say to this : we who sit here should regard ourselves as pioneers. We are the artisans in an as yet undecided Europe in which a choice has still not really been made between Europe as such and the Europe of Nations. In the meantime, it is for us, as members of the European Parliament, to make the efforts needed for discharging our twofold task, with the requisite courage and making any sacrifices that may prove to be necessary.

There is another argument. Mr. Santero's thesis comes up against a very human consideration. I am defending the Europe of the pioneers ; Mr. Santero seems to me to be defending the Europe of the heroes. He would like to transform the members of the European Parliament into real heroes who, faced with a choice between the national and the European mandate, would opt for the latter.

Men are men, Mr. President. Pascal said this before us and on quite different authority : 'Neither angel nor beast, for he who would act like an angel acts like a beast'.

We cannot confront eminent politicians whose help is needed for the development of the European Parliament with a heroic choice. Our colleague Arthur Conte wrote a remarkable book last year : *Men are not heroes*. Neither are the holders of public mandates...

Lastly—and this is my third argument—Mr. Santero's proposed ban on the simultaneous exercise of two mandates would end up by completely changing the provision of Article 3 which the Parliament passed this morning to the effect that 'during a transitional period, one third of these representatives shall be elected or nominated by the Parliaments'. It is a safe bet that if Mr. Santero's proposal were to carry the day, this provision would be used to fish up again a number of representatives. The Article would thus be completely deflected from the purpose for which it was intended.

These, Mr. President, are some of the reasons that led the Committee on Political Affairs to vote against Mr. Santero's amendments.

There remains Mr. Smets' amendment No. 42.

**President.**—Mr. Smets has not yet defended this amendment. Before we come to it, we ought to deal with the two amendments already brought up.

**Mr. Dehousse, Rapporteur.**—(F) As you say, Mr. President.

I should merely like to stress that paragraph 2 of Article 7 is perfectly clear and in no way encroaches on the elected Parliament's right to decide as it thinks fit on the problem of the compatibility of mandates after the end of the transitional period.

**President.**—Now the House has been informed, I shall put the amendment submitted by Mr. Santero and a number of his colleagues to the vote by a show of hands.

*(The amendment is not adopted)*

**President.**—I now put to the vote Mr. Carboni's amendment deleting the second paragraph of Article 7.

*(The amendment is not adopted)*

**President.**—I call on Mr. Smets to defend his amendment No. 42.

Mr. Smets.—(F) Excuse me, Mr. President; I should like first of all to ask a question.

We are all very busy here and I do not know if Mr. Carboni has withdrawn his amendment to the first paragraph.

President.—Mr. Carboni's amendment was rejected when a decision was reached on Article 3.

Mr. Smets.—(F) Under the pressure of work to which we are sometimes exposed here, I missed this vote. Otherwise I should have voted in favour.

President.—This will be noted in the records.

Mr. Smets.—(F) As regards my amendment to Article 7, it is possible that we may reach agreement without having to vote.

The French wording worries me. I am told that it is clear but for me it is not so. It reads: 'The European Parliament shall decide whether these mandates are to remain compatible after the end of the transitional period.'

I took the expression 'after the end of the transitional period' to refer to the decision. I would ask those better acquainted with French whether it would not be better simply to say: 'The European Parliament shall decide as to the compatibility of these mandates'—the version I proposed for Article 7.

It is not that I have a mania for changing texts but I checked on the German version; it is drawn up in the same way as the French text but, owing to the distinctive character of the German language, it is immediately clear that the expression 'after the end of the transitional period' applies to compatibility. I should like it to be absolutely clear that the Parliament will decide, before the end of the transitional period, if, after the end of that period, there is to be compatibility or incompatibility of mandates.

President.—I call Mr. Dehousse.

Mr. Dehousse, *Rapporteur*.—(F) I think that we can reach agreement without difficulty, i.e. without having to vote on Mr. Smets' amendment.

I can in fact assure our colleague that the Committee understands Article 7,2 to mean that after the end of the transitional period the Parliament will be free to decide as it thinks fit.

To say that the Assembly will be free to decide means that it can either maintain compatibility, as during the transitional period, or abolish it and decide that the two mandates shall subsequently be deemed incompatible.

I may add, without giving away any secrets, that what the bulk of Committee members hope for is something that will not encroach on the freedom of decision of the future elected Parliament.

Mr. Bertrand.—(F) We are in agreement.

Mr. Dehousse, *Rapporteur*.—(F) What we hope for is that the elected Parliament will come out against compatibility. That, I believe, is exactly what we think.

I repeat, we must respect the sovereign status of the elected Parliament and leave it completely free to decide.

This should, I think, fully satisfy Mr. Smets.

President.—Is Mr. Smets in agreement with this interpretation ?

Mr. Smets.—(F) I should be glad if Mr. Dehousse would carefully re-read the shorthand record of his statement. I think that at one moment he spoke of a decision to be taken after the end of the transitional period. But is not the idea that the elected Parliament should deal with this matter before the end of the transitional period ? Is that not so ?

Mr. Dehousse, *Rapporteur*.—(F) That is correct.

Mr. Smets.—(F) Then perhaps it is not necessary to change the French text because the Dutch and German texts guarantee this interpretation.

Mr. Dehousse, *Rapporteur*.—(F) We are now experiencing difficulties that stem from a problem with which we are familiar in Belgium, i.e. the snags of bilingualism or plurilingualism...

It is extremely difficult to express the same idea while taking into account what Mr. Smets calls the distinctive character of several languages ; and here there are only four !

(Laughter)

The underlying idea is the same in all four texts : I agree with Mr. Smets that the Parliament should make its decision before the end of the transitional period. I do not think that there can be the slightest doubt on this point. Parliament will choose the time ; it may do this six months or one month before the end of the transitional period but in any case before the period ends. And this decision will apply to the subsequent period.

President.—The text will not therefore be changed but it will be understood that the Parliament will decide as to the compatibility of the two mandates before the transitional period ends.

The word 'before' does not appear in the text but is to be understood.

I think that everyone is agreed on this point.

Is there anyone else who wishes to speak ?

I put Article 7 to the vote.

(Article 7 is adopted)

President.—I shall read out Article 8 :

'1. The office of representative in the European Parliament shall be incompatible with that of :  
member of the Government of a member State ;

member of the High Authority of the European Coal and Steel Community, of the Commission of the European Economic Community or of the Commission of the European Atomic Energy Community ;

judge, advocate-general or registrar at the Court of Justice of the European Communities ;

member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the European Economic Community and of the European Atomic Energy Community ;

auditor, as provided for in Article 78 of the Treaty setting up the European Coal and Steel Community, or member of the supervisory committee of auditors provided for in Article 206



of the Treaty setting up the European Economic Community and Article 180 of the Treaty setting up the European Atomic Energy Community ;

member of committees or other bodies established under the Treaties setting up the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community for the purpose of managing the Communities' funds or carrying out a direct administrative task ;

member of the Board of Directors, Management Committee or staff of the European Investment Bank ;

official or other servant in the active employment of the institutions of the European Communities or of the specialized bodies attached to them.

Representatives of the European Parliament appointed, in the course of a legislative period, to any of the offices mentioned above shall be replaced under the terms of Article 17.

2. Each member State shall determine whether, and to what extent, the incompatibilities laid down by its laws with regard to the exercise of a national parliamentary mandate shall apply to the exercise of a mandate in the European Parliament.'

On paragraph 1, I have before me two identical amendments, one from Mr. Le Hodey (No. 16, new) and the other from Mr. Dehousse (No. 44).

These amendments read as follows :

Replace the first subparagraph of Article 7 by the following :

'During the transitional period,

1. The office of representative in the European Parliament shall be incompatible with that of :

I call Mr. Le Hodey.

**Mr. Le Hodey.**—(F) Mr. President, Ladies and Gentlemen, after the brilliant Italian passage of arms that characterized the scrutiny of Article 7, we fall back into the set pattern of this morning's debate, namely, discussion of the Belgian amendments. I am for the moment taking over from Mr. Smets to plead for a number of amendments to Article 8.

My first amendment (No. 16) is worded exactly as Mr. Dehousse's amendment No. 44. The terms are identical. You can vote either for Mr. Dehousse's amendment or for Mr. Le Hodey's amendment ; it makes no difference to me.

Mr. Dehousse then tabled amendment No. 45 which is on the same lines and adds an extremely interesting detail. Perhaps, therefore, it might be as well to discuss amendments Nos. 16, 44 and 45 jointly.

What do Mr. Dehousse and I want, Mr. President ? We want the elected Parliament to be absolutely free to decide on the question of incompatibilities. Article 8 lists a series of cases where certain offices are to be considered incompatible with that of member of the Parliament. To use the delightful expression coined by Mr. Dehousse a moment ago, we are the 'artisans of an undecided Europe'. As such, we must leave to the 'decided Europe' of to-morrow, that is, to the Parliament elected by universal suffrage, the job of settling both the electoral system and the question of incompatibilities.

Hence we propose that the provisions of Article 8 should apply only during the transitional period, after which it should be for the elected Parliament to decide. As Mr. Carboni pointed out, it would be neither right nor fair for our Parliament to bind a Parliament elected by universal suffrage.

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) We can soon settle this point. In fact, I have not tabled an amendment. Acting for the Committee on Political Affairs and with their agreement, I simply signed a number of amended texts to be referred to the Parliament. These were adopted by the Committee during two sessions it held yesterday. I have just consulted my colleagues on the Committee; they see no reason why, to please Mr. Le Hodey, I should not withdraw amendment No. 44 submitted in my name.

We should therefore vote on amendment No. 16 (new) presented by Mr. Le Hodey, which the Committee passed by 14 votes to 2 with 5 abstentions.

As you know, this amendment consists in adding the words 'During the transitional period' at the head of Article 8. From the point of view of layout, paragraph 1 and paragraph 2 ought to be slightly indented to show that both come under the heading formed by the words: 'During the transitional period'. There would then be a paragraph 3 covered by my amendment No. 45 to which, by your leave, we shall return in a moment because it introduces a new idea aimed at bringing out the Committee's views more clearly.

Accordingly, the Committee fully backs Mr. Le Hodey's amendment.

**President.**—Mr. Dehousse's amendment is withdrawn. There remains Mr. Le Hodey's amendment which Mr. Dehousse supports and whose wording is identical.

I call Mr. De Kinder.

**Mr. De Kinder.**—(F) I have before me the Committee's text in French and the amendments in Dutch, so I may go astray in some of my comments.

In adopting this attitude, is not Mr. Dehousse weakening Article 8? This Article, as it stands, applies in absolute terms. Whereas the amendment would mean that incompatibilities would be determined only during the transitional period.

I can understand what the mover of the amendment is aiming at. He wishes to leave it to the future Parliament to settle this matter. But if we were agreed in principle, need we make a distinction between the two periods in regard to incompatibilities?

**President.**—As Mr. Dehousse has just pointed out, if we begin Article 8 with the sentence 'The office of representative in the European Parliament shall be incompatible with that of member of the Government of a member State', this will apply not only to the transitional period but also to the final arrangements. Now, we do not want to tie down the future Parliament. We must therefore make it clear that we are dealing with the transitional period, and this does fall within our province. As to the future Parliament, it will decide its own future and on this question of incompatibilities. This is what I took Mr. Le Hodey to mean.

**Mr. Dehousse, Rapporteur.**—(F) The Committee's view is indeed that we should respect the sovereignty of the future elected Assembly, and consequently restrict the system of incompatibilities under Article 8 to the transitional period. This is what Mr. Le Hodey proposed and this is what we endorsed.

**President.**—I call Mr. Bertrand.

**Mr. Bertrand.**—(N) May I be allowed, Mr. President, to ask Mr. Dehousse for an explanation?

As I understand it, the Dutch text of amendment No. 45 says the opposite of what Mr. Dehousse is saying.

It reads : 'Het Europese Parlement zal een beslissing nemen over de regeling van de onverenigbaarheden na het verstrijken van de overgangperiode.' (The European Parliament will decide as to incompatibilities after the expiry of the transitional period. I think we should say : 'voor het verstrijken van de overgangperiode.'

Mr. Dehousse, *Rapporteur*.—(F) Amendment No. 45 is not under discussion at the moment ; it has been deliberately left on one side. But if you will allow me, Mr. President, I can give an assurance ...

President.—No ! Let us keep to the subject under discussion. Amendment No. 45 will come up later.

Mr. Dehousse, *Rapporteur*.—(F) Well then, I shall give no assurance.  
(*Laughter*)

President.—I call Mr. Carboni.

Mr. Carboni.—(I) Mr. President, I should like to ask Mr. Dehousse a question.

Since Article 4 is not altogether clear to me I should like to know if the first directly elected Parliament will be invested with full powers or if it will only obtain them in their entirety after the end of the transitional period.

If Mr. Dehousse would be kind enough to clarify this point, I should be in a better position to vote.

President.—I call Mr. Dehousse.

Mr. Dehousse, *Rapporteur*.—(F) I can give Mr. Carboni the same answer as I gave Mr. Smets a few moments ago. Mr. Schuijt will thus not be obliged to give the same answer in connexion with Article 9.

When I propose in amendment No. 45—not yet under discussion, by the way—that we should add a third paragraph to Article 8 to read : 'The European Parliament shall decide as to incompatibilities after the end of the transitional period', what does this mean ? It means that we are still trying to establish the same principle, namely, respect for the sovereignty of the future Parliament.

But when will this future Parliament take its decision ? Clearly, as I told Mr. Smets, it must decide before the end of the transitional period.

I would add this detail which slipped my mind just now : the Parliament as such, that of the transitional period and that of the final period, will always be free to take its own decisions. The first Parliament elected in the post-transitional period, or the second Parliament, will always be able to alter its decision on this problem of incompatibilities or any other problem, in exactly the same way as any national Parliament can amend laws passed under a previous legislature.

I think I have expressed myself sufficiently clearly for Mr. Carboni to be able to vote for amendment No. 44 as well as amendment No. 45, still to be discussed.

President.—I call Mr. Blaisse.

Mr. Blaise.—(N) Mr. President, Ladies and Gentlemen, I listened to Mr. Le Hodey's comments on Article 8 and also to Mr. Dehousse's explanations.

I feel bound to say that I do not find these explanations convincing.

The question of incompatibility with the offices listed in this Article seems to me to be so essential for the proper running of the Parliament and for the separation of powers—a principle still embodied in our constitutions—that I cannot accept that these incompatibilities should be restricted to the transitional period. The future Parliament will enjoy full sovereignty, of course, but we too also enjoy this today and are responsible for the directives that we draw up for the Parliament-to-be. This is a very important matter; we cannot simply dispose of it by giving a blank cheque to the future Parliament.

I shall not vote for this amendment.

President.—Does anyone else wish to speak?

I put to the vote by a show of hands Mr. Le Hodey's amendment No. 16 (new).  
(*The amendment is adopted*)

President.—We come now to Mr. Le Hodey's amendment No. 29 (new) aiming at the deletion of paragraph 1, subparagraph 2.

I call Mr. Le Hodey.

Mr. Le Hodey.—(F) I have tabled two amendments to Article 8. In amendment No. 29 (new) I propose to abolish incompatibility between the membership of the European Parliament and membership of the Government of a member State.

Mr. Blaise's remarks make me realize that I may be committing a sacrilege in asking this. But is it wise to lay down such an incompatibility? I do not think so. The practice in several member States is that one can be both a member of Parliament and a member of the Government. Do you believe that the ministers in office in our countries are going to stand for the European elections—which, as Mr. Faure said this morning, are going to involve a lot of strain—on the assumption that once they are elected they will resign their office as European representatives so that they can remain ministers? Do you think that the leaders of the parliamentary opposition in the member States—all of whom hope to regain ministerial office with the next change in majority—are going to say to themselves, as they conduct a campaign for the European elections, that once they are elected they will resign so that they will be able to take ministerial office again? It is hardly likely.

If we want the elected Parliament to attract leading figures of the great national parties in countries where ministerial office is compatible with parliamentary office, we should lay down that membership of the Government of a member State is compatible with membership of our Parliament. May I remind you that, in practice, membership of this Parliament has always been compatible with ministerial office?

This is why I ask Parliament to pass my amendment which excludes membership of the Government of a member State from the list of incompatibilities set out in Article 8.

President.—I call Mr. Smets.

Mr. Smets.—(F) I should just like to point out, Mr. President, that one of my amendments provided that a minister—on the assumption that substitutes were introduced—could remain a member of this Parliament but would be replaced by his substitute while he held ministerial office.

I do not think that a member of a Government can sit in this House. The Council of Ministers has a special and quite unusual rôle. It is perhaps unique in that it simultaneously legislates and passes the budget—neither of which we can do—and pursues the common policy without our being able to question it here. No one discharging such a function could possibly sit in the European Parliament, except where the Rapporteurs are now sitting, and there of course we should like to see them rather more often than in the past.

Any member of a Government may sit on a Council. The rule should thus apply without distinction to all members of a Government, and there should be no compatibility.

I should like now to say briefly that I cannot share the hope that appears to be felt by some members of the Commissions, known as the executives but not so in reality because executive power is in the hands of the Council.

I cannot do anything to fulfil the desires of some members of the Commissions who would like to become members of the Parliament. I cannot range myself alongside those members who regard this as desirable. Members of the Commissions must be free from any commitment, tie or directive.

**President.**—We are not yet discussing this provision. We are concerned at present with incompatibilities affecting members of a Government of a member State.

I call Mr. De Kinder.

**Mr. De Kinder.**—(F) I am entirely of Mr. Smets' opinion and fail to understand the attitude taken by my friend Mr. Le Hodey.

All of us here were brought up on the thinking of Montesquieu. As Mr. Blaise has just said, we should be lowering the status of a Parliament we want to see elected by universal suffrage if we allowed legislative and executive functions to be combined.

Mr. Le Hodey argued that we would exclude from the Parliament a number of outstanding political figures who would be helpful to our cause. This argument does not seem to me to hold water because when a minister gives up his office he can still stand as a candidate—a term of five years being laid down in the draft Convention—at the subsequent elections.

I am surprised that there should be any discussion at all on this subject which is, as it were, the very basis of our political thinking.

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) Yesterday, Mr. President, the Committee examined Mr. Le Hodey's amendment No. 29 (new) and rejected it by 13 votes to 7.

This decision was taken after all these problems had been discussed at great length first by the Working Party and then by the Committee on Political Affairs.

Why—it may be asked—were we against Mr. Le Hodey's amendment? There were two reasons. The first was explained very skilfully by Mr. Smets.

**President.**—Are you speaking solely about amendment No. 29 (new) or also about amendment No. 30?

**Mr. Dehousse, Rapporteur.**—(F) Solely about Mr. Le Hodey's amendment No. 29 (new), Mr. President.

The first argument against this amendment concerned the separation of powers. I should, however, like to draw your attention to a subtle distinction. I do not regard the Council of Ministers as the executive authority in the European Communities. It is in reality a hybrid body, and a scrutiny of its functions would bring to light far more legislative powers than executive powers in the strict sense of the term.

Mr. Smets.—(F) For the time being !

Mr. Dehousse, *Rapporteur*.—(F) That is something about which I feel strongly because once this Parliament is elected there is reason to hope that the Council of Ministers will undergo a change and become a *Bundesrat* to our *Bundestag*.

This would lead to balanced powers in a federal system similar to that which has existed under the Constitution of the German Republic since 1949. This is something I have previously discussed and I am not going to digress any further.

I agree that there would be a mixture of types and a confusion of powers if members of the Council of Ministers or, more generally, members of national Governments, were accepted as members of our Parliament.

There is, however, another point which has not yet been made, namely, the little time available to these unfortunate ministers. Today, when the game of international politics is played in so many different places, ministers are obliged to divide their time between countless tasks, conferences, assemblies and councils, and I do not see how, if they are active in a national Government, they could make any real contribution to our Parliament.

These are two reasons why the Committee called for the rejection of Mr. Le Hodey's amendment No. 29 (new).

President.—I shall put to the vote Mr. Le Hodey's amendment No. 29 (new) and emphasize that this amendment aims at deleting paragraph 1, second subparagraph, and therefore at making membership of a Government compatible with membership of the European Parliament.

*(The amendment is not adopted)*

President.—We come now to Mr. Smets' amendment No. 7, which is on the same lines.

Mr. Smets.—(F) There is no longer any point in this amendment.

President.—The amendment is withdrawn.

There is Mr. Le Hodey's amendment No. 30, to the effect that the third subparagraph of paragraph 1 should be deleted.

I call Mr. Le Hodey.

Mr. Le Hodey.—(F) Mr. President, Ladies and Gentlemen, I should like to apologize for taking up your time once again and shall try to be extremely brief.

I cannot understand why Montesquieu should be cited against me. He wrote a great deal and one of his most famous thoughts is very rarely quoted. He wrote: 'All husbands are ugly'. This serves as an excuse for so many women. In 'l'Esprit des Lois' he dealt with the separation of powers. But what has the separation of powers got to do with us? In spite of the principle of the separation of powers, are not Mr. De Kinder and Mr. Dehousse, Belgian ministers, members of the legislative assemblies in Belgium? The separation of powers has nothing to do with the

incompatibility of a ministerial office with membership of a Parliament, and one should not quote Montesquieu on this subject.

I sat in the Belgian Parliament with Mr. Coppé and Mr. Rey, and for a few weeks, when the two Chambers were in joint session, with Mr. de Groot. They were ministers in Governments I supported or opposed and were at the same time members of Parliament. They were ministers and parliamentarians even though we have separation of powers in Belgium.

This argument is thus not a valid one. Why then inflict such an incompatibility on members of the Commission and of the High Authority? Why make them into second-rate citizens of Europe by excluding them from the European Parliament? Why should they suffer from this loss of status? Because in your eyes they are officials; have the courage to say so. Now, if you stamp them as such, you will bog down Europe in a system under which the Committee of national ministers will remain the sovereign body from the political point of view. The future of Europe requires that members of the High Authority and of the Commissions shall be political leaders, men shouldering political responsibility.

Here, in my view, we are faced by a fundamental choice as regards our idea of Europe. I cannot see why men as enthusiastic about the European cause as some of the opponents of my amendment, should wish to debar members of the European executives from sitting in Parliament and participating in its work.

The other day Mr. Van der Goes van Naters said to the Committee (I do not think I am giving away any secrets): 'Do you realize what a pressure group this would make in the Parliament—for the members of the executive are numerous—if the Parliament wanted to pass a motion of censure?' But let us remember too that Parliament's membership will be tripled. Members of the executive will undoubtedly exert influence over us, but shall not we in our turn be able to influence them? If they are members of this Parliament, will not our influence over them be greater than theirs over us?

I am harping on this, Mr. President, because the Parliament would be committing a serious political mistake in debarring members of the European executives from sitting in the Parliament. Either we intend gradually to create a European Government, a European policy, or we want to have an executive secretariat, a secretariat of high officials, intelligent, qualified, cultivated, but in no sense leaders of the unification of Europe.

**President.**—I call Mr. De Kinder.

**Mr. De Kinder.**—(F) Mr. President, Ladies and Gentlemen, I am rather surprised by the arguments used by Mr. Le Hodey, and particularly by the comparison he has just made.

All the member States have constitutions which clearly define the powers of the legislature and of the executive. We have not yet reached that stage in this Parliament; if we had, there would be no difficulty in accepting Mr. Le Hodey's amendment. But at this juncture—perhaps it is experience which prompts me to say this—we know very well that it is always the executives—that is, both the High Authority and the Council of Ministers—we have to contend with when we want to obtain or achieve something.

Hence, until there is a Constitution that defines powers precisely, it will be very dangerous to allow members of the executive to be members of our Parliament. Without presuming to anticipate the intentions of members of the executives, I feel it would, in a sense, be like having an enemy in the camp.

**President.**—I call Mr. Van der Goes van Naters.

Mr. Van der Goes van Naters.—(F) I have not asked to speak on a point of detail, Mr. President, or on a minor issue.

Mr. Le Hodey's amendment No. 30 is liable to upset the entire balance of our institutions. The incompatibility of the membership of an executive with membership of the Parliament has been discussed three times during the preparatory phase.

To begin with, the principle was rejected when the votes were equally divided. It was then rejected by 10 votes to 9 and yesterday, in committee, by 16 votes to 6!

Mr. Faure, our able Rapporteur, spoke last week of the doctrine of the separation of powers. I should like to make a correction on just one point: There are three not two, member States where the separation of powers is absolute. But I am not going to base myself on this doctrine for the simple reason that there is, unfortunately, no real polarity here. There is only one controlling body but there are two bodies to be controlled: the executive and the Council of Ministers.

I want to approach this question practically by considering the pros and cons of compatibility.

I have heard few advantages mentioned. Compatibility would bring out the political character of the executive function. I do not wish to contest this political character, but it is not yet sufficiently developed for me to entirely approve of it. We must make the executives less dependent on the ministers and more dependent on Parliament. As I intend to demonstrate, such a development would be hampered by Mr. Le Hodey's amendment.

First of all Mr. Le Hodey makes no change in the status of the executive. He assigns to it an additional and totally different function. Would this cumulation symbolize anything in favour of the executive? Would the cumulation of the office of judge at the Court with an important national economic function symbolize the legal character of the Court? Assuredly not!

What Mr. Le Hodey wants to symbolize can equally well be derived from the fact, already established, that a member of the Parliament may become a member of the executive—as happened in the case of Mr. Caron—and that every member of the executive is eligible and may stand for election to the Parliament—please refer to Article 12, second paragraph. The choice arises only where the two offices are exercised simultaneously.

While the cumulation of offices has very few advantages it has a great many drawbacks.

The greatest of these, perhaps, is that the Council will never take over Mr. Le Hodey's amendment for the simple reason that it runs counter to the provisions of the Treaty. Why should we leave ourselves wide open to certain defeat?

I shall explain myself. Mr. Le Hodey's amendment violates Article 9 of the ECSC Treaty and the corresponding Articles of the other Treaties which debar members of the executive from engaging in any other paid or unpaid occupation.

It is of course possible to discuss whether membership—the mandate of member of a national or supranational parliament—is an 'office' from the legal point of view in every member State. It is at all events an office from the social point of view, and the ban is appropriate in an Article that guarantees the civil independence of the executive. This is why a member of the High Authority who was, for a time, a member of his national Parliament, was criticized in the Parliament until he decided to take appropriate action. Mr. Caron, for his part, did so at once.

The independence of the executives would thus be threatened; this is my first major objection.

Yet it goes without saying that this independence would be under an even greater threat if a member of the executive were not only to be a member of our Parliament but at the same time a member of his national Parliament, either as a member nominated under Article 3 or as an



elected member remaining in office under Article 7. Coupled with this loss of independence on the part of the executive would be the danger that our Parliament, whose moral strength is still only slight, would be further weakened.

Our Rules of Procedure allow members of the executive to sit in this House and on the Committees, but the status of the executive is clearly defined: they attend either at our request to provide us with information, or at their request to give explanations or to account for their actions as an executive.

The cumulation of offices would produce a chaotic situation. Do you think that if members of the executives could also be members of their national Parliaments they would regularly take part in the work of our political groups and committees? It would be rather naïve to imagine that they would. No, they would not be parliamentarians in the true sense of the word. They would only come occasionally, and then not as parliamentarians but to defend their actions as members of the executive.

This must be said. They would only come here at the first signs of dissatisfaction with one of them; they would come as soon as we were considering using our only weapon, the motion of censure. And they would all come together, make no mistake about it.

If cumulation of offices is accepted, two or three members of the executive would seek membership of our Parliament; and for reasons of prestige the others would feel they had to do the same. Otherwise there would be two classes of members of the executives, which would be unacceptable. There would therefore be twenty-three of them. They would not, of course, always see eye to eye but if one or other of them were threatened, they would close their ranks. 'My turn today, your turn tomorrow'. Thus the twenty-three would be up in arms at the first inkling of a motion of censure. If such a motion were nevertheless to materialize, they would vote as one man against it.

You know that the chances of a motion of censure being carried through successfully have already been reduced beyond all measure. Yet here we are going to add an insurmountable obstacle. If the twenty-three were to throw their weight into one pan of the scales, the other side could do nothing about it. Is it going too far to say that the presence of such a group of twenty-three members would inevitably be a fatal threat to the parliamentary character of our Parliament?

Even if the twenty-three were not all members of the Parliament, a number of them certainly would be, so that, from the very beginning, and especially in the political groups, the three executives would influence every policy to be pursued; whereas we parliamentarians would never have the same opportunity vis-à-vis the executives. The increase in influence would thus be strictly one-sided. There too, unfortunately, the position of the Parliament would be weakened.

As it is, European elections already represent a leap into the unknown. Why blink the fact? It is inevitable. But why risk another leap—not required by the electoral system—liable to upset the still precarious balance of our institutions?

Mr. President, Ladies and Gentlemen, we have just decided that this question can be re-examined at the end of the transitional period. This is the precise purpose of Mr. Le Hodey's amendment No. 16, as amended by him and adopted by the Parliament a few minutes ago, an amendment that reinforces my argument. If a development sets in in a certain direction, we could consider following it up after the end of the transitional period. At the moment, however, we should not add to the inevitable risks, inherent in the new system, further risks that have nothing to do with it.

This is why for the majority of the Committee, and I hope for the majority of members of this House, Mr. Le Hodey's amendment is not acceptable.

*(Applause from some benches)*

President.—I call Mr. Carcassonne.

Mr. Carcassonne.—(*F*) Mr. President, Ladies and Gentlemen, I am waiving my right to speak in the hope that my example will be followed. I am doing so in view of the excellent arguments put forward by Mr. Van der Goes van Naters.

President.—I thank Mr. Carcassonne and call Mr. Poher.

Mr. Poher.—(*F*) I do not agree with Mr. Carcassonne but in order not to waste the time of the Parliament I shall not go into the reasons...

Mr. Carcassonne.—(*F*) I didn't say anything.

President.—Mr. Carcassonne said nothing. He merely declined to speak.

Mr. Poher.—(*F*) Mr. Carcassonne said that he approved the arguments put forward by Mr. Van der Goes van Naters. I should prefer to discuss this with him personally because his replies are always pleasant, and they would have been in this case too.

I read in Article 17 that 'Should a seat filled in elections by direct universal suffrage fall vacant, no by-election shall be held.'

Let us suppose that Parliament were, by some mischance, to endorse the principle of incompatibility and that a directly elected member became a member of the European Commission or of the High Authority. Since these mandates would be incompatible, he would give up his European mandate. But it has been laid down that the procedure for filling such a vacancy during the transitional period shall be determined by national law. Consequently, because of the principle of incompatibility, there would be a third system which has not yet been clearly defined.

The first system is election by direct suffrage in a constituency; this is the one discussed this morning. Then there is election by the national Parliament. Finally there is the possibility of a third election organized under national law. I find all this disturbing because this is a system for which we have made no provision and which could give rise to arbitrary practices.

Mr. Van der Goes van Naters said that we might be faced with a serious threat by the presence in our midst of twenty-three members of the executive Commissions all voting alike.

This does not worry me because I am in favour of merging the executives, so that the day may come when this group of twenty-three members will no longer appear so formidable.

I think Mr. Le Hodey is right. If we want our Parliaments to be assemblies where a real European policy is shaped, and if we do not want the representatives of the Commissions to be technocrats—something of which, in my view, they have too often been reproached—then the members of the European Commissions must be able to stand for election to this Parliament. This is why I would vote for Mr. Le Hodey's amendment.

Mr. Carcassonne.—(*F*) I should like to speak.

President.—Mr. Carcassonne has the floor.

Mr. Carcassonne.—(*F*) I made a gesture in the hope of saving time but Mr. Poher's challenge obliges me very briefly to outline my own attitude.

I believe that the office of member of the High Authority is a supernational one. As the ECSC Treaty points out, when a member of the High Authority is appointed—and the Treaty says this—he may no longer engage in any other occupation in his own country. He must perform his duties in a completely independent manner. Yet as soon as he is elected in a member State and sits in this Parliament, his office takes on a national character.

There is a second important argument. The justification for our existence is control over the executives. I do not see how a member of the High Authority, after that institution has been subjected to violent criticism, could leave its benches and come to vote in our Parliament, leaving members of the High Authority who had been personally criticized in the lurch.

This is why Mr. Le Hodey's amendment seems to me to be quite unacceptable.

**President.**—I call Mr. Vendroux.

**Mr. Vendroux.**—(F) Mr. President, Ladies and Gentlemen, I would simply put one question to the advocates of broad and highly adaptable compatibility.

Do they believe it would be possible in some countries to be simultaneously a member of the national Parliament, of this Parliament, of the executive and of a Government?

(Laughter)

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) Mr. President, Ladies and Gentlemen, a few moments ago I sketched out an idea to which I am greatly attached, to the effect that the Council of Ministers corresponds to the *Bundesrat* under the German Constitution, and our Parliament to the *Bundestag*.

This inevitably leads me to another question: what would be the government in a European Community developing along these lines?

To my mind, this government can only be formed by what are known as the executives of the Community. Of course the executives are still at a rudimentary stage; they are as yet only the germ of what will one day be a European Government in a European Community with a Parliament consisting of two Chambers.

These are my own ideas. But I am going to make a special effort to remember that I am here primarily, for the moment, as Rapporteur of the Committee on Political Affairs. I shall therefore forget that I voted for Mr. Le Hodey's amendment.

As Mr. Van der Goes van Naters reminded us a few moments ago, this amendment was yesterday rejected by the Committee on Political Affairs by 16 votes to 6.

One of the main arguments advanced against this amendment was that we should not confuse ineligibility and incompatibility, and that there was too great a tendency to forget the difference between them.

Members of the executives—the High Authority of the ECSC, the Commission of the Common Market and the Euratom Commission—can stand for election to the European Parliament by direct universal suffrage. What they cannot do, if the draft Convention is upheld, is to cumulate offices. If these are incompatible, they will have to choose. This means that, once elected, they will have to opt for one or the other, remaining either a member of the Parliament or a member of one of the three executives.

I would add, quite impartially, that the Working Party, and then the Commission on Political Affairs, have always taken this view, namely that such offices are incompatible.

On behalf of the Committee I therefore have to ask the Parliament to reject Mr. Le Hodey's amendment.

**President.**—Does anyone else wish to speak ?...

I shall put Mr. Le Hodey's amendment No. 30 to a vote by show of hands.

*(The amendment is not adopted)*

*(Mr. Vanrullen takes over the Chair from Mr. Fohrmann)*

**President.**—I am apprised of the following amendment (No. 45) by Mr. Dehousse :

Add the following new paragraph to Article 8 :

'3. The European Parliament shall decide on the system of incompatibilities to be adopted after the end of the transitional period.'

I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—*(F)* Mr. President, Ladies and Gentlemen, as I was saying, I signed this amendment on behalf and with the agreement of the Committee in order to round off its ideas following the amendments it adopted yesterday.

The object of this third paragraph to Article 8 is once again to show our respect for the sovereignty of the future Parliament and our recognition of the fact that it will be responsible for the decision on the system of incompatibilities to be adopted after the end of the transitional period.

The wording as it stands must, of course, be interpreted as I indicated in reply to a question by Mr. Smets in connexion with Article 7.

Let us go back to Mr. Smets's question. I think that, in good French, if the text had been meant to convey what he took it to mean, it would have been drafted differently. One would have had to say : 'The European Parliament shall decide, after the end of the transitional period, on the system of incompatibilities.'

The fact that the text is phrased differently means that the Parliament lays down the system of incompatibilities for the final period but, of course, should take its decision on this point before the end of the transitional period.

To avoid any further controversy, I should like to recall the interpretation I gave a few moments ago, namely, that a law may always change a previous law, and that, during the definitive period, the Parliament will, if it thinks fit, be able to change the system of incompatibilities once, twice or any number of times.

What the third paragraph of Article 8 means is that the Parliament is to lay down the system of incompatibilities for the definitive period.

I should like to ask, Mr. President, that this amendment be adopted without further comment, for it seems to me to have a wide measure of support in this Parliament.

**President.**—I call Mr. Bertrand.

**Mr. Bertrand.**—*(N)* Mr. President, Ladies and Gentlemen, I think Mr. Dehousse's interpretation is quite correct. I am not a legal expert but I have for years listened to debates between lawyers in the Parliament. I would be very happy to be assured that we shall not, during the transitional period, indulge in day-long discussions on textual interpretations.

I am convinced that if the directly elected provisional Parliament is based on the Dutch text now before us, there will be lawyers in it who will get up and say that the decision must be taken after the end of the transitional period.

To rule out this possibility and to ensure the utmost clarity, I propose that the Dutch should be worded as follows :

'Het Europese Parlement zal vóór het verstrijken der overgangperiode beslissen over de daarna geldende overeenigbaarheden.'

Only one interpretation will then be possible and we shall have expressed ourselves with perfect clarity. Let us not impose any restrictions on the future Parliament and let us give that Parliament a clear and unambiguous text.

President.—I call Mr. Smets.

Mr. Smets.—(F) I would simply say, Mr. President, that this time the translators are among those who contend that the French text is not clear. As for Dutch, many linguists will say that the Dutch says what you do not want to say in French. The German version is quite clear when it says : 'Das Parlament entscheidet nach Ablauf der Übergangszeit über die Regelung der Unvereinbarkeit.' This means that the decision cannot be taken until after the end of the transitional period. If we assert that the text is not clear, do not be stubborn ; be prepared to make a gesture from time to time, as we ourselves are.

President.—I call Mr. Dehousse.

Mr. Dehousse, *Rapporteur*.—(F) Of course I have no objection to a change being made in the German or, for that matter, in the Dutch text. But the draft Convention contains Article 23 which reads :

'This Convention is drawn up in the Dutch, French, German and Italian languages, all four texts being equally authentic.'

In this respect we have, in the matter of international law, an absolutely explicit ruling—that of the International Court at The Hague. This decided that when two or more texts are equally authentic a search must always be made for the common basic idea, however it may be expressed in different languages.

The common basic idea is that which I tried to explain in connexion with Articles 7 and 8, namely, the institution responsible for determining the final system of incompatibilities is the future Parliament. By the final system of incompatibilities I mean the one that will be in force for the period following the transitional period.

When will the Parliament take this decision ? Before the end of the transitional period, of course. Obviously, however, as the sovereignty of the Parliament will remain intact, the Parliament that is elected will be able, if it thinks fit, to alter, during the final period, the system previously established by it, just as the present Belgian Parliament can alter laws passed during the previous legislature and, the day after, laws passed during the current legislature.

There is not a shadow of doubt about this, and I can assure you that from the legal point of view there need be no hesitation in accepting the interpretation which I have just given and which is, moreover, that of the Committee.

I am mentioning this again to prevent any kind of controversy in the future, and I would ask the translators to bring the various versions of the texts into line so that the idea can be rendered in the same way in the four languages.

**President.**—I call Mr. Bertrand.

**Mr. Bertrand.**—(*F*) Mr. President, I should like to refer to Article 7, which we passed a few moments ago, and to ask Mr. Dehousse why he now accepts that the decision should be taken before the end of the transitional period and why he does not accept this stipulation in Article 7. What is the difference ?

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(*F*) I accepted exactly the same interpretation for Article 7 and Article 8. I even went so far as to make it clear—and here I was stepping into Mr. Schuijt's province—that this interpretation was also valid for Article 9 which we are to discuss in a few moments.

My view was the same in all these instances. I assure you that from the legal point of view there can be no possible doubt : the ruling of the International Court at The Hague is absolutely explicit as to the interpretation of treaties drawn up—as is often the case nowadays—in different languages.

**President.**—The discussion is throwing a good deal of light on the idea expressed by the amendment. I now call Mr. Carboni.

**Mr. Carboni.**—(*I*) Mr. President, Ladies and Gentlemen, I approve the wording proposed by Mr. Bertrand because the Italian text is really hard to understand : 'L'Assemblea statuirà sul regime delle incompatibilità allo spirare'—that is after the expiry and not before—'del periodo transitorio'. It thus appears that this power of the Parliament can be exercised only at the end of the transitional period.

According to Mr. Dehousse's interpretation, on the other hand, this power can be exercised whenever the Parliament thinks fit ; although, of course, it can only be effective, that is, become binding, after the end of the transitional period.

Consequently if, in the Italian text, we introduce the rule of incompatibility 'before' the end of the transitional period, it will be easier to interpret that text.

Incidentally, I do not agree with this Article and shall vote against it. It is only right, however, that the text should be clear.

**President.**—I would ask the Committee to issue instructions to the effect that translations be submitted in the definitive form.

**Mr. Dehousse, Rapporteur.**—(*F*) I have already anticipated your request. I said that the wording in the four languages should reflect the interpretation I have just given on behalf of the Committee. In French, there is not the slightest ambiguity. Since it is this interpretation that seems to be most widely accepted in this House, it should be used as a model for the other three versions.

**President.**—I would point out that the French representatives do not dispute the interpretation you have just put forward.

I call Mr. Le Hodey.

**Mr. Le Hodey.**—(F) In an attempt to bring the views of Mr. Dehousse and Mr. Bertrand closer to each other, I should like to point out that the last paragraph of Article 8 must obviously be drafted in the four languages in the same way as the last paragraph of Article 7.

I do not remember the text passed for Article 7. If it is the Committee's text, then Mr. Dehousse's amendment No. 45 is perfect; if, on the other hand, the text was amended, the same should be done to Article 8. The two paragraphs must be identical in these Articles.

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) There may be some way of settling this problem so as to avoid prolonging this linguistic controversy in which there is really not much point. This would consist in doing something that has already been done, notably in the *ad hoc* Assembly when the plan for a Political Community was being discussed; namely instructing the Chairman of the Committee and the four Rapporteurs, once the overall vote has been taken, to co-ordinate the versions in the different languages, on the understanding that the basic substance of the text is left unchanged. Their task would therefore be confined to checking the concordance of the languages, inserting the punctuation and, wherever necessary, correcting any material errors.

I hope that the Parliament will entrust this task to Mr. Battista, as Chairman, and to the four Rapporteurs, Messrs. Schuijt, Metzger, Maurice Faure and myself.

**President.**—Is there any objection to this procedure?

It is so decided.

Is there no one else who wishes to speak?

I put Mr. Dehousse's amendment No. 45 to the vote by a show of hands.

*(The amendment is adopted)*

**President.**—Does anyone else wish to speak?

I put to the vote Article 8 as amended by the amendments passed.

*(Article 8, as amended, is adopted)*

**President.**—After Article 8 I have the following amendment No. 17 from Mr. Le Hodey:

*I. After Article 8, strike out the words: 'Chapter II. The electoral system'.*

*II. After Article 9, insert the words: 'Chapter II. The electoral system during the transitional period'.*

I call Mr. Le Hodey.

**Mr. Le Hodey.**—(F) I will withdraw this amendment if the Rapporteurs will confirm that the whole of Chapter II concerning the electoral system—that is, Articles 9 to 18—except for the first paragraph of Article 9, solely concerns the transitional system. The new Parliament will then be absolutely free to decide on its electoral system.

If the Rapporteurs agree to this, my amendment becomes unnecessary.

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) I will carry out my part of the bargain, for the statement just made by Mr. Le Hodey is the first part of an agreement reached yesterday by the Committee.

May I first remind you that section 20 of my report (Doc. 22) clearly states what should be regarded as permanent and what as temporary in the draft Convention we are now discussing.

This is what it says :

‘The Committee on Political Affairs considered which provisions of the Convention would apply solely to the transitional period and which to the final period.

The Committee adopted an amendment designed to make this distinction quite clear. This amendment relates to the text of Article 7 concerning the compatibility of the two mandates. In the discussion that followed it was stressed that with the exception of Article 7 and, of course, of Articles 3, 4 and 5 (in part), the rules of Chapter I have permanent validity while those of Chapter II are applicable only up to the entry into force of the decisions the elected Parliament makes on them.’

One small point needs clarifying. In Chapter II there is only one provision that is not of a transitional nature, i.e. the first paragraph of Article 9. This has a permanent application. But the rest of Chapter II is of a transitional nature.

I hope that this explanation will satisfy Mr. Le Hodey and that our colleague will withdraw his amendment so that we can go straight on to discussing Chapter II. I shall ask Mr. Schuijt to take over from me to reply on behalf of the Committee.

**President.**—Does this satisfy you Mr. Le Hodey ?

**Mr. Le Hodey.**—(F) Yes, Mr. President.

**President.**—Mr. Le Hodey’s amendment is withdrawn.

I shall read out Article 9 :

‘The European Parliament shall lay down the provisions governing the election of representatives after the end of the transitional period provided for in Article 4.

Until these provisions come into force, the electoral system shall, subject to the terms of the present Convention, fall within the competence of each member State.’

On this Article I have an amendment tabled by Mr. Birkelbach for the Socialist group. Does this still stand ?

**Mr. Van der Goes van Naters.**—(F) No, Mr. President, it has been withdrawn in favour of amendment No. 43 which will come after Title II of the resolution.

**President.**—Mr. Birkelbach’s amendment is withdrawn.

We come now to Mr. Santero’s amendment No. 34 (new) to the effect that the words ‘in accordance with as uniform a procedure as possible’ be added after ‘provided for in Article 4’.

I call Mr. Santero.

**Mr. Santero.**—(I) I should like to say that I feel we should proceed very carefully in restricting the powers of the future Parliament ; in this case, however, we should be more precise about the tasks Article 9 assigns to the Parliament.



The view of members of the Working Party and of the Committee was that if these elections to which we attach great importance are to be held as soon as possible, then we must give up the search for perfection. This is why we are asking the future Parliament to work out a uniform electoral system, as required by the Treaty, and why we confined ourselves to laying down certain fundamental rules, leaving it to the national Parliaments to pass legislation for the transitional period.

Throughout this debate, we have constantly emphasized that we were leaving it to the future Parliament to do what we were unable to do ourselves, that is, to work out a uniform electoral system for our six countries. This idea is clearly brought out in section 18 of Mr. Dehousse's report: 'The Working Party decided that the framing of a uniform electoral law ought to be left to the newly elected Parliament ...' Mr. Schuijt, the Rapporteur, says the same thing in section 11 of his report, i.e. that it is desired to give the elected European Parliament the power to lay down the uniform electoral system for the definitive period.

These ideas were developed before the Parliament by the two Rapporteurs, but to our great surprise they are not embodied in any Article. Indeed Article 9, in assigning to the future elected Parliament the task of drawing up an electoral system, states that it 'shall lay down the provisions governing the election of representatives after the end of the transitional period.' The Parliament is thus required to lay down provisions but it is not stated what provisions these are to be.

Now, we cannot depart from Article 138 of the Treaty under the terms of which electoral procedures must be uniform. But, what is more serious, we cannot neglect to express in the Convention this idea which has been championed in the two reports and explained in the speeches which the Rapporteurs made in the Parliament.

In common with other representatives, I therefore felt obliged to propose an amendment to the first paragraph of Article 9 to the effect that the European Parliament shall lay down the provisions governing the election of representatives in accordance with as uniform a procedure as possible.

We first thought that the wording should be 'in accordance with a uniform procedure', but, following yesterday's discussions of the Committee, we watered it down a little and changed it to: 'in accordance with as uniform a procedure as possible'. It was pointed out on the Committee that for political reasons it would not be possible to establish a uniform electoral system throughout the Community. Our amendment therefore serves to fill a gap which is to be avoided in our directives to the future Parliament.

**President.**—I call Mr. Carboni.

**Mr. Carboni.**—(I) Mr. President, Ladies and Gentlemen, I should like to apologize to my friend Mr. Santero for not being able to vote in favour of his amendment. I shall not vote against it; I shall abstain, and I should like to say why.

I am against rules laying down what others must do, especially if they are sovereign assemblies.

We have already heard it suggested that the new elected Parliament will be able to lay down rules, but these, like delayed-action bombs, will not come into force until after the end of the transitional period. It seems to me to be a strange idea of sovereignty to say that rules approved by our present Parliament will be valid not for the transitional period but only for the definitive period. This strikes me as a serious curb on sovereignty. In short, I believe that the Parliament elected by the people will do what it wants.

This is why I cannot accept Mr. Santero's amendment; it will mean that the new Parliament, in taking its decisions, will follow a line laid down by someone else.

Moreover I am very sceptical about this because if 'uniformity' suffers the same fate in the next Parliament as has been reserved for it in the negotiations on this draft Convention, there is clearly no point in engaging in an argument that will have no more effect on the draft Convention than has had the fact that the Treaty provides for a 'uniform procedure'.

President.—I call Mrs. Probst.

Mrs. Probst.—(D) Mr. President, Ladies and Gentlemen, I should like to explain my vote.

I draw your attention to a motion for a resolution No. 20 which lies before this House. Not until we have voted on this shall I be able to determine my attitude to the second paragraph of Article 9.

As I have already said, I shall only be able to approve Article 9 as a whole if the first elections to the European Parliament are conducted in accordance with common principles. I should like to say, therefore, that I shall abstain from the vote which is about to be taken.

President.—I call Mr. Schuijt.

Mr. Schuijt, *Rapporteur*.—(F) Mr. President, there are two points I should like to make.

First, on the Committee this amendment ran into no difficulty: it was passed by 15 votes with two abstentions. Secondly, Mr. Santero found the expression 'uniform procedure' in the Committee's report, though this does not appear in the text of the Article.

I should like to tell Mr. Santero that as regards the legal interpretation of the Committee's intentions, the reports are of outstanding importance. The feelings of the Committee and of the Working Party have no doubt not been reflected in the text but—and I want to stress this—the intention was clearly stated in the report.

President.—Is there anyone else who wishes to speak ?...

I shall put Mr. Santero's amendment No. 35 (new) to the vote.

*(The amendment is adopted)*

President.—Mr. Carboni's amendment No. 2 and Mr. De Bosio's amendment No. 22 appear to have been superseded by the vote on Article 3.

Mr. De Bosio.—(F) That is the case, Mr. President.

President.—Is there anyone else who wishes to speak ?

I shall put to the vote Article 9 as altered by Mr. Santero's amendment.

*(Article 9, thus amended, is adopted)*

President.—I shall read out Article 10 :

'Subject to the provisions of Article 11, the electorate in each member State shall consist of such men and women as satisfy the requirements laid down in that State for taking part in the election of the Parliament by direct universal suffrage.'

On this Article I had been notified of Mr. Smets' amendment No. 8, but this has been withdrawn.

Does anyone else wish to speak ?

I shall put Article 10 to the vote.

*(Article 10 is adopted)*

**President.**—I shall read out Article 11 :

‘The voting age shall not be under twenty-one or above twenty-five years.

Nationals of a member State residing on the territory of another member State shall have the right to vote in their countries of origin which shall make the necessary arrangements for this purpose.

Should the persons referred to in the foregoing paragraph likewise be granted the right to vote by the State in which they are resident, they shall vote only once. Any infringement of this rule shall be liable to the penalties laid down by the laws of the voter’s country of origin.’

I was notified of Mr. Smets’ amendment No. 9 deleting the first paragraph of this Article, but this amendment has been withdrawn.

On the same Article I have amendment No. 40 by Mr. Dehousse :

Amend the first paragraph of Article 11 to read :

‘The minimum voting age shall be twenty-one years.’

I call Mr. Schuijt.

**Mr. Schuijt, Rapporteur.**—(F) This amendment was submitted by Mr. Dehousse on behalf of the Committee following the discussion it held yesterday. It was found that the constitutional objections which existed, or which it was feared might exist, in the Netherlands were not very serious. We were therefore able to agree to a simpler text to the effect that the minimum age should be twenty-one years.

**President.**—Does anyone else wish to speak ?...

I shall put Mr. Dehousse’s amendment No. 40 to the vote by a show of hands.

*(The amendment is adopted)*

**President.**—Mr. Le Hodey’s amendment No. 18 is withdrawn.

Does anyone else wish to speak ?...

I put to the vote Article 11 as altered by Mr. Dehousse’s amendment.

*(Article 11, thus amended, is adopted)*

**President.**—I shall read out Article 12 :

‘Subject to cases of established ineligibility laid down by the national law, any man or woman who is a national of one of the States that have signed the Treaties setting up the European Communities may stand for election in any member State.

The minimum age for eligibility shall, however, not be under twenty-five years or above thirty years.

The cases of incompatibility referred to in Article 8 shall not involve ineligibility.’

I have been notified of two amendments, Mr. Smets’s No. 10 and Mr. Dehousse’s No. 41.

But Mr. Smets has withdrawn his amendment.

I should like to open discussion on Mr. Dehousse's amendment which reads as follows :

Replace the first and second paragraphs of Article 12 by the following :

'Subject to cases of established ineligibility laid down by the national law, any man or woman who is not less than twenty-five years of age, and who is a national of one of the States that have signed the Treaties setting up the Communities, may stand for election in any member State.'

What does the Committee feel about this amendment ?

**Mr. Schuijt, Rapporteur.**—(F) Mr. President, the Committee's ideas on this amendment were the same as those it entertained on the amendment to Article 11.

**President.**—Does anyone else wish to speak ?...

I shall put Mr. Dehousse's amendment No. 41 to the vote by a show of hands.  
(*The amendment is adopted*)

**President.**—Is there anyone else who wishes to speak ?

I shall put to the vote Article 12 as modified by Mr. Dehousse's amendment.  
(*Article 12, thus amended, is adopted*)

**President.**—I shall read out Article 13 :

'The provisions governing the admission of political parties to elections in each member State shall apply to elections to the European Parliament.'

On this Article I have before me amendment No. 13 tabled by Mr. Birkelbach on behalf of the Socialist group :

'Before the word "provisions" insert : "constitutional".'

I call on Mr. Van der Goes van Naters to put the case for this amendment.

**Mr. Van der Goes van Naters.**—(F) Our main concern has been to standardize electoral provisions as far as possible. We feel that only a constitutional difficulty could lead to differences between the member States. Points of no constitutional significance could be easily settled.

**President.**—What is the Committee's opinion ?

**Mr. Schuijt, Rapporteur.**—(F) I am glad to say that the Committee is unanimous on this point.

**President.**—Is there anyone else who wishes to speak ?...

I put Mr. Birkelbach's amendment No. 13 to the vote by a show of hands.  
(*The amendment is adopted*)

**President.**—Does anyone else wish to speak ?...

I put to the vote Article 13 as altered by Mr. Birkelbach's amendment.  
(*Article 13, thus amended, is adopted*)

**President.**—I shall read out Article 14 :

'1. No elections shall be organized in a member State at the same time as elections to the European Parliament.

2. Elections to the European Parliament shall be held on the same day in all six member States. Any member State may, however, on grounds of tradition or geographical conditions, decide to hold the elections one day earlier or later than the fixed date or to spread them over all three days.'

On this Article, I have before me two amendments, Nos. 37 and 38, submitted by Mr. De Bosio.

Amendment No. 37 deletes the first paragraph of Article 14.

Here is the text of amendment No. 38 :

After the first sentence of paragraph 2 add :

'... ; the date shall be fixed so that national elections do not coincide with those for the European Parliament.'

I call Mr. De Bosio to put the case for these amendments.

**Mr. De Bosio.**—(1) The first paragraph of Article 14 contains a binding provision forbidding the constitutional authorities of the six member States to organize national political elections at the same time as elections to the European Parliament.

There is nothing to be said against this rule because there must be no confusion between national and European elections, even if only to make sure that electoral publicity for Europe strikes home among all sections of the public, which must be made increasingly aware of European principles and of the European idea.

I do not, however, approve of the way in which this rule has been formulated. As it reads now it prevents the Head of State in each of the member States of the Community from freely exercising his power to set the date for political elections in this country, whether in the event of a premature dissolution of the Parliament or at the end of its normal lifetime.

Throughout the whole period necessary between setting the date for and actually holding the European elections, the responsible constitutional authorities in the six countries would be forbidden to organize meetings for national elections.

Such a curb on the powers of the Head of State would involve an alteration of internal constitutional provisions and the need for starting up the lengthy and complicated procedure provided for in certain constitutions, such as that of the Italian Republic, for approving constitutional changes.

This would undoubtedly postpone the achievement of our objective, which is that of giving Europe its directly elected Parliament as soon as possible.

This is why it is proposed to strike out the first paragraph of Article 14 and to add after the second paragraph (reading 'Elections to the European Parliament shall be held on the same day in all six member States') the following sentence : 'The date shall be fixed so that national elections do not coincide with those to the European Parliament.'

Through this provision we shall be transferring to the European authorities concerned the task of setting the date for European elections, while taking into account the constitutional time-limits of the six countries. Moreover, this proposal supports the just and proper principle laid

down by the Working Party, and endorsed by the Committee, that European elections ought not to coincide with national elections. At the same time it gets round the snag of having to start up the constitutional revision procedure to which some countries would have to resort before approving the Convention if Article 14 is maintained in its present form.

I am confident, Ladies and Gentlemen, that you will adopt this amendment, in conformity with the views yesterday expressed by the Committee on Political Affairs.

**President.**—What are the Committee's views ?

**Mr. Schuijt, Rapporteur.**—(F) Committee members are unanimous in their agreement.

**President.**—I shall put Mr. Bosio's two amendments, Nos. 37 and 38, to the vote.  
(*The amendments are adopted*)

**President.**—Is there anyone else who would like to speak ?...

I should like to put to the vote Article 14, as modified by the amendments adopted.  
(*Article 14 thus modified is adopted*)

**President.**—I shall read out Article 15 :

- '1. Elections to the European Parliament shall be held not later than one month before the end of each legislative period.
2. The European Parliament shall sit automatically on the first Tuesday following an interval of one month from the date of the elections.
3. The outgoing European Parliament shall remain in office until the first sitting of the new Parliament.'

Does anybody wish to speak on this Article ?...

I put it to the vote.  
(*Article 15 is adopted*)

**President.**—I shall read out Article 16 :

'The European Parliament shall verify the credentials of representatives and rule on any disputes that may arise in this connexion.'

Does anybody wish to speak on this Article ?...

I put it to the vote.  
(*Article 16 is adopted*)

**President.**—I shall read out Article 17.

'Should a seat filled in elections by direct universal suffrage fall vacant, no by-elections shall be held.

Subject to this proviso, an electoral procedure for filling such a vacancy during the transitional period shall be determined by national law.

Should a seat filled in pursuance of Article 3 fall vacant, the successor shall be elected or nominated by the Parliament of the member State.'

I have before me Mr. De Bosio's amendment No. 23 (new).

This amendment appears no longer to apply in view of the vote on Article 3.

**Mr. De Bosio.**—(*F*) I agree, Mr. President.

**President.**—Does anyone else wish to speak ?...

I put Article 17 to the vote.

(*Article 17 is adopted*)

**President.**—I shall read out Article 18 :

'Candidates or lists that secure not less than ten per cent of the votes cast by the electorate in the constituency in which they have stood for election, shall be entitled to a refund of certain election expenses.

The necessary credits shall be entered in the European Parliament's budget to enable such refunds to be made in accordance with a procedure to be fixed beforehand by its Bureau.'

I am apprised of the following amendment (No. 14) submitted by Mr. Birkelbach for the Socialist group :

Replace the first paragraph of Article 18 by the following provisions :

'Candidates or lists that secure not less than ten per cent of the votes cast by the electorate in the constituency in which they have stood for election shall obtain a refund of election expenses, the amount of which shall be fixed in good time before each election.

The total expenses incurred by and on behalf of the candidates or lists shall not exceed twice this amount. A statement of these expenses shall be submitted to the Bureau of the European Parliament for auditing within one month.

Failure to submit such a statement or the submission of false information shall, in the same way as non-observance of the foregoing rule, entail suspension of the mandate or mandates in question.'

I call Mr. Van der Goes van Naters.

**Mr. Van der Goes van Naters.**—(*F*) The Socialist group is anxious that the utmost supervision should be exercised in this new sphere, and that a limit should be set to the expenditure that may be legitimately incurred for the elections.

Our amendment has a threefold purpose. First, it rounds out the provision proposed by the Committee by stipulating that the amount of the refund of election expenses must be decided in good time before each election. This is not a new idea but it would appear to serve a useful purpose.

Secondly, our amendment (second paragraph) fixes a limit to total expenditure, namely, double the election expenses. I think this is clear.

Finally, the third paragraph appears to us essential because it lays down penalties. Failure to submit a statement of expenses or the submission of false information would, in the same way as non-observance of the rule laid down, entail suspension of the mandate or mandates in question.

Article 18 would thus have a more logical form and be more effective. This is why we recommend this new wording to this House.

**President.**—What is the Committee's opinion ?

**Mr. Schuijt, Rapporteur.**—(F) The Committee rejected this amendment by 14 votes to 8, with one abstention.

The main argument of its authors is that all candidates should have an equal chance in regard to election expenses, whereas the objection of those opposed to the amendment was above all a financial one. They felt that it would be extremely complicated to keep a proper check on election expenses and to decide exactly what kinds should be prohibited.

**President.**—Is there anyone else who wishes to speak ?...

I put Mr. Birkelbach's amendment No. 14 to a vote by a show of hands.

*(As the result of the vote was declared doubtful by the Bureau, the amendment was put to a vote by sitting and standing and rejected)*

**President.**—Does no one else wish to speak ?...

I put Article 18 to a vote by a show of hands.

*(Article 18 is adopted)*

**President.**—I shall read out Article 19 :

'An interim advisory committee shall be set up by the Councils within two months of the entry into force of this Convention.

This Committee shall consist of delegates of the Governments of member States and delegates of the European Parliament in equal numbers.'

On this Article I have Mr. Carboni's amendment No. 2 (second part, g).

This amendment is not being maintained.

Is there anyone else who wishes to speak ?...

I put Article 19 to a vote by a show of hands.

*(Article 19 is adopted)*

**President.**—I shall read out Article 20.

'The interim advisory committee will be required to deliver opinions and put forward recommendations on the problems encountered in promoting and applying the legislation of member States relating to the organization of elections to the European Parliament.

It shall perform this task :

- (a) either at the request of the Government of a member State ;
- (b) or at the request of the Parliament or one of the Chambers of the Parliament of a member State ;
- (c) or of its own accord ; in such a case, however, its decision shall require a two-thirds majority of the votes cast.'

On this Article I have Mr. Carboni's amendment (second part, h).

This amendment is not being maintained.



Is there anyone else who wishes to speak ?...

I put Article 20 to vote by a show of hands.

*(Article 20 is adopted)*

**President.**—I shall read out Article 21 :

'Subject to the provisions of Article 14, the first elections to the European Parliament shall be held on the first Sunday following an interval of six months from the day this Convention comes into force.'

Is there anyone who wishes to speak on this Article ?...

I shall put it to the vote.

*(Article 21 is adopted)*

**President.**—I shall read out Article 22 :

'This Convention replaces Article 21 of the Treaty setting up the European Coal and Steel Community, Article 138 of the Treaty setting up the European Economic Community and Article 108 of the Treaty setting up the European Atomic Energy Community.'

I have before me two amendments, No. 39 by Mr. Scelba and No. 24 (new) by Mr. De Bosio.

Mr. Scelba's amendment aims at deleting this Article.

Mr. De Bosio's amendment is to the effect that the Article should be reworded as follows :

'This Convention replaces Article 21 of the Treaty setting up the European Coal and Steel Community as well as the provisions of Nos. 1 and 2 of Article 138 of the Treaty setting up the European Economic Community and of Article 108 of the Treaty setting up the European Atomic Energy Community, and derogates, only in respect of the first elections to the European Parliament, from the provisions of No. 3 of the two foregoing Articles.'

I call Mr. Scelba.

**Mr. Scelba.**—*(I)* Mr. President, Ladies and Gentlemen, Article 22 is not so much dispositive as declarative in effect, that is, it contains a definition. As the ancients put it, all definition is dangerous. Article 22 does not exactly cover the actual state of affairs, and because this definition could lead to ambiguities it appeared best to strike it out. We can do this without danger, whereas its retention could give rise to misunderstandings.

Moreover, a majority of the Committee approved the proposal to delete this Article and I am leaving the decision to them.

**President.**—What are the Committee's views ?

**Mr. Schuijt.**—*(F)* Members of the Committee are unanimous in supporting this amendment.

**President.**—I put Mr. Scelba's amendment No. 39 to a vote by a show of hands.

*(The amendment is adopted)*

**President.**—Article 22 will therefore be struck out and Mr. De Bosio's amendment becomes unnecessary.

I shall read out Article 23 :

'This Convention is drawn up in the Dutch, French, German and Italian languages, all four being equally authentic.'

Is there anyone who wishes to speak on this Article ?...

I put it to the vote.

*(Article 23 is adopted)*

**President.**—As the previous Article has been struck out, this now becomes Article 22.

In his amendment No. 1 Mr. Vendroux proposes to insert a new Article 23A (new) after Article 23 and, as a result, to change the opening of Article 24.

This amendment reads as follows :

I. Additional Article 23A (new) :

Insert after Article 23 and additional Article 23A (new) reading as follows :

'This Convention shall be submitted, by means of a referendum, to the peoples of the six member States for their approval.

The referendum shall be held in the six member States on the same day not less than two months before the end of the interval of six months referred to in Article 21.'

II. Consequently amend the opening of Article 24 to read :

'If the result of the referendum is positive, this Convention ... (remainder unchanged).'

I call Mr. Vendroux.

**Mr. Vendroux.**—(F) Mr. President, Ladies and Gentlemen, I must admit that my proposal has been badly presented. It was tabled at the eleventh hour in the form of an amendment and the bodies concerned—the Committee on Political Affairs and the Working Party—were not apprised of it in sufficient time.

It is therefore coming directly before the Parliament. I am not wholly responsible for this. I am not a member of the Committee on Political Affairs and, like all the members of this House, received the report only a few days before our session began ; I was therefore unable to arrange for the proposal to be referred to the Committee in good time.

That said, I must tell you that I have heard one or two comments in the lobbies. Some of my colleagues told me : 'You have given the impression of wanting to torpedo the motion for a resolution submitted to the Council of Ministers and of wanting to delay, in a roundabout way, the European elections.'

I can only say quite simply that that is not my intention at all. On the contrary—I said this during the general debate and now repeat it—my intention is to try to ensure that the European elections are a success and not, as I said a few days ago, engulfed in a sea of indifference.

This is why I think it is necessary to jolt the people. The publicity preceding a referendum on this scale should not focus, as is the case in elections, on individual candidates. This presents the problem in a quite different light and I am sure that my idea will prevail whatever the obstacles.

In this connexion I should like to turn to some of my colleagues, particularly Mr. Bohy, who very kindly came to discuss this matter with me this morning. I shall reply to him, with the same courtesy, and at the same time to all those who raise constitutional obstacles, that I find it hard to understand how those who really wish to build Europe can be held back by such

considerations. If every country is to hedge with constitutional reservations this or that provision judged necessary for the building of Europe, then we can never build Europe at all.

Having said which, I should like to ensure the success of my proposal, or at least that the idea it embodies is not distorted from the outset. It is true that a number of my colleagues have told me that, as individuals, they endorse my idea ; but the political groups collectively are not prepared to support it. To avoid a vote—the result of which would, I feel, be negative—I should like to know whether, if I withdraw this amendment, the Committee and the Working Party, as represented by their Chairmen in our midst, could give me if not an assurance, at least reason to hope that it will be taken into consideration in the form of the motion for a resolution and carefully examined. I think that in this way my proposal will have a good chance of being adopted.

**President.**—I call Mr. Dehousse.

**Mr. Dehousse, Rapporteur.**—(F) Mr. President, Ladies and Gentlemen, Mr. Vendroux's proposal comes at the end of the debate but, I hasten to say, this is because of the sequence of the Articles. Whatever one may feel about the subject, this proposal is of considerable importance.

The Committee debated it yesterday and heard arguments on both sides. Supporters of Mr. Vendroux's idea thought it dangerous if one were not to be accurately informed about the reactions of public opinion in Europe. Others raised two objections to the proposal. The first related to its timing ; it was felt that the proposal had come up at a time when we had completed our analysis of the draft Convention and ought to decide on our attitude to it.

The second objection was put forward by the lawyers, of whom there are many in our ranks, myself included. They argued that the proposed referendum on European elections would run up against constitutional difficulties in some countries. This would be true, for example, for the member State with which I am the least unfamiliar, namely, Belgium.

Under a previous constituent assembly, a formal proposal was made to introduce the referendum as an institution in our country. This was rejected and the experts in public law have always inferred from this that the referendum is prohibited under our Constitution. The proof of this is that when, in a delicate situation, we had to consult the country otherwise than through an election, we christened the operation a 'consultation of the people' and not a referendum, implying that all we wanted from the people was their opinion.

Whatever their personal views, however, all the Belgian representatives here present will certainly agree with me that our experience of this consultation was so disagreeable, for different and even conflicting reasons, that we are not at all keen on going back to it on any subject whatever.

Mr. Vendroux holds that if everybody brandishes his Constitution as an argument, we shall never make any progress at international level. In theory I entirely agree with him. I was for a long time in the United Nations Organization and always realized the extent to which the constitutional obstacle stood in the way of progress and of really constructive decisions on the organization of international relations.

This review of the situation—carried out, I believe, with the utmost impartiality—shows that Mr. Vendroux's proposal is highly complex and ought to be gone into more deeply and very carefully. This is why the Committee decided yesterday to enter the perusal of this proposal on its agenda.

If I understand our colleague aright, Mr. President, no formal amendment will be submitted to the Parliament during this session, but the Committee presided over by Mr. Battista will embark

on a study of this important point without delay and, if necessary, report to the Parliament on the subject.

**President.**—I call Mr. Gaetano Martino.

**Mr. Gaetano Martino.**—(1) Mr. President, Ladies and Gentlemen, I feel bound to speak after hearing what Mr. Dehousse has had to say. I should like however to add a further argument to the ones he has put forward—a constitutional and, I think, an important argument—in the hope that Mr. Vendroux, in view of the practical difficulties involved in carrying out his proposal, will decide to withdraw it. I may say that I have a great deal of sympathy for the aim underlying his proposal, that is, for a referendum about Europe, even if for the moment it is confined to European elections. It would be one way of enabling the general public to play a direct part in creating Europe, and this is what is needed if we are to move forward more rapidly on our difficult road.

I must say, however, that making a referendum a precondition of European elections will greatly delay the procedure necessary for holding the elections.

Above all, a referendum would not relieve the six Parliaments of the need to embark on the procedure for ratifying the Convention, and it would add little of consequence to the popular sanction that would in any case have to be secured through the act of ratification by the representatives of the peoples of our six countries. Moreover, as in Belgium, serious constitutional difficulties exist in Italy. The Constitution of the Italian Republic provides for only two types of referendum in respect of the laws of the State: a referendum repealing existing laws and a referendum approving constitutional laws that have not secured the necessary qualified majority in the two Chambers of the Parliament.

It is thus not possible to submit to a referendum a law such as we are now contemplating, such a case not being covered by the Constitution. There is, however, something else. The Italian Constitution specifically prohibits the submission to a referendum of any law ratifying an international agreement. Article 75 expressly states:

'A referendum shall not be held concerning tax and budgetary laws, amnesties, remission of sentences or authorization to ratify international treaties'.

Before the referendum Mr. Vendroux desires can be held, we should have to amend the Italian Constitution. Now our Constitution is very rigid and the procedure for changing it is long and difficult. If we decide to act in this way we shall be torpedoing direct elections. Of course this is not Mr. Vendroux's intention; on the contrary, like myself, he wants to win over the people directly to our cause.

This is why I would urge Mr. Vendroux to withdraw his amendment. To refer it to the Committee on Political Affairs for it to study and report on it to the Parliament, is the best way of scuttling the procedure Mr. Vendroux wishes to start up. I do not believe he would want this at any price. If, on the other hand, the means he advocated were really to help the draft referendum he has submitted to the Parliament to gain ground, this would entail a delay that might well prove fatal for direct European elections.

**President.**—I call Mr. Battista.

**Mr. Battista, Chairman of the Committee.**—(1) Mr. President, Ladies and Gentlemen, Mr. Martino's arguments are very important and I personally endorse them. On the other hand, as this is such an interesting question, though not directly linked with the draft Convention which we have finished discussing, if Mr. Vendroux wishes us to go more deeply into it, I am perfectly

willing to accept Mr. Dehousse's proposal and include this item on the agenda for an early meeting of the Committee on Political Affairs. In this way all the arguments so very capably set forth by Mr. Martino, as well as any that others may put forward and those in support of Mr. Vendroux's proposal, could be gone into in greater detail as our colleague wishes. There is no doubt that none of us wishes them to be indefinitely shelved.

To conclude, Mr. President, I repeat that if Mr. Vendroux so desires I shall not hesitate to accept Mr. Dehousse's proposal that this amendment be studied by the Committee on Political Affairs which should then refer it to the Parliament.

**President.**—I call Mr. Vendroux.

**Mr. Vendroux.**—(*F*) Under these circumstances, Mr. President, I shall withdraw my amendment and should be grateful to the Chairmen if they would study this question.

**President.**—Mr. Vendroux accepts the Committee's suggestion and has sent me a motion for a resolution for submitting any proposal for European elections to a large-scale referendum.

This motion for a resolution will be printed under number 33 and distributed and, if no objection is raised to it, referred to the Committee on Political Affairs and Institutional Questions.

Are there any objections ?...

It is so decided.

Mr. Vendroux has withdrawn his amendment.

We now come to Article 24 which I shall read out :

'This Convention shall be ratified by the member States in accordance with their respective constitutional requirements.

The Governments of the member States agree to take the steps necessary for this purpose as soon as possible, presenting to the Parliaments any documents that may be needed before approval can be given.

The instruments of ratification shall be deposited with the Government of the Italian Republic which shall inform the signatory States and the institutions of the European Communities when this has been done.

This Convention shall come into force on the day the instrument of ratification is deposited by the last signatory State to carry out this formality.'

Does anyone wish to speak on this Article ?...

I put it to the vote.

(*Article 24 is adopted*)

**President.**—This Article will become Article 23 and the last.

Before broaching Title II of the motion for a resolution I shall call Mr. Battista, Chairman of the Committee.

**Mr. Battista, Chairman of the Committee.**—(*I*) Mr. President, Ladies and Gentlemen, we should now adopt the resolutions which have been submitted. Above all, we must adopt the complete text of the Convention we have just finished discussing. In this connexion there is a resolu-

tion which members of the Committee on Political Affairs have already passed unanimously and which has to be submitted to the Parliament.

There is then a resolution by Mr. Metzger on the proposals made regarding the overseas territories. There is also a resolution by the Committee on Political Affairs concerning the problems of publicity. Lastly, other resolutions have been tabled, one on securing greater powers for the Parliament and another on a uniform system of electoral laws.

Please let me know, Mr. President, if you would prefer first to deal with matters concerning the adoption of the Convention, adopting it at the same time as the Committee's motion for a resolution, or to examine first the other resolutions. What is your decision ?

**President.**—I think that we could adopt your first suggestion.

**Mr. Smets.**—(F) I should like to speak.

**President.**—Mr. Smets has the floor.

**Mr. Smets.**—(F) Mr. President, I think that before we can vote on the draft Convention as a whole ...

**Mr. Dehousse, Rapporteur.**—(F) This evening !

**Mr. Smets.**—(F) ... it is very important for myself and for some of my friends to know what is to become of the motions for resolutions which have been tabled on this draft Convention.

**President.**—I call Mr. Poher.

**Mr. Poher.**—(F) I think, Mr. President, it would be better to proceed on these lines so as to enable those of our colleagues whose attitude will depend on the outcome of the voting on the resolutions to be able to vote with a full knowledge of the facts. I therefore support Mr. Smets' proposal.

**President.**—I have before me a proposal that there should be a joint discussion on the motions for resolutions, each, however, being voted on separately.

Are there any objections ?...

It is so decided.

We shall therefore put back the vote on Title I, that is, on the draft Convention, and consider the resolutions proposed by the Committee and the new resolutions presented in the form of amendments.

I shall read out, as a separate motion for a resolution, Title II of Text A submitted by the Committee :

*"The European Parliament,*

- (a) invites its President to send the draft Convention to the Councils in accordance with the provisions of the Treaties ;
- (b) instructs a delegation appointed by the President of the Parliament, in agreement with the Chairman of the Committee on Political Affairs and Institutional Questions and with the Chairmen of the political groups, to establish all the necessary contacts with the appropriate authorities in the

member States and with the Councils of the European Communities, to ensure that this draft Convention is approved and given effect to as soon as possible.'

On this text I have amendment No. 43 by Mr. van der Goes van Naters, which reads :  
'After the words "European Parliament", insert the following new provisions :

adopts the following course of action :

- (a) addresses to the Council of Ministers opinions concerning the electoral laws necessary for giving effect to the present Convention ;
- (b) addresses recommendations direct to the national Parliaments with a view to speeding up harmonization of the system of election or nomination set out in Article 3 with that of election by direct universal suffrage.'

I call the Chairman of the Committee.

**Mr. Battista, Chairman.**—(I) Mr. President, Ladies and Gentlemen, I would rather the text presented to us as Mr. Van der Goes van Nater's amendment—one, incidentally, approved by the Committee as a whole—were submitted as a separate resolution. I would therefore ask Mr. Van der Goes van Naters to take account, in his introductory statement, of the wishes expressed by the Committee.

**President.**—I call Mr. Van der Goes van Naters.

**Mr. Van der Goes van Naters.**—(F) Once again we have been guided by our concern to harmonize the electoral provisions. Fortunately the entire Committee approved this text which replaces amendment No. 12 to Article 9.

I fully see Mr. Battista's point : the task assigned to the special committee does not fully fit in with what we propose in our amendment.

If you agree, therefore, Title II can remain as submitted by the Committee, and then will come our amendment as a separate resolution under Title III.

**Mr. Battista, Chairman of the Committee.**—(I) It can therefore be put to the vote straight away.

**Mr. Van der Goes van Naters.**—(F) Yes.

**Mr. Dehousse.**—(F) The Committee agrees.

**President.**—In that case I should like to have an amended text.

**Mr. Dehousse, Rapporteur.**—(F) Mr. President, it suffices to replace the amendment by a motion for a resolution reading :

'Title III

The European Parliament adopts the following course of action :

a), b), etc.'

If Mr. Van der Goes van Naters accepts this provision, we can vote on it at once.

**Mr. Van der Goes van Naters.**—(F) That is what I proposed, Mr. President.

**President.**—We therefore leave Title II on one side and Mr. Van der Goes van Naters' amendment is replaced by the following motion for a resolution :

*'The European Parliament*

adopts the following course of action :

- (a) addresses to the Council of Ministers opinions concerning the electoral laws necessary for giving effect to the present Convention ;
- (b) addresses recommendations direct to the national Parliaments with a view to speeding up harmonization of the system of election or nomination set out in Article 3 with that of election by direct universal suffrage.'

Does anyone else wish to speak ?...

I will put this motion for a resolution to a vote by a show of hands.

*(The motion for a resolution is adopted)*

**President.**—We come now to amendment No. 26 (third version) submitted by Mrs. Probst, Messrs. Schuijt, Rubinacci, Janssen, De Bosio, Kopf, Fischbach, Carboni, Hazenbosch, Weinkamm, Philipp, Herr, Zotta, Moro, Ferrari, Schild, de la Malène, Filliol, Storch, Lenz, Friedensburg, Geiger, Deringer, Engelbrecht-Greve.

This amendment calls for the insertion of the following new motion for a resolution :

*'The European Parliament,*

having regard to the draft Convention on European elections by direct universal suffrage which it drew up in pursuance of Articles 138 of the Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty ;

wishing, in view of the circumstances, to get as close as possible to the uniform procedure referred to in the Treaty ;

invites the Councils of the Communities, when they lay down the necessary provisions, to recommend member States to organize, in each State, the electoral system referred to in the second paragraph of Article 9 of the draft Convention, in such a way that it is agreed to conform to the two basic principles which are already embodied, in different forms, in the electoral provisions now in force and which permit the elector to vote for one or more of the candidates standing for election, by means of elections in constituencies.'

I call Mrs. Probst.

**Mrs. Probst.**—(D) Mr. President, Ladies and Gentlemen, the purpose of the motion for a resolution No. 26, which has been signed by 24 representatives from different groups, including Mr. Schuijt, Rapporteur, is quite simple. The voter in European elections too is to be given a chance of voting for the individuals he prefers, either under proportional representation coupled with preferential vote or under the majority system. The constituency system would further enable the elector to vote in an area small enough not to be beyond his grasp.

These two principles are already embodied in the electoral systems at present in force in the six member States. This election of individuals enhances the prestige of representatives and arouses the interest of electors, for whom the abstract idea of Europe has yet to take tangible shape. Alone the possibility of electing particular individuals will make the first European elections attractive and popular.

Our Parliament is particularly keen on strengthening the federal element by allowing for regional conditions. Only a few days ago this Parliament showed how great is its interest in a



common regional policy. Regional conditions must also be taken into account in European elections. I should like once again to quote Professor Schlichting, the Dutch expert in electoral law: 'Regionalism is essential to the European idea.' On the Committee, motion for a resolution No. 26 won the approval of Mr. Battista, the Chairman, and—following a change in wording—of Mr. Martino. It was rejected by a majority of only two votes, several members who had signed the motion having been unable to attend.

May I therefore, Mr. President, submit the motion for a resolution directly to the Parliament and ask you if you would put it to the vote?

I would ask you, Ladies and Gentlemen, to be kind enough to pass it.

**President.**—I call Mr. Battista.

**Mr. Battista, Chairman of the Committee.**—(1) Mr. President, Ladies and Gentlemen, at the end of the general debate on this draft Convention I said how much I appreciated the immense efforts made by Mrs. Probst to convince our Parliament of the need to embody in the draft Convention principles calculated to enable a uniform electoral system to be adopted throughout the Community. Mrs. Probst has tried to give these efforts a practical form in the motion for a resolution now before you.

I personally support Mrs. Probst, as she told you recently. At the moment, however, I must naturally speak as Chairman of the Committee on Political Affairs, and as such I can only express the views of the majority. The Committee felt unable to endorse Mrs. Probst's proposal and rejected it by 10 votes to 8.

The reason for this is that the resolution—as our colleagues will have noted—is addressed to the Council of Ministers of the Community and asks them to ensure that provisions aimed at establishing a uniform electoral law should be included in the Convention.

This seemed rather strange, at least to many members of the Committee, as it might give the impression that the Parliament wanted to leave it to the Council of Ministers to do what it had been unable to do itself, and what it had not wanted to embody in the Convention, namely, these uniform rules Mrs. Probst is asking for. The Council could ask why we had not ourselves proposed these uniform rules and sent them on to the Council for consideration.

The Council of Ministers would not welcome a resolution of this type which would above all have shown the Parliament to be incapable of devising a uniform electoral procedure. This, incidentally, is the true position—as I have already pointed out—and the reason why we have not got further ahead with this Convention fixing the rules for direct elections is that it is so difficult to get a more or less uniform electoral system in all six countries.

There are a number of differences as between member States, differences in political conditions and in customs which are reflected in dissimilar electoral laws. Establishing laws that would be broadly the same in all countries seemed so difficult that the Committee felt unable to include any provision in this respect in the draft Convention.

This is why Mrs. Probst wanted the Council of Ministers to deal with this thorny problem.

The Committee rejected this proposal by 10 votes to 8 precisely because it appeared strange that a Parliament unable to work out such uniform rules should ask another institution, like the Council of Ministers, to do so.

**President.**—I thank Mr. Battista for this additional information.

Does anyone else wish to speak?...

I put to the vote by a show of hands the motion for a resolution submitted by Mrs. Probst and several of her colleagues.

*(The motion for a resolution is not adopted)*

**President.**—We come now to amendment No. 46 tabled by Messrs. Birkelbach, Micara, Martino, Kopf, Corniglion-Molinier, Van der Goes van Naters, Bertrand, Janssens, Granzotto, Basso, Blaisse, Margulies and Bohy.

This amendment takes into account, and replaces, the amendments of Mr. Birkelbach, submitted for the Socialist group (No. 15), Mr. Micara, submitted for the Christian Democrat group (No. 25) and Mr. Margulies (No. 36).

It calls for the insertion of the following new motion for a resolution :

*'The European Parliament,*

- (a) affirms the urgent need for an increase in its powers to enable it to exercise the functions of a real Parliament, and in particular a measure of legislative power and political and budgetary control ;
- (b) asks the Committee on Political Affairs to submit, as rapidly as possible, practical proposals for increasing the Parliament's powers.'

I call Mr. Van der Goes van Naters to support this amendment.

**Mr. Van der Goes van Naters.**—*(F)* It is a rare privilege for me, Mr. President, to present this amendment in the name of the three political groups.

The basis of this amendment is to be found in sec. 6 of Mr. Battista's report and in Chapter II, Part Three of Mr. Dehousse's report. There is no point in stressing the fact that a relationship exists between a Parliament elected by universal suffrage and an increase in its powers. But this relationship, which I regard as ideological and political, is not a legal one. Many members of the Parliament, however, wish to state here and now that they want these powers increased. This is why, on behalf of several members of the three political groups, I am submitting a text which makes this point clearly and concisely and which, I think, serves a highly useful purpose at this moment.

**President.**—What are the Committee's views ?

I call Mr. Battista.

**Mr. Battista, Chairman of the Committee.**—*(I)* Mr. President, the Committee on Political Affairs, like everyone in this House, has grasped the need for taking advantage of this opportunity to show that it is essential to widen the powers of our Parliament. The Committee has not, however, considered it advisable to link up the solution of these important problems with approval of the draft Convention.

This is why it gladly supports the proposal submitted by Mr. Van der Goes van Naters and other representatives from all the political parties represented in this Parliament.

**President.**—Is there anyone else who wishes to speak ?...

I put to a vote by a show of hands the motion for a resolution submitted by Mr. Birkelbach and a number of his colleagues.

*(The motion for a resolution is adopted)*

**President.**—The Parliament must now decide on Title II of the draft Convention.

I call Mr. Birkelbach.

**Mr. Birkelbach.**—(D) Mr. President, Ladies and Gentlemen, I think we should now vote on the draft Convention and then go on to this particular issue. This would, I think, be consistent with the logic of the situation.

**President.**—What are the Committee's views ?

**Mr. Dehousse, Rapporteur.**—(F) I agree, Mr. President.

**President.**—Are there any objections ?...

It is so decided.

I shall now call upon the Parliament to vote on the whole of Title I of the Committee's motion for a resolution which contains the draft Convention and becomes a separate motion.

I call Mr. Smets to explain his vote.

**Mr. Smets.**—(F) I shall not vote against because I do not wish to appear to oppose the idea that a Parliament gains by being directly elected. But I find the resolution inadequate and, to speak frankly, not at all satisfactory. I shall therefore abstain.

**President.**—I call Mr. Metzger.

**Mr. Metzger.**—(D) Mr. President, Ladies and Gentlemen, on behalf of my German Social Democrat friends I should like to make the following statement on the vote.

We shall also abstain from voting. I have said more than once that we are in favour of direct elections to the European Parliament. This is why we have very carefully weighed up the pros and cons for the draft Convention now before us.

We will not hide the fact that we would have flatly rejected it in its original form. The idea at the time was to elect unconditionally a Parliament so lacking in powers as not to deserve the name.

We cannot make ourselves responsible for conveying the opposite impression to our voters, for dangling before them a prize that cannot be won through an election, and thus behaving insincerely towards them. I think I showed in an earlier speech that in this way we should be damaging the European cause.

Fortunately, after some hesitation and after considering a number of points, our Parliament, meeting in plenary session, has agreed to reaffirm publicly the urgent need for increasing its powers and for demanding the functions of a real Parliament. The instructions issued to its Committee on Political Affairs to put forward practical proposals as soon as possible for widening its powers and sphere of activity are bound to have consequences.

The elections have not, of course, in this way been made conditional on a prior increase in the Parliament's powers ; but it will not be so easy to ignore its views. To this should be added that this House voted an amendment to Article 3 of the draft Convention whereby one third of its representatives are to be elected by the national Parliaments in accordance with a procedure that ensures that the political parties are fairly represented, that is, so as to reflect their relative strengths.

These are undoubtedly improvements but all our anxieties have by no means been dispelled. From a European and democratic point of view, there are still dangers enough. Even if the motion for a resolution we have just passed gives grounds for some hope as regards the Parliament's powers, it cannot be ruled out that those forces that want to see a weak Parliament endowed with the slenderest of powers will win the day.

If elections were to be held on this basis it would not be long before the European idea suffered a severe setback among the peoples of our Community, and our democratic resolve would be seriously questioned. Moreover, in the face of the regimes in Eastern Europe, we should not allow ourselves to organize general elections for a sham Parliament. Anyway, between now and the holding of general European elections—something that will obviously not happen overnight—we shall see if success attends the efforts to increase the Parliament's powers.

We also regret that the Parliament has been unable to set itself limits. It wants a Parliament with three times its present membership, that is, 426 representatives. Too much thought has been given to the act of electing and to the size of constituencies and not enough to the future, to the Parliament's capacity for work. A Parliament consisting of representatives of six peoples and using four languages cannot be compared to a national Parliament. With more than 400 representatives, it becomes extremely difficult to reach clear-cut decisions for which each member can take responsibility.

In this case too we should start to build Europe not with impressive figures but modestly, and with the will to work within an institution compact enough for us to take it in as a whole. We are convinced that our peoples would show understanding for this.

Our refusal to vote for the Convention is intended to convey publicly to those responsible that not everything is yet in order. If, however, we do not say No to the Convention, it is because we wish to show our recognition of its constructive ideas and its value as a point of departure. We see our abstention as a helpful contribution. We have not given up hope of a solution that will serve the interests of Europe and of democracy.

**President.**—I call Mrs. Probst.

**Mrs. Probst.**—(D) Mr. President, Ladies and Gentlemen, as I am wholeheartedly for holding European elections by direct universal suffrage in accordance with a uniform procedure, I am obliged, in view of the outcome of this debate, to say how much I regret that this draft Convention, for all the valuable ideas it contains, has not taken the intentions of the Treaty into account.

Nothing has been decided about the electoral procedure. We have not even been able to submit common basic principles to the Councils of Ministers. Under the circumstances, I very much regret that I am unable to give the draft Convention my wholehearted support. I shall therefore abstain from voting.

**President.**—I call Mr. Carboni.

**Mr. Carboni.**—(I) Mr. President, Ladies and Gentlemen, I apologize for having spoken at such length—and perhaps rather tiresomely—in the course of this debate. If I did not speak on this last point, it was simply because I felt rather tired.

But I should not like this debate to end before I have expressed my regret that I cannot vote for the draft Convention. As I believe I have made clear, I find it contrary to the Treaties of Rome both as to form and as to subject-matter. I say that I *believe* I made this clear because the answers I was given showed that my comments had not aroused a very clear response in the minds of those to whom I had addressed them.

This only strengthened my doubts, and I must say that this circumstance does not reflect the democratic principles we say should be at the basis of a Parliament. Nor can I see how a committee such as that referred to in Articles 19 and 20 can be reconciled with the sovereignty of the national Parliaments. I am a stout champion of this sovereignty, just as I am of the sovereignty of the future Parliament. That Parliament, however, if the provisions of the draft Convention are applied, would have neither direct sovereign authority nor legal standing, owing to the strange manner of its election or nomination.

This is what I had to say to make sure that my views remain intelligible right to the end to all who have taken part in this discussion.

I should like to apologize to my colleagues if I have inconvenienced them but I had to tell you of the anguish I have suffered during these past months of preparation and these days spent in debate. I hope, Ladies and Gentlemen, that you will forgive me.

**President.**—I call Mr. Friedensburg.

**Mr. Friedensburg.**—(D) Mr. President, Ladies and Gentlemen, in view of the criticisms that have been expressed, I should like to say, as a Berliner, that I see the draft Convention as a tremendous step forward. Sad though it is for us all to admit that it has at the moment no chance of success, we should nevertheless welcome this immense step forward.

I feel it my duty to thank all those who have helped, through a long and laborious spell of work, to make this possible.

When I return to Berlin to-morrow, which is under a worse threat than any it has suffered from in the past twelve years, I shall be delighted to tell my fellow-citizens that the European idea has made a great stride forward.

*(Loud applause)*

I should be really glad if I could add that the great majority in this Parliament had voted in support of this step forward.

**President.**—Your applause will have shown our colleague what a sympathetic response his words have aroused in the Parliament.

I thank the House and now call Mr. Margulies.

**Mr. Margulies.**—(D) Mr. President, Ladies and Gentlemen, I too should like to say that I support the draft Convention, for I regard it as an excellent piece of work. I lack sufficient imagination at present to visualize European elections, but this has not prevented me from admiring the work done by the Committee on Political Affairs, and especially by the Working Party, in preparing this draft Convention.

I am rather surprised at the statements we have just heard. We know, of course, that the powers of the European Parliament are limited. We knew this when we ratified the Treaties. We had ample opportunity then to make criticisms. But frankly I cannot understand why anyone should bring these forward now, after the passage of three years. On the contrary, I am glad that we have passed resolution No. 46, to which my modest contribution was to ask that it should also cover budgetary rights. This appears to me to be of pressing importance. I would remind you it was in this House that the President of the EEC Commission once described our budgetary system as pitiful—a harsh word that rarely passes his lips.

This matter is really urgent. For if the Councils of Ministers were ever to dictate to us—the Parliament—what we ought and what we ought not to do, we should become a laughing-stock among the general public. I wanted once again to say how much I should like to see the question of our budgetary rights properly settled, and that I consider the present shortcomings should be swiftly remedied. I am therefore delighted that this question has been covered in the motion for a resolution.

*(Applause)*

**President.**—I call Mr. Burgbacher.

**Mr. Burgbacher.**—(D) Mr. President, Ladies and Gentlemen, with all respect for those colleagues of ours who have decided to abstain from voting and for their reasons for so doing, I should like to ask all who may still be hesitating, to what they attach more importance: the fact that, politically speaking, we are taking a step forward, or the idea that this step is not big enough?

At the time of the summit conference, I would ask you all to put the political aspect first. After passing a resolution calling for an increase in the Parliament's powers, we must issue a clear political statement to the effect that, as representatives of the six countries, we are more than ever determined to move forward, even if slowly, along the road to Europe.

*(Applause)*

**President.**—I call Mr. Metzger.

**Mr. Metzger.**—(D) Mr. President, Ladies and Gentlemen, I should simply like to tell Mr. Burgbacher that it seems to have escaped his attention that our motives are political ones. We believe that we shall be taking not one, but several steps backward if we proceed to elect, on democratic lines, a sham Parliament.

*(Applause)*

**President.**—Is there anyone else who wishes to speak?...

Before putting the motion for a resolution as a whole to the vote, I will read out the text that has emerged from the votes taken on the Articles and the amendments:

#### MOTION FOR A RESOLUTION

on the adoption of a draft Convention on the election of the European Parliament  
by direct universal suffrage

#### I

*'The European Parliament,*

believing that the time has come to associate the peoples directly with the building of Europe;  
conscious of the fact that a Parliament elected by direct universal suffrage is a key factor in the unification of Europe;

in execution of the mandate delivered to it by the Treaties setting up the European Communities;

approves the following

DRAFT CONVENTION

Giving effect to Article 21,3 of the Treaty setting up the European Coal and Steel Community, Article 138,3 of the Treaty setting up the European Economic Community, and Article 108,3 of the Treaty setting up the European Atomic Energy Community on the election, of the European Parliament by direct universal suffrage

The Special Council of Ministers of the European Coal and Steel Community,

The Council of the European Economic Community,

The Council of the European Atomic Energy Community,

resolved to take the freely expressed will of the peoples of the member States of the European Communities as the basis of the mission entrusted to the European Parliament ;

anxious to enhance the representative character of the European Parliament ;

having regard to Article 21 of the Treaty setting up the European Coal and Steel Community ;

having regard to Article 138 of the Treaty setting up the European Economic Community ;

having regard to Article 108 of the Treaty setting up the European Atomic Energy Community ;

having regard to the draft prepared by the European Parliament and adopted by it on 17 May 1960 ;

have drawn up the following provisions which they recommend their member States to adopt :

*Chapter I*

**The elected Parliament**

Article 1

The representatives of the peoples in the European Parliament shall be elected by direct universal suffrage.

Article 2

The number of representatives elected in each member State shall be as follows :

Belgium	. . . . .	42
France	. . . . .	108
Germany (Fed. Rep.)	. . . . .	108
Italy	. . . . .	108
Luxembourg	. . . . .	18
Netherlands	. . . . .	42

Article 3

During a transitional period, one third of these representatives shall be elected by the Parliaments from among their own members, in accordance with a procedure that ensures that the political parties are fairly represented.

#### Article 4

The transitional period shall begin on the day this Convention comes into force.

The date of its expiry shall be fixed by the European Parliament. This shall not be earlier than the end of the third stage of the establishment of the Common Market, as defined in Article 8 of the Treaty setting up the European Economic Community, nor later than the expiry of the legislative period during which that third stage comes to an end.

#### Article 5

1. Representatives shall be elected for a term of five years.

The mandate of the representatives elected by the Parliaments shall, however, end with the loss of the national parliamentary mandate or at the end of the period for which they have been elected by their national Parliaments. Any representative whose mandate ends in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament.

2. The five-year legislative period shall begin at the opening of the first session following each election.

#### Article 6

Representatives shall vote on an individual and personal basis. They shall accept neither instructions nor any binding mandate.

#### Article 7

During the transitional period, membership of the European Parliament shall be compatible with membership of a Parliament.

The European Parliament shall decide whether these mandates are to remain compatible after the end of the transitional period.

#### Article 8

During the transitional period :

1. The office of representative in the European Parliament shall be incompatible with that of :
  - member of the Government of a member State ;
  - member of the High Authority of the European Coal and Steel Community, of the Commission of the European Economic Community or of the Commission of the European Atomic Energy Community ;
  - judge, advocate-general or registrar at the Court of Justice of the European Communities ;
  - member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the European Economic Community and of the European Atomic Energy Community ;
  - auditor, as provided for in Article 78 of the Treaty setting up the European Coal and Steel Community, or member of the supervisory committee of auditors provided for in Article 206 of the Treaty setting up the European Economic Community and Article 180 of the Treaty setting up the European Atomic Energy Community ;
  - member of the committees or other bodies established under the Treaties setting up the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community for the purpose of managing the Communities' funds or carrying out a direct administrative task ;



member of the Board of Directors, Management Committee or staff of the European Investment Bank ;

official or other servant in the active employment of the institutions of the European Communities or of the specialized bodies attached to them.

Representatives of the European Parliament appointed, in the course of a legislative period, to any of the offices mentioned above shall be replaced under the terms of Article 17.

2. Each member State shall determine whether, and to what extent, the incompatibilities laid down by its laws with regard to the exercise of a national parliamentary mandate shall apply to the exercise of a mandate in the European Parliament.

3. The European Parliament shall decide on the system of incompatibilities to be adopted after the end of the transitional period.

## *Chapter II*

### **The electoral system**

#### **Article 9**

The European Parliament shall lay down the provisions governing the election of representatives after the end of the transitional period provided for in Article 4, in accordance with as uniform a procedure as possible.

Until these provisions come into force, the electoral system shall, subject to the terms of the present Convention, fall within the competence of each member State.

#### **Article 10**

Subject to the provisions of Article 11, the electorate in each member State shall consist of such men and women as satisfy the requirements laid down in that State for taking part in the election of the Parliament by direct universal suffrage.

#### **Article 11**

The minimum voting age shall be twenty-one years.

Nationals of a member State residing on the territory of another member State shall have the right to vote in their countries of origin which shall make the necessary arrangements for this purpose.

Should the persons referred to in the foregoing paragraph likewise be granted the right to vote by the State in which they are resident, they shall vote only once. Any infringement of this rule shall be liable to the penalties laid down by the laws of the voter's country of origin.

#### **Article 12**

Subject to cases of established ineligibility laid down by the national law, any man or woman who is not less than twenty-five years of age, and who is a national of one of the States that have signed the Treaties setting up the Communities, may stand for election in any member State.

The cases of incompatibility referred to in Article 8 shall not involve ineligibility.

#### Article 13

The constitutional provisions governing the admission of political parties to elections in each member State shall apply to elections to the European Parliament.

#### Article 14

Elections to the European Parliament shall be held on the same day in all six member States ; the date shall be fixed so that national elections do not coincide with those for the European Parliament.

Any member State may, however, on grounds of tradition or geographical conditions, decide to hold the elections one day earlier or later than the fixed date or to spread them over all three days.

#### Article 15

1. Elections to the European Parliament shall be held not later than one month before the end of each legislative period.
2. The European Parliament shall sit automatically on the first Tuesday following an interval of one month from the date of the elections.
3. The outgoing European Parliament shall remain in office until the first sitting of the new Parliament.

#### Article 16

The European Parliament shall verify the credentials of representatives and rule on any disputes that may arise in this connexion.

#### Article 17

Should a seat filled in elections by direct universal suffrage fall vacant, no by-election shall be held.

Subject to this proviso, an electoral procedure for filling such a vacancy during the transitional period shall be determined by national law.

Should a seat filled in pursuance of Article 3 fall vacant, the successor shall be elected or nominated by the Parliament of the member State.

#### Article 18

Candidates or lists that secure not less than ten per cent of the votes cast by the electorate in the constituency in which they have stood for election, shall be entitled to a refund of certain election expenses.

The necessary credits shall be entered in the European Parliament's budget to enable such refunds to be made in accordance with a procedure to be fixed beforehand by its Bureau.

### *Chapter III*

#### **Transitional and final provisions**

#### Article 19

An interim advisory committee shall be set up by the Councils within two months of the entry into force of this Convention.

This committee shall consist of delegates of the Governments of member States and delegates of the European Parliament in equal numbers.

#### Article 20

The interim advisory committee will be required to deliver opinions and put forward recommendations on the problems encountered in framing and applying the legislation of member States relating to the organization of elections to the European Parliament.

It shall perform this task :

- (a) either at the request of the Government of a member State ;
- (b) or at the request of the Parliament or one of the Chambers of the Parliament of a member State ;
- (c) or of its own accord ; in such a case, however, its decisions shall require a two-thirds majority of the votes cast.

#### Article 21

Subject to the provisions of Article 14, the first elections to the European Parliament shall be held on the first Sunday following an interval of six months from the day this Convention comes into force.

#### Article 22

This Convention is drawn up in the Dutch, French, German and Italian languages, all four texts being equally authentic.

#### Article 23

This Convention shall be ratified by the member States in accordance with their respective constitutional requirements.

The Governments of the member States agree to take the steps necessary for this purpose as soon as possible, presenting to the Parliaments any documents that may be needed before approval can be given.

The instruments of ratification shall be deposited with the Government of the Italian Republic which shall inform the signatory States and the institutions of the European Communities when this has been done.

This Convention shall come into force on the day the instrument of ratification is deposited by the last signatory State to carry out this formality.

I shall now put the motion for a resolution as a whole to the vote by a show of hands.  
*(The motion for a resolution as a whole is adopted)*

Mr. Smets.—(F) How exactly were the votes divided ?

President.—As the vote was not taken by roll call it would be difficult to guarantee the accuracy of the figures but a glance around the hall showed that there was a very large majority in favour of adopting the draft Convention. There have been few abstentions and no objections.

Mr. Smets.—(F) We should have had a vote by roll call.

President.—It is not customary to give the figures for results of a vote by a show of hands.

We are now going to vote on the motion for a resolution which is the subject of Title II of the Committee's text and which becomes a separate motion for a resolution.

I shall read it out to you :

*'The European Parliament,*

- (a) invites its President to submit the draft Convention to the Councils in accordance with the provisions of the Treaties ;
- (b) instructs a delegation appointed by the President of the Parliament, in agreement with the Chairman of the Committee on Political Affairs and Institutional Questions and the Chairmen of the political groups, to establish all the necessary contacts with the appropriate authorities in the member States and with the Councils of the European Communities with a view to ensuring that this draft Convention is approved and carried into effect as soon as possible.'

Is there anyone who wishes to speak ?...

I shall put this motion for a resolution to the vote.

*(The motion for a resolution is adopted)*

President.—I come now to the draft declaration of intent relating to the participation of the parliamentary representatives of the overseas countries and territories in the work of the European Parliament.

I shall read it out :

DRAFT DECLARATION OF INTENT

on the participation of the parliamentary representatives  
of the overseas countries and territories  
in the work of the European Parliament

*'The European Parliament,*

having adopted a draft Convention on its election by direct universal suffrage which, in accordance with the Treaties, it is submitting to the Councils of Ministers of the European Communities ;

realizing how important it is that the parliamentary representatives of the overseas countries and territories should participate in the work of the Parliament elected by direct universal suffrage ;

declares itself ready to attend a joint meeting, at least once a year, with parliamentary representatives to be appointed by the associated overseas countries and territories, in order to discuss with them, under conditions to be agreed with them, questions arising out of their association with the European Communities.'

I call Mr. Scheel.

Mr. Scheel.—(D) Mr. President, Ladies and Gentlemen, because it is so late I will only say a few words about this motion for a resolution.

Anyone looking at the text might get the impression that the Working Party and the Political Affairs Committee have dealt only superficially with the question. But if we look at Mr. Metzger's report we can at once see how much care they took in investigating it.

I would like again to stress the importance to us of a partnership between the European Economic Community and the associated territories. We must, however, distinguish between definitive arrangements that must be made in the not-too-distant future and transitional provisions that must be decided on as soon as possible.

Political developments in Africa demand that all institutions of the European Economic Community should work out transitional arrangements for some form of co-operation between the emergent African States and the EEC.

Pending revision of the Convention, due in any case in two-and-a-half years' time, we shall have to find a suitable transitional system. There exists a variety of such systems which, without changing the obligations laid down by the Treaty, will permit our African associates to co-operate with us at all levels.

The motion for a resolution before us only covers co-operation at parliamentary level. In this respect our Parliament has displayed outstanding initiatives.

It has already appointed a delegation which went to the African countries on a fact-finding mission on which it submitted reports drawing attention to the wide scope that exists for parliamentary co-operation between the EEC and the associated States. I would refer to the report prepared by Mr. Duvieusart.

As a result of these reports the Bureau of our Parliament has already taken the initiative and proposed a joint parliamentary conference between the European Parliaments and the Parliaments of these States.

I hope that this conference will soon meet, and that it will discuss plans for initiating, improving and stepping up co-operation between the EEC and the associated States.

To conclude, I would again voice a wish our Parliament has often expressed, namely, that the Council of Ministers and the EEC Commission in turn will, without delay, look into the possibilities of practical co-operation with our associated partners during the transitional period, pending revision of the Convention.

**President.**—I should like to thank Mr. Scheel for his comments on the draft Declaration of Intent.

I call Mr. De Kinder.

**Mr. De Kinder.**—(F) Mr. President, Ladies and Gentlemen, in view of the importance of this Declaration of Intent, would it not be worth while making its contents known to the overseas countries concerned? If we approve it as it stands without notifying it officially to the governments existing or being formed in the African territories, it will, I fear remain a dead letter.

This is why I should like to know what you intend to do with this Declaration of Intent.

**President.**—I think I can reassure Mr. De Kinder. This Declaration of Intent can be communicated to the Parliaments of the associated countries and territories with whom we are asking that regular meetings should be held.

Is there anyone else who wishes to speak?...

I shall put the draft Declaration of Intent to the vote.

*(The draft is adopted)*

**President.**—Finally, I come to the motion for a resolution on the preparation of public opinion for European elections by direct universal suffrage.

It reads as follows :

MOTION FOR A RESOLUTION

on the preparation of public opinion for European elections  
by direct universal suffrage

*'The European Parliament,*

convinced that the failure of certain European projects has been partly due to inadequate preparation of public opinion ;

conscious that the mandate confided to it by the Treaties of Rome of drawing up proposals on European elections by direct universal suffrage cannot be considered to have been fulfilled with the submission of these proposals ;

believing it to be its task to ensure that the draft Convention is considered by the Governments and then by the national Parliaments as soon as possible ;

convinced that it also has a duty to ensure that as many people as possible take part in the first European elections ;

invites its Bureau to make available to the appropriate departments of the Directorate for Parliamentary Documentation and Information of the Secretariat all the necessary means for preparing public opinion in the six countries for European elections by direct universal suffrage.'

I call Mr. Battista, Chairman of the Committee.

Mr. Battista, *Chairman of the Committee.*—(I) Mr. President, Ladies and Gentlemen, this resolution was originally approved by the Committee on Political Affairs on a proposal by Mr. Carboni. Provided you have no objection, I should like you to let Mr. Carboni explain it now because there are some amendments by Mr. Schuijt which the Committee has also studied.

President.—I call Mr. Carboni.

Mr. Carboni.—(I) Mr. President, Ladies and Gentlemen, a few words will suffice to explain the purpose of the resolution before us.

Direct elections will clearly call for a special kind of publicity on a pretty wide scale. Those of us who have had experience of elections know that the organization of an electoral campaign calls for very special efforts—differing from the normal pattern of party propaganda—aimed at inducing the electorate, within a very brief period, to vote as we want them to. The resulting expenditure, in terms of money and of energy, is considerable.

This is what prompted first the Working Party, and then the Committee on Political Affairs, to look into this question—on which I have drawn up a short report which will be embodied in a longer one being prepared by Mr. Schuijt—and to vote for the resolution now before us. I can only recommend that it be passed as I am convinced that the first direct elections will require of us all, both as the Parliament mainly responsible and as individuals, an immense effort which must be efficiently steered and maintained by hard work and the necessary expenditure.

President.—I call Mr. Margulies.

Mr. Margulies.—(D) Mr. President, Ladies and Gentlemen, I am sure that most members of this House share Mr. Carboni's views. We all think that if these European elections are going to be held, they will call for adequate advance publicity.

We shall also be obliged to use the funds necessary as efficiently as possible so as to derive the maximum benefit from them. The Bureau of the Parliament and the Committee for Adminis-

tration and Budgets have long been considering ways and means of making the Press and Information Division more effective. Many proposals have been made and studied, but the investigation has not yet been completed. We are thus trying all the time to make this Division more effective.

I assume that the Bureau, when it receives the motion for a resolution, will in any case refer it to the Committee for Administration and Budgets for further examination. This is why I do not want to raise any other objections. As soon as we get the motion back from the Bureau we shall make a careful search on the Committee for ways and means of ensuring the highest degree of efficiency.

**President.**—I have before me amendment No. 4 (new version) submitted by Mr. Schuijt. This reads :

I—Delete the first paragraph.

II—Replace the last paragraph by the following two paragraphs :

‘Considers that, having regard to the preparation of the next budget, additional credits must be earmarked forthwith for those sections of the Directorate for Parliamentary Documentation and Information of the Secretariat of the Parliament which, in co-operation with the appropriate departments of the Institutions of the Communities, will have to inform the general public in the six member States about European elections by direct universal suffrage ;

Invites its Bureau to ensure wide distribution of the draft Convention and of the Declaration of Intent as well as of the relevant report of the Committee on Political Affairs and Institutional Questions.’

I call Mr. Schuijt.

**Mr. Schuijt.**—(F) Thank you, Mr. President, for allowing me to speak again at this late hour. I shall try to be very brief in my comments on this amendment.

Firstly, as regards deleting the first paragraph of the motion for a resolution, the idea is not to begin with a negative text harking back to a political situation in Europe that has been much disputed. This is why I ask for its deletion.

As for the second paragraph of my amendment, this includes another feature—and one that is quite in line with what Mr. Margulies has just said—that is, the question of the next budget. As a slight confusion has arisen in the first text over the intentions of the mover of the amendment, I should like—in agreement with Mr. Birkelbach and Mr. Legendre—to include a short amendment thereto adding ‘with the material assistance of the departments concerned’ after the words ‘Information of the Secretariat of the Parliament’.

The purpose of this is to make it clear that although the Parliament is responsible for co-ordinating the work, the Secretariat assumes the first responsibility, and that as regards technical facilities we could take advantage of those already existing in the Communities. This would prevent any confusion as to the hierarchical ranking of the various departments.

The third paragraph calls, for obvious reasons, for wide circulation of the draft Convention by the Bureau.

These are the brief and, I trust, modest terms in which I wanted to submit this amendment. I hope, for the sake of the idea we have just endorsed, that the Parliament will signify its approval.

**President.**—I call Mr. Duvieusart.

**Mr. Duvieusart.**—(F) Mr. President, I do not know if you are wholly satisfied with the wording of the amendment submitted to us. It reads: 'Considers that, having regard to the preparation of the next budget, additional credits must be earmarked forthwith for the departments of the Institutions of the Communities for the purposes of informing the public.'

**Mr. Schuijt.**—(F) You are probably reading the former version. Look at the second correction.

**Mr. Duvieusart.**—(F) I am glad to note that a second correction was necessary.

But when you say: 'Invites its Bureau to ensure wide distribution', does this mean that you intend this be done with the budgetary resources at present available, in contrast to the previous paragraph which seems to provide for new budgetary funds?

Then again, Mr. President, since we are considering calling in the help of certain departments, regarding which Mr. Schuijt has just given us some new information, I take it to be understood that we shall deal with this question during the budgetary discussion Mr. Margulies envisages on this subject.

**President.**—I call Mr. De Block.

**Mr. De Block.**—(F) I should like to ask one question. There are in fact two information services, those of the Parliament and those of the Communities. Is it intended to merge them together or to keep them apart?

I myself can only reaffirm what I have always maintained, namely, that one information service is enough.

**President.**—I call Mr. Schuijt.

**Mr. Schuijt.**—(F) I should like to reply to Mr. Duvieusart's question.

We must make the following distinction between the third and the second paragraph: the latter was inserted with an eye on the next budgets, whereas, as far as the third paragraph is concerned, we could already effect a substantial saving if we asked our Bureau to take advantage of the fact that these texts are still in the press and that, for a small additional outlay, we could have a few hundred or thousand additional copies printed for distribution.

This is the purpose underlying the third paragraph.

I would also say to Mr. De Block that I do not agree with him on the principle, but that the principle does not arise here. We are only concerned with the responsibility of the departments of our Parliament; all we want is to establish close and effective co-operation in the technical field. Nothing more!

**President.**—I call Mr. Poher.

**Mr. Poher.**—(F) I should not have asked to speak had not Mr. De Block obliged me to do so.

He asked whether it was our intention, in the proposed text, to raise an issue with which he is quite familiar, namely, the merger of the information services of the Parliament with those outside it. Mr. De Block gave us to understand that he would be in favour of such a merger.



For political reasons, I feel that, on the contrary, the Parliament ought to retain its own information services. Consequently, although I support Mr. Schuijt's motion for a resolution, I do not accept everything said here. I agree that we should consider co-ordination aimed at avoiding overlapping of efforts, and at having documents printed in larger numbers rather than twice over, so as to avoid additional printing costs. I am anxious, however, to defend, on behalf of some of my colleagues, the principle of the independence of the Parliament's information services.

**President.**—I thank Mr. Poher for defending the principle of independence, although it does not appear to me to be threatened. Mr. De Block simply called for co-ordination and for the elimination of wasteful efforts.

I call Mr. Carboni.

**Mr. Carboni.**—(I) Mr. President, Ladies and Gentlemen, the amendments proposed today were not examined by the Committee. It only saw them yesterday and stated that it was ready to accept the one deleting the first paragraph.

As for the paragraph submitted by Mr. Schuijt, the Committee preferred its own text because Mr. Schuijt's wording could affect the independence of the information services of the Parliament whose powers and special responsibilities it stoutly defended.

As regards the third and last part which states that the Parliament 'invites its Bureau to ensure wide distribution of the draft Convention' I said that I agreed. I can therefore only remind you what the view of the Committee was and ask the Parliament to endorse it. I am naturally unable to express any opinion on the last version proposed by Mr. Schuijt because it was not brought up on the Committee, so that I do not feel authorized to comment on it.

For these reasons, Mr. President, I hope that the text proposed by the Committee will be adopted, the first paragraph being deleted, as the Committee decided yesterday, and the last paragraph of Mr. Schuijt's version being added to it.

**President.**—I thank Mr. Carboni. I think the Committee can now give its opinion.

I call Mr. Battista, Chairman of the Committee.

**Mr. Battista, Chairman of the Committee.**—(I) Mr. Carboni has already explained that the Committee decided that the first paragraph of the resolution should be deleted and the last paragraph of the amendment inserted, but that it had had no opportunity of studying the middle paragraph in its present form. The Committee cannot therefore express any opinion on this matter and must leave it to the Parliament to decide one way or the other.

**President.**—To satisfy everybody I think it would suffice to take a division on Mr. Schuijt's amendment.

**Mr. Battista, Chairman of the Committee.**—(I) Certainly.

**President.**—Mr. Schuijt does not seem to agree.

I give him the floor.

**Mr. Schuijt.**—(F) I agree, of course, but I would like to say to Mr. Carboni that my new version, which he has probably not got before him, has exactly the same wording as the original motion for a resolution. It asks for credits to be set aside forthwith for the appropriate sections of the Directorate for Parliamentary Documentation and Information of the Parliament's Secretariat.

This is quite clear. I told you that I wanted to round off my proposal by adding the phrase 'the material assistance of the departments concerned'.

Clearly the request is, fundamentally, exactly the same as in the original version.

**President.**—I call Mr. Margulies.

**Mr. Margulies.**—(D) I thought we were all agreed on this point but this does not now seem to be the case.

Perhaps we could get out of this deadlock, Mr. President, if we referred this motion for a resolution, together with Mr. Schuijt's amendment, to the Committee for Administration and Budgets. The motion will, in any case, go to the Committee once it has been passed by the Bureau.

If the Parliament thus decides, we shall no longer need to go into the details. I therefore propose that the motion for a resolution and the amendment should be referred back to the Committee for Administration and Budgets.

**President.**—We have a proposal from Mr. Margulies that the motion for a resolution and the amendment should be referred back to the Committee for Administration and Budgets.

This is one solution, but it would hold up the vote on the text as a whole. I should like the Parliament to decide on this proposal.

*(The proposal is not adopted)*

**President.**—We shall now proceed to a division.

I shall first put to the vote paragraph 1 of amendment No. 4, (second amended version) for the deletion of the first paragraph of the motion for a resolution submitted by the Committee.

*(This paragraph is approved)*

**President.**—Section II of Mr. Schuijt's amendment replaces the last paragraph of the motion for a resolution by two new paragraphs. I call Mr. Schuijt to comment on the first of these.

**Mr. Schuijt.**—(F) Mr. President, Ladies and Gentlemen, the text circulated is not correct. Instead of : '... in co-operation with the appropriate departments ...', it should be : '... with the material assistance of the departments concerned ...'.

**President.**—This is a correction of which I was unaware and I take due note of it.

I call Mr. Armengaud.

**Mr. Armengaud.**—(F) Just one word on a question of wording. The expression 'dès maintenant déjà' seems to me rather inelegant. We should say 'maintenant' or 'déjà'.

**President.**—We could strike out the word 'déjà'. This will not impair the clarity of the text. Rather the contrary.

I call Mr. Margulies.

**Mr. Margulies.**—(D) Mr. President, Ladies and Gentlemen, I do not know if the translation was correct, but I understood that we were to give up our financial independence. If the text says that we want to do something with the financial assistance of the Communities, I would point

out that this would mean falling under their financial control. This seems to me an impossible proposal.

I have no idea what we are now going to do with this paragraph. The draft budget for the next financial year has already been drawn up. If we now want to start things up again, we should at all events refer the resolution back to the Committee for Administration and Budgets. This, however, has not been proposed.

I do not know how we should set about things so as to comply with the Rules of Procedure. I ask you, however, not to take any hasty decision which could have serious financial consequences later. I would ask you to reject this amendment.

**President.**—I call Mr. Smets.

**Mr. Smets.**—(F) Our Parliament ought to be better served as regards the correct use of languages. The word 'déjà' has now been struck out but I note that the text includes the words : 'les services responsables de la direction de la documentation parlementaire et de l'information.'

This is the result of stringing a number of French words together, and it is hard to see what they mean.

*(Laughter)*

**President.**—I do not think it is possible to refer this text back to the Committee to change it.

I call Mr. Schuijt.

**Mr. Schuijt.**—(F) I should like to reply to Mr. Margulies that this resolution should simply make it possible to refer this matter to the Committee for Administration and Budgets at a later date. Nothing has therefore been decided now. This opens up a legal possibility. Later, it will be for the Committee for Administration and Budgets to decide.

**President.**—Is there anyone else who wishes to speak ?

I shall put to the vote the first paragraph of section II of Mr. Schuijt's amendment No. 4 (second amended version).

*(This paragraph is not adopted)*

**President.**—I shall put to the vote the second paragraph of section II of Mr. Schuijt's amendment.

*(This section is adopted)*

**President.**—Is there anyone else who wishes to speak ?...

Before putting the motion for a resolution as a whole to the vote, I shall read out the text that has emerged from the votes taken by the House on its various parts :

#### MOTION FOR A RESOLUTION

on the preparation of public opinion for European elections  
by direct universal suffrage

*'The European Parliament,*

conscious that the mandate confided to it by the Treaties of Rome of drawing up proposals on European elections by direct universal suffrage cannot be considered to have been fulfilled with the submission of these proposals ;

believing it to be its task to ensure that the draft Convention is considered by the Governments and then by the national Parliaments as soon as possible ;

convinced that it also has a duty to ensure that as many people as possible take part in the first European elections ;

invites its Bureau to ensure wide distribution of the draft Convention and of the Declaration of Intent as well as of the relevant report of the Committee on Political Affairs and Institutional Questions.'

**President.**—I put the motion for a resolution as a whole to the vote.

*(The motion for a resolution as a whole is adopted)*

**President.**—We have thus completed our analysis of the various drafts relating to European elections.

I thank the Assembly, and also the Committee and its Chairman, for their considerable efforts, which have enabled us to complete our study of this important question at a reasonable time of the day.

## C — RESOLUTIONS<sup>(1)</sup>

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### a) Resolution

#### on the adoption of a draft Convention on the election of the European Parliament by direct universal suffrage

*'The European Parliament,*

believing that the time has come to associate the peoples directly in the building of Europe ;  
conscious of the fact that a Parliament elected by direct universal suffrage is a key factor in the unification of Europe ;

<sup>(1)</sup> The texts published in the *Official Gazette* No. 37, 2 June 1960, and No. 49, 27 July 1960, were co-ordinated in the four official languages by the Chairman of the Committee on Political Affairs and the four Rapporteurs, pursuant to the decision of the Parliament.

in execution of the mandate delivered to it by the Treaties setting up the European Communities ;

approves the following

DRAFT CONVENTION

giving effect to Article 21,3 of the Treaty setting up the European Coal and Steel Community, Article 138,3 of the Treaty setting up the European Economic Community, and Article 108,3 of the Treaty setting up the European Atomic Energy Community

on

the election of the European Parliament by  
direct universal suffrage

The Special Council of Ministers of the European Coal and Steel Community,

The Council of the European Economic Community,

The Council of the European Atomic Energy Community,

resolved to take the freely expressed will of the peoples of the member States of the European Communities as the basis of the mission entrusted to the European Parliament ;

anxious to enhance the representative character of the European Parliament ;

having regard to Article 21 of the Treaty setting up the European Coal and Steel Community ;

having regard to Article 138 of the Treaty setting up the European Economic Community ;

having regard to Article 108 of the Treaty setting up the European Atomic Energy Community ;

having regard to the draft prepared by the European Parliament and adopted by it on 17 May 1960 ;

have drawn up the following provisions which they recommend their member States to adopt :

*Chapter I*

**The elected Parliament**

Article 1

The representatives of the peoples in the European Parliament shall be elected by direct universal suffrage.

Article 2

The number of representatives elected in each member State shall be as follows :

Belgium	. . . . .	42
France	. . . . .	108
Germany (Fed. Rep.)	. . . . .	108
Italy	. . . . .	108
Luxembourg	. . . . .	18
Netherlands	. . . . .	42

### Article 3

During a transitional period, one third of these representatives shall be elected by the Parliaments from among their own members, in accordance with a procedure that ensures that the political parties are fairly represented.

### Article 4

The transitional period shall begin on the day this Convention comes into force.

The date of its expiry shall be fixed by the European Parliament. This shall not be earlier than the end of the third stage of the establishment of the Common Market, as defined in Article 8 of the Treaty setting up the European Economic Community, nor later than the expiry of the legislative period during which that third stage comes to an end.

### Article 5

1. Representatives shall be elected for a term of five years.

The mandate of the representatives elected by the Parliaments shall, however, end with the loss of the national parliamentary mandate or at the end of the period for which they have been elected by their national Parliaments. Any representative whose mandate ends in this way shall remain in office until the mandate of his successor has been confirmed in the European Parliament.

2. The five-year legislative period shall begin at the opening of the first session following each election.

### Article 6

Representatives shall vote on an individual and personal basis. They shall accept neither instructions nor any binding mandate.

### Article 7

During the transitional period, membership of the European Parliament shall be compatible with membership of a Parliament.

The European Parliament shall decide whether these mandates are to remain compatible after the end of the transitional period.

### Article 8

1. During the transitional period :

- (a) The office of representative in the European Parliament shall be incompatible with that of :  
member of the Government of a member State ;

member of the High Authority of the European Coal and Steel Community, of the Commission of the European Economic Community or of the Commission of the European Atomic Energy Community ;

judge, advocate-general or registrar at the Court of Justice of the European Communities ;

member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the European Economic Community and of the European Atomic Energy Community ;

auditor, as provided for in Article 78 of the Treaty setting up the European Coal and Steel Community, or member of the supervisory committee of auditors provided for in Article 206

of the Treaty setting up the European Economic Community and Article 180 of the Treaty setting up the European Atomic Energy Community ;

member of the committees or other bodies established under the Treaties setting up the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community for the purpose of managing the Communities' funds or carrying out a direct administrative task ;

member of the Board of Directors, Management Committee or staff of the European Investment Bank ;

official or other servant in the active employment of the institutions of the European Communities or of the specialized bodies attached to them.

Representatives of the European Parliament appointed, in the course of a legislative period, to any of the offices mentioned above shall be replaced under the terms of Article 17.

- (b) Each member State shall determine whether, and to what extent, the incompatibilities laid down by its laws with regard to the exercise of a national parliamentary mandate shall apply to the exercise of a mandate in the European Parliament.
2. The European Parliament shall decide on the system of incompatibilities to be adopted after the end of the transitional period.

## *Chapter II*

### **The electoral system**

#### **Article 9**

The European Parliament shall lay down the provisions governing the election of representatives after the end of the transitional period provided for in Article 4, in accordance with as uniform a procedure as possible.

Until these provisions come into force, the electoral system shall, subject to the terms of the present Convention, fall within the competence of each member State.

#### **Article 10**

Subject to the provisions of Article 11, the electorate in each member State shall consist of such men and women as satisfy the requirements laid down in that State for taking part in the election of the Parliament by direct universal suffrage.

#### **Article 11**

The minimum voting age shall be twenty-one years.

Nationals of a member State residing on the territory of another member State shall have the right to vote in their countries of origin which shall make the necessary arrangements for this purpose.

Should the persons referred to in the foregoing paragraph likewise be granted the right to vote by the State in which they are resident, they shall vote only once. Any infringement of this rule shall be liable to the penalties laid down by the laws of the voter's country of origin.

#### Article 12

Subject to cases of established ineligibility laid down by the national law, any man or woman who is not less than twenty-five years of age, and who is a national of one of the States that have signed the Treaties setting up the Communities, may stand for election in any member State.

The cases of incompatibility referred to in Article 8 shall not involve ineligibility.

#### Article 13

The constitutional provisions governing the admission of political parties to elections in each member State shall apply to elections to the European Parliament.

#### Article 14

Elections to the European Parliament shall be held on the same day in all six member States ; the date shall be fixed so that national elections do not coincide with those for the European Parliament.

Any member State may, however, on grounds of tradition or geographical conditions, decide to hold the elections one day earlier or later than the fixed date or to spread them over all three days.

#### Article 15

1. Elections to the European Parliament shall be held not later than one month before the end of each legislative period.
2. The European Parliament shall sit automatically on the first Tuesday following an interval of one month from the date of the elections.
3. The outgoing European Parliament shall remain in office until the first sitting of the new Parliament.

#### Article 16

The European Parliament shall verify the credentials of representatives and rule on any disputes that may arise in this connexion.

#### Article 17

Should a seat filled in elections by direct universal suffrage fall vacant, no by-election shall be held.

Subject to this proviso, an electoral procedure for filling such a vacancy during the transitional period shall be determined by national law.

Should a seat filled in pursuance of Article 3 fall vacant, the successor shall be elected or nominated by the Parliament of the member State.

#### Article 18

Candidates or lists that secure not less than ten per cent of the votes cast by the electorate in the constituency in which they have stood for election, shall be entitled to a refund of certain election expenses.



The necessary credits shall be entered in the European Parliament's budget to enable such refunds to be made in accordance with a procedure to be fixed beforehand by its Bureau.

### *Chapter III*

#### **Transitional and final provisions**

##### **Article 19**

An interim advisory committee shall be set up by the Councils within two months of the entry into force of this Convention.

This committee shall consist of delegates of the Governments of member States and delegates of the European Parliament in equal numbers.

##### **Article 20**

The interim advisory committee will be required to deliver opinions and put forward recommendations on the problems encountered in framing and applying the legislation of member States relating to the organization of elections to the European Parliament.

It shall perform this task :

- (a) either at the request of the Government of a member State ;
- (b) or at the request of the Parliament or one of the Chambers of the Parliament of a member State ;
- (c) or of its own accord ; in such a case, however, its decisions shall require a two-thirds majority of the votes cast.

##### **Article 21**

Subject to the provisions of Article 14, the first elections to the European Parliament shall be held on the first Sunday following an interval of six months from the day this Convention comes into force.

##### **Article 22**

This Convention is drawn up in the Dutch, French, German and Italian languages, all four texts being equally authentic.

##### **Article 23**

This Convention shall be ratified by the member States in accordance with their respective constitutional requirements.

The Governments of the member States agree to take the steps necessary for this purpose as soon as possible, presenting to the Parliaments any documents that may be needed before approval can be given.

The instruments of ratification shall be deposited with the Government of the Italian Republic which shall inform the signatory States and the institutions of the European Communities when this has been done.

This Convention shall come into force on the day the instrument of ratification is deposited by the last signatory State to carry out this formality.

**b) Resolution**  
**on the action to be taken on the draft Convention**

*'The European Parliament,*

- (a) invites its President to submit the draft Convention adopted on 17 May 1960 to the Councils in accordance with the provisions of the Treaties ;
- (b) instructs a delegation appointed by the President of the Parliament, in agreement with the Chairman of the Committee on Political Affairs and Institutional Questions and the Chairmen of the political groups, to establish all the necessary contacts with the appropriate authorities in the member States and with the Councils of the European Communities with a view to ensuring that this draft Convention is approved and carried into effect as soon as possible.'

**c) Resolution**  
**on the electoral procedure during the transitional period**

*'The European Parliament,*

adopts the following course of action :

- (a) it will address to the Councils opinions concerning the electoral laws necessary for giving effect to this Convention ;
- (b) it will address recommendations direct to the national Parliaments with a view to speeding up harmonization of the system of election set out in Article 3 with that of election by direct universal suffrage.'

**d) Resolution**  
**on increasing the powers of the Parliament**

*'The European Parliament,*

- (a) affirms the urgent need for an increase in its powers to enable it to exercise the functions of a real Parliament, and in particular a measure of legislative power and political and budgetary control ;
- (b) asks the Committee on Political Affairs to submit, as rapidly as possible, practical proposals for increasing the Parliament's powers.'

**e) Declaration of Intent**  
**on the association of the parliamentary representatives**  
**of the overseas countries and territories in the work of**  
**the European Parliament**

*'The European Parliament,*

having adopted a draft Convention on its election by direct universal suffrage which, in accordance with the Treaties, it is submitting to the Councils of Ministers of the European Communities ;

realizing how important it is that the parliamentary representatives of the overseas countries and territories should participate in the work of the Parliament elected by direct universal suffrage ;

declares itself ready to attend a joint meeting, at least once a year, with parliamentary representatives to be appointed by the associated overseas countries and territories, in order to discuss with them, under conditions to be agreed with them, questions arising out of their association with the European Communities.'

**f) Resolution**  
**on the preparation of public opinion for European elections by**  
**direct universal suffrage**

*'The European Parliament,*

conscious that the mandate confided to it by the Treaties of Rome of drawing up proposals on European elections by direct universal suffrage cannot be considered to have been fulfilled with the submission of these proposals ;

believing it to be its task to ensure that the draft Convention is considered by the Governments and then by the national Parliaments as soon as possible ;

convinced that it also has a duty to ensure that as many people as possible take part in the first European elections ;

invites its Bureau to make available to the appropriate departments of the Directorate for Parliamentary Documentation and Information of the Secretariat all the necessary means for preparing public opinion in the six countries for European elections by direct universal suffrage ;

invites its Bureau to ensure wide distribution of the draft Convention and of the Declaration of Intent as well as of the relevant report of the Committee on Political Affairs and Institutional Questions.'

Adopted by the European Parliament at its session of 17 May 1960.

**II—The draft Convention on the election of the European Parliament**  
**by universal suffrage in the negotiations on the plans for a European Political Union**

*(See 'Towards Political Union', a selection of documents,  
General Directorate of Parliamentary Documentation and Information, [January 1964])*

**A—EXTRACT FROM THE DRAFT REPORT BY THE STUDY COMMITTEE**

*Following the proposal for a European Political Union made by General de Gaulle at his press conference on 5 September 1960, a first conference of Heads of State or Government decided, on 10 and 11 February 1961, to instruct a Study Committee comprising representatives of the six Governments to submit practical proposals on the subject. The Study Committee drew up a draft report for the Heads of State containing the following passage :*

'Five delegations, on the other hand, consider that it would now be possible for the Heads of State or Government to decide right away to study the action to be taken on the proposals put forward by the European Parliament regarding its election by direct universal suffrage. The French delegation feels that the time has not come to embark on such a course.'

## B—RESOLUTION OF THE EUROPEAN PARLIAMENT OF 28 JUNE 1961

*In the meantime, on the basis of a supplementary report drawn up by Mr. Debousse for the Committee on Political Affairs on political co-operation between the member States of the European Communities (Doc. 47, 1961), the European Parliament passed the following resolution on 28 June 1961 :*

*'The European Parliament,*

having noted the results of the first conference of the Heads of Government and Foreign Ministers held in Paris on 10 and 11 February 1961 ;

is of the opinion :

that regular meetings of the Heads of Government or of the Ministers responsible for the foreign policy of the member States of the European Communities could effectively contribute towards increasing such co-operation in the best possible way ;

that such an initiative would represent a step forward towards European integration :

if it involved participation by the executives of the Communities in the discussion of any questions affecting the discharge of their duties ;

if it did not interfere with the functions and powers of the Communities and of their institutions on the basis of the Treaties of Rome and Paris, and if it strengthened the Communities ;

if the Governments reported to the Parliament at least once a year on the progress made in political co-operation ;

if it helped to put into effect the draft Convention of the European Parliament on direct European elections, and the proposals to merge the executives of the Communities and to set up the European University ;

calls upon the Governments to define the stages in the progressive achievement of a close political union, specifying their duration, and particularly that of the final stage, in order to establish, at Community level, the bases of a functional and viable European political structure ;

considers that the objectives referred to above form a balanced whole and trusts that it will be decided to achieve them simultaneously ;

invites its President to make known the text of this resolution at the next intergovernmental conference.'

## C—RESOLUTION OF THE EUROPEAN PARLIAMENT OF 21 DECEMBER 1961

*At a meeting in Bonn on 18 July 1961 the Heads of State or Government called upon the Study Committee to work out the constitutional rules of the Political Union. The Committee appointed as its Chairman Mr. Fouchet who submitted the first draft on 2 November. This did not touch on the question of the direct election of the European Parliament. The European Parliament asked Mr. Pleven to draw up a report (Doc. 110), on behalf of the Committee on Political Affairs, on the draft treaty submitted by Mr. Fouchet. On 21 December 1961, on the basis of that report, the European Parliament passed a new resolution of which the following is an extract :*

'... The Parliament points out that pursuant to the Treaty of Rome, which expressly provides for its election by direct universal suffrage, it has drawn up a draft Convention which it has submitted to the Councils of Ministers of the Communities. It requests that this draft should be followed up and that a period should be fixed within which the first elections will be held. A reasonable period would be that of the initial phase of the Union's activities, namely, three years.'

**D—EXTRACT FROM THE COUNTER-PROPOSAL PUT FORWARD BY THE DELEGATIONS OF THE FEDERAL REPUBLIC OF GERMANY, BELGIUM, ITALY, LUXEMBOURG AND THE NETHERLANDS (FEBRUARY 1962)**

*Following the draft submitted by Mr. Fouchet on behalf of France, the delegations of the five other member States put forward a counter-proposal exhibiting considerable differences. On 15 March 1962, after several meetings of the Committee at which repeated attempts were made to bring the various viewpoints closer, disagreement persisted. Whereas the plan submitted by France did not mention the direct election of the European Parliament, the text submitted by the other five delegations included the following passage in its Article 20 :*

'At the time fixed for the transition from the second to the third stage laid down in the Treaty setting up the European Economic Community, the present Treaty shall be subjected to a general review. This shall aim at determining suitable measures for strengthening the European Union and the powers of its institutions in the light of the progress already made.

With this end in view, a draft constitution of the European Union shall be drawn up by the Council before the expiry of the time-limit specified above, and submitted to the European Parliament for its opinion.

The general review shall in particular have the following objectives :

- (a) To associate the European Parliament more closely with the work of defining the common policy and carrying out the provisions of Article 138 of the Treaty establishing the European Economic Community relating to the election of the European Parliament by direct universal suffrage.'

**III—Written Question No. 163 addressed by Messrs. Weinkamm, Schuijt, Dehousse, Dichgans, Fischbach, Kreyszig, Lücker, Margulies, Philipp, Starke, Storch and Vals to the Council of the European Economic Community, to the Council of the European Atomic Energy Community and to the Special Council of the European Coal and Steel Community, and reply thereto<sup>(1)</sup>**

**A—QUESTION**

Under Articles 138 of the EEC Treaty, 108 of the Euratom Treaty and 21 of the ECSC Treaty, the Parliament is required to draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States. The Treaty further stipulates that the Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.

<sup>(1)</sup> Official Gazette No. 63, 20 April 1963.

The European Parliament has fulfilled its obligations and, as early as 17 May 1960, adopted a draft Convention on these elections.

When do the Councils intend to decide on the provisions in question ?

#### B—REPLY

The problem of the election of members of the European Parliament by direct universal suffrage has been discussed by the Councils on several occasions. Under the terms of Articles 108 of the EAEC Treaty, 21 of the ECSC Treaty and 138 of the EEC Treaty, however, the Councils must decide unanimously on provisions they recommend member States to adopt. As this condition has not so far been fulfilled, the Councils are not in a position to say when they will be able to decide on the provisions in question.

#### IV—Resolution on the powers and jurisdiction of the European Parliament passed on 27 June 1963 following the debate on the report by Mr. Furler

(Doc. 31/63)<sup>(1)</sup>

##### *A—The European Parliament,*

convinced that any real progress made by the Community must be accompanied by a strengthening of its institutional structure,

considers that the transfer of legislative powers from the national to the Community sphere must go hand in hand with a corresponding strengthening of parliamentary powers at Community level ;

regards it as essential to widen the powers of the European Parliament so as to strengthen the Community's democratic structure and the Community spirit ;

shares the views set forth in the report of the Committee on Political Affairs regarding the powers and jurisdiction of the European Parliament ;

urges that the following objectives be attained as soon as possible :

##### *I—Appointment of the executives*

(a) The Parliament proposes the following immediate objective :

Any new President of one of the executives shall make a policy statement before the Parliament, which shall be followed by a debate.

(b) With a view to extending its powers, the Parliament requests :

that the Parliament play an effective part in the appointing of the executives.

##### *II—Consultation*

(a) The Parliament proposes the following immediate objectives :

1. An exchange of views shall be held with the Parliament's appropriate Committees regarding all proposals for regulations drawn up by the executives before they are submitted to the Council of Ministers.

<sup>(1)</sup> Official Gazette No. 106, 12 July 1963.

2. The executives shall comment on any amendments to proposals for regulations put forward by the Parliament during the consultation debate.
3. The Parliament shall be informed of the attitude adopted by the executives during the discussions leading up to a decision by the Council of Ministers.
4. The Parliament shall be consulted on regulations issued by the executives under powers delegated by the Council of Ministers, if such regulations amplify or amend existing legislation.
5. Where a proposal for a regulation is not approved by the Council of Ministers in line with the opinion of Parliament, the latter shall be given an opportunity to submit a further opinion.
6. The Council of Ministers shall inform the Parliament of the reasons it may have disregarded the Parliament's views.
7. Where a second opinion has been adopted by the Parliament by a two-thirds majority of the votes cast, the Council of Ministers shall be able to disregard such an opinion only by a unanimous decision ;
8. The Council of Ministers shall consult the Parliament on all matters of importance, even where the Treaty does not provide for consultation.

(b) With a view to extending its powers, the Parliament requests :

that its consultative power be replaced by a right of approval on all fundamental issues and, in principle, on any legislative decision.

### III—*Ratification*

(a) The Parliament proposes the following immediate objectives :

1. The Parliament shall be kept informed, in good time and at closer intervals than hitherto, of developments in external relations.
2. The Parliament's opinion on association agreements shall be sought at the latest on the basis of the initialled texts of such agreements.

(b) With a view to extending its powers, the Parliament requests :

that all international agreements entered into by the Community be ratified by the European Parliament.

### IV—*Budgetary powers*

(a) The Parliament proposes the following immediate objectives :

1. Draft budgets shall be accompanied by a detailed statement of policy motives.
2. The preliminary draft budgets of the executives shall be submitted simultaneously to the Parliament and to the Council of Ministers.
3. Parliamentary control over expenditure shall be strengthened.
4. The High Authority shall not disregard the opinion of the European Parliament on the rate of the levy, where this has been expressed by the majority of the members of the Parliament.

(b) With a view to extending its powers, the Parliament requests :

that the right of decision on the budget be conferred on the Parliament as soon as the Community has its own source of revenue.

## V—Appointment of members of the Court of Justice

The Parliament shall nominate members of the Court of Justice from a list submitted by the Governments.

## B—The European Parliament

1. Invites its President and its Bureau :
  - (a) To take the necessary steps to implement this resolution.
  - (b) To submit to the institutions of the Community, to the Governments and to the members of Parliament of the member States, printed copies of this resolution and of the report of the Committee on Political Affairs ;
2. Urges the Councils of Ministers and the executives to support the Parliament in its efforts to extend its powers ;
3. Is of the opinion that the powers and jurisdiction of the European Parliament ought to be discussed at one of the next meetings with the Councils of Ministers and the executives ;
4. Reaffirms and stresses its opinion that the election of the representatives of the European Parliament by direct universal suffrage is essential if the Community is to be given a more democratic character, and urges the Councils and the Governments to do their duty in speeding up the implementation of the draft Convention drawn up with this end in view by the European Parliament.

## V—Proposals made by the Italian Government at the session of the Council of the European Communities held on 24-25 February 1964, and reference made to these proposals by the Italian Government in a draft 'declaration' to be submitted for approval to a possible conference of Heads of State or Government

(28 November 1964)

### A—PROPOSALS OF 24-25 FEBRUARY 1964

*There is no official text available of the speech made by Mr. Saragat, the Italian Foreign Minister, in the Council of Ministers of the Communities on 24 and 25 February 1964. Questioned shortly after he had submitted his proposals to the Council, however, Mr. Saragat made the following statement which was quoted in the April 1964 issue of 'Relazioni Internazionali' :*

'... The election of members of the European Parliament by direct universal suffrage is provided for—and I think this should be made quite clear—in the three Community Treaties : in the Treaty setting up the ECSC and in the Treaties setting up the Common Market and Euratom. This election was provided for because it was felt to be an essential condition for achieving that ever closer political, economic and social union among the European peoples which is the ultimate objective of the three Treaties.

These do not lay down any definite time-limit for holding such elections in the member States, even though it follows, by implication and analogy, that they would have to be held not later



than the completion of the European Common Market, that is 1 January 1970. The proposal I had the honour to submit to the Italian Government on 25 February therefore envisaged elections being held, even if only partially, on 1 January 1966, the date of the start of the third and last stage of the implementation of the Common Market. This should enable full-scale elections to be held before 1 January 1970.

Direct elections will play a decisive part in awakening a real awareness of Europe both among the general public and in leading circles. It will fully justify a substantial widening of the European Parliament's powers of initiative and control and, leading as it would to the establishment of a real European and supranational legislative body, it will encourage, and indeed necessitate, the setting up of a political institution of like nature. Any remaining opposition to the political integration of Europe is bound to vanish under the pressure of the democratically expressed will of the European peoples.

The Italian proposal was only submitted on 25 February and has not yet been discussed by the representatives of the six Governments and the Community institutions. It will obviously first have to be examined from a technical point of view. Yet even at this first meeting of 25 February the Presidents of the ECSC High Authority and of the EEC and Euratom Commissions and the Ministers of Belgium, Germany, Luxembourg and the Netherlands gave the Italian proposal, in principle, a favourable reception. The French, on the other hand, made even the partial introduction of a system for electing the members of the European Parliament by direct universal suffrage conditional on the creation of a Community political authority.'

**B—DRAFT 'DECLARATION' OF THE HEADS OF STATE AND GOVERNMENT  
PROPOSED BY THE ITALIAN GOVERNMENT ON 28 NOVEMBER 1964**

**a) Preamble**

With a view to pursuing the ultimate objective of a federated democratic Europe, united both politically and economically, the Italian Government considers it desirable to convene, within the next few months, a further meeting of the Heads of State or Government of the Six. The Bonn Declaration of 18 July 1961 did in fact provide for exchanges of views at regular intervals and for agreement to be reached on political directives likely to foster European unity, thus consolidating the Atlantic Alliance.

Such a meeting, which could be held in Rome, ought to be preceded by one or more meetings between the Foreign Ministers. These would endeavour to establish whether it is possible to launch the process of European political integration on a pragmatic and provisional basis during a trial period of three years.

At these meetings of the Foreign Ministers, an attempt should be made to reach agreement on

- (a) The terms of a new 'declaration' to be made at the close of the meetings of the Heads of State or Government ;
- (b) The procedure to be followed for the trial period.

**b) Extract from the draft 'declaration'**

'In the immediate future it is necessary :

...

to study, on the basis of Articles 21 of the ECSC Treaty, 138 of the EEC Treaty and 108 of the Euratom Treaty, the measures necessary for carrying out the election by universal suffrage of

members of the European Parliament, taking into account the draft Convention drawn up by the Parliament on 20 June 1960 as well as the proposals made on this subject by the Italian Government at the meeting of the Councils of Ministers of 24-25 February 1964.'

VI—Resolution on the election of members of the European Parliament by direct universal suffrage, adopted by the European Parliament on 12 March 1969 : report prepared by Mr. F. Dehousse (*Doc. 214/69*) for the Legal Affairs Committee on motion for a resolution (*Doc. 50/68*) submitted by Messrs. Deringer, Dehousse, Merchiers, Scelba, Armengaud, Boertien, Burger, Dittrich, Bech, Lautenschlager, Rossi and Westerterp and passed by the European Parliament on 12 March 1969 ; debates in plenary session on the motion for a resolution<sup>(1)</sup>

#### A—REPORT BY MR. DEHOUSSE

##### Introduction

1. On 14 May 1968 Mr. Deringer and colleagues tabled the following motion for a resolution :

*'The European Parliament,*

having regard to the fact that Article 138,3 of the Treaty setting up the EEC provides for elections by direct universal suffrage ;

having regard to the fact that the European Parliament had already submitted on 17 May 1960 a draft Convention providing for a uniform procedure for elections by direct universal suffrage ;

having regard to the fact that the Council has so far not even begun to discuss this draft Convention ;

invites its President to urge the Council to begin discussions on the Parliament's draft Convention, drawing the Council's attention to the first and second paragraphs of Article 175 of the EEC Treaty.

2. Article 138,3 of the EEC Treaty provides that :

'The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all the member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

3. Article 175 of the EEC Treaty provides that :

'Should the Council or the Commission in violation of this Treaty fail to act, the member States and the other institutions of the Community may refer the matter to the Court of Justice in order to have the said violation placed on record.

No proceedings arising out of the said reference shall be heard unless the institution concerned has been called upon to act. If within two months of being so called upon, the institution concerned has not made its attitude clear, the said proceedings may be brought within a further period of two months.

<sup>(1)</sup> *Official Gazette* No. C 41, 1 April 1969, and No. 113 (annex), 1 March 1969.

Any natural or legal person may bring proceedings before the Court of Justice, under the conditions laid down in the preceding paragraphs, on the ground that one of the institutions of the Community has failed to send him a formal document, such document not being a recommendation or an opinion.'

I—The facts: the activities of the European Parliament and of the Council  
with regard to the application of Article 138

4. On 17 May 1960, the European Parliament adopted a draft Convention providing for a uniform procedure for elections by direct universal suffrage.

5. The Fourth General Report of the EEC states (p. 242) that at their 38th session (17 to 19 October 1960) the Councils of the EEC and of Euratom 'began their study of the draft Convention for elections by direct universal suffrage drawn up by the Parliament. This subject is to be discussed between the Councils and a parliamentary delegation.'

6. At its March 1961 session, in reply to a question from Mr. Battista, Chairman of the Committee on Political Affairs, on the progress made by the Permanent Representatives, Mr. Wigny, President of the Council, stated that although the draft Convention had been passed to the Permanent Representatives, (i) the way had to be paved for the necessary unanimity and (ii) the Treaties did not stipulate any date for carrying through a reform requiring the assent of the six Governments. The question remained within the purview of the Communities but, with a view to making some progress thereon, advantage had been taken of the Bonn Conference to take a political decision permitting the Governments to let the Community procedure take its course.

7. On 10 July 1961 the Foreign Ministers, meeting in Bonn, published the following communiqué: 'Five delegations consider it possible for the Heads of State or Government to take a decision right away to consider the action to be taken on the Parliament's proposals concerning its election. The French delegation considers that the time has not yet come to embark on this course.'

8. On 21 November 1962 Mr. Piccioni, President of the Council, made a statement, during the talks between the Parliament and the Council, to the effect that 'it could at least be said that, for various reasons that cannot all be neglected, the election of the European Parliament by universal suffrage was not apparently a matter of pressing urgency.'

9. Lastly, on 3 April 1963, the Councils replied as follows to a written question put by several members of the Parliament (*Official Gazette*, 20 April 1963):

'The problem of the election of members of the Parliament by direct universal suffrage has been discussed by the Councils on several occasions. Under the terms of Articles 108 of the Euratom Treaty, 21 of the ECSC Treaty and 138 of the EEC Treaty, however, the Councils must decide unanimously on provisions they recommend member States to adopt. As this condition has not so far been fulfilled, the Councils are not in a position to say when they will be able to decide on the provisions in question.'

II—To what extent has the Council assumed its obligations?

10. A study of the facts shows that discussions at least have been started in the Council but that these have not had successful results.

At all events the Council has not reached a decision. Under these circumstances, can it be said that it has adequately shouldered its obligations?

11. Article 138 lays down a principle, namely, the temporary nature of the system established by the first paragraph and currently in force and its replacement by direct elections. Interpreted in terms of the ultimate purpose, this means that the Community institutions and the member States are legally bound to introduce this system of elections. All are bound by the Treaty and cannot shirk these obligations imposed on them. If this were not so, it is quite obvious that the second sentence of paragraph 3 of Article 138 would have neither justification nor any real value. It states: 'The Council shall *unanimously decide* on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

12. In its reply of 3 April 1963 to the foregoing written question, the Council cites the absence of unanimity as the reason for not deciding on the provisions to be recommended to the member States. A distinction has to be made, however, between the essence of the problem and the procedure laid down for solving it. When the member States signed the Treaties, they unanimously accepted the principle of the election of the Parliament by direct universal suffrage. They are therefore legally bound to make every effort to put this into application and, therefore, to reach the required unanimity.

13. Have these *efforts* been made, at least in an adequate degree?

Although it cannot be said that the Council has never held discussions about European elections, it is certain, on the other hand, that it has hardly made any attempt to reach a successful conclusion and, therefore, to arrive at a unanimous decision.

14. Is there a *time-limit* within which the Council must fully assume its obligations?

It is unacceptable that the Council should indefinitely postpone stating its attitude to the Parliament's draft Convention, even though Article 138 does not expressly stipulate any time-limit.

If Article 138 lays down two procedures for the nomination of members of the Parliament (first their election by the national Parliaments, and subsequently direct general elections) it is because the framers of this Article wished to adjust this procedure to the Community's general development.

The framers of the Treaty, and the Parliaments which approved it, envisaged a gradual transfer of national prerogatives to Community institutions. Hence the need, which must grow more and more urgent as such a transfer progresses, for bringing the institutional system of the Community more closely into line with the principles of democracy and public law anchored in the constitutions of the six member States.

It appears that this stage has now been reached: the institutions of the Communities exercise powers formerly reserved to the national Parliaments and directly affecting the legal position of citizens (agricultural policy, competition, approximation of tax provisions, etc.).

Article 201 of the EEC Treaty provides that 'the financial contributions of the member States ... may be replaced by other resources available to the Community itself, in particular by revenue accruing from the common customs tariff when finally introduced', i.e. *by 1 July 1968*.

It is hard to imagine that the authors of the Treaty would have envisioned resources available to the Community itself without their being subject to real parliamentary control. Hence there is a further link, this time between the creation of resources available to the Community and the election of the European Parliament by universal suffrage.

15. Under these circumstances it may be considered that the stage reached in the application of the Treaty implies that the Council must, without further delay, pronounce on the election of members of the European Parliament. If this is the case, and if the Council takes no decision, it appears that Article 175 could be invoked.

III—With what legal means could the European Parliament induce the Council to assume its obligations ?

16. What interpretation should be given to the word 'statuer' (decide) ? This term has a general application and may be applied to any legal measure taken by a Community institution. It is, furthermore, explicitly used in Article 138.

17. Under the terms of the second paragraph of Article 175, no proceedings shall be heard unless the institution concerned (in this case the Council) has previously been called upon to act. The terms 'called upon' and 'to act' have therefore to be interpreted. Article 175 does not state in what manner the institution is to be called upon to act but since relations between the Parliament and the Council are involved, it would appear that the use of a resolution would be perfectly normal.

18. The Council must therefore be called upon to act and, because it is the failure to take a decision that is covered by Article 175, this action involves not only preparation or discussion of the measures to be taken but also the decision as such.

IV—Conclusions

At the close of its study of the motion for a resolution submitted by Messrs. Deringer, Dehousse, Merchiers, Scelba, Armengaud, Boertien, Burger, Dittrich, Bech, Lautenschlager, Rossi and Westerterp (Doc. 50/68), the Legal Affairs Committee endorsed the principles set forth in it and the underlying reasons.

It therefore confined itself to making only a few amendments, the main purpose of which was to clarify the facts in the third recital, and the legal position in the explanatory statement.

The Legal Affairs Committee therefore asks the European Parliament to adopt this motion for a resolution in the form in which it appears at the beginning of this report.

When the vote was taken on this motion for a resolution as a whole, the Legal Affairs Committee took note of the reservation expressed by one of its members regarding a number of principles embodied in the draft Convention adopted by the European Parliament on 17 May 1960.

B—DEBATES IN PLENARY SESSION

Mr. Dehousse, *Rapporteur*.—(F) Mr. President, Ladies and Gentlemen, I was very much struck, both yesterday and this morning, by the suddenness with which direct elections to our Parliament has come, or rather returned, to the forefront of our preoccupations.

Yesterday, it was eloquently discussed by Mr. Parri, our oldest member. It was a great pleasure to see Mr. Parri again, looking, of course, a little older in years but still fired with the same dynamism and faith some of us here remember his displaying in the old days.

After Mr. Parri came the students—an interlude that was certainly out of place and contrary to protocol! Let me say, though—if only because, as a professor, I am much more used to students—that I would far rather see them up in arms about Europe than about certain other issues. For what struck me and pained me about the events in France in May and June last year was the way Europe was ignored by the students and their movement.

Of course this is not the way to do things and I would not dream of defending them, but deep down this demonstration appealed to me, and I must confess I was quite pleased that some of us here heard these students demand the right to vote in future European elections.

Mr. Habib-Deloncle.—(F) Please do not give too much encouragement to this way of doing things.

Mr. Dehousse.—(F) In your inaugural speech you, too, Mr. President, spoke about elections by direct universal suffrage.

Then there is Mr. Rey. I have known him a long time and I think I may say that our views on this subject coincide. I was glad to see him reaffirming them in his high office as President of the Commission of the European Communities.

Then, lastly, there was President Plevin who caught the ball on the bounce and who also stressed the continuing importance of this problem.

Yet it is an old problem, for it was, to be precise, on 17 May 1960—it will soon be nine years ago—that, in this very hall, the European Parliament adopted a draft treaty, or rather, a draft Convention, on its own election by direct universal suffrage. A vote by roll-call was not taken; we voted by a show of hands and I recollect quite clearly, because I was keen to know the outcome, that the vast majority of the members came out in support of the draft Convention. To my knowledge there were hardly any votes against it; there were a few abstentions, some by members who still sit with us today.

I will not go into this draft Convention in detail because this is not our job. The resolution I have been asked to submit for the Legal Affairs Committee has quite a different end in view. We are faced with a failure to act on the part of the Council of Ministers and we have to create the necessary legal situation to induce the Council finally to take a decision. For this purpose we can call on Article 175 of the Treaty. I should like to read this out to you because it is the basis of the resolution :

‘Should the Council or the Commission’—but the Commission is not here involved—‘in violation of this Treaty, fail to act, the member States and the other institutions of the Community may refer the matter to the Court of Justice in order to have the said violation placed on record. No proceedings arising out of the said reference shall be heard unless the institution concerned has been called upon to act. If within two months of being so called upon, the institution concerned has not made its attitude clear, the said proceedings may be brought within a further period of two months.’

This is the legal problem set in its proper context.

Let us look now at what the Council of Ministers has done. Oh, I have no need to go a long way back because it has not done much... In my report I pointed out that a reply was given in 1960 to the effect that the EEC and Euratom Councils had begun their study of the draft Convention; the text added, in dubious French :

‘This matter is to be made the subject of an exchange of views between the Council and a parliamentary delegation.’

The parliamentary delegation was set up. Its Chairman was Mr. Battista, then Chairman of our Committee on Political Affairs. Like Mr. Vendroux, I had the honour to be a member of the delegation and I cannot remember that it ever succeeded in making contact with the Council. The fact remains that in 1961 Mr. Battista, as Chairman of the Committee on Political Affairs, put a question to my fellow-countryman Mr. Wigny, then President of the Council. Mr. Wigny replied at some length to the effect that the Permanent Representatives had been consulted on the draft Convention but that its study would take some time because the Council had to decide unanimously, and this would mean some preparation. Mr. Wigny added that the Treaties set no time-limit within which the Council was bound to act.

A communiqué issued in Bonn a few months later—one too often forgotten today—included the following passage :

'Five delegations consider that it would be possible for the Heads of State or Government to decide right away to study the action to be taken on the proposals put forward by the European Parliament regarding its election ... The French delegation feels that the time has not come to embark on such a course.'

In 1962, during talks between the Parliament and the Council, Mr. Piccioni, the President of the Council, made a typically sceptical comment on the elections to the effect that they were 'not apparently a matter of pressing urgency'.

I would draw your attention to the fact that this was in 1962 and that, as regards matters of pressing urgency, seven years have elapsed since then.

The last stage was in 1963 when several of our colleagues put a written question to the Council ; this is the reply which was published on 20 April 1963 in the *Official Gazette of the Communities* :

'The problem of the election of members of the European Parliament by direct universal suffrage has been discussed by the Councils on several occasions. Under the terms of Articles 108 of the EAEC Treaty, 21 of the ECSC Treaty and 138 of the EEC Treaty, however, the Councils must decide unanimously on decisions they recommend member States to adopt. As this condition has not so far been fulfilled, the Councils are not in a position to say when they will be able to decide on the provisions in question.'

This is where the story ends because since then the Council has not carried out the slightest study or envisaged the slightest action on the Parliament's draft Convention.

Can it be considered that the Council has made an adequate effort to meet our wishes ? To speak frankly, and without wishing to reopen a pointless controversy, I think not. One cannot of course regard the vague attempts to which I have just alluded as satisfactory efforts.

I would add, and I want to emphasize this point, that nothing has happened since 1963.

This raises all sorts of questions, and particularly as regards the interpretation of the single Article to which I am going to refer (those in the other Treaties are identical)—Article 138 of the Treaty setting up the Common Market which reads :

'The Assembly'—it is always referred to in this way in the Treaties—shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all the member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

Obviously no time-limit is clearly laid down. There is not even a time-limit within which the Council is to reply. But we still have to use our common sense in interpreting legal texts. We may regard the nine years which will soon have elapsed since 17 May 1960 as being what lawyers would describe as 'a reasonable interval' in which the Council has had the necessary time and every opportunity to give us a reply.

Does the text impose on the Council an obligation to take a decision ? Yes, there is no doubt about it. 'The Council shall decide' is stipulated in Article 138.

The Legal Affairs Committee held a far-ranging discussion on how the obligation thus placed on the Council should be interpreted. Basically, two points of view emerged.

One was based on the legal practice often followed by the Court of Justice of the Community, namely, that of the 'ultimate purpose' : the Court considers that the authors of the Treaties were

not talking just for the fun of it. It does them the honour of assuming that when they expressed themselves they had something to say, and that it was the job of the Court to bring this out in the course of its investigation.

Others go so far as to hold that the Council is bound to adopt the draft Convention we drew up. I do not share this view because otherwise the unanimity requirement would not have been stipulated. When one says that the Council always unanimously decides in a case like this, this means that the decision lies with the Council.

It is this second interpretation that seems to me to have won general acceptance on the Legal Affairs Committee.

And that, Mr. President—you will see that I have scarcely taken more than fifteen of the twenty minutes you so generously allowed me—is the gist of what I wanted to say.

I repeat that it would be wrong for our Parliament for the time being—and I *mean* for the time being—to go back to the substance of the draft Convention. This is not what we are concerned with.

The resolution the Legal Affairs Committee is submitting to you is drawn up on the basis of Article 175 which I read out to you a few moments ago. It runs :

*'The Parliament,*

Having regard to the fact that Article 138,3 of the Treaty setting up the EEC provides for its election by direct universal suffrage...' (this is indisputable )

'Having regard to the fact that on 17 May 1960 the European Parliament had already presented a draft Convention on elections by direct universal suffrage...' (another indisputable fact...)

'In view of the fact that the Council has so far taken no decision on this draft Convention and has not studied it for six years...' (this is the conclusion emerging from my recapitulation of developments to date...)

'Invites its President to urge the Council to embark without delay on the action the Treaty requires to be taken on the Parliament's draft Convention, and to draw its attention...' (the wording is extremely polite...) 'to the provisions of Article 175, paragraphs 1 and 2.'

Basically, the resolution submitted to you is the first step in the procedure—an invitation to act, as provided for in Article 175, and one bringing into operation the time-limits I spoke to you about earlier.

This invitation to act is essential. Without it the procedure cannot be started up. The Council then has two months in which to reply.

If it does not reply by then, the Parliament has the right to bring proceedings before the Court of Justice within a further period of two months.

This is where we stand at the moment. We are not concerned with a debate as to substance but with calling upon the Council to act before initiating a procedure.

In this resolution I am not only calling on the Council to act ; I am also calling on our Parliament to act. We have seen in the last few days—this is becoming more and more obvious—that the old problem has bounced back into our laps, as, incidentally, all basic problems of international relations are bound to do.

Can the draft Convention still be regarded as fully satisfactory today ? This is not the time to discuss this. Nine years have gone by. There are still a few of us here—Mr. Santero, Mr. Metzger, I myself—who were among the authors of the 1960 text. It is likely that we would not draft it



today in the way we did at the time. But that is not the problem: this is not the time to go into details.

We are dealing with an invitation to act, and I am addressing this invitation to our Parliament!

It is true that the situation is difficult but it is our job, as the Parliament, to face up to the difficulties and even adversity by remaining true to ourselves—a rule of conduct for every institution as for every human being.

**Mr. Boertien, for the Christian Democrat group.**—(N) Mr. President, Ladies and Gentlemen, I am very sorry that Mr. Deringer is unable to speak for the Christian Democrat group, and this for two reasons. The first is that it was Mr. Deringer—and the documents will bear this out—who took the first step in tabling the resolution. He was, furthermore, the first to sign it. Secondly, as Chairman of the Legal Affairs Committee, Mr. Deringer is particularly competent to deal with this question, and his personality would have added depth to this discussion. As his modest deputy, I shall certainly not be able to come up to this level.

A few weeks ago the Dutch Parliament held a debate on foreign policy. I said then how curious I found it that the younger generation seemed never to have heard of the European Community at a time when, throughout Europe, people were demonstrating on behalf of democracy—democracy in industrial enterprises, in the universities, in the State and parties. Young people are quite inactive when it comes to supporting democracy in Europe. Yet everybody in this House knows just how important democracy in Europe is. I had no idea at the time that this week in the European Parliament would also prove so interesting because the younger generation would show they had not forgotten that Strasbourg is the seat of the European Parliament.

I will not say I welcomed the form taken by the demonstration, but I was overjoyed to see that they now realize where the core of the problem of democracy lies. I hope that their action can be regarded as the first stone which has been started rolling, that it will lead to a feeling of general concern in Europe and mobilize public opinion to press, throughout the Community, for the direct election of the European Parliament.

I quite agree with Mr. Dehousse that our debate today should not be on the heart of the matter. We are today discussing the legal merits of a specific Article of the Treaty. I nevertheless thought it as well to draw your attention to this aspect of the question.

Mr. Dehousse's report has our group's full support. It was with a great deal of satisfaction that I read the report and afterwards listened to the speech Mr. Dehousse has just made. I know his enthusiasm for Europe and above all for the European institutions. I think he was right to draw our attention in his report to the connexion between Articles 138 and 175 of the Treaty setting up the EEC. As he pointed out, barely any progress has been made in the matter of direct elections since 1960. I think this accounts in part for the feeling of political paralysis that comes over us at times, faced with this lack of unanimity.

I have previously spoken of 'political will' and noted that the term as often used is devoid of content. In the matter concerning us today we can again see how far this political will falls short of what is required.

As there are still no direct elections to the European Parliament, all of us exercise two mandates and run to and fro between our national Parliaments and Brussels, Luxembourg and Strasbourg so as to do at least part of our jobs in the two assemblies.

When we account for our European activities we do so not before the electorate of a directly elected Parliament but, for want of something better, before the electors of our national Parliaments, so as somehow to bring up European policy for discussion.

Clearly, these electors are keenly interested in anything going on in Europe. But one awkward question always crops up: What you say about Europe is all very well, but can you explain to us how, in fact, you came to Strasbourg? We then have to confess that we came to Strasbourg through the grace of the political parties who proposed to the national Parliaments that this or that member should be sent to Strasbourg. The elector has no say in the matter; everything is decided in the national Parliaments.

We can only offer one excuse for this. We can say that it is not our fault, nor that of the European Parliament. After all, we submitted a draft Convention in 1960 and have urged again and again that it be ratified. We did this right up to 1963, but since then we have lived in a period of absolute silence. Not a word was said on this question until Mr. Deringer and some of his colleagues had it put back on the agenda.

I am very glad that this has now been done within the sober legal context of the Treaty. My own feeling, which is naturally partly subjective, is that the core of the report lies in the two sentences on page 5, sec. 12:

'By signing the Treaties, the member States unanimously accepted the principle of the election of the Parliament by direct universal suffrage. They are therefore legally bound to do everything in their power to ensure that this principle is applied and, therefore, to reach the necessary unanimity.'

In other words, the Treaty obliges the Council to reach unanimity. To say that it is not possible is no excuse. The Treaty expressly requires the Council, in one way or another, to reach unanimity. This is why I wholeheartedly approve of this recourse to Article 175 of the Treaty.

The report rightly points out that we have reached the stage where Article 175 ought to be applied. This is a first step which consists, as stated in Article 175, in calling upon the institution concerned to act.

If the Parliament adopts the resolution submitted by Mr. Dehousse, we shall have taken the first step towards implementing Article 175. This means availing ourselves of a legal facility. I believe it is our duty to do so.

I only hope that by taking this first step we shall dispense with the need to take the second.

*Mr. Dröscher, for the Socialist group.—(D)* Mr. President, Ladies and Gentlemen, in his excellent report Mr. Dehousse rightly points out that there is nothing fanciful in the idea of direct elections to the Parliament of the Six, but that, on the contrary, it is a logical and legal consequence of the Treaties in force.

If we now take the first step; in other words, if we pass the motion for a resolution—which my group is going to support—this will mean that the Parliament intends to pluck up courage and take the second step, namely, that of confronting the Council with the consequences of a Treaty already concluded. I think that we should be quite clear about the significance of such a step, and about its implications, and that we should do our utmost to clear the way for this logical development. It will, of course, be said in the lobbies that similar starts have often been made in the past. On such an occasion the painful years the Community has passed through in the course of its development readily spring to mind. We recall the burst of enthusiasm of the early years and bewail the gradual stifling of the vigorous forces then in full swing.

Yet an occasion such as this gives us an opportunity for reviewing the past, for thinking things over and recognizing that the experience of these first eleven years has been unique and one in which the Parliament has already played an important part. This could be even greater, however, and more significant for the future, if the problem of direct elections were settled. We know that forces hostile to any progress in this direction are constantly arising. They flare up precisely

over the smallest detail of a question. These are the obstacles that must be removed if we are to achieve our ultimate objective.

The part played by the Parliament may not always have been brilliant but it has been an interesting one. I feel it has acted as a catalyst in the development of the Community. The monotony of the daily round and the sedate atmosphere of our discussions should not blind us to the emergence in our Parliament of what may be described as European parties. In this House political, rather than national, considerations prevail. Here Liberals, Christian Democrats, Socialists and members of the Union Démocratique Européenne sit side by side. In connexion with the vast majority of questions on the Parliament's agenda, it is not the national standpoint which counts here but the sociopolitical viewpoint adopted in the group. This is the decisive function of the Parliament. Today we are hearing in this Parliament new voices that Europe cannot ignore.

This Parliament is just as much a political body as it would be had it been directly elected. The fact remains, however—and this is the stumbling-block for us—that it cannot act as though it had been directly elected. We must recognize the fact. The power and—let us be honest—the lack of power of members when they are recalled by their national Parliaments stems from the delegation by those Parliaments. This is itself a contradiction. Our Parliament is of course obliged to rise above the narrow national outlook in regard to many questions. The representatives who sit here have entered into commitments vis-à-vis the whole Community. It is only natural that the national Parliaments and Governments should frequently first consider national interests. This does not happen in only one of the six countries, and this is a necessary antithesis.

I would add that wherever Governments feel they are in the best position—in economic policy, for example—certain national reservations begin to emerge in respect of the constraints imposed by a supranational Community. But whoever wants an efficient Community must create a 'Common Market' in politics, and this must stretch a long way, embracing even foreign policy and, I think, defence policy.

In such a market the interests of Italian, French, German, Dutch, Luxembourg and Belgian workers will coincide. 'Confrontation' of their interests with those of employers is international. Confrontation over agricultural policy, education policy and policy on small and medium-sized enterprises will only be possible if in our Parliament the interests at stake, and the policy in question, rise above national limits and are discussed on strictly 'Community' lines. It seems to me that these conflicts can only be resolved in a directly elected Parliament.

There is also the need for parliamentary control by bodies with real and far-reaching powers such as a directly elected Parliament would have. This is essential if only because of the Community's growing revenue which must be controlled in an entirely different way by the Parliament.

These considerations—I have mentioned only a few for the sake of brevity—show that the time has come to impart a new impetus to the project of a European Political Community, and not least as regards direct elections. Bringing proceedings against the Council—leaving aside the question of its practicability and chances of success—is only one way of achieving this objective, as Mr. Dehousse said in his excellent report. I think we should recognize this. It is only one way. Simultaneously, steps should be taken in as many countries as possible on the lines of those taken in Italy—similar to the German moves which unfortunately missed their mark—and in France, in which these moves were apparently forgotten about when the Parliament was renewed. Such moves made by as many countries as possible would enable us to make progress on this question at national level, and every step forward would lead to other moves and mean a success for the Community as a whole.

This is why I think that although the Parliament must defend itself to prevent any unwarranted decline in its prestige, it also has to take the offensive and make people much more alive to the importance of its debates on matters of supranational policy. This should be our

main concern at the moment. This controversy between European Governments which we heard about even today will, perhaps, give one country the chance, if it tells us straight out that we have to round off the Community of the Six and not chase other will-o'-the-wisps, to prove it is serious about this by taking the first step in organizing direct elections. But it is up to that country now to tell us that it has this intention.

Mr. President, Ladies and Gentlemen, I have been instructed by my group to tell you that we shall vote for the resolution.

**Mr. Merchiers, for the Liberal and Allies group.**—(N) Mr. President, Ladies and Gentlemen, our distinguished colleague and Rapporteur Mr. Dehousse has, as is his wont, clearly and simply described the situation which prompted the movers to table this resolution.

We are not discussing the merits of universal suffrage on which, I think, we are all in agreement. On the Legal Affairs Committee we tried to find a polite formula with which to warn those responsible, while leaving the door open for further action that would of course be consistent with the Treaty. We have never wanted anything else.

Going back to ideas expressed earlier, I would remind Mr. Dehousse that we began the study of these problems as far back as 1959 at a general assembly of the Council of the European Communities. Mr. Dehousse, who was also Rapporteur, made a remarkable speech at the time on direct elections to the European Parliament.

Need I say that I was a bit hesitant about speaking to you today, or even yesterday, even though I had been instructed to do so by my group? This is because of the incidents in which we were involved. I am not very keen on the *vox populi* when it manifests itself in the way we had to put up with yesterday. I should have preferred it if these young enthusiasts, who are marching in the same direction as we, had used some other means of expressing their convictions and European zeal.

This is what I wanted to say to you on the subject. I can well understand the vehemence of the young whose passion for contestation is such that it has to find a violent, and to some extent, even revolutionary outlet. So let us say no more about this incident which was, after all, not altogether a bad thing even though we disapprove of the form it took.

What the Liberal group wants is for the representatives of the Six who are present here, and therefore assume responsibility for disseminating the European idea and for building Europe, to become alive—like everyone individually—to their overriding duty towards this Europe which we have to shape in a democratic mould. If we all want it, we must clearly model it on what exists in our own democracies. Representatives of these great nations ought therefore to be elected in the same way as we are in our respective countries, that is, directly.

I think I can appeal to all groups without distinction, for all have given tangible proof of their attachment to the democratic idea of the development of our Europe.

It is therefore hard to believe that, after expressing this attachment, they may lack the strength and courage needed to ensure that this idea triumphs in their own countries. For we must ourselves exercise enough influence in our Parliaments and with our Governments to show them that if we are ever to build Europe according to the original design the edifice must be completed and the European Parliament must have its roots in the great nation comprising the six countries that have built Europe.

Consequently, since we are all agreed about the need for building Europe, we can appeal to all here to use their influence to ensure that each country gives its mandataries, its ministers, sufficient directions to enable the rules essential for the holding of direct elections to be adopted in the near future.

To close, I would appeal to the good will of all and say that those who are so forcefully pleading for direct elections here cannot be sure of returning to this Parliament, for election results are always uncertain. We do not know if the choice will fall on us or on someone else. But it is our bounden duty to see to it that Europe develops as it ought to. Even if this means a personal sacrifice, we must build Europe as it was planned by those who came before us.

**Mr. Ribière, for the European Democratic Union.**—(F) Mr. President, Ladies and Gentlemen, a European assembly can only be legitimate if it satisfies two conditions: it must be truly representative and it must be able to pass a law by a majority decision. It can only be representative if its representative character is established by the same criteria in every member State. Today, some of these member States have smaller populations than some French Departments and are represented by a number of members out of all proportion to the relative populations of the various countries.

The true population ratio does not seem to have been respected in the proposals made in 1960 by that able Rapporteur Mr. Dehousse. This entails the risk that the legitimacy of the nations may be toyed about with, and such an assembly, being illegitimate, could pass no laws.

Even if a European assembly were assumed to be representative, in order to be legitimate it would still have to be able to pass a law by a majority decision. Would a law passed by the representatives of two or three countries be accepted by a country that did not vote for it? Can one imagine Germany applying a law passed by the French and the Italians but not by the Germans? There exists no European majority except in the aggregate of the majorities of each nation. There is no European will except where the wills of the separate countries coincide. Even where a nation accepts the opinion of others, it must want to do so. Would France or Germany feel themselves committed by the positive outcome of a referendum at European level if they had voted the other way or if 60 or 70 per cent of the voters of one of those countries had done so? I think that the answer can only be No.

Europe is not yet a State. We may find this regrettable—I do for my part. A State must be in a position to make decisions; it must have the strength to impose its decisions and these must be accepted by a real majority. This is not the case at present. No European authority, let us admit it, save that which stems from an agreement between the Governments, may be regarded as legitimate today.

The European feeling of having a civilization and a way of life in common is not enough, even if it leads to the setting up of a few institutions. Building institutions and manifesting the will to be a State are two totally different things. Of course, we must make every effort to ensure the emergence of a European will, the will of Europe to be a nation—a will of its own, an ambitious will.

I do not want to prolong this debate, so I will simply remind you that the French Government tried to introduce a plan—the 'Fouchet Plan'—for a European Political Union. It is not our fault if this was pigeon-holed in 1962, as Mr. Dehousse reminded us a few moments ago. I think that, before going on to the election of the Parliament by direct universal suffrage, we shall really have to negotiate another Treaty. On this point I am in agreement with our senior member, although I cannot endorse his other views. The present Treaty is now out-of-date and must be reviewed in the light of the experience of the last twelve years. A Treaty providing for a real European constitution, with an executive also elected by universal suffrage, must be negotiated. Similarly, a federal political organization for Europe presupposes a two-chamber system: an assembly elected by universal suffrage and an upper chamber representing the States—it being understood, as I said earlier, that the assembly must be directly elected on the numerical basis of 'one man, one vote'. This is why my colleague and friend Mr. Michel Habib-Deloncle will shortly be tabling an amendment to this effect on behalf of our group.

This means at all events that I consider the motion for a resolution submitted to us today to be untimely because it does not settle the whole question of European political union. Moreover, it does not fit into a satisfactory context. At a time when the Council of Ministers has reached agreement on a revival of the European idea—to some extent on my country's initiative—it would be regrettable to threaten it with the thunderbolts of Article 175. I know, of course, that Article 138 exists but, I repeat, both it and the Treaty itself should be reviewed in the light of events. The election of the European Parliament by universal suffrage will not carry Europe forward unless it is coupled with the whole series of measures for creating a real European constitution.

We have seen in many countries—and I, for my part, in mine—the harm the assembly system can do. If we want Europe to become a reality, it must be spared this incurable disease, for the assembly system breeds impotence. We are, I am sure, all agreed that what we want is a real Europe with a will of its own.

This is why the European Democratic Union cannot support the motion for a resolution tabled by some of our colleagues on behalf of various groups in this Parliament, unless Mr. Habib-Deloncle's amendment is adopted.

**Mr. Bermani, for the Socialist group.**—(1) Mr. President, Ladies and Gentlemen, I should like to say a few words in support of the conclusions of the report. The motion for a resolution on the direct election of the European Parliament which the Legal Affairs Committee is submitting to our vote—and about which Mr. Dehousse has proved an excellent Rapporteur—faithfully reflects the Parliament's function in the Community; it has not only the right but the duty to take the initiative in relaunching Europe into democratic waters.

As pointed out at a meeting the European Movement held in Italy on 15 February, the European Communities are the first living reality in the vast design for a European Political Union. But they must fill a yawning gap left at the time they were set up, a gap that is widening from day to day. The sponsors of the Treaty of Rome understood this so well that they wrote it into Article 138. This does not open up a possibility for the Community institutions but imposes on them an obligation: that of drawing up proposals for the direct election of the Parliament in accordance with a uniform procedure in all the member States.

If the Parliament has nothing to reproach itself about on this point—if, in other words, it is doing its duty in drawing up and adopting the draft Convention submitted on 17 May 1960—the same cannot be said (and I am sorry to say this) of the Council of Ministers of the Communities which has not fulfilled its obligations under the Treaty of Rome. It is true that it started discussions on this subject, but these were never followed up; so much so that, nine years later, the problem is still a long, long way from being solved.

The slump in political will so evident in the Community, and discussed at great length today, is clearly the result of the failure to discharge this obligation. The advances made in economic integration compel us progressively to tackle more and more important problems of economic policy, so that we must be able to rely on a firmer political will than during the transitional period. Yet this political will is lacking, as clearly borne out in this morning's lively debate. Nor will it assert itself until it bases itself solidly on directly-expressed popular consent; and this at a time when citizens are demanding more effective political participation at all levels. And what do we see? As the Rapporteur reminded us, the draft Convention has, since it was approved by the Parliament on 17 May 1960, been languishing in the files of the Community ministers, who are not troubling themselves about taking a decision in the matter, thus placing us in a rather embarrassing position.

The organization of the Communities is clearly based on the model of federal States but the legitimacy of their institutions is not so firmly rooted as in real federal States. This is because although the European institutions possess democratic legitimacy, this is derived, rather

than direct, because the national Parliaments stand between electors and elected, between people and representatives. It is precisely this interposition that must be abolished, because it is unjust, by introducing elections by direct universal suffrage. Once this is out of the way, representatives (and I was glad to hear this from several speakers) will at last be able to give of their best to the Parliament and to devote themselves exclusively to exercising their European mandate. Each representative will then personify the European cause, and from this the latter will have everything to gain. Lastly, no one will be able to argue, like the young students yesterday, that we are pseudo-representatives, for then we shall sit here as a result of elections by direct universal suffrage. These young people went perhaps a bit too far with their demonstration (such is the exuberance of youth which many of us here, bowed with the weight of the years, understandably envy) but we must admit that, deep down, they were right.

However, with the motion for a resolution we are now discussing, direct elections have returned to the forefront of the Parliament's preoccupations, and I am very glad of this. Judging by the remarks of other speakers this morning, I am not alone in feeling this way. It was therefore important to take a fresh look at the problem. But what matters even more is that it should not again be allowed to run aground.

We are, of course, bound to meet difficulties, but we should not allow ourselves to become discouraged. In view of moves which have been made by parliamentarians in the various member States and about which we have just heard, we cannot fall back again into a state of lethargy. In Italy similar moves have been, and will continue to be made. A bill drawn up at popular request—something which is permissible under our Constitution—will be introduced in the Italian Parliament next month with a view to the direct election, in Italy, of European representatives.

These initiatives are outside the scope of today's debate and of elections as required by the Treaty; yet they can, and surely will, serve as a spur to a revision of the Treaties (although I do not think this is necessary, as I believe that the Council of Ministers will this time act upon the Parliament's invitation and take the necessary measures). I cannot resist recalling what Mr. Dehousse said in this connexion a few days ago: 'I am glad', he said, 'to see that this old problem has lost none of its youthful vigour.' Well, let us take advantage of this youthful vigour and try to settle this problem once and for all. Only when we have succeeded, after overcoming the inevitable difficulties, in attaining our goal of direct elections, will the European Parliament become a living reality in the minds of the people, something which it is a long way from being, believe me, at least in Italy.

I should like once again to quote what Voltaire said to a Christian (perhaps not a good one): 'Make your God greater if you want us to worship him.'

Let us too make the European Parliament greater, bringing it closer to the people so that they can grasp what it is all about. Only then will they take a personal interest in the Parliament. Then, backed by popular pressure, the Europe of tomorrow can become, as has so rightly been pointed out, not a Europe of nation-States, a Europe of Eurocrats, or a Europe of big industry, but the Europe of all European peoples without distinction.

Mr. Romeo.—(1) Mr. President, Ladies and Gentlemen, I should like to speak in my own name, not to contest the main argument of the Dehousse report but simply—modest lawyer that I am—to question the possibility of bringing proceedings before the Court of Justice. The motion for a resolution placing on record the failure of the Council to take a decision on the draft Convention submitted by the Parliament in 1960 calls on the Council to act and speaks of resorting to Article 175 of the EEC Treaty should it fail to do so.

It cannot be disputed that Article 138 of the Treaty setting up the EEC fixes the system now in force as a temporary measure, and provides for it to be finally replaced by elections

by universal suffrage. If this has not been done earlier, it is because France—as is clear from the reply given to a written question by the Council in 1963—withheld its support and the Italian Government (represented by Mr. Piccioni) also showed some hesitation.

It is true that much water has flowed under the bridge since then and that the general situation has changed. In my view, however, pending a unanimous decision by the Council, we cannot refer the matter to the Court of Justice. The Council ought, of course, to take the initiative in organizing direct elections. (I hope it will, and our Parliament should call upon it to do so.) I do not, however, believe, as suggested in the report of the Legal Affairs Committee, that we can refer the matter to the Court of Justice in order to have the violation of the Treaty placed on record should the Council fail to act.

A decision can only be taken unanimously. It seems to me to be contrary to legal principles to maintain that an obligation to take a decision flows implicitly from the fact that Article 138 definitively establishes a system of universal suffrage in the final phase. If this were the case, we would have to regard as superfluous the provision of Article 138 of the EEC Treaty—still in force—which deduces this obligation from a unanimous decision by the Council.

This is why, although I fully support the principle of universal suffrage and in general endorse the views expressed in the Dehousse report, I cannot agree with its conclusion that, in addition to calling upon the Council of Ministers to act, we can, if necessary, refer the matter to the Court of Justice.

**Mr. Westerterp.**—(N) Mr. President, Ladies and Gentlemen, as a signatory of the motion for a resolution which led to the drawing up of the Dehousse report, I am delighted to support Mr. Dehousse's motion. I should like him to know how very glad I am, after so many years, to be able to return to this matter. Mr. Dehousse knows what memories I have, as the Committee's Secretary, of the excellent work then done by the Working Party on European elections and the Committee on Political Affairs in drawing up a draft Convention on European elections by direct suffrage.

Before going on to the motion for a resolution itself, I would like to say a few words in reply to Mr. Ribière, whose arguments were not, I feel, entirely conclusive. I am going to try to explain why.

Mr. Ribière began by saying that a Parliament could not be legitimate unless the nations are represented in this Parliament in fair proportions. This is true, Mr. Ribière. It was therefore taken into account in the report drawn up by the Committee on Political Affairs in 1960. As you know, a State may contain a Department more sparsely populated than another but still have a right to minimum representation. Hence the Committee recalled, very tactfully—we all know the country concerned—that if the membership of the Parliament were tripled, this would not apply to every member State. Our impression was that the representatives of the member State concerned fully understood our desire to improve the balance of forces between the different peoples within a directly elected Parliament.

Secondly, Mr. Ribière said that a European Parliament would not deserve the name unless it could pass laws by a majority. But how—and here comes the traditional Gaullist argument—how can you expect a nation ever to accept a law imposed by others?

But of this there can be no question. We do not vote here as delegations. The decisions are taken here—and this seems to me to be the distinctive feature of the European Parliament—through the European political groups, and I hope this will continue to be the case in the future.

I can understand why Mr. Ribière takes this view. It stems from the fact that one of the groups in this Parliament unfortunately comprises representatives of only one country, and I am sure will continue to do so.



This, however, has nothing to do with the other groups but only with the one to which Mr. Ribière belongs.

Finally, Mr. Ribière put forward a third argument to the effect that a real European Parliament should consist of two chambers.

I would say, Mr. Ribière, that your wish has already been fulfilled. You said that we needed a bicameral system, one assembly representing the peoples and the other the member States. But what is our Council of Ministers if not a body representing the member States?

I should also like to dispel a myth which Mr. Habib-Deloncle brought up this morning. He said he did not want to dramatize things but there had once been a plan for a political union—the Fouchet Plan—which was supported by five countries and rejected by one.

Mr. Habib-Deloncle knows his way about the files at the Quai d'Orsay. I would therefore ask him to reread the minutes of the meeting of Foreign Ministers held on 17 April 1962. He will find that two plans were discussed at that meeting—one drawn up by five member States under Mr. Cattani, the Italian Ambassador, and another by Mr. Fouchet for the French Government. It is thus quite wrong—and I want to polish off this legend once and for all, if only in the interests of historical truth—to suggest that five countries supported the Fouchet Plan and one rejected it.

In conclusion I should like to tell Mr. Ribière how much I regret that the subsequent development of Gaullism no longer permits him to go so far as, for example, Mr. Debré—an outstanding Gaullist and, if I am not mistaken, at present French Foreign Minister—who in March 1953 backed a plan that went much further than the one Mr. Ribière submitted to us this afternoon in the name of the Gaullist group.

I think the time has come for the Committee on Political Affairs to compare the various plans once again to see whether it might not be possible by combining the best features of them to make a further step towards European unification.

I shall keep my comments on the Dehousse report very brief. I believe it is right for the European Parliament to call upon the Council, through this resolution, to take a decision on the draft Convention drawn up by this Parliament.

I do not rule out the possibility that the Council will extricate itself from this hopeless position by taking a purely negative decision. If it does so, the Parliament will presumably not be able to bring proceedings before the Court of Justice. In view of this, I would remind you of another possibility already mentioned by Mr. Dröscher.

In my view, the present text of Article 138 of the EEC Treaty would permit us to organize direct elections in member States willing to go ahead with them, on two conditions. Article 138 provides that initially 'delegates ... shall be nominated by their respective Parliaments from among their own members' and subsequently 'by elections by direct universal suffrage in accordance with a uniform procedure.' The first condition could be met if members of the European Parliament were directly elected in countries willing to adopt this procedure, the right to stand for election being restricted to members of the national Parliaments, which would then have to ratify the results of these national elections. In this case it should be possible to organize partial European elections. Although not the ideal answer, they would be, as has been rightly said, a step towards out-and-out European elections.

I am still sorry that when the Treaty of Rome was finalized, Article 21 of the ECSC Treaty was amended at the request of Mr. Martino, because this possibility was explicitly provided for in the Treaty. We should not forget, however, that the change was made because Mr. Martino thought that in this way greater pressure would be put on the Council to see that European elections were held in all six countries.

Mr. President, Ladies and Gentlemen, I hope that this short speech on this all-important point will help to induce all the members of this House to reconsider whether it would not after all be a good thing to hold direct elections, so that the citizens of those countries which set so high a price on 'participation' may also be able to elect their representatives to the European Parliament directly. If we achieve only that, this debate will have been worth while, although I hope we shall achieve other and better results.

I should like to thank Mr. Dehousse for the way in which he drew up and defended his report.

Mr. Bersani.—(1) Mr. President, Ladies and Gentlemen, I think that by holding this debate our Parliament is demonstrating its political awareness and sense of political responsibility. In our member States, throughout Europe, the degree to which our institutions are politically representative is becoming more and more a basic problem. It is commanding the attention of a growing number of men, women and young people, as any of us can see each time he comes into contact with the man in the street anywhere in the Community.

Nine years have gone by and we must make a definite move. We are today faced with a new situation to which, I am convinced, we ought to give serious thought. In a few months' time the transitional period will end. Article 138 of the Treaty poses this problem of the representative character of our institutions also in the light of this time-limit.

This time-limit means the end of the transitional and the beginning of the final stage for the whole Community and therefore its institutions.

When they signed the Treaty of Rome, all the member States considered that the status of the European Parliament was a provisional one, and that it would have to be changed, before the end of the transitional period, into a Parliament endowed under normal conditions with all the powers it should have.

It is not only the passing of nine years that makes our debate necessary; we must take this political initiative today because that is one of our responsibilities. And today more than ever before, this initiative must be taken within the time-limits laid down by the Treaty so that one of its main goals can be achieved.

This is why I not only endorse the procedure once again proposed by our able Rapporteur Mr. Dehousse, and with him Mr. Deringer and other colleagues who rightly call for specific steps, but believe that having reached this stage, we should review the entire question. As Mr. Dehousse said, we are here to propose a first step. But this will serve no purpose unless it leads to others, and unless it is fitted into a systematic context. Action is needed to ensure not only that legal obligations are fulfilled but, above all, with an eye on the essential political objective of endowing our Parliament with a fully representative character and its full powers.

In view of developments in so many sectors of the Community, I wonder whether it might not be worth while instructing a committee to review and update the 1960 Convention as rapidly as possible. At all events, we ought to have a draft Convention fully in line with the latest developments.

The question has been raised as to where we should go on from here. Mr. Bersani spoke of a popular move in Italy (the collection of 50,000 signatures among wide sections of the population) for introducing a constitutional bill in Italy on the direct election of European parliamentarians. I do not think that this would clash with the Italian Constitution or with what our institutions lay down today. I think and hope that this can be followed up and will not remain merely a symbolic gesture, a profession of faith in certain ideals; like Mr. Wes-

terterp, I think that we can now directly elect the number of members allotted by the Treaty to each of our countries. It would suffice to add this number to that of the representatives in our national Parliaments.

At this point we could also consider bringing our Rules of Procedure up to date so that, if European representatives should be directly elected in one of our national Parliaments, they could sit as of right in the European Parliament, the provisions of our Treaty being strictly respected.

I shall not say any more about this because it is getting late and, as we all know, we have other debates ahead of us. I believe not only that this debate is highly important politically because of the new political moves it enables us to make but also because it can lead to fresh thinking and action in this matter. I hope that these will not be confined to the legal sphere or to partial moves, as they had to be, and were, in the past, but that they will trigger off fresh progress towards those final objectives with which the democratic future of Europe is inseparably bound up.

*Mr. Rey, President of the Commission of the European Communities.*—(F) Mr. President, Ladies and Gentlemen, Mr. Dehousse was kind enough just now to remind you of what I said this morning in the general debate on this subject. I therefore see no point in making yet another speech. I would simply recall that the Commission, in the statement it made on 1 July and again this morning, expressed its unstinting approval of the idea that the European Parliament should in future be elected by universal suffrage.

*Mr. Dehousse, Rapporteur.*—(F) Mr. President, Ladies and Gentlemen, I do not think I was far out when I said that this old problem of direct elections to the European Parliament is gaining a new lease of life. I have been impressed both by the number and by the quality of the speeches made in the course of debate. We have heard in turn Messrs. Boertien, Dröscher, Merchiers, Ribière, Bersani, Romeo, Westerterp and Bermani—the latter making his maiden speech in this House, and a very constructive one too—and, finally, President Rey.

Having expressed my satisfaction, I should like to make an apology. A short while back I referred to a few survivors of the old Working Party on European elections still in our midst. I forgot its young and active secretary. At that time, however, he was still an official in the Secretariat of the European Parliament. He had not yet become the young and brilliant representative Mr. Westerterp we know today. I hope he will accept my apologies.

I shall be less severe on Mr. Ribière's speech than some previous speakers. I think he has after all taken a number of paces in our direction and, like Mr. Bermani, has brought to this very difficult debate—this too, I believe, was his maiden speech—a number of constructive ideas.

I hope he will allow me to warn him, however, against two dangers.

The first is a craving for perfection. I do not think it would occur to anyone to try to build a full-fledged political Europe from one day to the next. We have to proceed by stages.

Secondly, we should not allow ourselves to be over-impressed by comparisons with national constitutional law. As Mr. Rey said—and I too was struck by his concluding remarks—we have here embarked upon an enterprise in the field of international relations which is undoubtedly the boldest in the history of mankind.

This design of an organization of States united in peaceful association is something quite unique, and I think that in tackling the problems it raises we should seek solutions that are not slavish imitations of features found in our respective national constitutions.

I found two passages in Mr. Ribière's speech both sound and encouraging. The first was his warning against falling into the errors of an assembly system. I fully agree with him.

We have in our respective countries had some highly instructive experience in this respect. But the assembly we are engaged in setting up is still a long way off from exposing us to the risks of an assembly system. Let us not forget that it is restricted to quite specific sectors, and that it is only in these that it establishes responsibilities. I therefore feel that this fear, though not groundless, is not justified at the moment.

I also agree with Mr. Ribière's suggestion concerning a second chamber.

We in Europe are demonstrably still at a fairly primitive stage of institutional development, for so far little or no surprise has been felt at the fact that the three existing Assemblies—the Consultative Assembly of the Council of Europe, the WEU Assembly and the European Parliament—consist of only one Chamber. When we reach a more advanced stage we shall need a second Chamber, one that would be a sanctuary of wisdom and which, therefore, because I am a senator, I would call a Senate.

In that Chamber we shall have to set up protection for the small States. We could thus travel some way along the path suggested by Mr. Ribière while avoiding the danger that the small States would be crushed under the weight of the excessive numerical majorities of the larger States. In this Chamber too—I think I am keeping step with the fashion, although I am making no allusion to current trends—I am keen on having the regions represented, particularly the one I come from. This seems to me to be an extremely interesting and promising possibility for the future. This is why I do not regard Mr. Ribière's speech as simply negative: I think he added something constructive, and that it is from discussion that the light will burst forth in the end.

Able lawyers—and the renewal of the Italian delegation has brought to this House a number of them who will make a valuable contribution to our work—have raised the question of bringing proceedings before the Court. I should like to explain exactly where we stand.

The resolution before you proposes that we should call upon the Council to act; and it cannot be denied that, within the meaning of the Treaty, it has refrained from doing so. Once we have done this, all manner of possibilities will be open to us. I should like, for the record, to mention the most optimistic of these, namely that the Council will unanimously decide to adopt the 1960 draft Convention. I personally harbour no such illusions.

There is a further possibility, namely that the Council will persist in its negative attitude and oblige the Parliament, to which we belong, to debate the whole question all over again. Such a debate would be more serious and far more important than that called for today. If the Council continues to refrain from acting, we shall have to think about referring the matter to the Court of Justice of the Communities. We have not, however, reached this stage yet, and I heard Mr. Boertien say that he hoped we should be spared it.

What I think is more likely, and what I should prefer, is that the Council at length decides to do what the Parliament asked it in 1961; that is, hold discussions with us, or—to use a fashionable phrase—start up a dialogue. As I have pointed out, the Parliament set up a special delegation for the purpose, but the dialogue has never got under way.

I do not know what is going to happen but I think I have clearly shown you what the various possibilities are likely to be.

I see, Mr. President, that an amendment by Mr. Habib-Deloncle lies before this House. With your leave, I should like, after hearing Mr. Habib-Deloncle, to give the views of the Legal Affairs Committee.

**President.**—Does anyone else wish to speak?...

We now come to the motion for a resolution.

I have no amendment on the first two recitals.

I call Mr. Habib-Deloncle to explain his voting intentions.

**Mr. Habib-Deloncle.**—(F) We shall abstain from voting.

**President.**—Notice is taken of this statement.

I shall put the first two recitals to the vote.

These texts are adopted.

After the second recital, I have an amendment submitted by Mr. Habib-Deloncle, for the European Democratic Union, to the effect that the following recital should be inserted after the second recital :

‘Trusting that this draft will be modified to ensure strict application within the Community of the principle of “one man, one vote”.’

I call Mr. Habib-Deloncle to defend his amendment.

**Mr. Habib-Deloncle.**—(F) Before starting up the actual discussion of my amendment, I should like to congratulate the Rapporteur on the skill and conciliatory tone of his reply. This makes a pleasant contrast to some of the previous speeches which were not entirely free from polemic. But I shall not follow Mr. Westerterp’s example—for it was he who provoked the members of our group—and shall continue to wear the smile appropriate to a debate of this kind.

Mr. Westerterp’s remarks induce me simply to say that behind this motion for a resolution lie a lot of reservations of a constitutional nature.

The second chamber as described by Mr. Dehousse is very different from Mr. Westerterp’s, which is but a pale imitation of the present Council of Ministers.

The Commission would then become what, in common parlance, it has long been hopefully called, namely, the executive. But an executive that would stem from what? Probably it would be appointed by the Governments which would delegate no more than the powers to form a second federal chamber.

Should we reject out of hand the design underlying the draft submitted to us as completely unrealistic? We shall not build Europe by clamping on our old European States structures perhaps suited to Kansas, Nevada or Nebraska.

We want something else, we have something else in mind. And I must say that when it comes to universal suffrage, my country has not, I think, anything to learn from anyone. It is the only country in the whole Community where the head of the executive is elected by universal suffrage. It is the only one where a referendum, that is, a direct decision of the people, is frequently employed for legislative decisions. I therefore think that as regards universal suffrage we have some experience.

This is why I say quite frankly that if we want direct elections to the European Parliament we shall have to look into the two problems referred to by my friend Ribière. The first is that of a valid ‘opposite number’ in the dialogue with the Parliament, and this can only be an executive itself representative of European opinion. The second problem is that of relations between this executive and the legislature, that is, the very structure of the system. For we want to avoid a system based solely on the Parliament because we have suffered too much in our country from the excesses of the assembly system.

But there is also a preliminary issue raised by the amendment I am putting forward for my group. The Treaty of Rome very wisely introduced a measure of equalization in this Parliament—as, incidentally, regarding voting on the Council of Ministers. One country was given a certain number of votes on the Council of Ministers, and another fewer votes, but not in proportion—and this, I maintain, is a good thing—to the numerical or economic power of these countries. A certain weighting was also provided for in the Parliament: Luxembourg was given 6 seats, Belgium and the Netherlands 14, and the other three countries 36 seats each. This means, in this case, that there are six French members to each Luxembourg member. I say this in passing, with all the respect and friendship I feel for this small country which plays at times a conciliatory role much needed in our Community ...

Mr. Dehousse.—(F) ... and in Benelux.

Mr. Habib-Deloncle.—(F) When it comes to universal suffrage I notice, to take France and Luxembourg as examples, that the population ratio is not 1 to 6 but 1 to 150. If, therefore, we introduce universal suffrage and maintain the present weighting, one Luxembourg elector will be equivalent to twenty-five French electors. But we could put Luxembourg in a class apart as a product of history and take the Benelux group as a whole. This comprises about 23 million people, as compared with 59 million in Federal Germany, 53 million in Italy and 50 million in France. Benelux now has 34 representatives whereas each of the other three States has 36. Now, the French would not put up with being worth half a Belgian, Dutch or Luxembourg elector. So I hope that a choice will be made between universal suffrage and weighting, and not for both together because to me they appear to be incompatible.

I therefore call upon this Parliament to assume its responsibilities. If you vote for our amendment you will show that you want universal suffrage. If you do not vote for our amendment it will show that you do not want universal suffrage, for this is incompatible with inequality. All the principles of the 1789 Revolution, all the principles that led to the introduction of universal suffrage, are opposed to this inequality. There may, of course, be a minimum of it, for you cannot cut up a member into slices like a sausage and we know very well that everybody must be represented. But the overall weighting cannot be the same in a Parliament elected by universal suffrage as it is now in this House.

This is why we are tabling our amendment in the hope that the Committee's draft motion for a resolution will be changed to ensure a strict compliance within the Community of the principle of 'one man, one vote'.

After this amendment has been voted on, we shall know if the Parliament is really attached to the principle of universal suffrage.

President.—I call Mr. Dehousse.

Mr. Dehousse, *Rapporteur*.—(F) Mr. President, Ladies and Gentlemen, I have two criticisms of Mr. Habib-Deloncle's amendment. The first is that it is going back to the immense debate on the basic issue, and this is something I was trying to avoid. The problem is incalculably more complex than his and my remarks might suggest. It is an enormous problem to which all kinds of solutions might be applied—for example, setting a lower or an upper limit to the representation accorded to each State. All sorts of remedies are open to us, but once we embark on this course, we shall be dealing with matters of substance until heaven knows when!

What I think, as I have said, is that we should review the 1960 draft Convention. Like us, it has aged, and in the light of experience many changes have appeared necessary. For example, I supported my old friend Mr. Santero one day for taking up the cudgels—at that

time in vain—for the absolute incompatibility of two mandates, i.e. the European and the national one. When we consider the efforts that will be increasingly demanded of us if Europe is to go on developing, it is absurd to contemplate exercising the two mandates at the same time.

**Mr. Habib-Deloncle.**—(F) This betrays a total lack of realism !

**Mr. Dehousse.**—(F) This shows that the draft Convention must be overhauled, but not at this stage which is simply a procedural one.

Mr. Habib-Deloncle will forgive my saying that I do not find his version particularly apt and I apologize for this.

**Mr. Habib-Deloncle.**—(F) I forgive you.

**Mr. Dehousse.**—(F) He uses the term 'one man, one vote'.

**Mr. Habib-Deloncle.**—(F) I use it in the sense of 'ein Mensch', as the Germans say.

**Mr. Dehousse.**—(F) Apparently a number of ladies here have already indulged in pleasantries on this subject. Is it an anti-feminist amendment? I know, of course, that this is not the correct interpretation. Obviously he was referring to a human being. It is the old terminology of the United Nations: 'human rights'. As pointed out by Mrs. Roosevelt, who once presided over the Human Rights Commission, the word 'man' embraces women and children.

Obviously this is how we must understand the term as used in the amendment.

Mr. Habib-Deloncle was kind enough to say that I was trying to be conciliatory. I would ask him not to persist in his attitude at this stage, for I am convinced that we shall have to go back to this problem and reconsider the definition we envisaged in the draft Convention of 1960. But his position prejudices the issue and is, in my view, too arbitrary to win the approval of this Parliament.

I would remind you that what we want to ask the Council is that it should take a decision about our draft Convention. Three things may happen, and we shall see when the time comes. If, as I hope, a dialogue is finally started up with the Council, then every suggestion will be welcome and we will try to reach agreement on an acceptable draft.

I heard a very apt comment this morning on the—as usual, outstanding—observations of my friend Mr. Rey, to the effect that we are no longer at the stage of European dogmatism. Clearly ideologies no longer clash as violently as they did only a few years ago. And why? Because we have moved forward and have to make a stand on firm ground in the face of practical problems. Now, to judge from some of the speeches we have heard, and particularly that of Mr. Ribière, we are progressing towards an agreement, if not rapidly, at least at a reasonable pace.

**President.**—I call Mr. Vredeling.

**Mr. Vredeling.**—(N) Mr. President, Ladies and Gentlemen, Mr. Habib-Deloncle said that a champion of direct elections could not but endorse his amendment. But can the principle of 'one man, one vote', i.e. of fair representation, be applied across frontiers before we have European parties in the Community?

Only then shall we be faced with the problem of putting up candidates and—as Mr. Habib-Deloncle pointed out—of distributing seats among the various countries. If Mr. Habib-Deloncle

agrees that we should add a reference in his amendment to the formation of European parties, I shall give him my vote.

President.—I call Mr. Habib-Deloncle.

Mr. Habib-Deloncle.—(F) Mr. President, Ladies and Gentlemen, I am astonished that Mr. Vredeling wants to confine the electors in the strait-jacket of this or that party. My impression is that in his country there are parties the like of which are to be found nowhere else, parties bearing picturesque names that are very dear to us and remind us of days gone by—'Historical Christians', 'Anti-Revolutionary Party'. All this strikes us as very charming, but let Mr. Vredeling set his mind at rest: the day elections to the European Parliament are held by universal suffrage, we may perhaps conduct a campaign in the Netherlands for the 'Dutch Gaullists'!

(Laughter)

What matters at present is not the parties but the elector. When we speak of universal suffrage it is the elector who counts and not the right of the parties, and this is perhaps one of the points on which we differ from some members of this Parliament. For us, universal suffrage is made not for the parties but for the electors.

(Applause from EDU benches)

I am willing, Mr. Dehousse, to accept a change in the wording of my amendment so that I shall not be accused of anti-feminism, and to say 'one elector, one vote' instead of 'one man, one vote'—incidentally, a translation of a foreign expression—even though the *Déclaration des droits de l'homme* applies equally to women and even to children. I shall willingly change this word in my amendment, but the amendment itself I will maintain.

I do so because your motion for a resolution refers to a draft Convention that we cannot accept as it stands. Only if we ourselves can go some way towards changing this draft Convention will there, in my opinion, be any point in referring it to the Council. We cannot refer to the Council something so outdated and out of touch with reality.

There are two remedies.

We can withdraw the motion for a resolution, together draw up a modified draft Convention and start up a debate on the substance. This would, in my view, be the best method: we would do our own updating. I would willingly go along with such a move.

Alternatively, if you do not wish to withdraw the motion for a resolution and if we want to vote today, I say that we cannot endorse a draft Convention which you yourself admit to be, in some respects, out-of-date. We cannot ask the Council of Ministers, under the threat of bringing proceedings before the Court of Justice, to decide on something we know to be out-of-date. We ought then to indicate an approach that would make talks with the Council easier, and this can only take the form of absolute respect for the principle of universal suffrage. I therefore uphold my amendment and ask this House to show understanding for my attitude.

Since Mr. Dehousse said that Mr. Ribière had made a step forward today, I should like other members of this House to take a step towards ideas which, after all, are those of a Government and of an important party in the Parliament of one of the great States of the Community which deserves to be heard here just as much—not more but not less—as any other party.

President.—I call Mr. Boertien.

Mr. Boertien.—(N) Mr. President, Ladies and Gentlemen, interesting though I may find it to hear Mr. Vredeling and Mr. Habib-Deloncle discussing possible points of agreement or



difference in Gaullist and Dutch convictions, my impression is that this is not the problem under discussion. We are dealing with a report by Mr. Dehousse relating to Articles 138 and 175 of the Treaty.

Mr. Dehousse made it quite clear both in his report and in his introduction to it that we are concerned with legal considerations. We are not therefore going into the basic issue of direct elections in Europe. But Mr. Habib-Deloncle suddenly seizes on one feature of the draft Convention and wants to embody it in the resolution in the form of a fresh recital. Now, we could bring forward dozens of wishes and convert them into recitals, but that would be inconsistent with the character both of the resolution and of the report. I am against this. I entreat Mr. Habib-Deloncle to accept the report as such and to withdraw his amendment. It is not on the agenda today.

**President.**—I believe, Mr. Boertien, that Mr. Habib-Deloncle has already given you his answer. Besides, amendments to motions for a resolution can be tabled in any debate.

I call Mr. Vredeling.

**Mr. Vredeling.**—(N) Mr. President, Ladies and Gentlemen, this amendment has suddenly given rise to a discussion on an interesting point—that is the difficulty. Actually I had no intention of speaking a second time, but this matter is of such interest to me that I should after all like, if you will allow me, to tell Mr. Habib-Deloncle that he has not answered my question. What he said, more or less, was that when the time arrives a Gaullist party will have to be set up in the Netherlands. Why not, Mr. Habib-Deloncle? No one disputes your right. Try it... I wish you every luck! But then you will have to give us a chance of setting ourselves up in France. But somehow I feel that if we attempted anything of the kind, I would be promptly expelled as an undesirable alien.

In speaking of the situation in the Netherlands, Mr. Habib-Deloncle, you alluded to picturesque titles. Well, we have in this Parliament representatives of these picturesquely named parties. They belong to the Christian Democrat Group. In the Netherlands we have indeed many more of these droll and picturesque names; for example, at local government level. But at European level we work together! That's the point, Mr. President. At European level we work together, within the political groups, across the frontiers! And that—as I have said more than once, Mr. Habib-Deloncle—that is something that you cannot take away from us. That is a privilege you do not enjoy. And I shall miss no opportunity of rubbing that under your nose. That is an advantage you are denied.

**President.**—I call Mr. Radoux. Afterwards we can, I think, move on to the vote so that this debate does not drag on interminably.

**Mr. Radoux.**—(F) Mr. President, Ladies and Gentlemen, I did not really intend to speak, but Mr. Dehousse is right when he says that we should not discuss the basic issue but vote on the proposal he has made.

I am rather sorry about Mr. Habib-Deloncle's amendment because the motion for a resolution does, after all, have a bearing on elections by universal suffrage.

It would be wrong to maintain that when we vote in each of our States a man or a woman (in, say, Luxembourg or Germany) represents the same number of votes.

As things stand at present, we hold fast to the principle of universal suffrage but I cannot maintain, even in Benelux, that when I am elected I represent the same number of electors—men and women—as I would if I were a Dutchman or Luxembourger.

What I ask therefore, Ladies and Gentlemen, is that you do not go into the heart of the question but accept the principle of universal suffrage. As Mr. Dehousse rightly said, the draft Convention of 1960 needs changing. But that could be the subject of another debate.

I should be glad if Mr. Dehousse's proposal could be endorsed today because even you, Mr. Habib-Deloncle, told us at a recent meeting of the Committee on Political Affairs—and I welcomed this—that we should be having a political debate in May at which we could take up this question again.

I ask you today to withdraw your amendment not only because you are going right to the root of the issue but because it is wrong to say that we have the same proportion of votes at elections in our countries, and this because they represent what they represent, and your country represents what *it* represents.

Consequently, we must try—and I go back to the case you cited a moment ago, for we are not, after all, in another region of the world—to work out special arrangements.

I long ago ceased to refer in conversation to a Federal State of Europe or to a European Confederation, and speak only of Community Europe because that is something special and specific to Europe, and it is that, I think, for which your group is striving.

**President.**—Thank you, Mr. Radoux, but I do not think that your appeal to Mr. Habib-Deloncle will make him change his mind.

Are you maintaining your amendment, Mr. Habib-Deloncle ?

**Mr. Habib-Deloncle.**—(F) Mr. President, Ladies and Gentlemen, I am. We are quite agreed on principles because people are speaking to us about a draft Convention and this is referred to in the motion for a resolution. If Mr. Dehousse would withdraw any reference to the draft Convention and simply discuss the principle, then we shall see. At the moment, the motion for a resolution before us refers to a certain draft Convention. We say that we cannot accept it as it stands, and this in the interest of universal suffrage.

Mr. Radoux is right when he says that we do not all represent the same number of electors in our national Parliaments. We do not want this to be the case if the European Parliament is elected by universal suffrage. We accept weighting in a Parliament which itself represents the national Parliaments ; we will not accept it in a Parliament elected by universal suffrage, in which all citizens of Europe must carry equal weight.

This seems to me to be a strict application of the principle of universal suffrage, and it faces the Parliament with its responsibilities. It is simply a question of taking a stand on the principle of the equality of the citizens of Europe as regards universal suffrage. It is this principle that is at stake today.

If our amendment is not adopted, we shall take it to mean that there are some who want both universal suffrage and weighting, and I can tell you now that we shall never accept that.

**President.**—Does anyone else wish to speak ?...

I put the amendment to the vote.

The amendment is rejected.

I put the second and third recitals of the motion for a resolution to the vote.

The motion for a resolution is adopted.

## C—RESOLUTION

*The European Parliament,*

having regard to the fact that Article 138,3 of the Treaty setting up the EEC provides for its election by direct universal suffrage ;

having regard to the fact that on 17 May 1960 the European Parliament had already presented a draft Convention on elections by direct universal suffrage ;

in view of the fact that the Council has so far taken no decision on this draft Convention and has not studied it for six years ;

invites its President to urge the Council to embark without delay on the action the Treaty requires to be taken on the Parliament's draft Convention, and to draw its attention to the provisions of Article 175, paragraphs 1 and 2.'

VII—Extract from the statement to the press issued by the Council of the European Communities at the end of the Council's Eighth Session on 12 May 1969

*(Doc. 686/69 AG 102)*

'The Council has held a searching discussion on certain aspects of its relations with the European Parliament.

With regard to the resolution adopted on 12 March by the European Parliament on its election by direct universal suffrage, the Council has instructed the Committee of Permanent Representatives to report to it on this draft Convention, and has sent a letter on this subject to the President of the Parliament.

Moreover, after hearing a report from its President on a conversation held by him with the President of the European Parliament in Strasbourg on 7 May, the Council instructed the Committee of Permanent Representatives to make preparations for the Council's discussions on the various questions raised by the President of the Parliament.'

## CHAPTER II

### TEXTS OF THE BELGIAN PARLIAMENT

Bill relating to the direct election by universal suffrage of Belgian representatives to the European Parliament, introduced in the Chamber of Representatives on 26 June 1969 by Messrs. Nothomb and Chabert

*(Social Christian Party)*

*(Chamber of Representatives, 1968-69 session, 454, No. 1)*

#### A—BILL

##### Article 1

The Belgian Parliament shall resort to elections by direct universal suffrage for the purpose of nominating from among its own members, and in accordance with Article 138 of the Treaty setting up the European Economic Community, Belgian representatives to the European Parliament.

##### Article 2

The first elections shall be held on the same day as the local elections, namely, on the second Sunday in October 1970.

##### Article 3

The elections shall be by proportional representation on the basis of a single national constituency.

##### Article 4

Representatives in the European Parliament shall be elected by persons entitled to vote at local elections.

##### Article 5

Only persons who are members of the Belgian Parliament at the time of the elections shall be eligible as representatives of the European Parliament.

##### Article 6

Representatives elected shall be drawn in equal numbers from the Senate and from the Chamber of Representatives.

## Article 7

Each of the Chambers shall declare elected those candidates who, in the course of the elections, have secured on their respective lists the number of votes necessary under the electoral system adopted.

## Article 8

The Minister of the Interior shall be responsible for giving effect to this Act.

### B—EXPLANATORY STATEMENT

Ladies and Gentlemen,

It is essential to impart a fresh political impetus to the building of Europe that goes beyond the completion of the Common Market and negotiations between Governments on enlarging the Communities.

Pending real European elections by direct universal suffrage—the democratic basis for a genuine federal State—the authority of members of the European Parliament ought to be strengthened forthwith by involving the entire electorate in their nomination.

In June 1969 a 'people's Bill', backed by 50,000 signatures and sponsored by the European Movement and the European Federalist Movement, was introduced in Italy.

The Chamber of Deputies of the Grand Duchy of Luxembourg, in its turn, has passed a motion calling on the Luxembourg Government to organize direct elections by universal suffrage for Luxembourg members of the European Parliament.

The European Parliament has also taken up a position on the same lines.

This Bill embodies the basic features of the Italian Bill with an eye to the first elections which could be held on the occasion of the local elections in 1970.

This date has to be chosen for practical reasons because special elections cannot be organized solely for the purpose of nominating Belgian members of the European Parliament. It is of particular significance because this month, June 1970, the Belgian Parliament has for the first time reduced the minimum voting age for the 1970 local elections to 18 years.

It would be a very good thing if Belgium were to offer a generation of young electors which is being called to go to the polls for the first time, not only a say in local democracy but also a European choice which they would be the first to be in a position to make.

This Bill will have to be rounded off by a great many technical provisions settling when subsequent elections are to be held, giving citizens of the other five EEC countries living in Belgium an opportunity to take part in them, etc.

The mere fact that the Belgian Parliament takes up this question and debates the Bill will bear witness to our will to build political Europe.

### CHAPTER III

## TEXTS OF THE GERMAN PARLIAMENT

I—Oral questions by Mr. Rollmann (CDU/CSU) in the Bundestag on the election of the European Parliament by universal suffrage and replies by Mr. Schröder, the Foreign Minister, 22 January 1964

*(Bundestag, 4th legislative period, 107th session)*

#### A—FIRST QUESTION

What is the position of the Federal Government as regards the organization of direct elections to the European Parliament ?

*Answer*

Mr. Schröder, *Federal Foreign Minister*.—The reply to that question is as follows : The Federal Government sees direct elections to the European Parliament as a particularly effective means of strengthening that Parliament and as an essential prerequisite for real parliamentary control of the European Community. The date of the elections, however, will be decisive for widening the role of the European Parliament.

#### B—SECOND QUESTION

What chance does the Federal Government see of giving effect to the draft Convention on the direct election of the European Parliament adopted by that Parliament in May 1960 ?

*Answer*

Mr. Schröder, *Federal Foreign Minister*.—The reply to that question is as follows : The Federal Government has adopted a positive attitude to the draft Convention on the direct election of the European Parliament. No decision has, however, yet been taken on this draft Convention.

II—Bill relating to the direct election of German representatives to the European Parliament, introduced in the Bundestag on 10 June 1964  
by Mr. Mommer and the SPD group ; report drawn up by Mr. Furler for the Foreign Affairs Committee, 19 February 1965, and debate in plenary session on the Bill, 20 May 1965

A—BILL INTRODUCED BY MR. MOMMER AND THE SPD GROUP  
(*Bundestag, 4th legislative period, Doc. IV/2338*)

Article 1

By virtue of Article 138 of the Treaty of 25 March 1957 setting up the European Economic Community (Official Gazette of the Federal Government, vol. II, p. 66), Article 108 of the Treaty of 25 March 1957 setting up the European Atomic Energy Community (Official Gazette of the Federal Government, vol. II, p. 1014) and Article 2 of the Convention relating to certain institutions common to the European Communities of 25 March 1957 (Official Gazette of the Federal Government, vol. II, p. 1156), the Bundestag shall nominate from among its members, in accordance with the provisions of this Act, 36 representatives to the European Parliament.

Article 2

The German Bundestag shall nominate as representatives to the European Parliament those of its members who were elected, on the day of elections to the Bundestag, in a special ballot from federal lists in accordance with the principles of proportional representation.

Article 3

The territory of the Federal Republic shall be treated as a single electoral area.

Article 4

Every elector shall have one vote.

Article 5

1. The right to vote and eligibility shall be governed by the provisions of the Electoral Act of 7 May 1956 (Official Gazette of the Federal Government, vol. I, p. 383) as amended by the Act of 14 February 1964 (Official Gazette of the Federal Government, vol. I, p. 61).
2. Only candidates simultaneously standing for election to the Bundestag shall be eligible.

Article 6

The electoral organs shall be the same as for elections to the Bundestag.

Article 7

Electoral lists and voting certificates shall be subject to the provisions of Article 18 of the Electoral Act.

Article 8

1. Lists of candidates shall be submitted only by parties that are active throughout the entire Federal Republic or which, jointly with other parties, are active throughout that entire area. The provisions of Article 19, paragraphs 2 and 3, of the Electoral Act shall be applied.

2. The lists referred to in (1) above shall set out the names of candidates in numerical order.
3. Candidates shall appear on only one list. Their consent to stand for election shall be obtained in writing.

#### Article 9

1. The Federal Election Committee shall decide, not later than 30 days before the elections, on the admission of lists.
2. The provisions of Article 29 of the Electoral Act shall apply, *mutatis mutandis*, to the rejection of a list. The Federal Election Committee shall take its decision after hearing representatives of the parties that have submitted the lists. The Committee's decision shall be final.

#### Article 10

1. Ballot papers shall be supplied by the authorities. At the time of voting, they shall be inserted, together with the ballot papers for the election of the Bundestag, in the same official envelope.
2. The ballot paper shall be headed 'Election of German representatives to the European Parliament' and set out the first ten names on the list submitted.
3. The order in which the lists are to appear on the ballot paper shall be governed by Article 31, paragraph 3, of the Electoral Act.

#### Article 11

1. The voting procedure shall be governed, *mutatis mutandis*, by the provisions of Articles 32 to 36 of the Electoral Act.
2. Polling results shall be determined, *mutatis mutandis*, as provided in Articles 37 to 42 of the Electoral Act.

#### Article 12

1. Verification of the poll shall be governed, *mutatis mutandis*, by the provisions of the Poll Verification Act of 12 March 1951 (Official Gazette of the Federal Government, vol. I, p. 166).
2. In the event of a poll being declared invalid, the subsequent poll shall be governed, *mutatis mutandis*, by the provisions of Article 44 of the Electoral Act.

#### Article 13

1. Those candidates shall be elected who are invested with a mandate in accordance with the principles of proportional representation, provided they have also been elected to the Bundestag. They shall become members of the European Parliament on making a declaration before the returning officer to the effect that they accept election to the Bundestag and to the European Parliament. They shall not, however, become members before the legislative period of the last Bundestag expires. The elected candidate may refuse election to the European Parliament while accepting election to the Bundestag. Acceptance of election to the European Parliament shall be without effect if election to the Bundestag is refused.
2. The returning officer shall notify the President of the Bundestag of the names of candidates elected, in pursuance of Article 2, in accordance with the principles of proportional representation. Only candidates simultaneously elected to the Bundestag shall be considered.



#### Article 14

A representative elected to the European Parliament shall lose his seat on ceasing to be a member of the Bundestag (Article 46 of the Electoral Act) or on informing the President of the Bundestag of his resignation from the European Parliament.

#### Article 15

Seats falling vacant in the European Parliament shall be filled by the next candidate appearing on the list to which the outgoing member belonged. The returning officer and the President of the Bundestag shall take the measures required by the provisions of paragraph 15.

#### Article 16

The final provisions of Articles 50 to 53 of the Electoral Act shall apply *mutatis mutandis*.

#### Article 17

So long as, under the terms of Article 2 of the Treaty of 23 October 1954 on relations between the Federal Republic of Germany and the three powers (Official Gazette of the Federal Government, 1955, vol. II, p. 305) in conjunction with the letter of the three High Commissioners, versions of 23 October 1954 (Official Gazette of the Federal Government 1955, vol. II, p. 500), obstacles stand in the way of the full application of this Act in the Land of Berlin, the following rules shall apply :

1. The number of representatives specified in Article 1 shall be reduced to 34.
2. To this number shall be added two representatives of the Land of Berlin in accordance with the following provisions :
  - (a) The House of Representatives of Berlin shall elect the representatives and an adequate number of substitutes on the basis of the composition of the House of Representatives at the time of the elections to the Bundestag. The parliamentary groups represented in the House of Representatives at that time shall make proposals accordingly. The candidates elected shall be among the representatives delegated to the Bundestag by the Land of Berlin in accordance with Article 54 of the Electoral Act.
  - (b) The provisions of Article 54,2 b and c of the Electoral Act shall be applicable *mutatis mutandis*.

#### Article 18

In accordance with Article 13,1 of the Third Transitional Act of 4 January 1954 (Official Gazette of the Federal Government, vol. I, p. 1), this Act shall also apply in the Land of Berlin. Statutory rules and orders made pursuant to this Act shall apply in the Land of Berlin in accordance with Article 14 of the Third Transitional Act.

#### Article 19

1. This Act shall come into force on the day of its promulgation. It shall be applied for the first time at the elections for the Fifth Bundestag.
2. It shall be abrogated on the day of the entry into force of an electoral system to be set up in accordance with the provisions of the Treaties of Rome of 25 March 1957.

B—REPORT DRAWN UP BY MR. FURLER FOR THE FOREIGN AFFAIRS COMMITTEE  
(*Bundestag, 4th legislative period, Doc. IV/3130*)

I

Document IV/2338 contains a Bill on the election of German representatives to the European Parliament. The Bundestag gave it a first reading on 25 June 1964 at its 133rd session. It referred it to the Foreign Affairs Committee, as the body mainly concerned, and to the Committee for Internal Affairs for its opinion. In its letter of 9 December 1964 the latter returned the following opinion :

1. The Committee is in principle in favour of sending directly elected members to the European Parliament.
2. The Foreign Affairs Committee is therefore asked to ascertain whether sending to the European Parliament members thus elected would be in accordance with the Treaties of Rome and whether the proposed arrangement recommends itself.
3. The Committee for Internal Affairs recommends
  - (a) that the submission of lists of candidates should be restricted under Article 8 to parties whose lists are also accepted for elections to the Bundestag ;
  - (b) that a clause be added to Article 15 to the effect that only a member of the Bundestag can be taken from a list to fill a seat falling vacant in the European Parliament ;
  - (c) that the Bill should empower the Federal Government to make statutory orders.
4. The Committee for Internal Affairs also requests the Committee concerned—should it support the Bill—to give it a further opportunity of checking that the provisions have been brought into line with the Electoral Act and Federal regulations on elections.'

At its meeting of 17 December 1964 the Foreign Affairs Committee discussed the Bill and decided by a majority to recommend its rejection by the Bundestag.

II

The purpose of the Bill is to permit the direct election of the 36 German members of the European Parliament. It suggests that this should take place for the first time on 19 September 1965, concurrently with elections to the Bundestag. According to the Bill, to the two votes provided for under the Electoral Act would be added a third which would go to candidates for the European Parliament entered on Federal lists.

'Those candidates shall be elected who are invested with a mandate in accordance with the principles of proportional representation, provided they have also been elected to the Bundestag.' (Article 13, paragraph 1).

The initiators of the Bill support it with the following arguments :

1. Direct elections to the European Parliament as provided for in the Treaties of Rome cannot be held in the foreseeable future. At its session of 17 May 1960 the European Parliament adopted a draft Convention on its direct election by universal suffrage (Doc. European Parliament 22/1960-61) drawn up over an eighteen-month period by a Working Party of the Committee on Political Affairs. In Brussels, on 20 June 1960, the President of the

European Parliament passed the draft Convention to the Council. The Councils, which are required to reach a unanimous decision, have so far not done so.

2. Articles 138 of the Treaty setting up the EEC and 108 of the Treaty setting up Euratom present no obstacle to the election of German representatives in the manner proposed. The Bill only lays down the 'procedure' that the Bundestag should follow in nominating German representatives ; in this respect each State is free to act as it thinks fit.
3. Other member States may be expected to follow the German example.
4. The proposed procedure will impart a new impetus to the European idea and bring it home to the people.

### III

The Bill was rejected by the majority of the Committee for legal and political reasons. It was guided by the following considerations :

#### 1. *Legal reasons*

- (a) The European Parliament consists of 'representatives ... nominated by the respective Parliaments from among their members in accordance with the procedure laid down by each member State' (Articles 138,1 of the Treaty setting up Euratom, and 21,1 of the Treaty setting up the ECSC). 'Nominated' here is synonymous with 'elected'. It follows that only representatives of national Parliaments elected by them to the European Parliament can become members of the European Parliament. Election or nomination is a constitutive act ; the practical procedure involved is something to be determined by each State.
- (b) The development of inter-State or supranational assemblies also shows that nomination to the European Parliament amounts to a form of direct election by the national Parliaments lying somewhere between nomination by the Government and direct election by the people. Examples of nomination by the Government are : the Bundesrat, which has its origins in the Assembly of the States of the German Federation and of the Lands of the German Empire, the General Assembly of the United Nations, and the Consultative Assembly of the Council of Europe, whose Rules of Procedure originally read :

'The Consultative Assembly shall consist of Representatives of each Member appointed in such manner as each Government shall decide ...'

This was subsequently amended to read : 'The Consultative Assembly shall consist of Representatives of each Member elected by its Parliament or appointed in such manner as that Parliament shall decide ...'

The present trend is therefore to replace appointment by the Government by an election by the national Parliaments.

- (c) The indirect election of members of the European Parliament by the national Parliaments of member States is contrary to paragraph 3 of the foregoing Article of the Rome Treaties, which provide for 'elections by direct universal suffrage'.

The European Parliament is accordingly drawing up 'proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.' The Council must then 'unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

- (d) This Bill (IV/2338) only appears to provide for a composite procedure :

Direct election of German representatives to the European Parliament by universal suffrage would be followed by their nomination (election) by the Bundestag. As the Bundestag is not free to elect members to the European Parliament but has to nominate representatives elected by the people this is not a composite procedure but, in fact, a process of direct election. It anticipates direct elections as envisaged in the Treaties of Rome, although in a national and technically different form.

Such a procedure is not laid down in the Treaties of Rome. If we look at it more closely, we can see that this form of election clashes with the letter and spirit of the Treaties. According to the Treaties, there are only two alternatives : indirect election of representatives 'by the national Parliaments from among their members' and 'elections by direct universal suffrage in accordance with a uniform procedure in all member States.' Direct elections must be held in all member States and in accordance with a uniform procedure. In the case of indirect elections, the choice of the national Parliaments is restricted to their own members, and the method applied (for example, the de Hondt method or special parliamentary decisions) is left to the States. This alternative is offered by the Treaties out of a desire to make direct elections to the European Parliament an act of the European Community. Furthermore, the Bill is designed to work out not a 'procedure' for indirect elections but the basis for the direct election of members of the European Parliament.

## 2. *Political reasons*

- (a) Bracketed with elections to the Bundestag, the proposed elections would lose their European character. Election day would not be the European occasion to which so much importance is attached in the debates of the European Parliament. Indeed, Article 14, first paragraph, of the draft Convention on the election of the European Parliament by direct universal suffrage states :

'Elections to the European Parliament shall be held on the same day in all six member States ; the date shall be fixed so that national elections do not coincide with those to the European Parliament.'

If, as proposed, the two elections were to take place simultaneously, the electoral campaign would be dominated by party, local and national issues.

- (b) The position of the European Parliament would not be strengthened by the direct election of one or more national groups of its representatives, but only as a result of specifically European elections by universal suffrage.
- (c) Nor would the position of members of the European Parliament directly elected at national level be improved in that Parliament, in which members should have the same status and the same scope for action.
- (d) Implementing the Bill would throw up the following anomalies :
- (aa) A candidate elected to the European Parliament who fails to get into the Bundestag would not be able to enter the European Parliament. Thus the European election would be to no effect and the national election decisive, a circumstance that clashes with a key principle of a European poll.
- (bb) Under the Bill the elected member can opt not to sit in the European Parliament but not vice versa ; this shows that this form of election carries less weight.
- (e) It is to be feared that the grand purpose and the political significance for the European Parliament of elections by direct universal suffrage would be prematurely used up by elections conducted on a strictly national basis and not in every State.

The Committee therefore recommends the Bundestag to reject the Bill set out in Document IV/2338.

In conclusion it should be mentioned that the Committee favours early European elections by universal suffrage as provided for in the Treaties of Rome. It hopes that the Federal Government will use its influence on the Council with a view to the adoption of the draft Convention on the subject already submitted.

C—REPORT OF THE DEBATE  
HELD ON THE BILL AT THE SESSION OF 20 MAY 1965

*(‘Monthly Bulletin of European Documentation’, General Directorate of Parliamentary Documentation and Information, 7th year, No. 9, 9 September 1965)*

At the opening of the session, Mr. Furler presented the report in which the Committee for External Affairs rejected Mr. Mommer’s Bill. Mr. Mommer (SPD) then took the floor to say that, despite enormous difficulties, great progress had been made towards the economic unification of Europe. There remained unfortunately one aspect of Europe that had been under-developed right from the start, namely, that of democracy and of the parliamentary and democratic foundations of the European institutions. Mr. Mommer deplored the lack of progress in this sphere, especially as regards the powers of the European Parliament. This ought to become a real Parliament, directly elected by the people or the peoples of Europe it had to represent, just as Article 138 of the Rome Treaty laid down.

Mr. Mommer defended his proposals by pointing out that European policy had to be one of ‘easy stages’. This was the only way to avoid the criticism of preferring one’s own peace of mind to the good of Europe, of standing still instead of leaping to the defence of parliamentary rights. It had to be a policy of ‘easy stages’ because no major decision could be carried through at present because the Head of one of the Six States opposed integration. The parties of the Coalition, he said, had rejected the Bill because they were afraid of doing anything that might displease the French President. This fear underlay the policy of the Federal Government. ‘In the past we have been too timid in upholding our views and interests against the General. In European affairs we ought always to hold up our European creed against his creed of nationalism and of absolute sovereignty. We must do this just as often and just as clearly and firmly as he does. Although he is the only one in Europe to do this, he is not afraid of openly announcing his opposition to integration in Europe and in in the Atlantic sphere.’

Mr. Kopf (CDU/CSU) stated that the point of direct elections to the European Parliament was that they should be an act by the Community and be held not only in one but in all the member States simultaneously. He found it regrettable that the Working Party of the European Parliament, which had been working on a common electoral law for over a year, had still not completed its task. Because the various countries were still too closely attached to their own electoral traditions, it was desired to entrust this task to the future European Parliament to be elected by direct suffrage. Mr. Kopf quoted Article 14 of the European Parliament’s draft Convention which clearly states that national elections should not coincide with elections to the European Parliament. This stipulation was justified by a desire to take into account the special character of this overall Community act.

Freiherr von Mühlen returned to Mr. Mommer’s proposal for a policy of ‘easy stages’ in European affairs. If, however, Germany were to elect members to the European Parliament on its own, it would be proceeding by anything but ‘easy stages’ and end up right out of line with the other member States.

For the SPD group, Mrs. Strobel said that her party's intention in submitting the Bill had been to couple the election of German members to the European Parliament with elections to the Bundestag so that the electorate would be directly involved in electing these members. Its purpose was to give a firmer legal footing to German members of the European Parliament and also to set an example that might expedite the introduction of direct elections to that Parliament.

According to Professor Burgbacher (CDU/CSU) all the parties represented in the Bundestag wanted to speed up political integration and to increase the powers of the European Parliament. But his group had doubts about direct elections as proposed by the SPD at this particular moment because they would bring in a Parliament that did not tally with the electorate's idea of what such a body should be. He feared that the public would ask: 'What have they to say, and what can they do?' This would do more harm than good.

Mr. Carstens, Secretary of State at the Federal Foreign Ministry, said at the close of the debate that the German Government also felt uneasy at the idea of Germany alone directly electing members to the European Parliament. This would mean abandoning the principle of a uniform procedure in all member States. The German Government was nonetheless in favour of strengthening the powers of the European Parliament and would bring this matter up again when the merger of the executives had gone through and the merger of the three Communities came up for discussion.

The CDU/CSU and the FDP therefore voted against the SPD proposal and this was rejected.

*(Bundestag, 3rd legislative period, 185th session, 20 May 1965)*

## CHAPTER IV

### TEXTS OF THE FRENCH PARLIAMENT

I—Bill No. 391, registered at the President's Office of the National Assembly on 12 June 1963, fixing the date for the election of the European Parliament by direct universal suffrage and introduced in the National Assembly by Mr. Rossi, members of the 'Rassemblement Démocratique' and allies, Messrs. Blancho, Darras, Deschizeaux, Coustau, Escande, Pic, Privat, Francis, Vals, and members of the Socialist Group, Messrs. René Pleven, Abelin, Baudis, Charpentier, Christian Bonnet, Miss Dienesch, Messrs. Fréville, Michel Jacquet, Louis Michaud and Pillet

*(The Bill was referred to the Foreign Affairs Committee)*

#### A—BILL

##### Article 1

Elections to the European Parliament by direct universal suffrage as provided for in Article 138 of the Treaty of Rome shall be held on 9 May 1965.

##### Article 2

The Government shall make known the arrangements adopted for these elections, along the lines of the proposals made by the European Parliament, before 31 December 1963.

##### Article 3

Failing agreement among the Governments, the National Assembly shall appoint a committee to study arrangements for the national election by universal suffrage of representatives of France in the European Parliament.

#### B—EXPLANATORY STATEMENT

Never has the great European project been in such great danger.

Even its first achievement, the Common Market, is incapable of resolving its internal dissensions in the absence of a political authority to act as arbiter.

Only a political revival can give the process of European unification a final jog and save it. If this chance is missed the Common Market will become no more than an ordinary trade agreement riddled with matters of dispute, and Europe will fade back into its old piecemeal pattern.

The Common Market was only the first link in a long chain that was to stretch from a fragmented to an organized Europe.

In contrast to the ECSC Treaty, with its clearly defined provisions, the Rome Treaty is simply a catalogue of aims and means of achieving them. It is true that its authors considered it as marking a stage at which the Europeans, before becoming reconciled, had first to get to know each other better and called a meeting for the purpose of bringing their economies face to face. But this was all that was done. The idea was that once the initial diffidence was overcome, success would win over the peoples to the European cause while the difficulties encountered would induce the Governments to accept the arbitration of specifically political institutions.

In other words, no one thought that the Common Market would run its full course without the creation of a European Government and a European Parliament and Government to support this astonishing venture when it ran into difficulties.

Everything has been accomplished with the exception of the political task.

The ideal way to revive Europe would obviously involve both the executive and the Parliament since these two authorities must, by analogy with our democratic States, constitute the institutions of united Europe.

As regards the executive, the initiative rests with the Governments. It is for them to give this institution the political features which were not outlined by the Treaty. It is for them, above all, to work out an arrangement on which they can all agree.

The revival of the Parliament, on the other hand, raises no such problems because the final form it must take is already laid down in the Rome Treaty, which governs its composition and powers and provides for its election by universal suffrage. In 1960 this Parliament made practical proposals on the arrangements for such an election and on the number of seats it would have.

This is why we propose to you that a date should be fixed for these elections.

This simple decision would trigger off a revival by obliging the Governments to comply with the provisions of the Treaty of Rome. Moreover, by deciding to go ahead with these elections, our Parliament will affirm its position and its rights both in the national and in the European sphere.

Ladies and Gentlemen, this is a serious appeal that we are making to you.

Through your vote you can give Europe one of the two institutions it must ultimately have. Even more important, you can bring Europe home to the people; the day they vote on Europe they really will be marching right into it.

Then indeed, the grand union for which we have fought at your side will cease to be a thing of the future, the affair of shopkeepers and technocrats, and will belong truly to the peoples. You will thus agree that we should require the six Governments not to extend this time-limit beyond the 15th anniversary of President Schuman's historic declaration.

At the same time if the Governments were to go beyond the wishes of their Parliaments, there would be nothing to stop the latter from ceasing to nominate the members of the European Parliament from among their own members and having them elected by universal suffrage. As that is the ultimate aim of the Rome Treaty, this would be only a first step towards its achievement. Hence our proposal to set up a committee to look into the arrangements for such an election.

But this is only one alternative. We have not reached that stage yet, and we hope for the sake of democracy, the rights of the Parliament and the future of Europe that we never shall.



II—Bill No. 679, registered at the President's Office of the National Assembly on 28 May 1968, fixing the date for the European Parliament by direct universal suffrage and introduced in the National Assembly by Messrs. Rossi, René Pleven, Abelin, Bosson, de Montesquiou and the members of the 'Progrès et Démocratie moderne' group of the National Assembly  
(*The Bill was referred to the Foreign Affairs Committee*)

#### A—BILL

##### Article 1

Elections to the European Parliament by direct universal suffrage as provided for in Article 138 of the Treaty of Rome shall be held in France on 9 May 1969.

##### Article 2

The Government shall make known the arrangements for these elections, as decided on by the Council of Ministers of the Communities, before 1 October 1968.

##### Article 3

Failing agreement on the Council of Ministers, the National Assembly shall appoint a committee to study arrangements for the national election by universal suffrage of representatives of France in the European Parliament.

#### B—EXPLANATORY STATEMENT

As the Common Market develops to the point where it not only proves to be an encounter of six economies but places these as a whole in competition with the rest of the world, there will be an ever growing need for a political Europe that adopts a uniform approach to international affairs.

Having reached second place among the world's economic powers, the Europe of the Six finds itself, paradoxically enough, with no influence in world affairs. Do we need to remind ourselves, to quote but one example from the recent past, that Europe had to leave the main role to the two super-powers during the Middle East crisis?

A fresh start must therefore be made, and we regret that the six Governments have not been able to reach agreement on the extension of the Community to other sectors such as diplomacy and defence.

Is this any reason for giving up? Is it not rather up to the national Parliaments to seek ways of persuading their Governments to take this course?

One of these ways could be through the European Parliament, for which the Treaty of Rome includes a provision (Article 138) for elections by direct universal suffrage.

Will not obliging the Governments to carry this out at the same time lead them to delegate executive powers in keeping with the enhanced prestige with which the European Parliament would emerge from these elections?

Everyone is aware of the immense impact such elections—the like of which has never been seen on our continent—would have on the public. And, at one blow, the grand union for

which we are striving would cease to belong to the future, to shopkeepers or technocrats, and become the affair of the people.

This is why we believe that it is the duty of our National Assembly to express its desire to see the six Ministers reaching agreement on the arrangements for such elections. And we consider that the best way of showing our determination on this point is to decide upon a date. We therefore propose 9 May 1969 because this marks the nineteenth anniversary of President Schuman's declaration.

III—Bill No. 688, registered at the President's Office of the National Assembly on 5 April 1968, fixing the date for the election of the European Parliament by direct universal suffrage and introduced in the National Assembly by Messrs. Mitterand, Loustau, Naveau, Spénale, Francis Vals, Péronnet, Pic, Charles Privat, Escande, Leccia, Schloessing, Maurice Faure and the members of the Group of the 'Fédération de la gauche démocratique et socialiste' and allies.

*(The Bill was referred to the Foreign Affairs Committee)*

#### A—BILL

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## CHAPTER V

### TEXTS OF THE ITALIAN PARLIAMENT

I—Motion for the election of a European Constituent Assembly tabled in the Chamber of Deputies on 23 February 1961 by Messrs. Ferrarotti, La Malfa, Reale Oronzo, De Vita (*Republicans*), Del Bo, Colombo, Vittorino (*Christian Democrats*), Arosto, Orlandi, Romita (*Social Democrats*) and Vigorelli (*Socialist*)  
(*Atti parlamentari*, Chamber of Deputies, session of 28 February 1961)

*The Chamber,*

convinced that it is the inescapable duty of Western Europe today :

- 1) to put an end once and for all to renascent nationalism ;
- 2) to create a European economy open to the rest of the world and ensuring well-being, security and social justice for all Europeans ;
- 3) to abolish nationalism in all its forms and to take on responsibility for providing brotherly assistance for peoples freeing themselves from oppression and moving through difficulties towards liberty and economic and social progress ;
- 4) to lend active support to the maintenance of world peace ;

convinced that to achieve these objectives a real federal Community open to all the democratic countries of Europe and raised above national sovereignties must be established ;

convinced that, although they are helping to form a single market, the present European Communities are incapable of achieving political unity since their field of action is illogically confined to certain aspects of the economy and, moreover, subject not to a European legislative and executive authority but to the inevitably partisan aspirations of the various national Governments ;

convinced that the meetings of Heads of Government, on which it was desired to found European political unity, are by their nature incapable of promoting the constantly growing political will needed if unity is to be something more than a mere word ;

convinced that European unity must be based on a real European democracy and stem from the constituent authority of the European people ;

convinced that a European Federation is of capital importance for the Italian Republic, and that it is therefore the duty of its Government to take the measures necessary to ensure that it comes into being ;

bearing in mind that the Heads of Government of the member States of the Economic Communities will be discussing plans for political unification at their next meeting ;

calls on the Government to use every means of supporting the international agreements needed for setting up without delay a European constituent authority or, to be more precise, for organizing the direct election of a European Parliament responsible for drawing up the constitution of the European Federation which each State will then have to approve by a referendum.'

**II—Motion relating to the length of the transition period and to the election of the European Parliament by universal suffrage tabled in the Senate by Messrs. Santero, Battista, Vaccaro, Dardanelli, Zaccari, Sibille, Granzotto Basso and Januzzi and adopted at the session of 24 October 1961**

*(‘Atti parlamentari’, Senate, 477th session)*

*‘The Senate,*

considering that by now both the general public and most parliamentarians are convinced that the economic integration of the countries of the European Community can and must be rounded off by measures designed to organize their political unity so as to provide a surer guarantee for the growing prosperity of our peoples in democracy and peace ;

calls on the Government

to take a firm stand, at the next conference of Heads of Government of the countries of the Community, to ensure :

- 1) that a final decision is taken on the length of the transitional period considered necessary for the gradual establishment of a political community open to all the democratic States of Europe ;
- 2) early approval of the draft Convention submitted by the European Parliament with a view to its election by direct universal suffrage and to an increase in its powers.'

**III—Bill on the direct election of the Italian members of the European Parliament introduced in the Chamber of Deputies on 29 September 1964 by Messrs. Pedini, Edoardo Martino and Vedovato (*Christian Democrats*)**

*(Bill No. 1678, 4th legislative period)*

#### **A—BILL**

##### **Article 1**

The Government is empowered to issue, within a year after this Act comes into force, statutory orders for the election of the 36 members of the European Parliament by direct universal suffrage pursuant to Article 138 of the Treaty setting up the EEC.

##### **Article 2**

The orders referred to in Article 1 shall be based on the legal provisions in force on the election of the Chamber of Deputies, in so far as they are compatible with the aforementioned

Article of the Treaty setting up the EEC, account being taken also of the guidelines submitted to the European Parliament and to the EEC Council of Ministers in the resolution of July 1960.

### Article 3

The office of representative in the European Parliament shall be incompatible with that of :

- member of the Parliament ;
- member of the Government ;
- member of the ECSC, of the EEC Commission or of the EAEC Commission ;
- judge, advocate-general or registrar at the Court of Justice of the European Communities ;
- member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the EAEC ;
- auditor, as provided for in Article 78 of the Treaty setting up the ECSC, or member of the supervisory committee of auditors provided for in Article 206 of the EAEC Treaty ;
- member of committees or other bodies established under the Treaties setting up the ECSC, the EEC or the EAEC for the purpose of managing the Community's funds or carrying out a direct administrative task ;
- member of the Board of Directors, Management Committee or staff of the European Investment Bank ;
- official or other servant in the active employment of the institutions of the European Communities or of the specialized bodies attached to them.

### Article 4

Until the States which signed the Treaty setting up the EEC conclude an agreement on direct elections pursuant to Article 138,3 of the Treaty of Rome, the Parliament shall send as delegates to the European Parliament, in accordance with paragraph 1 of the same Article, representatives and senators nominated for the purpose by the electorate at elections by direct universal suffrage, which shall be organized as laid down in the statutory orders to be issued under Article 1 of this Act.

## B—EXPLANATORY STATEMENT

The European Economic Community is in the throes of expansion. The crisis of January 1963 did not put a brake on its momentum, although it set off a crisis of confidence among member States which has still not been overcome.

The fact remains that the Community's activities closed in 1963 with the conclusion of an important agreement on the common agricultural policy, and included the signing of the Convention of Association with the eighteen African States. During this same period the Six defined a common attitude to the Kennedy Round and made a further cut in duties on industrial products (now down to 60 per cent of the common level). After settling the outstanding items on List G, the Community continued its work on regulations governing competition, freedom of establishment and to supply services, and social policy.

The European Economic Community will take part in the Kennedy Round negotiations ; it is building up its relations with the developing countries and the associated States, and on 1 January 1965 is going to cut customs duties by an amount equivalent to 80 per cent of the 1958 level.

Thanks to the renewed dynamism of the High Authority, the ECSC too appears to be resuming the study of the common energy policy, and Euratom is being spurred on to widen the scope of its activities by the realization that nuclear power stations will soon become competitive.

Also important is the fact that the European Economic Community has begun to study measures for introducing a common taxation policy, and has induced the Governments to accept the principle of a policy of economic planning at European level and influenced economic trends with its suggestions and Community measures for fighting inflation.

The EEC's economic field of action is thus steadily increasing ; there is no denying that its prestige in the world is growing from day to day. While we deplore the fact that the association policy towards the developing countries tends at times to be pursued sporadically, we have to admit that the many requests for association lodged in Brussels amount to a recognition of Europe as a reality and impose on it a world-wide responsibility.

Moreover, the Community has not pursued a policy of self-sufficiency in international affairs : the proof is that between 1958 and 1963 its exports increased by 37 per cent and its imports by 52 per cent, while its balance of payments, which showed a surplus of \$ 3,500 million in 1958, is now showing a slight deficit.

But we cannot rest content with European development within the present limits, unaccompanied by adequate conviction ; nor can we regard the EEC as a tool for building a political Europe. Countless basic problems connected with a united Europe have been put on one side, bypassed, or barely touched upon.

The third stage of the transitional period of the Common Market is close at hand : it will bring to an end the right of veto and decisions thereafter will therefore almost always be taken by a majority. Is the Community ready to take on such a responsibility ? Will all the Governments accept the transition to the third stage ? The commitment entered into under the Treaties of Rome must therefore be gauged more and more in terms of political difficulties rather than in the light of economic progress, which will be increasingly determined by political development.

For this and other reasons Italy attaches special importance to a relaunching of Europe, a subject it feels ought to be discussed in friendly collaboration with all other democratic movements in the Community. It is for us Italians, however, to consider how, and in what sequence, we should pursue our own course of action, one that must be geared to the ultimate aims of integration and, if it is to be successful, stamped with a spirit of realism.

It should not be forgotten that Europe has witnessed trends opposed to a supranational Community. With an eye on possible plans for a democratic Europe, we reaffirm our belief that only a supranational authority can bring about European unity in a dynamic sense and as befits its international responsibilities.

We would welcome any move that did not endanger what has been already achieved, and anything that might help directly or indirectly, in law or in practice, to create a favourable climate for the democratic Community we are determined to establish.

We are, however, convinced that Europe cannot be relaunched by conferences of ministers at however high a level. Europe can only be set going again through the European Parliament, through a widening of its powers and its direct election. Such a course of action would legitimize the European idea by mobilizing the peoples of Europe, already linked together by the Rome Treaties, and bring Europe home to them in a democratic way.

The European Parliament set up pursuant to Article 138,1 is, even in its present form, an institution which, despite its limited powers, has already stood the test. It has helped in framing Community regulations, made valuable policy statements and tried to get the powers of the Community widened while scrupulously respecting the Treaty. In addition it has debated long-term

prospects and played its part in bringing a political Europe within the realms of possibility. Its own specific competence, its operation as an institution required to control the executives and issue guidelines and directives—delegating, as it were, legislative power to the executives—not only ensures the Parliament's effectiveness, it may even foreshadow future developments in our national Parliaments where the exercise of control is tending to widen while the legislative function is becoming more and more mechanical and therefore increasingly laborious and less and less efficient.

The European Parliament, however, lacks one key feature—it is not elected by the people. The Italian Government and its Foreign Minister have underlined the urgent need for European elections. In this Parliament too, persons of authority have supported this position. Specific Bills, modelled on the European Parliament's draft Convention and proving our determination to hold European elections, should therefore be introduced in both our Chambers. This would create an undoubtedly favourable atmosphere, a constructive frame of mind which would become even more marked when the five States that favour direct elections decide one day unilaterally to proceed with the direct election of their representatives. It is true that if any possibility of increasing the present restricted number of European members is ruled out these elections will be hard to organize. The mere act of holding them would, however, have an immense political impact and is not, incidentally, prohibited by the Rome Treaty.

It is time for every one to do their duty by the European Parliament. But it is also time to realize that an increase in the powers of the European Parliament is necessary for the sake not only of Europe's future but also of effective and lawful government by today's European Economic Community. There is no overlooking the fact that there are probably few regulations issued by the Commission or the Council of Ministers which, as complex measures, become laws in the six States without the normative intervention of the national Parliaments.

It is true that the European Parliament delivers opinions, but these cannot always bring about changes in the measures proposed or affect the authority of the Council of Ministers.

Are we to exempt from parliamentary control a whole body of complex legislation now in preparation although it is so important for the shaping of the Economic Community? That would mean creating a Europe of technocrats, a defective Europe, however much we admire and respect the Brussels Commission for the work it is doing.

A directly elected European Parliament endowed with wider powers is needed not only for political reasons but also because of the stage of development that has now been reached by the European Community on the basis of the Rome Treaties.

It is because we want the institutions to become more effective that we approve of the decision to merge the Community executives.

This will certainly streamline the institutions and make the administrative apparatus more flexible and effective; it does raise technical problems, however, and the greatest care will be needed in solving them if the Community's administration is not to become even more complicated than it is at present.

We think that the merger of the executives should be regarded as nothing more than an administrative measure; it would be unwise to see it as a commitment as regards a merger of the Treaties, i.e. of the Communities, at a later date.

There are, of course, sectors where a merger of the Treaties is essential (one has only to think of the energy sector which is at present split up between the ECSC for coal, the EEC for hydrocarbons and Euratom for nuclear power). But let us remember that although the results expected have not yet been achieved in some areas of Community policy covered by the Treaties (and we have still no common policy for energy or external trade) this is not purely because the Communities are separate and governed by different Treaties; it is due even more to lack of



will to reach agreement at economic level. Common policies have only been framed where they have been of interest to all the parties concerned (agriculture is a typical example). They have not materialized, on the other hand, where pressing national interests do not coincide.

This all goes to prove that the gradual construction of economic Europe must be dovetailed with the gradual construction of political Europe.

The direct election of the European Parliament—the first fundamental step in this work of construction—was, of course, envisaged in the Rome Treaty, whose Article 138 calls for 'elections by direct universal suffrage in accordance with a uniform procedure in all member States.' Such proposals have already been drawn up by the European Parliament in pursuance of Article 138, and these provide an ideal basis on which the Council could reach a decision. The Council is in fact required to 'decide on the provisions which it shall recommend to member States for their adoption in accordance with their respective constitutional requirements.'

What else is needed then? In spite of isolated declarations of intent made by the Governments of some member States—including Italy—there is a lack of real support from all six Governments.

In view of this stalemate, we think it reasonable that the national Parliaments should say exactly where they stand. Such a policy statement would not only be of political value but could help to speed up the application of Article 138 of the Treaty.

The purpose of this Bill, therefore, is to empower the Italian Government to issue, by 31 December 1965, the necessary regulations for electing Italian representatives to the European Parliament—in accordance with Article 138 of the Rome Treaty—and for removing any obstacle to such elections on the Italian side.

The Bill invites the Italian Government to pass a law in good time laying down arrangements for the elections, and already clearly establishes the conditions of eligibility for European representatives.

The law referred to will have to fit into the context of Article 138 of the Rome Treaty and will have to take into account the general Italian law on the active and passive political electorate in Italy and, as far as possible, the draft Convention which the European Parliament has already submitted to the Council of Ministers of the European Community.

But, as already pointed out, elections in the legal and political context of Article 138 of the Rome Treaty presuppose an agreement between the six Governments to increase the membership of the European Parliament so as to make it truly representative of the peoples of Europe.

Assuming that no such agreement is reached, it would still serve a useful political purpose to call in the people in the nomination of the 36 Italian representatives specified in Article 138,1 of the EEC Treaty.

The Italian Parliament could nominate, as representatives in the European Parliament, 36 of its members voted in by the people at special elections on national lists.

In this way, while respecting Article 138,1 of the Treaty, the Parliament could, by the act of nomination, sanction the election of a delegation put together by means of a complex procedure politically regulated by the participation of the people.

Even in this case, the Government will have to present appropriate measures in the Chambers by 31 December 1965.

This is what we propose in Article 2; we are convinced that even if this approach by Italy leads to technical difficulties it will, apart from showing that we mean business, help to bring the problem of electing the European Parliament home to the Governments and the general public.

This Bill, which is in some ways similar to Bills introduced in the French and German Parliaments, is thus intended to induce the Government to throw its weight behind European elections, which are closely bound up with the political integration of Europe for which we are striving.

Our intention, Ladies and Gentlemen, is not to place before you a Bill covering all the practical details of elections. Our Bill has a specific political end in view and leaves the electoral arrangements to the Government. One reason for this delegation of powers is that, as explained, it is not yet known whether the election of the European Parliament will be a decision of all six States or a political act springing from the will of the people of each country.

Ladies and Gentlemen, we count on your support, confident that the Italian Parliament, faced with the problem to which your attention has been drawn, will remain true to its traditional European conviction.

IV—Bill on the direct election of Italian representatives to the European Parliament  
introduced in the Senate on 8 February 1965 by  
Messrs. Santero, Jannuzzi, Zaccari, Battino, Vittorelli, Bergamasco and Granzotto Basso  
(4th legislative period, No. 989)

A—BILL

Article 1.

Failing the establishment by 30 June 1965, by the member States of the European Communities, of a uniform procedure for the election of representatives to the European Parliament as provided for in Articles 138 of the Treaty setting up the European Economic Community and 108 of the Treaty setting up the European Atomic Energy Community, the Government is empowered, up to 31 December 1965, to lay down the provisions for the election of the Italian representatives to the said Parliament, in accordance with the principles and criteria set out in the following articles.

Article 2

Italian representatives in the European Parliament shall be elected by direct universal suffrage.

Article 3

Election meetings for the first elections shall be convened not later than 30 June 1966.

Article 4

The elections shall be held on the basis of proportional representation and of a single national constituency.

Article 5

The representatives referred to in Article 1 shall be elected by the electors of the Chamber of Deputies.

## Article 6

Only members of the Italian Parliament who are in office at the time of the elections shall be eligible as Italian representatives to the European Parliament.

## Article 7

The representatives elected shall consist in equal numbers of members of the Senate and members of the Chamber of Deputies.

## Article 8

Each of the two Chambers shall declare to be elected those candidates who have secured in their list the number of votes required under the electoral system adopted.

## Article 9

Expenditure arising from the application of this Act shall be met by opening a special head in the provisional estimates of the Ministry of the Interior.

### B—EXPLANATORY STATEMENT

1. The Treaty setting up the European Economic Community, signed in Rome on 25 March 1957, lays down in Article 138 of Part Five, which deals with the Community's Institutions, that 'the Assembly shall consist of delegates who shall be nominated by the respective Parliaments from among their members in accordance with the procedure laid down by each member State.'

'The number of these delegates shall be as follows :

Belgium	. . . . .	14
France	. . . . .	36
Germany	. . . . .	36
Italy	. . . . .	36
Luxembourg	. . . . .	6
Netherlands	. . . . .	14'

The Article continues :

'The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

The Treaty setting up the European Atomic Energy Community, which was also signed in Rome on 25 March 1957, contains identical provisions in its Title Three (Institutional Provisions).

The Treaty setting up the European Coal and Steel Community, which was signed in Paris on 18 April 1951, contains the following provision as to the composition of the Assembly in Article 21 :

'The Assembly shall be composed of delegates whom the Parliaments shall be called upon to appoint once a year from among their own members, or who shall be elected by direct universal suffrage, according to the procedure determined by each High Contracting Party.

In fact the European Parliament is still composed of members nominated by the national Parliaments from among their own members and not elected by direct universal suffrage.

The European Parliament itself took the initiative and, following up studies and proposals of its Committee on Political Affairs, adopted a resolution embodying a draft Convention on the election of its members by direct universal suffrage.

The draft Convention refers to the members of the European Parliament as '*representatives of the peoples*' rather than '*delegates*'; it provides for three times as many members as at present, lays down a minimum voting age of 21 and a minimum age of 25 for candidates; fixes the term of office of representatives at five years, and distinguishes between two periods:

- (i) a transitional period during which two-thirds of the representatives are to be elected by direct universal suffrage and the remainder nominated, as at present, by the national Parliaments, and
- (ii) a final period during which all members are to be elected by direct universal suffrage.

Attention is drawn to the clause providing that the European Parliament is to lay down the provisions for the election of representatives but adding that until these come into force the electoral system shall fall within the competence of each member State.

The draft Convention also provides for the setting up of an interim advisory committee which will be required to deliver opinions and put forward recommendations on the problems encountered in framing and applying the legislation of the member States relating to the organization of elections to the European Parliament.

Lastly it provides that the first elections shall be held within six months of the entry into force of the Convention.

This draft Convention got bogged down while at the Council of Ministers. A proposal by the Italian Foreign Minister amending the Parliament's draft has also so far not been followed up.

Meanwhile moves have been made in the French, German and Italian Parliaments for the election of representatives of individual States by direct universal suffrage.

The Bureau of the Senate's section of the Italian branch of the European Movement's Parliamentary Council has been asked by members of that section to draw up a Bill which it is submitting for the consideration and approval of the Parliament.

2. There can be no doubt that the European Communities can neither be set up nor develop democratically unless their institutions are representative of the peoples. The will of the people, which is the basis of the constitutions of member States of the Community, must lie at the root of all parliamentary institutions and of the exercise of power in those Communities. Universal suffrage is thus a key feature of any system of direct elections in modern democracies.

It is only through direct elections by universal suffrage that the peoples can become aware of the institutions they are creating, of their value and of their functions; only thus can the voters establish with elected candidates the direct relationship and feeling of trust essential to any representative system.

This is why the Treaties setting up the European Communities provide for an electoral system with these characteristics to be introduced in accordance with a uniform procedure in all member States.

In the absence of any general convention between the countries of the European Communities establishing such a uniform procedure, any member State could of its own accord lay down a procedure for holding direct elections by universal suffrage, which, while not overstepping the limits set by the Treaties, would embody their democratic attitude in a down-to-earth way.

The Bill laid before the Parliament does, in fact, keep within the limits set by the Treaties.

It was considered preferable to empower the Government to issue statutory orders, and to do no more in this Bill than lay down guiding principles and criteria so as to lighten the task of the legislator in a sphere which necessarily calls for a whole series of special provisions.

The first Article of the Bill contains a provision that is also intended to be an appeal to the Government to do its utmost to ensure that a convention is concluded as soon as possible, by all member States, establishing a uniform procedure for the direct election of representatives by universal suffrage.

Article 1 stipulates that the Government, by virtue of the powers delegated to it, must issue the necessary orders by 31 December 1965 if, by 30 June 1965, the member States of the Communities have not settled the appropriate uniform procedure—with which, of course, the Italian Government would have to comply.

This said, the guiding principles and criteria which the Parliament submits for the preparation of this Act are as follows :

(a) Elections will be held on the basis of proportional representation and of a single national constituency.

A national list was preferred to a regional list because of the small number of representatives (36) and of the need to keep closer to the principle of proportional representation ;

(b) Representatives shall be elected by the electors of the Chamber of Deputies, that is, Italian citizens not under twenty-one years of age. This clause aims at providing universal suffrage with the broadest possible basis ;

(c) Only Italian members of Parliament in office at the time of the elections shall be eligible. This rule, though clearly restrictive, is necessitated by the provisions of Articles 138 of the Treaty setting up the EEC, 108 of the Treaty setting up the EAEC and 21 of the Treaty setting up the ECSC, under which representatives must be nominated by the national Parliaments from among their own members.

(d) Because of the constitutional parity of the two Chambers, elected representatives must be equally divided between them ;

(e) Representatives will be declared elected by each of the two Chambers so as to give practical expression in law to the provisions of the Treaties referred to.

Lastly, Article 9 stipulates that expenditure arising from the application of this Bill is to be met by opening a special head in the provisional estimates of the Ministry of the Interior.

In the light of these principles and criteria the Government will be able, under the Act, to lay down the special rules governing the whole question.

The sponsors of the Bill put their faith in the European conscience of the Italian Parliament which has again and again consistently asserted itself over decisions of major political significance. They hope that all the Parliaments of the Community States will take similar initiatives so as to pave the way for the uniform procedure envisaged in the Treaties.

V—Constitutional Bill, relating to Articles 56 and 57 of the Constitution, introduced in the Senate on 9 February 1965 by Messrs. Pedini, Scelba, Amodio, Armani, Azzaro, Baldi, Bassi, Bianchi Gerardo, Biaggi Nullo, Bertè, Biasutti, Bologna, Buffone, Buttè, Buzzi, Cajazza, Canestrari, Castellucci, Cavallaro Francesco, Colleoni, Colleselli, Mrs. Conci Elisabetta, Messrs. Cossiga, D'Amato, Dall'Armellina, Del Castillo, De Zan, Elkan, Folchi, Foderaro, Franceschini, Gagliardi, Mrs. Gennai Tonietta Erisia, Messrs. Ghio, Giglia, Gitti, Laforgia, Lombardi Ruggero, Lucifredi, Mrs. Martini Maria Eletta, Messrs. Mattarelli Gino, Mengozzi, Merenda, Nucci, Origlia, Patrini, Pucci Ernesto, Quintieri, Rachetti, Radi, Rampa, Reale Giuseppe, Restivo, Ripamonti, Romanato, Ruffini, Salvi, Sangalli, Sarti, Mrs. Savio Emanuela, Messrs. Scalia, Scarascia Mugnozza, Sgarlata, Tambroni, Urso, Vedovato, Zanibelli, Zugno  
*(Christian Democrats)*

*(4th legislative period, No. 2064)*

#### A—CONSTITUTIONAL BILL

##### Sole Article

The 630 representatives provided for by Article 1 of the Constitutional Act of 9 February 1963, No. 2, amending Article 56 of the Constitution, and the 315 senators provided for by Article 2 of the Constitutional Act of 27 December 1963, No. 3, amending Article 57 of the Constitution, shall be increased respectively by 24 members and 12 senators who shall represent Italy in the European Parliament.

#### B—EXPLANATORY STATEMENT

The economic integration of Europe is in a phase of expansion: there can be no doubt of its success. It will not, however, suffice to unite Europe (the ultimate objective of the Treaties of Rome) unless it serves also as a basis for a political community of a supranational character. Moreover, in the absence of any political foundation, even the Economic Community would end up in a state of crisis.

The political parties in Italy that make Europe a key feature of their political programmes share these convictions; there has for some time been talk of a political revival of Europe in authoritative quarters.

But political unity is not something that can be engineered at summit meetings without any real and direct participation by the people. A European conscience must take root also in a political sense and develop among the bulk of the people.

Now that the Economic Community has reached an advanced stage, this all-important basic aim can only be achieved satisfactorily if representatives of the various countries at the European Parliament are elected by universal suffrage.

This means that candidates standing for the European Parliament will organize their election campaigns in terms of specifically European problems—in other words, that Europe will be debated in the market place and the European idea will spread to all citizens.

A European Parliament voted in on a genuine electoral basis will differ greatly from the present one and be capable of undergoing the functional changes that now appear to be indispensable.

Despite its limited powers, there can be no doubt that the European Parliament that sprang from Article 138 of the Treaty has proved its worth: it has helped in drawing up Community regulations, has taken up courageous political stands, striven to widen the powers of the Community and improved the prospects for a political Europe. At the same time, its specific competence, its operation as an institution required to control the executives and issue guidelines and directives—delegating, as it were, legislative power to the executives—not only ensures the Parliament's effectiveness, it may even foreshadow future developments in our national Parliaments where the exercise of control is tending to widen while the legislative function is becoming more and more mechanical and therefore increasingly laborious and less and less efficient, so that delegation of powers becomes necessary.

The European Parliament, however, lacks one key feature—it is not elected by the people. The Italian Government and its Foreign Minister have underlined the urgent need for European elections. In this Parliament too, persons of authority have supported this position. Specific Bills, proving our determination to hold European elections, should therefore be introduced in both our Chambers.

It is also time it was understood that the powers of the European Parliament must be increased, not only in anticipation of institutional developments but also to make the European Economic Community more efficient. Are there not numerous regulations issued by the Commission or the Council of Ministers which become—in some cases—binding on the Six States without the participation of the national Parliaments?

It is true that the European Parliament delivers opinions on regulations but these cannot always bring about changes in the measures proposed or affect the authority of the Council of Ministers.

Are we to exempt from parliamentary control a whole body of complex legislation now in preparation although it is so important for the shaping of the Economic Community?

A directly elected European Parliament endowed with wider powers is needed not only for political reasons but also because of the stage of development that has now been reached by the European Community on the basis of the Rome Treaties.

It is because we want the institutions to become more effective that we approve of the decision to merge the Community executives.

There are sectors in which a merger of the Treaties is essential (one has only to think of the energy sector which is at present split up between the ECSC for coal, the EEC for hydrocarbons and Euratom for nuclear power). But let us remember that although the results expected have not yet been achieved in some areas of Community policy, this is not purely because the Communities are separate and governed by different Treaties; it is due even more to lack of will to reach agreement at economic level. Common policies have only been framed where they have been of interest to all the parties concerned (agriculture is a typical example). They have not materialised, on the other hand, where pressing national interests do not coincide.

This all goes to prove that the gradual construction of economic Europe must be dovetailed with the gradual construction of a political and democratic Europe.

The direct election of the European Parliament—the first fundamental step in this work of construction—was, of course, envisaged in the Rome Treaty whose Article 138 calls for 'elections by direct universal suffrage in accordance with a uniform procedure in all member States'. Consequently the Parliament has already drawn up 'proposals for elections', and these provide an ideal basis on which Council of Ministers could reach a decision.

It is worthwhile recalling the terms of Article 138 of the Rome Treaty:

1. The Assembly shall consist of delegates who shall be nominated by the respective Parliaments from among their members in accordance with the procedure laid down by each member State.
2. The number of these delegates shall be as follows : Belgium, 14 ; France, 36 ; Germany, 36 ; Italy, 36 ; Luxembourg, 6 ; Netherlands, 14.
3. The Assembly shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.

The Council shall unanimously decide on the provisions which it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

What is the position at the moment ? Although there is no lack of goodwill, the member States of the Community have not come to the necessary agreement to implement Article 138,3, that is, to organize elections by direct universal suffrage and consequently to increase the number of members in the European Parliament. What is lacking at the moment is any political resolve on the part of the Governments. This is why we feel we must call upon the national Parliaments, beginning with the Italian Parliament, to say where they stand, and to do so in such a way as to ensure that at least Italy's 36 representatives in the European Parliament are elected by direct universal suffrage.

The Bill we have the honour to present fulfils the first condition for European elections pending application of Article 138,3 of the Rome Treaty.

The first step to be taken is to amend the Articles in our Constitution fixing the number of members in the Chamber of Deputies and in the Senate so as to have 24 representatives and 12 Senators more than at present. These would represent Italy in the European Parliament, account being of course taken of the ratio between members of the two Chambers laid down in the Constitution.

The laborious procedure of amending the Constitution will enable us to make detailed arrangements, by means of an ordinary implementing Act, for the election of these representatives.

On the basis of the draft Convention already put forward by the European Parliament, this Act will also determine whether the office of national representative is to be compatible with that of European representative, it being borne in mind that the precise and exclusive task of the 36 representatives is already set forth in the sole Article of this Constitutional Bill. This task will remain unchanged even when agreement is reached among the Governments on the direct election of members of the European Parliament in accordance with a procedure jointly decided upon by all member States<sup>(1)</sup>.

The Bill we have the honour to submit for your perusal differs materially as to form and content from similar proposals recently submitted in the French and German Parliaments. Our Bill seeks to furnish the constitutional basis essential, in the existing situation, for creating a genuine European Parliament.

It is for these reasons that we have presented this Bill, though we realize it offers only a partial solution. Its purpose is to serve as the first express affirmation of the workings of the European spirit in our Constitution.

<sup>(1)</sup> In connexion with this procedure, we should make it clear that the uniform procedure called for by the Treaty—taking what seems to be the most accurate interpretation—means adopting not identical provisions but identical principles. Mr. Dehousse, Chairman of the Working Party on direct elections to the European Parliament, points out :  
*'Uniformity is not necessarily synonymous with identity. We all have uniform laws—for example, those on cheques and bills of exchange which are based on international agreements. These uniform laws are not identical, but allow for a margin of freedom and slight variations from one country to the next. The Treaties, moreover, do not say that the uniform procedure for direct elections must be reached from the very first. Uniformity could well be attained in two stages : a transitional period and then a definitive period.'* (European Parliament, Verbatim Reports of session of 10 May 1960, p. 23.)



We count on your support, confident that the Italian Parliament will remain true to its traditional European convictions.

VI—Written question by Mr. Pedini (*Christian Democrat*) to the Foreign Minister on increasing the powers of the European Parliament, and the Minister's reply of 18 March 1965

A—WRITTEN QUESTION, No. 10,000 by MR. PEDINI

'To the President of the Council of Ministers and *ad interim* Foreign Minister. To ask whether the Italian Government intends to make further concrete proposals on the Council of Ministers of the European Economic Community for increasing the powers of the European Parliament.

The authors of this question consider that a positive decision must be taken on this point, particularly because, among other things, the financial arrangements for the European Agricultural Guidance and Guarantee Fund, called for under Article 201 of the Treaty and to be financed also from resources available to the Community, highlight the urgent need for effective parliamentary control, which cannot be exercised in Community matters only by the national Parliaments.

Moreover the questioners, in view of the proposals the Italian Government put forward on this subject, consider that a fresh approach by the Italian Government in this matter could be of special value following the positive statements made by the President of the Council of Ministers and the *ad interim* Foreign Minister during the recent debate in the Senate.'

B—ANSWER BY THE FOREIGN MINISTER

(18 March 1965)

'In the context of Community work on the merger of the EEC, Euratom and the ECSC, the Italian Government has constantly stressed the need for the merger of the three European Communities, which has to be completed by 1967, to go hand in hand with the strengthening and widening of the European Parliament's powers and prerogatives, particularly in the spheres of budgetary control and the Community's relations with non-member countries.

The Italian Government considers it essential that European economic integration is accomplished in a Community whose Parliament can exercise effective democratic control over the activities of the Community's executive bodies. It was against this background that the Italian Government submitted a proposal in Brussels in February 1964 whereby the number of members of the European Parliament would be increased—as from 1 January 1966—from 142 to 286, half of whom would, in a first phase, be elected by direct universal suffrage.

Within the context of the merger into a single Commission, in the current year, of the EEC and Euratom Commission and the High Authority of the ECSC, it was agreed to improve relations and co-operation between the European Parliament, the Council and the Commission, and it was agreed in principle that whenever the European Parliament suggested amendments to draft budgets, the Council would review these budgets not as a whole but chapter by chapter. At the same time—at the instance of the Italian Government—it was agreed that the question of increasing the powers of the European Parliament and of the direct election of its members would be studied and settled in conjunction with the merger of the three Communities—a merger the Italian Government hopes to see completed by 1967 in unison with the programmes for speeding up the economic and political integration of the Six.'

VII—Motion on the direct election of members of the European Parliament by universal suffrage tabled on 14 September 1966 in the Chamber of Deputies by Mr. Malagodi  
(*Liberal*)

*The Chamber,*

having regard to the fact that Articles 138 of the Treaty setting up the European Economic Community and 108 of the Treaty setting up the European Atomic Energy Community, which provide for the election of the European Parliament by direct universal suffrage, have still not been applied despite the fact that three years ago the European Parliament adopted, and submitted to the Council of Ministers, a draft Convention based on the provisions of those Treaties ;

having regard to the all-important need for popular elections if the process of economic integration now in progress is to be extended to the political sphere ;

urges the Government to persuade the Council of Ministers of the Community to adopt the said Convention as soon as possible.

VIII—Bill on the direct election of the Italian members of the European Parliament introduced on 27 June 1968 in the Chamber of Deputies by Messrs. Mussa Ivaldi, Vercelli, Mosca, Polotti, Scafari, Giorgio Guerrini and Bemporad  
(*Italian Socialist Party*) (4th legislative period, No. 111)

*The Bill was referred to the Foreign Affairs Committee and to the Constitutional Affairs Committee for a report in plenary session.*

A—BILL

Article 1

Elections to the European Parliament by direct universal suffrage, as provided for in Article 138 of the Treaty of Rome, shall be held in Italy on 9 May 1969.

Article 2

The Government is empowered to make the necessary arrangements for these elections by 1 October 1958, in accordance with the decisions taken by the Council of Ministers of the Communities.

Article 3

If the Council of Ministers of the Community fails to reach agreement on this matter in good time, the Italian Government shall, not later than 30 November 1968, set up a committee including members of both Chambers to study arrangements for the direct election by universal suffrage of Italian representatives in the European Parliament.

B—EXPLANATORY STATEMENT

The need for a politically united Europe becomes more and more pressing as the development of the European Common Market increasingly shows that what is involved is no longer only an exclusive encounter between six economies but also their integration with the rest of the world.

The Europe of the Six, which has now become the second largest economic power in the world, has paradoxically no influence on international affairs, and in future even its chances of making a worthy contribution to the scientific and technological progress of mankind may be endangered.

It is therefore essential to breathe new life into the European idea. It is to be deplored that the six Governments have not yet agreed on extending the Community's activities to the strictly political sphere.

But we must not allow ourselves to become resigned to this. It is now up to the national Parliaments to use every means in their power to set their Governments moving in this direction.

One such means hinges on the European Parliament which, under Article 138 of the Rome Treaty, is to be elected by direct universal suffrage. It should be recalled that as long ago as 1960 the European Community recommended its Council of Ministers to provide the necessary instruments for such direct elections.

If the Governments can be obliged to proceed on these lines, it will mean an increase in the prestige, responsibility and democratic representativeness of the European Parliament, as it will be endowed with powers vis-à-vis the executives.

Moreover, all such elections will have an impact on all Europeans and bring the European idea right home to them. These elections will be on a scale never before experienced on our continent. This great union of which we are the champions will cease once and for all to be the affair of shopkeepers and technocrats to become the business of every citizen of Europe.

We therefore consider it our Parliament's duty to demand that the six Foreign Ministers reach an agreement on the arrangements for these elections. In our opinion the best way to proceed would be to fix a time-limit. We suggest 9 May 1969, the 19th anniversary of the Schuman Declaration. This is in line with Bills Nos. 679 and 688 introduced on 28 March and 5 April 1968 in the French National Assembly and which the present Bill is intended to support. We trust that the other member States will soon make similar moves.

In submitting this Bill our intention is to thwart any moves or political acts, from whatever quarter, aimed at preventing the political integration of Europe.

If the Ministers fail to reach agreement, there will be nothing to prevent any member State from electing its delegation by direct universal suffrage rather than by nomination by its Parliament. Hence this Bill provides that if the Council of Ministers has not reached a decision by 1 October 1968, a joint committee including senators and deputies is to be set up to study the arrangements for national elections.

IX—Motion for the direct election of Italian representatives to the European Parliament tabled in the Chamber of Deputies on 7 October 1968 by Messrs. Scelba, Zaccagnini, Azimonti, Bianchi Gerardo, Borghi, Calvi, Biaggi, Gitti, Girardin, Carra, Janniello, Pisicchio, Alessi, Mrs. Anselmi Tina, Messrs. Amodio, Baroni, Bianco, Bodrato, Mrs. Boffardi Ines, Messrs. Bologna, Caiazza, Capra, Carta, Ceruti, Cervone, Dagnino, Dall'Armellina, Degan, De Ponti, De Stasio, Di Lisa, Erminero, Fabbri, Fiorot, Foderaro, Foschi, Fracanzani, Fracassi, Giordano, Giraudi, Grassi, Bertazzi, Gullotti, Iozzelli, Isgró, Lucchesi, Maggioni, Mancini Vincenzo, Marchetti, Marocco, Mrs. Martini Maria Eletta, Messrs. Mengozzi, Merenda, Merli, Miroglio, Palmitessa, Pavone, Pisoni, Pitzalis, Racchetti, Reale Giuseppe, Ruffini, Russo Ferdinando, Salvi, Sisto, Tantalo, Urso, Valiante, Laforgia, Verga, Caroli, Marotta, De Poli  
(*Christian Democrats*)

*'The Chamber,*

in view of the need to overcome the obstacles standing in the way of a politically united Europe ;

in view of the fact that the direct election of members of the European Parliament by universal suffrage could bring this goal nearer ;

in view of the need, should one or more Governments reject the election of their representatives by direct universal suffrage, for Italy so to elect its own representatives unilaterally not later than 1969, in accordance with Articles 21 (amended) of the Treaty of Paris (ECSC), 138 (EEC) and 108 (Euratom) of the Treaties of Rome ;

calls upon the Government

to propose to the other Governments of the Community the adoption of a plan for the direct election of members of the European Parliament in accordance with a uniform procedure in all member States.'

**X—'People's Bill' on the direct election of the Italian representatives  
in the European Parliament by universal suffrage,  
introduced in the Chamber of Deputies and in the Senate on 11 June 1969  
(5th legislative period, Bills and Reports No. 706)**

*The Bill was referred to the Internal Affairs Committee and the  
Foreign Affairs Committee for a report in plenary session.*

At the beginning of 1969 the Italian section of the European Federalist Movement decided to launch a vast campaign in favour of the direct election by universal suffrage of Italian representatives in the Parliament of the Six. On the basis of Article 71<sup>(1)</sup> of the Italian Constitution, which governs the presentation of Bills at the request of the people, the Federalist Movement collected by 6 March 1969 200,000 signatures of Italian citizens in support of the following Bill :

(1) Art. 71. The initiative for Acts of Parliament rests with the Government, with each member of the Chambers and with bodies on which it may be conferred under the Constitution.  
The people may take the initiative for Acts by means of a proposal, made by not less than 50,000 electors, for a Bill divided up into articles.

## A—BILL

### Article 1

For the purpose of nominating Italian representatives to the European Parliament from among its own members, the Italian Parliament shall, in accordance with Article 138 of the Treaty setting up the European Economic Community, hold elections by direct universal suffrage.

### Article 2

Election meetings for the first elections shall be convened jointly with those for regional elections and in any case not later than 31 December 1969.

### Article 3

The elections shall be held on the basis of proportional representation and of a single national constituency.

### Article 4

The representatives referred to in Article 1 shall be elected by the electors of the Chamber of Deputies.

### Article 5

Only members of the Italian Parliament who are in office at the time of the election shall be eligible as Italian representatives to the European Parliament. The elections governed by this Act shall not, however, coincide with national elections.

### Article 6

The representatives elected shall consist in equal numbers of members of the Senate and members of the Chamber of Deputies.

### Article 7

Each of the two Chambers shall declare to be elected those candidates who have secured on their list the number of votes required under the electoral system adopted.

### Article 8

Expenditure arising from the application of this Act shall be met by opening a special head in the provisional estimates of the Ministry of the Interior.

## B—EXPLANATORY STATEMENT

Twelve years since the signing of the Rome Treaty and more than twenty years since the launching of the process of European integration, the basic limitation of the common institutions set up within the European Communities has still to be overcome. This limitation is the lack of a real Parliament elected by the people and wielding real powers which alone can ensure effective democratic participation by the people in the life of the institutions. The fact that the members of the European Parliament are not directly elected by the people, and the primarily consultative role the Treaty assigned to the Parliament, have undoubtedly added weight to criticisms to the effect that the system of common institutions rests on a technocratic structure. Within that system

legislative power is in the hands of the Council of Ministers which is not collectively answerable to the European Parliament. This state of affairs has in recent years helped the Government of one member State in its attempts to reduce the Community institutions to conventional instruments of intergovernmental co-operation between Governments on the pretext that this would ensure more effective democratic control.

The scope offered by Article 138,3 of the EEC Treaty to get round these difficulties, even if only partially, through the direct election of European representatives, has so far been blocked by the absence of the unanimity required for a decision of this kind. Under these circumstances this Bill, which draws on similar moves by parliamentarians of other member States, confines itself to providing for the direct election only of Italian representatives to the European Parliament. It is fully compatible with Article 138, for it lays down that only members of the Italian Parliament who are in office at the time of the elections are eligible; it is not therefore contrary to that Article, which states: "The Assembly shall consist of delegates who shall be nominated by the respective Parliaments from among their members in accordance with the procedure laid down by each member State." It may be supposed, in the light of that provision, that the Italian delegation might not differ very much, after such elections, from the present one. Nevertheless the fact that future Italian representatives in Strasbourg will receive their mandate direct from the people would meet a real requirement in that it could set off a chain reaction in other member States, bringing to the fore in a practical way the problem of democratizing the common institutions, an essential prelude to a relaunching of the integration process.

Support for this Bill has come from the political, economic, social and cultural movements brought together by the Italian Council of the European Movement, and notably the European Federalist Movement, the Council of European Local Authorities, the *Association européenne des enseignants* and the *Comités provinciaux pour l'Europe*. These bodies, which are all highly representative of all regions and social classes of the country, support the Bill with a view to making the European problem a matter of everyday concern to the citizen—this, of necessity, through the national political parties which, on the occasion of the elections proposed, will for the first time be called upon to take up an open critical stand on the various aspects of European integration.

## CHAPTER VI

### TEXTS BY THE LUXEMBOURG CHAMBER OF DEPUTIES

I—Motion tabled by Messrs. Urbany, Grandgenet, Hoffmann, Meis and Flammang  
(*Communist Party*) on the direct election of Luxembourg representatives  
in supranational bodies by universal suffrage, and speech by Mr. Urbany  
(*Official report, 24 April 1969*)

#### A—MOTION

'The Chamber calls upon the Government to table a Bill on the election by the people of our country's representatives in supranational bodies in accordance with the provisions of our law on parliamentary elections.'

#### B—SPEECH BY MR. URBANY

The purpose of the motion we are going to discuss is to fulfil an idea and promises recently made by representatives of different parties ; that is, to choose the most democratic way of electing our representatives in European bodies so as faithfully to reflect the will of the people. At present, these representatives are not directly elected but merely nominated, an undemocratic procedure that gives rise to a number of anomalies. For example, Luxembourg is still represented in Strasbourg by persons who were not re-elected by the people at the last parliamentary elections. This state of affairs is utterly undemocratic. We therefore propose that the next representatives of our country, whatever the European body concerned, should be chosen by the people in accordance with the provisions of our electoral law in the same way as members of the Chamber, that is, in general elections under proportional representation. Then we can be certain that at least the Luxembourg members of these parliaments and bodies are democratically elected.

It may be argued that such measures must be taken on a wider scale and cannot be applied to Luxembourg alone. My reply is that the statutes of the international institutions do not specify how these representatives shall be elected or designated, so that we are free to choose our own representatives at least in a democratic way. We therefore feel that this motion is one that can win the support of all democratically-minded members. We ask that the motion should be voted on by roll-call.

II—Motion tabled by Mr. Fohrmann (*Socialist Workers' Party*) on the election of Luxembourg representatives to the European Parliament, and speeches by Messrs. Margue (*Christian Social Party*) Fohrmann (*Socialist Workers' Party*), Cravatte (*Socialist Workers' Party*) and Thorn, Foreign Minister  
(Official report, 24 April 1969)

A—MOTION

*'The Chamber,*

with a view to helping to make the institutions of the European Communities more democratic, calls upon the Government to table a Bill as soon as possible laying down arrangements for the direct election by universal suffrage of Luxembourg representatives in the European Parliament.'

B—SPEECHES

Mr. Fohrmann.—Mr. President, Ladies and Gentlemen, the motion of the Communist party, on which Mr. Urbany has again spoken, calls for a Bill 'on the election by the people of our country's representatives in supranational bodies, in accordance with the provisions of our law on parliamentary elections.' I do not know if Mr. Urbany is badly informed, but in speaking of supranational bodies one thinks not only of the European Parliament but also, for example, of the EEC Commission and NATO, and of certain consultative councils and other commissions. The election of members of these bodies is governed by explicit provisions in the appropriate treaties. Only in the case of the European Parliament does the Treaty provide that representatives may be elected by the various countries themselves. This is not the case with the EEC Commission, the Economic and Social Committee and other consultative councils. The provisions that concern them are laid down in the treaties and we cannot change them.

Up till now, when we have raised this matter in the Chamber, we have always had the European Parliament in mind. It is not only the Socialist party of Luxembourg but also the Socialist parties of the Six that demand that the European Parliament, which meets in Strasbourg, should be elected by universal suffrage. Obviously we cannot demand that others should comply with the laws of our country, for we, for example, have one member per 5000 inhabitants and four constituencies. We must conform to a specific law and to a specific procedure. But leaving aside those cases which are governed by treaties, we agree, as Socialists, that a move should be made as far as the European Parliament is concerned.

I agree on one point with Mr. Urbany: we too have openly expressed disapproval of the fact that, at this moment, we have representatives in Strasbourg who are no longer members of this Chamber. It is true that it has been said that they will only remain in office until October but I nonetheless deeply deplore this state of affairs. We have already made this point but I am doing so again because this circumstance is not calculated to enhance the prestige of the European Parliament or the value of the work done by our representatives. If the Communist party feels really strongly about this, perhaps it could approve the following text:

*'The Chamber,*

with a view to helping to make the institutions of the European Communities more democratic,



calls upon the Government to table a Bill as soon as possible laying down arrangements for the direct election by universal suffrage of Luxembourg representatives in the European Parliament.'

I think this text remains within the framework of our earlier discussions and that its adoption would be a step forward appreciated by the European Parliament, for I can tell you—and the Foreign Minister can confirm this—that the various groups are in fact agreed that representatives should be elected in their respective countries. Hence we shall not be the last to champion democratization. If the Communists are ready to take a step forward, the Chamber could adopt this motion unanimously. I thank you.

**Mr. Margue.**—Mr. Fohrmann spoke solely of the European Parliament. I do not know if Mr. Urbany was only thinking of the European Parliament or if, when he speaks of supranational bodies, he also has in mind such parliamentary assemblies as those of WEU, the Council of Europe or NATO. My impression was that he was also referring to these.

As regards the European Parliament, we cannot agree with Mr. Fohrmann's proposal; not because we disapprove of direct elections but because it is legally impossible to proceed in that way. Mr. Fohrmann is familiar with the Treaties setting up the European Communities which provide for the introduction of universal suffrage. The procedure envisaged calls on the one hand for a move by the European Parliament, and for the consent of the Council of Ministers on the other. The European Parliament has already made the necessary move. The Council's consent cannot be obtained at the moment. This was indeed one of the causes of the Common Market crisis: the Commission had of its own accord submitted the foregoing proposal to the Council of Ministers.

A Bill presented in Luxembourg would not change the situation in any way. We therefore regret that we cannot vote for Mr. Fohrmann's motion.

The other international assemblies have statutes which were in each case laid down by treaty. As regards the Consultative Assembly of the Council of Europe, for example, it is laid down that its members shall be elected by the national Parliaments. The WEU treaty states that the members of that assembly shall be those who represent the seven countries on the Consultative Assembly of the Council of Europe. This state of affairs could only be changed by amending the treaty; this being the case, motions such as those put forward by Mr. Urbany serve no useful purpose. This is why we oppose the motions of Mr. Urbany and Mr. Fohrmann.

**Mr. Fohrmann.**—Just one word. I am indeed familiar with these treaties, and I agree with what Mr. Margue says. In fact I said the same. But it is constantly being asserted that one of the Six is against universal suffrage and, as I have said on a previous occasion, that it is always the same one. This is not true. It is always said that the French are the only ones to disagree, but the others are really glad of this because it enables them also to disagree. This is why we are proposing this procedure, which other countries are proposing too. We shall then be able to see which Governments are for and which against. It is only too easy today to hide behind someone else.

**Mr. Urbany.**—We think that our representatives in all these institutions should be elected democratically and this is why we tabled this motion. You retort that we are bound by treaties and that we have no right to organize elections by universal suffrage in our country on behalf of the Luxembourg Parliament. If the treaties are so worded, we can obviously only ask that they be changed. As regards the European Parliament, the most important of these assemblies and one that plays a major role, the statements made by Mr. Margue and Mr. Fohrmann are contradictory.

As far as I know, the various national Parliaments are free to nominate their representatives. No one seems to care how the others act, for the Italian Government has already nominated other

representatives, although it has taken relative strengths in the Italian Chamber into account, which is not the case with us. Mr. Fohrmann states that the treaties concerning the other international institutions lay down how representatives shall be nominated. Well, we agree to refer only to the European Parliament in our motion. This will at least enable us to take a first step in an important field. There is a detail missing from Mr. Fohrmann's motion. What we are asking for is not only elections by universal suffrage. These elections must comply with our legal provisions, that is, be based on proportional representation. That has nothing to do with universal suffrage.

**Mr. Fohrmann.**—It comes to the same thing.

**Mr. Urbany.**—Elections by universal suffrage mean that everyone can vote. Now, the simple majority system can be combined with universal suffrage, but it is proportional representation that we want.

**Mr. Fohrmann.**—There is no difficulty here as far as we are concerned but we cannot say, according to our law, that there shall also be one member in the European Parliament for every 5,000 inhabitants.

**Mr. Urbany.**—If we can send only seven members to this Parliament, this number cannot be based on the figure of 5,000 inhabitants. If Mr. Fohrmann will add the words 'by proportional representation' to his motion, we could support it. We propose, however, that voting should be by roll-call; I am ready to withdraw my motion and to vote for Mr. Fohrmann's.

**Mr. Margue.**—I should simply like to say this: if Mr. Fohrmann considers that the parliamentarians of the various countries should press their Governments to take the initiative to obtain at European level what we are asking for here, I shall not stand in the way; but we cannot ask our Government to table a Bill for the election of representatives of the European Parliament by the people. Nothing will come of it.

**Mr. Elvinger.**—I can only endorse what Mr. Margue has said. We cannot change international treaties by means of a domestic law. Mr. Urbany's motion is badly worded even though the idea behind it is attractive. We also appreciate Mr. Fohrmann's motion but an international convention cannot be altered in this fashion.

**Mr. Cravatte.**—Mr. President, Ladies and Gentlemen, I should like to add a word to this discussion. The requirement that members of the European Parliament should be elected by universal suffrage goes back many years, and the European Parliament has been occupied with the question for a number of years. It made proposals to the national Governments on the basis of a plan drawn up by Mr. Dehousse, the Belgian senator. The plan was all ready but got no further because of the opposition it encountered. Quite recently, only a few months ago, the European Parliament returned to the question and approved a recommendation to the national Governments that they should accept the 'Dehousse Plan' for the direct election of members of the European Parliament by universal suffrage. The national Governments ought now to be consulted on this matter, and I understand that the Council of Ministers has been asked to make its views on the subject known promptly. Indeed, according to the Rome Treaty, once the Parliament has accepted a resolution of this kind the Council of Ministers has to take the matter up within two months. The two months are nearly up and if the Council does not reply within the specified time-limit the Parliament even has the right to refer the matter to the Court of Justice. You can see, therefore, that something has been done but this only concerns the international sphere. I am obliged here to contradict our worthy colleague, Mr. Margue, on his legal inter-

pretation of the relevant provisions of the Treaty. He said that there can be no direct election of members of the European Parliament unless the Treaty is changed ; but there is nothing to stop each country, acting in pursuance of the Rome Treaty, from electing its own representatives under rules to be determined in line with national provisions. Thus, each is free to choose. It may either proceed indirectly, leaving it to the Government to nominate members, or organize elections in accordance with its own national laws. I should like to point out that the Italian Parliament now has before it a Bill for the direct election of Italian representatives in the European Parliament by universal suffrage. There is thus no legal reason why we should not do the same in the Grand Duchy. And I think we are acting in accordance with the Treaty of Rome in calling upon the Government to draw up a Bill organizing direct elections in the Grand Duchy for the election by proportional representation of Luxembourg representatives in the European Parliament. This is perfectly feasible and in line with recommendations which have been made for years. We should thus be backing the efforts of the European Parliament. I ask you therefore to support Mr. Fohrmann's motion which is certainly acceptable from the legal standpoint.

Mr. Thorn, *Foreign Minister*.—Mr. President, Ladies and Gentlemen, may I first of all say where we stand regarding the motion tabled by Mr. Urbany and others on 11 March 1969, because this is the only text on which the Government has been called upon to make known its views. As nearly all the speakers other than Mr. Urbany reminded us, the motion as it stands is inadmissible, not to say unacceptable, to the Government, because of the way it is worded and because of its legal implications.

- 1) I think it is questionable whether we can speak of the election of representatives of countries to the supranational bodies ; this lends itself to misunderstandings. We could speak of international parliaments but this might also imply the election of members of the Commission of the European Community, to take but one example, and there are others. All this is too vague. We do not know if this motion refers to parliamentary institutions, the executives or only supranational bodies. Now, as you know, there is a great deal of argument as to which are supranational and which international bodies. From this point of view, therefore, the motion is unacceptable.
- 2) As a matter of interest I would remind you, as Mr. Margue has already pointed out, that the legal bases of the various treaties differ. What may be possible for one institution—as Mr. Cravatte said—may not be possible for another. Thus, as it stands, the motion is inadmissible and unacceptable to the Government for the reasons I have briefly outlined.

In practice, Mr. Fohrmann put forward an amended motion which only concerns the European Parliament. I should like, Ladies and Gentlemen, to say how pleased I was to hear Mr. Urbany say that the Communist party too appreciates the value of the European Parliament and the need to be represented in it ; he actually said, for the first time in twelve years, that it is an assembly not only of great importance but one that has a major role to play. I thank him sincerely for rallying to a cause we have long championed without his support.

As regards elections by universal suffrage under our national laws, there is, as Mr. Margue pointed out, a legal wrangle going on in which it is held by some that these elections could only be held by agreement between all concerned. The election by universal suffrage of the whole European Parliament can only take place on a proposal by the European Parliament—already made—and with the approval of the Council of Ministers, which has not yet been secured and is not likely to be in the near future. To avoid any misunderstanding, I must stress that Mr. Cravatte was quite right when he said that the European Parliament had addressed a resolution to the Council of Ministers. I was apprised of this because Luxembourg is currently presiding over the Council. The two months are nearly up. This will certainly be of interest to our Chamber of Deputies. I shall see to it that this resolution is put on our agenda, and you may rest assured that the Luxembourg Government will adopt a positive attitude. This does not make me feel any

more hopeful about the Council as a whole but I think it worth recalling that the Luxembourg Government approved the motion as tabled by the European Parliament.

You ask what is the Government's attitude to the resolution tabled by the European Parliament in Strasbourg.

This, Mr. Fohrmann, concerns general elections embracing the entire European Parliament, with the assent of all the Governments. We do not wish to hide behind anyone's back, however broad or tall it may be. This is why we declare publicly that we are for the direct election of the entire European Parliament in all six countries.

We come now to this interim solution or affirmation of willingness to go ahead unilaterally in each country with electing national delegations. Because you have only just tabled this motion this afternoon, the Government meeting in council has not been able to give its assent.

As to the argument between Mr. Margue and Mr. Cravatte, I would say that I, personally, incline towards Mr. Cravatte's view and think that the Chamber, which appoints its delegates on a vote, is free to appoint them in a different way; for example, by making a law on direct elections. I believe that that is possible.

It remains to be seen whether that is desirable and whether, weighing up the pros and cons, including the expenditure entailed, this should be done fairly shortly or, if coupled with general elections, at a later date. These are points to consider and I do not think that we can work out all the details and the provisions of such a law within the context of the debate on this motion. Personally, I should have preferred—the Government not having yet made its views known—this House to have followed the example of other Parliaments, notably the French National Assembly, tabling a Bill, in the light of the opinion of the committee concerned, clearly bringing out its views. This would reflect a parliamentary initiative and the desire to represent the people. Here you are going a step further and asking the Government to take the initiative. I should like to ask Mr. Fohrmann...

Mr. Fohrmann.—This is a first-class funeral. A Bill tabled by the Chamber would put the idea deep underground.

Mr. Thorn, *Foreign Minister*.—The Chamber should have more faith in the power of parliamentary representation, Mr. Fohrmann.

If you intend to ask the Government to table this Bill, I can tell you that this will certainly not be a matter of a week or so because we have many problems to solve. Mr. Cravatte referred to the Dehousse proposal which has encountered many difficulties and raises many problems, particularly for a small country whose delegation cannot in any event be enlarged. We have a delegation of only six members to send to Strasbourg. This raises a number of problems, and I hope that you will bear these in mind now and not only when the Bill is tabled and debated.

That said, I may say that I personally will accept the motion.

Mr. Fohrmann.—That's fine.

Mr. Cravatte.—To make matters quite clear I would add that the relevant provision of the Rome Treaty (Article 138), which has just been handed to me, reads as follows: 'The Assembly shall consist of delegates who shall be nominated by the respective Parliaments from among their members in accordance with the procedure laid down by each member State.'

It is, on the other hand, also possible to draft a Bill, as Italy has done, and to have representatives elected by universal suffrage from among members of the national Parliament.

Of course only members of a national Parliament can be considered.

I was glad to hear from Mr. Thorn that our Government is going to support the European Parliament's resolution now with the Council of Ministers.

I thank the Foreign Minister and all members of the Government for taking up this stand. The Foreign Minister, however, thinks that a Bill for direct elections would serve little purpose at the moment because the legislative procedure would be drawn-out and laborious. The fact remains that passing a motion such as Mr. Fohrmann's would be a gesture not without effect in Europe. Moreover, we would be able to say that our Parliament was the first to express the determination shared by all the other countries that the election of the European Parliament by universal suffrage should become a reality. It would be a small step but a highly important one and could not fail to have considerable effect. This is why we ask for support for Mr. Fohrmann's motion.

**Mr. Margue.**—Mr. President, Ladies and Gentlemen, now that Mr. Cravatte has read out the text, I agree that, strictly speaking, it would be possible to call on the people to select our representatives from among the elected deputies. Indeed, the decisive phrase is 'from among their members'. As the Government does not think this the right moment to draft such a Bill, we cannot accept Mr. Fohrmann's motion. Mr. Urbany's text is in any event unacceptable.

**President.**—If I rightly understand the attitude of the Communist party, which presented the first motion, it is ready to accept Mr. Fohrmann's motion if the words 'by proportional representation' are added to it. In that event it would withdraw its motion.

**Mr. Urbany.**—Agreed.

**Mr. Fohrmann.**—Perhaps we need not amend the wording of the motion; we can merely explain that it also implies proportional voting. On this basis we are agreed.

**President.**—We shall now vote on Mr. Fohrmann's motion.

The motion is adopted by 35 votes to 16.

*For* : Messrs. Cravatte, Flammang, Fohrmann, Grandgenet, Hamilius, Hansen, Hartmann, Hengel, Hoffmann, Hurt, Kollwelter, Kons, Krieps, Krier Antoine, Krier Roger, Mart, Meis, Schleimer, Urbany, Useldinger, Vouel, Wagner Charles, Wehenkel, Wolter, Abens, Berchem, Berg (proxy : Hengel), Van den Bulcke (proxy : Abens), Diederich (proxy : Berchem), Fandel (proxy : Krier Antoine), Miss Lulling (proxy : Hansen), Messrs. Ney (proxy : Wolter), Wantz (proxy : Krieps), Wilwertz (proxy : Wehenkel) and Wohlfart (proxy : Schleimer).

*Against* : Messrs. Bollendorff, Burggraff, Colling, Duhr, Elvinger, Gerson, Glesener, Grégoire, Margue, Mosar, Spautz, Wagner Georges, Winkin, Biever (proxy : Mosar), Hellinckx (proxy : Elvinger) and Lucius (proxy : Winkin).

CHAPTER VII

TEXTS OF THE SECOND CHAMBER  
OF THE STATES-GENERAL OF THE NETHERLANDS

Motion on the financing of the common agricultural policy, increasing the powers of the European Parliament and its election by universal suffrage, tabled on 8 June 1965 in the Second Chamber of the States-General by Messrs. Blaisse (*Catholic People's Party*), Vredeling (*Socialist Party*), Miss Rutgers (*Anti-Revolutionary Party*); Messrs. Berkhouwer (*People's Party for Freedom and Democracy*) and Bos (*Christian Historical Union*). The motion was adopted by the Foreign Affairs Committee on 9 June 1965 and by the Second Chamber, without debate, at the plenary sitting of 16 June 1965  
(1964-65 session, Motion No. 8040-5)

*The Chamber,*

having regard to the proposals of the European Commission concerning :

- I—financing the common agricultural policy ;
- II—*independent revenue for the European Economic Community ;*
- III—*increasing the powers of the European Parliament ;*  
referring to its statement of 2 February 1965 ;

having regard to the resolution concerning these proposals adopted by the European Parliament on 12 May 1965 ;

approves, on political, institutional and economic grounds, the principles enounced in the European Commission's proposals, as adopted by a large majority by the European Parliament ;

emphasizes :

- (a) that the proposals as a whole are politically indivisible ;
- (b) that the common agricultural and industrial markets must be brought into being simultaneously ;
- (c) that for the purpose of endowing the EEC with its own source of revenue, it will be essential to change the Community's budget procedure in such a way as to establish effective participation and parliamentary control at European level, identical to those so far enjoyed by the national Parliaments ;
- (d) that it is essential in this connexion to make a start in endowing the European Parliament with legislative powers by introducing a right of veto ;

remains of the opinion that direct elections to the European Parliament are essential for strengthening democracy in the EEC, particularly once this Parliament has received real powers ;

considers that the Community tax on fats can only be determined through the procedure adopted by the European Parliament for the adoption of the Community's budget ;

supports the European Parliament's decision, backed by its three main political groups, to the effect that the EEC Council of Ministers may only depart from the draft budget with the co-operation of the European Parliament ;

calls upon the Government vigorously to uphold this standpoint at the forthcoming negotiations ;

invites its President to bring this motion to the attention of the European Commission, the EEC Council of Ministers, the European Parliament and the Parliaments of the five other member States of the EEC.

PART TWO

**Policy statements**



## CHAPTER I

### GOVERNMENTS

No attempt has been made to bring together all statements and speeches of members of the Governments of the six countries in which allusion is made to the election of the European Parliament by universal suffrage. Only the most important or the most original of these are included in the following pages.

#### I—Belgium

A—Statement made by Mr. Wigny, Foreign Minister, in the Chamber of Representatives during a debate on Community and Foreign Affairs held in January 1960  
(*Chamber of Representatives, debates of 20, 26, 27 and 28 January 1960*)

Mr. Wigny felt that the direct election of members of the European Parliament would be desirable provided it did not break the link that had to be maintained between the European and the national Parliaments, and provided that it was coupled with an increase in the Parliament's powers of control. Europe was not intended to swallow up individual nations, and if parliamentarians did not meet ministers in the national Parliaments their work would be ineffective. Direct elections would serve no purpose unless control over the executives was tightened up.

(*Monthly Bulletin of European Documentation, March 1960*)

B—Statement made by Mr. Spaak, Deputy Prime Minister and Foreign Minister, during the debate on the budget of the Foreign Ministry held on 13 and 14 June 1961  
(*Extract*)

'As regards plans for the institutions, it would be wrong to believe that Europe would be in danger if the Heads of Governments, accompanied by their Foreign Ministers, were to meet three or four times a year to discuss the main problems of building Europe. One could therefore accept the setting up of a small administrative secretariat if political unification went hand in hand with progress towards a Community Europe.

Without encroaching on the competence of the executives, who must retain all their powers, the new organization could deal with other important matters lying outside the Community's sphere of economic activity.

Progress towards a Community Europe included merging the executives, speeding up the development of the Common Market and direct elections to the European Parliament.

There would be no point in merging the executives if the division of effort continued as before; what was needed, therefore, was not only to effect an administrative merger but also, and above all, to reduce the various Treaties to a single Treaty.'

(*Monthly Bulletin of European Documentation, July 1961*)

C—Speech in the Senate by Mr. Dehousse (*Socialist*) in connexion with a question addressed by Mr. Ballet to the Foreign Minister on 'NATO's rôle after twenty years of existence as assessed at the end of the NATO Council meeting held in Washington on 11 and 12 April, and the part Belgium ought to play in it; the changes in the Soviet Union's military and political situation; the need for Europe to emerge without delay from its state of lethargy in order to arrive as rapidly as possible at a European Political Community; the need to impart fresh impetus to flagging co-operation between the Benelux countries'

a) *Mr. Dehousse's speech* (extract)

'... When General de Gaulle goes, a number of masks will fall. For quite a few people, and by no means unimportant ones, have used him as a cloak to hide their true intentions. Many who have professed attachment to European union will now have to show their hands.

They will have to play the European game. This will be neither easy nor immediately practicable. Yet we must admit that the problem of European unity now appears in a more favourable light. I should like to tell my friend the Foreign Minister how much I hope that Belgium will embark on moves in favour of the political unification of Europe. Anyone who attends assemblies knows how difficult it is to frame a common European policy. What is lacking most of all, however, is a common political will.

This political Europe must be cast in a democratic mould. We should take another look at some of the old plans, particularly that of the Political Community, which could serve as a basis for discussion, and the scheme for the election of the European Parliament by universal suffrage which was blocked by the veto of Gaullist governments. We must get to grips with it once more because it is the best means of giving Europe the impetus it needs to move towards unity without any loss of sovereignty.'

b) *Mr. Harmel's reply* (extract)

'... Lastly, I think that elections to the European Parliament by universal suffrage would serve as a powerful stimulus to the younger generation. Moreover, even if it is not at present possible to reach agreement on this matter among the six member States, there is nothing to stop any State from deciding to hold such elections on the basis of its domestic laws.'

(Senate, summary report, session of Tuesday, 20 May 1969)

## II—Germany (Federal Republic)

Report on the press conference of Federal Chancellor Adenauer held in Bonn on 23 January 1963, following the signing of the Franco-German Treaty in Paris on 21 January

(Extract)

'Quite unexpectedly the Federal Chancellor proposed that there should be general elections to the European Parliament. Apart from the contemplated entry of the United Kingdom to the EEC, the Chancellor's main worry was that the efficiency of the Council of Ministers in Brussels, responsible for supervising the economy of six countries, was already suffering owing to a surfeit of work. There existed in Brussels a smoothly-run and fairly independent bureaucracy but no parliamentary democracy. It was therefore essential to set up a directly elected European Parliament. In Germany it would be possible from 1965 to elect representatives simultaneously for the Bundestag and the European Parliament. This proposal ought not yet to be submitted to Brussels, however, as this might aggravate the already difficult situation.'

(*Stuttgarter Zeitung*, 24 January 1963)

### III—France

#### A—Extracts from the press conference of General de Gaulle concerning Europe, 15 May 1962

I should like to speak particularly about the objection to integration. People counter this by saying: "Why not merge the six States together into a single supranational entity? That would be very simple and practical." But such an entity is impossible to achieve in the absence in Europe today of a federator who has the necessary power, reputation and ability. Thus one has to fall back on a sort of hybrid arrangement under which the six States agree to submit to the decisions of a qualified majority. At the same time, although there are already six national Parliaments as well as the European Parliament and, in addition, the Consultative Assembly of the Council of Europe—the last, it is true, preceded the Six but, so they say, is on the shore on which it was abandoned—it would be necessary to elect, over and above this, yet a further parliament, described as European, which would lay down the law to the six States.

These are ideas that may appeal to certain minds but I entirely fail to see how they could be put into practice, even with six signatures at the foot of a document. Can we imagine France, Germany, Italy, the Netherlands, Belgium, Luxembourg being prepared, on a matter of importance to them in the national or international sphere, to do something that appeared wrong to them, merely because others had ordered them to do so? Would the peoples of France, of Germany, of Italy, of the Netherlands, of Belgium or of Luxembourg ever dream of submitting to laws passed by foreign parliamentarians if such laws ran counter to their deepest convictions? Clearly not. It is impossible nowadays for a foreign majority to impose their will on reluctant nations. It is true, perhaps, that in this "integrated" Europe as it is called, there might be no policy at all. This would simplify a great many things. Indeed, once there was no France, no Europe, once there was no policy, since one could not be imposed on each of the six States, attempts to formulate a policy would cease. But then, perhaps, these peoples would follow in the wake of some outsider who had a policy. There would perhaps be a federator but he would not be European. And Europe would not be an integrated Europe but something vaster by far and, I repeat, with a federator. Perhaps to some extent it is this that at times inspires the utterances of certain advocates of European integration. If so, then it would be better to say so.

*(Monthly Bulletin of European Documentation, June 1962)*

#### B—Speech made by Mr. Edgar Faure, Minister for Agriculture, in Besançon on 14 May 1966

I am all for electing a President of the United States of Europe by universal suffrage, and even the representatives, but in such elections France would find itself in the minority because too many of its interests still clash with those of its partners. Moreover, this would not solve the problem of fruit and vegetables; a parliament could not solve practical problems before which even the experts turn pale. We must above all make it our business to combat two attitudes of mind; systematic contradictoriness and systematic pessimism.

*(A Survey of European Documentation, July 1966)*

### IV—Italy

#### A—Statement made by Mr. Nenni, Vice-President of the Council, in Rome on 3 January 1964

The major task of our country's foreign policy is the building of a democratic Europe. This accounts for the interest shown by our foreign policy in the development of the European Com-

munities and, more particularly, of the Common Market which must be shielded from trends towards self-sufficiency. The Common Market's structure must be recast in a democratic mould and be established on a broader popular basis so as to permit of the European Parliament's election by universal suffrage, thus providing our peoples with a forum in which to voice their determination to achieve unity and peace. This is why one of our main concerns is to heal the breach in the unification process opened up by General de Gaulle one year ago. Although at the close of 1963 there were many signs that this breach would become even wider, the Brussels conference ended more satisfactorily than expected, with a net gain in the technical, though not in the political sphere.'

*(Monthly Bulletin of European Documentation, February 1964)*

**B—Policy statement made by Mr. Fanfani, Foreign Minister, in the Chamber of Deputies on 31 March 1965**

He laid emphasis on the decision taken the previous week by the EEC to the effect that the Governments should allocate to the Community all available funds levied by it and make their utilization subject to the control of the European Parliament. The latter's powers would thus be increased, underlining the need to substitute the direct election of its members by the citizens of the Community countries for their nomination by the national Parliaments. According to some Italian and foreign political observers, this Community decision had led to a change in the French Government's attitude to the scheduled meeting of the six Foreign Ministers as it had emerged during their Foreign Minister's visit to Rome.

**C—Speech by Mr. Fanfani on the occasion of the signing of the Treaty  
on the merger of the Executives (8 April 1965)**

'The merger of the Executives of the three Communities (ECSC, EEC and Euratom) on which we have today decided is a further major step in the continuous process of European unification. We are for the first time adjusting the Community institutions to the progress made by our customs and economic union as well as to its growing requirements. Our action today also paves the way for a merger of the three Treaties, with which the ultimate objective of the economic and political integration of Europe must be resolutely pursued.

This new and constantly progressing situation poses an even more urgent problem: that of reforming the European Parliament which, under the Treaties, must share in the Community's legislative powers and ensure its democratic development. Once the economic integration of the Six is complete, and with the end of the EEC's transitional period in sight, the Italian Government feels that it is no longer enough for the European Parliament simply to exercise the consultative and supervisory powers assigned to it by the Treaties. The improvements in relations between the Councils and the European Parliament are also inadequate.

On the contrary, it is essential progressively to strengthen and widen the Parliament's powers by transferring to it the powers of political control surrendered by the national Parliaments as the integration of the Community progresses in the economic sphere and in the executive bodies responsible for it. In order, moreover, that the European Parliament can exercise its functions with the utmost authority and in a fully representative way, the provisions of Articles 21 of the ECSC Treaty, 138 of the EEC Treaty and 108 of the Euratom Treaty on the direct election of members of the European Parliament by universal suffrage should be promptly applied.

The European Parliament has already complied with the Treaty requirements in submitting to the Councils of the European Communities, as far back as 20 June 1960, a draft Convention on its

own direct election. Moreover, on 24 February 1964 Mr. Giuseppe Saragat, then Foreign Minister and now President of the Republic, submitted to the Councils a practical proposal on the same subject. As regards the powers and prerogatives of the European Parliament, Mr. Gaetano Martino, then President, addressed to the Councils on 18 October 1963 specific requests on the basis of a resolution adopted by the Parliament itself on 27 June 1963. On the same subject the Dutch Government, on 1 December 1964, as well as other Governments, put forward requests and proposals. Finally the EEC Commission submitted to the Councils a proposal—within the context of the new financial arrangements for the common agricultural policy—for strengthening the European Parliament's budgetary powers.

The Italian Government's observations and proposals thus fit into the broad context of those submitted by other Governments, the EEC Commission and the Parliament itself. Such far-reaching agreement in arguments and aims underlines the urgent need for a searching study of this problem leading to practical and constructive decisions. The Italian Government intends to act with this end in view whenever the opportunity presents itself, because it is quite sure that in this way it will be interpreting the wishes of the people and contributing to the balanced and democratic development of our Community and its institutions. It trusts that the Governments of the other member States also intend to make determined efforts in this direction.'

*(Relazioni internazionali, 17 April 1965)*

D—Government statement by President Moro (3 March 1966)

*(Extract)*

'The Government intends to continue its efforts to ensure full resumption of Community activities in line with the Treaties, with an eye to economic integration as a prerequisite for the political unification of Europe. These efforts will be deployed in all Community institutions—both economic and political—and the attention of the Parliament and of the country itself will continue to be drawn to them. In addition, the project for the election of the European Parliament by universal suffrage will be pushed ahead with.'

*(A Survey of European Documentation, April 1966)*

E—Statement made in the Senate by President Leone on 13 August 1968  
on the election of the European Parliament by universal suffrage

'As President of the Chamber, I have repeatedly had occasion to deal with this question. Each time, on the basis of the Rules of Procedure, I have—rightly I think—ensured that voting should be according to the majority system. Yet I have always wanted this principle changed so that all political trends represented in the Parliament could belong to such a delegation. I would remind you that during a debate on television in 1962 I expressed my conviction that proportional representation of the parties or, more precisely, of the parliamentary groups, in the European Parliament would help to speed up European unification.

The position we are now in can no longer be tolerated. Our delegation has not been renewed for years. I therefore feel it is my duty to tell you that the Government intends to resubmit the Bill on the direct election of members of the Italian delegation to the European Parliament by proportional representation. As to how the present problem is to be solved—in the absence of the Bill to which I have referred—this is for the two Chambers and their Presidents to decide, and out of respect for the Parliament I shall not say anything more about it.'

*(Atti parlamentari, 13 August 1968)*

F—Extract from the Anglo-Italian statement on Europe published at the end of the official visit of the President of the Italian Republic to the United Kingdom on 28 April 1969

'Europe's political development requires all the member States of an enlarged Community to play their full part. Europe must be firmly based on democratic institutions and the European Communities must have the support of an elected Parliament, as provided for in the Treaty of Rome. The present European Assemblies must play a more important role.'

## V—Luxembourg

A—Statement by Mr. Schaus, Foreign Minister, in the debate on foreign policy held in the Chamber of Deputies (*March 1961*)  
(*Extract*)

'The Government has no objection to the merger of the executives if it strengthens the existing institutions. It fears, however, that this will affect the question of the seat of the institutions. It also supports the principle of direct European elections and trusts that these may be carefully organized. The Luxembourg Government renews the application of the Grand Duchy to be the seat of all the European institutions.'

(*Monthly Bulletin of European Documentation, March 1961*)

B—Government statement made in the Chamber of Deputies by Mr. Werner, Prime Minister, on 22 July 1964  
(*Extract*)

'The Government refuses to question the basic principles of integration. It is in favour of a merger of the Treaties. However, it will only accept a reorganization of the European institutions, and in particular the merger of the executives, on the condition that this will assist the process of integration and that definite prospects exist for the organization and future aims of the Communities as a whole. In this connexion the Government considers that an institutional reorganization of the European executives can only be carried out in the light of the particular conditions prevailing in the various fields covered by the Paris and Rome Treaties, and of the specific administrative needs flowing from these Treaties. It also feels that an institutional reorganization of the Communities must be accompanied by a strengthening of the powers of the European Parliament.'

(*Monthly Bulletin of European Documentation, August 1964*)

## VI—Netherlands

A—Speeches made by Mr. van Dijk (*Liberal*) and Mr. Luns, Foreign Minister, in the Second Chamber during the Foreign Ministry budget debate held on 8-9 January 1963  
(*Extract*)

Speaking on the Community's institutional structure, Mr. van Dijk stated that parliamentary democracy and supranationality could not win through unless the Council of Ministers pursued a truly European policy instead of seeking compromises between the various national attitudes.

Pending possible changes in the Treaty aimed at increasing parliamentary control, he said that the most should be made of existing possibilities. He also felt that it should be possible to modify European regulations in a democratic way.

As regards consolidating democracy within the Community, the Government considered that although direct elections were desirable in themselves, it would only be by widening the powers of the European Parliament that this problem could be solved.

Mr. Luns was also for strengthening the internal structure of the Communities, both from the supranational and from the democratic point of view, so that their position, tasks and powers would be preserved once political co-operation began.

The speaker recognized that the parliamentary institutions ought to be centralized and that geographic dispersion hampered the work of the European Parliament. The Government was ready to support any initiative by the Parliament designed to bring the parliamentary institutions together in one place. He still thought, however, that all Community institutions should be based on one location.

At the close of the debate Mr. Blaisse tabled a motion on behalf of the Christian Democrat, Liberal and Socialist groups, deploring the slow pace of negotiations between the EEC and the United Kingdom. In this the Chamber urged the Government to spare no effort to facilitate British entry. It asked that an effort should be made (i) to change the negotiating procedure to enable the EEC Commission to propose solutions to some of the difficult issues still outstanding; (ii) to give priority to these negotiations and urge member States to do the same; and (iii) to show a more active interest in consolidating the Communities, particularly through greater parliamentary control.

*(Monthly Bulletin of European Documentation, February 1963)*

**B—Motion tabled by Mr. Vredeling and others (12 December 1963)**

A motion had been tabled by Mr. Vredeling (Socialist) and others to the effect that the Chamber considered it essential that the Government should only assist in framing the implementing provisions for the European Agricultural Guidance and Guarantee Fund if there was a definite assurance that the European Parliament would be given the budgetary powers lost by the national Parliaments in this sphere.

During the debate on this motion Mr. van der Goes van Naters, Mr. Berkhouwer (Liberal) and Mr. Westerterp (Christian Democrat) advocated strengthening the powers of the European Parliament and the direct election of its members. Mr. De Block, Secretary of State for Foreign Affairs, stated that the Permanent Representatives were looking into these matters at the request of the Dutch Government. Although the climate in Brussels was not at the moment favourable, the Netherlands would continue to strive for improvements on the basis of the existing Treaties and, inter alia, of the proposals put forward in the Furler report. Mr. Luns endorsed the request for direct elections made by several members, and added that if the ministers agreed, there would be no difficulties; otherwise the EEC Treaty would perhaps have to be amended.

*(Monthly Bulletin of European Documentation, January 1964)*

## CHAPTER II

### PARTIES AND LEADING POLITICAL FIGURES

In view of the wealth of statements made on the subject of direct elections to the European Parliament since 1960, only a few of the policy statements made by parties and political figures have been reproduced here.

#### I—Belgium

##### A—Extract from the resolution on European integration adopted at the end of the party conference of the Social Christian Party on 18 June 1960

Improving the way the European institutions work, getting the European Parliament directly elected, setting up a single executive for the three Communities without curtailing their supra-national power, and deciding once and for all where the seat of the institutions is to be.

*(Monthly Bulletin of European Documentation, July 1960)*

##### B—Resolution of the Belgian Socialist Party Congress held in Brussels on 16-18 December 1960

*(Extract)*

Lastly the Socialist Party hopes that the executives of Little Europe will be controlled by a democratically constituted Parliament.

It supports the European Parliament's plan for direct elections but lays down two conditions :

- (i) its present powers should be increased. It should exercise control over budgets and over the activities of the executive. It should have legislative as well as consultative powers ;
- (ii) the rules governing the elections should be identical in the Six countries so as not to distort the pattern of political representation of Europe.

*(Monthly Bulletin of European Documentation, January 1961)*

##### C—Motion adopted by the Belgian Christian Workers' Movement (MOC) at its Congress in Brussels (22-24 May 1964)

*(Extract)*

The MOC wants to see in the near future :

- (i) the merger of the three executives into a single Commission endowed with broader and clearly-defined powers ;



- (ii) the election of the European Parliament by direct universal suffrage and its compulsory consultation by the Council of Ministers on any important matters ;
- (iii) the merger of the Councils of Ministers and the adjustment of the majority rule ;
- (iv) regular meetings of Heads of Government.

(*Monthly Bulletin of European Documentation, June 1964*)

## II—Federal Republic of Germany

### A—Point E of the Social Democrat party programme for the general elections of 1965

#### *European elections*

Article 138 of the Treaty stipulates that :

'The Assembly (= European Parliament) shall draw up proposals for elections by direct universal suffrage in accordance with a uniform procedure in all member States.

The Council shall unanimously decide on the provisions it shall recommend to member States for adoption in accordance with their respective constitutional requirements.'

Pursuant to these provisions, the European Parliament drew up detailed proposals for the direct election of its members. As a result of the French veto, however, these proposals have since been left in abeyance at the Council of Ministers. France will not allow the European Parliament either wider powers or the direct election of its members. To get round French opposition to direct elections, the Social Democrat group in the Bundestag tabled a Bill in June 1964 for the direct election of the 36 members of the European Parliament on 19 September, that is, on the same day as elections to the Bundestag. A first proposal to this effect was made by Mr. Karl Mommer (SPD) and this was later supported by Messrs. Adenauer and Dufhues. But for formalistic reasons and probably also from fear of the elections, the coalition parties rejected the SPD's plan, although this was perfectly feasible from the legal point of view. Italy, the Netherlands, Luxembourg and Belgium could then also have followed the German example and in this way French opposition would have been thwarted. The European organizations also supported the SPD proposal. The situation is therefore as follows :

- (i) direct European elections are not for the moment in sight : the present German Federal Government too has made no attempt to win over all member States to this principle on the Council of Ministers ;
- (ii) the lack of any will to set a European example on the part of the present Government parties and of the Federal Government itself is quite obvious.

(*Tatsachen und Argumente, Stichwörterverzeichnis zum Bundestagswahlkampf von A bis Z, p. 62*)

### B—Extract from the action programme adopted by the Christian Democrat party at its Berlin Congress of 4 to 6 November 1968

This is why we insist that Europe should be united politically. We demand the completion of the European Economic Community, the abolition of all frontiers, common policies on economic and monetary affairs, external trade, development aid, science and research, and progressive approximation of social policies.

The European Parliament must be directly elected and exercise sovereign powers as regards legislation, budgets and democratic control. In addition, it must have a say in the appointment of the European executive.

*(Handelsblatt, 6 November 1968)*

### III—France

#### A—Motion on Europe adopted by the National Congress of Independents and Farmers in Paris on 2 December 1960

*(Extract)*

'It is essential that public opinion should be better informed on the reality that is Europe. The Independents are ready to accept in an undogmatic spirit any genuine proposal. Without any great confidence in the effectiveness of a new political secretariat, they would not be opposed to this provided such a new institution did not hamper the development of the existing ones. Similarly they would accept a referendum provided it neither ruled out nor delayed direct elections to the European Parliament.'

*(Monthly Bulletin of European Documentation, January 1961)*

#### B—Motion on the unification of Europe adopted at the close of the Second National Congress of the 'Union pour la nouvelle République' (U.N.R.) in Strasbourg, 31 March to 14 April 1961

*(Extract)*

Convinced that the stability of western civilization necessitates consolidating the European Community, and welcoming the impetus already given to the process of European unification by General de Gaulle and his Government, the U.N.R. considers the following should be the key objectives for uniting Europe :

- (i) continued development of the Community of the Six through respect for mutual commitments not only in the letter, with which some of France's partners rest content, but also in the spirit ;
- (ii) the need to make the Fifth Republic's decisive achievements in this field better known, and to answer criticism about its alleged intentions, both in France and elsewhere ;
- (iii) efforts to secure political solidarity between the Governments on the basis of which, through a referendum, to set up a political confederation capable of endowing the purely economic work undertaken so far with an ever-present unity of purpose in every field. This should not exclude either a strengthening of links within the Community or enlarging the Community to embrace all countries of good will.

#### C—Speech made by Mr. Alain Peyrefitte in the National Assembly's debate on foreign affairs, 20 July 1961

*(Extract)*

Mr. Peyrefitte considered that neither the merger of the executives nor the direct election of the European Parliament would solve today's serious problems such as those of Berlin and Algeria. It was true that direct election of the European Parliament could one day mark a decisive step forward in the construction of a political Europe ; but this could not be taken yet. The main thing

was to give substance to political Europe and at the same time increase the powers of the European Parliament. Until these powers were given, it would be foolish to suppose the Parliament's direct election would of itself solve the problem of political Europe.

*(Monthly Bulletin of European Documentation, August 1961)*

**D—Declaration made before the National Assembly by Mr. Simonnet (M.R.P.)  
on behalf of 280 of his colleagues (13 June 1962)**

*(Extract)*

Having been unable to express our opinion through a vote, we, the undersigned members of the National Assembly, wish to draw attention to our desire that France should join the movement for European unity which we conceive in terms of a democratic community of peoples rather than of a series of intergovernmental conferences on the lines of old-style diplomacy.

We should like to see the methods and principles that have proved successful in the Common Market further developed and extended to general policy, particularly in the field of foreign affairs and defence.

We propose that the consolidation and merger of the Community executives, the direct election of the European Parliament, and the introduction of majority decisions on the Council of Ministers, should be carried out in several stages.

We reaffirm our conviction that only a united Europe that is an equal partner of the United States within the Atlantic Alliance can in the future safeguard our liberties and peace.

The signatories of this declaration then left the Assembly, refusing to take part in any debate that did not culminate in a vote.

*(Monthly Bulletin of European Documentation, July 1962)*

**E—Motion on Europe adopted by the People's Republican Movement (M.R.P.)  
at the close of its congress in La Baule, 24 to 26 May 1963**

*(Extract)*

The M.R.P.

proposes the following measures as a first stage on the road to the United States of Europe :

- (i) election of the European Parliament by universal suffrage ;
- (ii) regular meetings of Heads of State or Government for the purpose of harmonizing those policies of the Six that are not governed by the Treaties, and to pave the way for a Community political body ;
- (iii) scope for the European Parliament to exercise real powers of decision in budgetary matters ;
- (iv) annual discussion by the European Parliament of a report to be submitted by Heads of State or Government on the state of the Community in a debate which would provide the basis for progressive integration ;
- (v) a widening of the powers of the European Parliament through revision of the Community Treaties ;
- (vi) the creation of a single executive for the three Communities.

*(Monthly Bulletin of European Documentation, July 1963)*

F—Statement made by Mr. Jean Lecanuet, presidential candidate,  
in Strasbourg on 26 November 1965

'France moving towards the United States of Europe : that is what we wish to bring about. If I were elected the first thing I should do would be to meet the Head of State of the Community to relaunch the Common Market and have France resume her seat in Brussels. Talks ought to be begun at once to relaunch Europe politically and to create a commission, on the model of the Hallstein Commission, to draw up a treaty on the political union of Europe. I am in favour of the election of a European Parliament by universal suffrage, of the election of a federal president and, if the need arises, of a referendum on Europe.'

*(A Survey of European Documentation, March 1966)*

G—Interview given to the 'XXe siècle fédéraliste' by Mr. Giscard d'Estaing  
(November 1966)  
(Extract)

Mr. Giscard d'Estaing thought that the progress of political Europe depended on the development of the institutions. 'To set political Europe going involves injecting into the existing institutions some feature which will ensure their convergence while at the same time respecting their prerogatives.' He considered that 'in the vision of an existential Europe' an assembly elected by universal suffrage 'is not a solution because it would immediately throw up two conflicts. Firstly, a conflict of law : who makes the law ? The national Parliament elected by universal suffrage ? The European Parliament elected by universal suffrage ? Secondly a conflict between persons : who is representative ? The French, the Germans, the Italians, elected within the framework of a national Parliament, or those elected to a European Parliament ? In short, a Parliament elected by universal suffrage is the expression of a notion, that of a majority decision. Who can say, however, whether at Europe's present stage of development decisions can be taken and put into effect purely on the basis of a majority ? What sort of European majority could there be ? Who could induce the minority to speak a language other than their own ? What European majority could alter the status or right to exist of political parties or trade unions ? In reality, at the stage existential Europe has at present reached, we are none of us ready, when we are in the minority, to bow to the decisions of the majority.'

We must therefore move forward along another path ; this is why I think that the first institution to establish is a European Senate. European senators should be elected indirectly, that is, by the locally elected, just as our French senators are, but on the basis of regional lists, so that this type of constituency could for the first time be used. This would be existential Europe, but also organic Europe, because the region would become a key component of European society. The composition of this senate would moreover have to reflect the state of balance already existing in the EEC. We know that under the Treaty of Rome each country has a certain number of votes on the Council of Ministers in Brussels : France and Germany have the same number of votes and for the other countries a weighting is applied. The number of senators for each country would be fixed accordingly.

The European Senate would be required to examine in second reading all national legislative provisions whose harmonization—as between the various States—was thought desirable : taxation, social security charges, commercial law, labour law. Debates could be held on defence, foreign policy and economic policy. The Senate would examine texts falling within its province after a first reading by the national Parliaments, and would have the right to make amendments. The Senate could, by a qualified majority, call for a second consultation at European level. The national Parlia-

ments would have the power of decision in the last instance. Such a Senate would be the first stage in the development of a united Europe.'

(*A Survey of European Documentation, January 1967*)

H—Joint declaration by the F.G.D.S. (Federation of the Democratic and Socialist Left) and the P.C.F. (French Communist Party) of 26 February 1968

(*Extract*)

The Federation proposes practical measures to speed up the process of European integration. It favours enlarging Europe territorially (particularly through the admission of the United Kingdom), increasing the number of common sectors (to include planning, currency, technology and public health) and *setting up a common political authority* embracing a Parliament elected by universal suffrage. In this way Europe should be able to acquire the means to become politically and economically independent. Economic planning should ensure its smooth expansion as well as a fair distribution of wealth which cannot be left to the play of capitalist competition. If allowed to develop in this way, the European Community will satisfy the needs of consumers in a large market at the lowest cost. It already appears possible to delegate limited but real powers—subject to democratic control—to the existing and future Rome Treaty institutions.

The P.C.F. is in favour of a democratic and peaceful Europe. It considers that France should not confine itself within the narrow compass of a little capitalist Europe—whether with six or, at most, seven members—but should build up its economic and technical relations with all European countries to their mutual benefit. In a democratic France the nationalization of the key sectors would make it possible to co-operate on major projects on a European scale and under conditions that would permit them to become an integral part of the balanced development of the national economy. The P.C.F. reaffirms its hostility to the setting up of a supranational authority created and dominated by capital, as it would accentuate the division of Europe, aggravate the baneful consequences for the workers of the present policy of the Common Market, and leave the democratic policy the French people want to the mercy of reactionary foreign governments.

Far from being independent, a little supranational Europe would be left dangerously under the sway of an expansionist and revanchist Germany and delivered to American tutelage within the framework of the Atlantic Pact.

Despite these differences, the F.G.D.S. and the P.C.F. agree that the Common Market—now a reality—is at present dominated by cartels, trusts and international pressure groups.

They consider it necessary :

- (i) to give it an entirely different economic and social content consistent with the workers' interests.

The P.C.F. proposes to get rid of the technocratic character of the institutions that run the Common Market, and to democratize them.

The F.G.D.S. intends to get rid of the technocratic character which the institutions running the Common Market are gradually assuming, as a result of the absence of a political authority, by democratizing them ;

- (ii) to ensure that real rights are given to representatives of industrial and agricultural unions in the institutions of the Common Market ;
- (iii) to ensure representation, without distinction, to all political parties in the national Parliaments.

The F.G.D.S. and the P.C.F. consider that, in the fight against the monopolistic and technocratic aspects of the Common Market, the claims of workers in the countries concerned will be more effective if they close ranks in the common struggle.

(*A Survey of European Documentation, January-March 1968*)

I—Statement by Mr. Alain Poher (interim President of the Republic and candidate at the June 1969 presidential elections) to the newspaper 'L'Aurore'  
(27 May 1969)

To the question: 'As President of the European Parliament since 1966, what do you think of its work and its future?', Mr. Alain Poher replied: 'The European Parliament is an assembly whose main function is to exercise control over the executive Commission of the European Economic Community in Brussels. But it can also censure its activities—something it has never done!

At each session it is presented with a special report, and once a year a general report is made the subject of a debate during which amendments may be inserted. These debates have so far been of great importance because they have served to bring into relief the main preoccupations of the six countries.

But the European Parliament remains a hybrid affair with all the shortcomings that flow from its being primarily a consultative body.

Only when it is elected by universal suffrage will it acquire the status of a legislative assembly and play the role of a real Parliament.'

Asked whether he might make the first move in proposing the direct election of the European Parliament, Mr. Poher replied: 'I am all for this method of nomination but I do not want to embarrass our partners and believe that such a reform would have to be preceded by negotiations.'

(*L'Aurore*, 27 May 1969—*Le Monde*, 28 May 1969)

#### IV—Italy

##### A—Extract from the electoral programme of the Italian Socialist Party<sup>(1)</sup>

One of the prerequisites for a democratic alternative is the direct election of the European Parliament and the democratization of all the European institutions, so that the forces of the workers' movement can also be fully represented in them.

(*Avanti*, April 1963)

##### B—Statement by Mr. Rumor (Secretary-General of the Christian Democrat Party) to the weekly review 'Europa', 10 November 1967 (Extract)

It goes without saying that the Christian Democrat Parties are jointly and severally concerned with all aspects of the Community, particularly those relating to the institutions.

In this respect it is the Christian Democrat group of the European Parliament that is the most heavily committed.

This is not only because of the function and competence of this group, but also because of the importance we attach to the direct election of the European Parliament.

This goal will not be an easy one to achieve but it must be pursued tenaciously if we really want Europe to become united and not only a political reality but also a reality deeply rooted in the minds of the European people.

(*A Survey of European Documentation*, October-December 1967)

<sup>(1)</sup> The direct election of the European Parliament is also called for in the final motion adopted at the end of the 35th Congress of the Italian Socialist Party held in Rome from 25 to 29 October 1963.

C—Motion adopted at the end of the 11th Congress of the Italian Liberal Party  
held in Rome from 7 to 12 January 1969  
(Extract)

The Liberals are fighting for a united Europe, enlarged to include the United Kingdom and other sovereign and democratic States of our continent, run by the federal institutions and allied in a more balanced relationship with the United States. Given the Gaullist attitude, this may mean initiatives excluding but in no way directed against France. For the immediate future this struggle implies the wish, which the Italian Liberal Party reaffirms, that the Italian representatives in the European Parliament should be elected by direct universal suffrage.

(A Survey of European Documentation, January-March 1969)

## V—Netherlands

A—Resolution of the Congress of the Catholic People's Party  
(22-23 October 1960)  
(Extract)

The means to this end include merging the executives of the European Communities and strengthening the democratic character of the European Parliament through direct elections and widening its powers, particularly in budgetary matters.

(Monthly Bulletin of European Documentation, November 1960)

B—Professions of faith in Europe in the official election programmes of the major political parties of the Netherlands (1967 elections)  
(Extract)

The *Catholic People's Party* (KVP) states in its election programme that it is 'determinedly pursuing its efforts to ensure the advent of a united, democratic, supranational and outward-looking Europe.'

The *Labour Party* (PvdA) wishes to facilitate the entry to the EEC of Great Britain and other democratic countries, to strengthen the position of the European Commission and to endow the European Parliament with real parliamentary powers so as to ensure that integration is carried out on democratic lines.

One of the aims pursued by the *People's Party for Freedom and Democracy* (VVD), under Article 13 of its programme, is 'European integration on democratic lines and without setting up a continental bloc. The goal is a united Europe in which the executive authority would be answerable for its policy to a European Parliament elected by direct universal suffrage and with which it would jointly form the legislature. A Court of Justice will have to ensure respect of Community law. The party favours collaboration between all European liberal movements with a view to building the new Europe as far as possible on a liberal basis.'

According to the VVD's election programme, in order to achieve European unity within the Atlantic Community the EEC will soon have to be enlarged by admitting other European countries. As so little advantage is being taken of the scope offered by the Rome Treaty for setting up a supranational structure, a watch should be kept on vital national interests. The VVD favours

the transfer of powers to supranational institutions where the interests at stake can be more effectively defended at European level. Every effort should therefore be made to turn the European Parliament into a dynamic directly-elected institution.

According to the *Anti-Revolutionary Party* (ARP), the political unification of Europe on a supranational basis—still in its initial stage in the present Communities—must be carried out on a democratic, outward-looking and supranational basis, the distinctive character of each country being, however, respected. The ARP insists that parliamentary supervision should be made really effective. Integration must be rounded off by the merger of the Communities and the direct election of members of the European Parliament.

Finally, the *Christian Historical Union* (CHU) 'will continue to strive without flagging for political and economic unity in a Europe no longer confined to the Six and whose democratic basis will be a European Parliament elected by direct suffrage and wielding real powers.'

(*A Survey of European Documentation, February 1967*)

## VI—International Organizations of political parties

*Since 1960 the international organizations of the political parties—the Socialist International, the European Union of Christian Democrats and the Liberal International—have demanded the direct election of the European Parliament in the closing resolutions passed at their congresses.*

*The resolutions reproduced below are those that devoted the most space to this issue. The years in which the question of the European Parliament was raised in the final resolutions is given in each case.*

A—Extract from a resolution on the Community's political objectives adopted by the 7th Congress of the Social Democrat Parties of the European Community held in Berlin on 17 and 18 November 1966

'The Congress calls for :

- .....
- (c) the strengthening of Community institutions, and particularly of the European Parliament ; the organization of direct general elections to the European Parliament ;
- .....'

(*Sozialdemokratische Europakorrespondenz, No. 1, 1967*)

*Direct European elections are also mentioned in the final resolutions adopted at the 5th Congress (Paris, 5-6 November 1962) and the 6th Congress (Rome, 17-18 September 1964) of the Socialist Parties of the Community.*

B—Extract from the final resolution adopted by the 17th Congress of the European Union of Christian Democrats held in Taormina from 9 to 12 December 1965

'The EUCD is convinced that parliamentary democracy offers the surest guarantee for practising the fundamental Christian principles on which a free and just society, in which human dignity



has full scope for development, must be based. As the EUCD believes that this goal can only be attained if the process of Community integration is accompanied by stricter democratic control, it calls for a strengthening of the European Parliament's role and for its direct election by universal suffrage.'

*(A Survey of European Documentation, No. 23, March 1966)*

*The demand for the direct election of the European Parliament figures in the final resolution passed at the 18th Congress (Venice, 12-15 September 1968) and in the resolutions passed by the International Union of Christian Democrats at its 4th World Congress (Strasbourg, 26-29 September 1963).*

C—Extract from the final resolution passed at the Congress of the Liberal International Union held in St. Gall on 3-5 September 1963

'The International Liberal Union considers that it is more than ever necessary to forge ahead with the economic and political integration of Europe. This is a prerequisite for prosperity and progress among the European peoples, serves to strengthen the eastern pillar of Atlantic co-operation, and is thus a force for peace in Europe and throughout the world. It also serves as an excellent means of improving and stepping up aid to the developing countries.

The Union therefore feels that it is the duty of all EEC member States to complete the Community structure as rapidly as possible, to finalize the customs union and to lay the foundation for economic union. The member States should merge the existing Communities and strengthen their democratic basis by holding direct elections to the European Parliament and heightening its prestige, so as to endow the integrated Community with enhanced authority and greater means of action.'

*(Monthly Bulletin of European Documentation, October 1963)*

*The same demand for direct European elections appears in the resolution adopted at the end of the Congress held by the World Federation of Young Liberals and Radicals (Luxembourg, 8-13 September 1963). It is also made in the resolution on the international situation adopted at the end of the Congress of the International Liberal Union held at The Hague from 20 to 24 September 1968.*

### CHAPTER III

## THE EUROPEAN MOVEMENTS

As in the previous chapters, it is not the intention to reproduce here all the statements made by European movements since 1960 in which the direct election of the European Parliament has been touched upon. Only the most characteristic statements are quoted, the others being mentioned only for the record.

#### I—Policy statements by the Action Committee for the United States of Europe

##### A—Extract from joint statement on elections by universal suffrage to the European Parliament issued at the 8th session of the Action Committee for the United States of Europe in Paris on 11 July 1960

The Committee also endorses the aims set out in the resolutions adopted by the European Parliament on 17 May 1960 and calling on the Governments to adopt a draft Convention on its election by universal suffrage. Such elections would directly involve every citizen in our six countries.

The importance of such elections makes it imperative to endow the Parliament with powers that would enable it to play a wider role in the creation of the Common Market. The Committee considers that work on the Convention should go hand in hand with an analysis of these additional powers.

Equipped with these wider powers, the Parliament should become the means of achieving economic unity in Europe.

*The direct election of the European Parliament is again mentioned in the joint declaration of 10-11 July 1961 under the heading 'Broadening the democratic basis of the European Communities' (9th session, Paris, 10-11 July 1961).*

*(Statements and communiqués of the Action Committee for the United States of Europe, Lausanne, 1965)*

##### B—Joint statement adopted at the 11th session of the Action Committee for the United States of Europe (Bonn, 1 June 1964)

*(Extract)*

The Committee pledges its support for :

.....  
the Italian Government's proposal, broadly on the lines of that of the European Parliament, that half the members of the European Parliament should be directly elected and the remainder

nominated, as heretofore, by the national Parliaments, the total number of members being doubled. This would establish a direct link between the peoples of Europe and the European institutions, while preserving that already existing between the European Parliament and the national Parliaments.

*(Statements and communiqués of the Action Committee for the United States of Europe, Lausanne, 1965)*

C—Extract from the joint declaration issued at the 12th session of the Action Committee for the United States of Europe (Brussels 8-9 May 1965)

The matters dealt with within the Common Market are becoming more and more important. Because of their Community character they escape the control of the national Parliaments. Until the European Parliament is directly elected and its legal powers are enlarged, it must be enabled to play a more effective part in the life of the Community.

*(Statements and communiqués of the Action Committee for the United States of Europe, Lausanne, 1965)*

## II—Resolutions of the European Movement

A—Extract from memorandum adopted<sup>(1)</sup> at the Munich Congress of the European Movement  
*Munich (6-7 June 1962)*

.....

The institutions are in urgent need of strengthening through :

- (a) The merger of the High Authority and the Commissions. These should, however, retain their present areas of competence, have broad powers delegated to them by the Council, and be given a wider measure of independence of the Governments ;
- (b) The election of a substantial number of members of the European Parliament by direct universal suffrage (EEC, Article 138 ; Euratom, Article 108 ; ECSC, revised Article 21) which would thus exercise its powers with greater authority. Many more Opinions will be asked of the Parliament ; decisions taken in the light of these Opinions will have to be substantiated ; the Commission will keep the Parliament informed of the proposals it is required to make to the Council and of the action it takes on the amendments proposed by the Parliament (EEC, Article 149). The Council of Ministers must accept the dialogue with the Parliament which is the very essence of democratic control. In the event of a long-standing difference between the institutions the Parliament should be called upon to decide thereon.

*The International Executive Bureau of the European Movement has regularly drawn attention to the need for direct European elections : in Paris on 23 March 1963, in Berlin on 6 November 1964, and again in Paris on 16 January 1965, under the chairmanship of Mr. Maurice Faure. It also prompted, and then supported, moves in the national Parliaments for the tabling of Bills fixing a date for direct elections to the European Parliament on the basis of the draft Convention of 1960, emphasizing that the same Bills should be introduced simultaneously in the six national Parliaments.*

<sup>(1)</sup> The memorandum was adopted by an overwhelming majority (only 6 votes against, with 21 abstentions).

## B—Extract from the Brussels declaration of 19 July 1965

'The European Movement :

.....  
*appeals to all Governments that have come out in favour of increasing the powers of the European Parliament, electing it by direct universal suffrage and creating a source of revenue available to the Community itself, firmly to maintain these demands for the establishment of a really democratic European Community.'*

On 26 April 1967, during the celebration of the tenth anniversary of the Treaties of Rome, and at the Bad Godesberg conference of 21 and 22 April 1967, the European Movement continued to include the direct election of the European Parliament in its declarations and resolutions.

At its meeting in Bonn of 3 May 1968 the Executive Committee of the Movement took the initiative of organizing a European parliamentary conference at The Hague on 8 and 9 November of that year.

C—Extract from the resolution unanimously adopted by the European Parliamentary Congress held at The Hague on 8 and 9 November 1968

The peoples of Europe cannot afford to mark time very much longer. If disagreement continues to block progress, then we appeal to all Governments that recognize the pressing need for European unity to find other ways and means of integrating their policies in those spheres outside the scope of the European Community, and of setting up the necessary institutions endowed with supranational powers and a democratic structure firmly based on direct universal suffrage. The spheres in which joint studies and decisions are needed include international affairs, defence, and armaments. We demand that a conference of Heads of Government be called for this purpose. Any agreement concluded should remain open to the subsequent accession of other countries.

*This congress was attended by 525 parliamentarians from sixteen European countries, including 100 from Great Britain, and 8 Foreign Ministers<sup>(1)</sup>. The demand for 'institutions endowed with supranational powers and a democratic structure firmly based on direct universal suffrage' was included in the resolution as a result of an amendment moved by Mr. Sicco Mansholt and adopted at the congress by a show of hands.*

## III—European Federalist Action

Declaration issued by the Federal Committee of European Federalist Action at its meeting in Paris on 14-15 March 1964

(Extract)

The ultimate objective is still to create the United States of Europe. These will have to take over the common tasks not only in the economic sphere but also, and above all, in the political sphere, with special emphasis on defence and diplomatic affairs. Their permanent institutions will have to include at least :

(1) Neither the French Government nor the Democratic Union for the Fifth Republic sent a delegation.

- (i) a Federal Government responsible for common affairs ;
- (ii) a bicameral Parliament, comprising a Chamber of Representatives and a Senate ;
- (iii) a Court of Justice, as guardian of a European Charter of Human Rights and of the Communities.

The immediate effect of merging the existing Communities will be to broaden the scope of action of the single executive. Accordingly, the need to widen the powers of the European Parliament—even in spheres other than the economic, such as defence, diplomatic affairs etc.—is becoming more and more urgent. The European Parliament must be given wider powers in respect of budgetary matters, the democratic control of the Commission and Council of Ministers, and in the sphere of European legislation. To this end, it is essential as soon as possible to apply Article 138 of the EEC Treaty which provides for the direct election of members of the European Parliament. Such elections will have a very favourable political and psychological influence on the construction of Europe. Moreover, this would not prevent individual member States, should they so desire, from paying even closer attention to the recommendations of the European Parliament and proceeding at once with the direct election of their representatives.

*(Monthly Bulletin of European Documentation, April 1964)*

*At its Congress in Brussels on 18-19 November 1967, European Federalist Action recalled the need for direct elections to the European Parliament.*

#### IV—European Federalist Movement

Extract from the resolution on general policy adopted by the 12th Congress of the European Federalist Movement (11, 12 and 13 April 1969)

... According to this analysis, the main guidelines for the European Federalist Movement's action in the years ahead may be defined as follows :

- (i) to make a more searching study of the problems underlying the unification of Europe and the creation of a federal society, in close collaboration with all who challenge today's social order ;
- (ii) vigorously to pursue the campaign already launched in Italy for the direct election of members of the European Parliament by universal suffrage. The recognition for the first time in one country of the European electoral rights of its citizens would place the other Governments in an untenable position and open the door to general elections for the European Parliament and to the constitutive phase of the nucleus of a federal Europe.

What makes these elections all the more important is the fact that the European Parliament has a key role to play in preparing the merger of the Communities, something which cannot be left to the free play of diplomacy.

*We are not reproducing here the motions adopted by the national sections of the European Federalist Movement. It should be noted, however, that the campaign for signatures conducted in Italy at the beginning of 1969 in support of a 'People's Bill' for the direct election of Italian representatives of the European Parliament was due to the initiative of the Italian section of the European Federalist Movement (see Part One, chapter V, end).*

## V—Resolution of the 'Europa-Union' of Germany

A—Statement issued on 19 September 1960 by the Bureau of 'Europa-Union' on General de Gaulle's press conference of 5 September 1960

The Europa-Union feels that regular meetings between statesmen responsible for foreign policy in the various member States, institutionalized by setting up a joint secretariat, could be a real step forward in political co-operation between the Six. The Europa-Union stresses that such a body must be developed to the point where it becomes a stepping-stone to the European Political Community.

The Europa-Union points out that once such a body is set up and operates under the conditions envisaged, the national Parliaments will no longer be able to exercise normal democratic control over foreign policy. To ensure this essential control at European level, it will be necessary to widen the powers of the European Parliament and to increase its effectiveness by electing its members by direct universal suffrage. Only if the Parliament is truly democratic will it be possible to take foreign policy and defence policy measures in a Community spirit and to rule out the technocratic trends that can always develop in the economic sphere.

The Europa-Union readily acknowledges that—in some countries at least—a referendum could be of use, although it could not take the place of direct elections to the European Parliament. The essential condition for holding a referendum is that questions should be phrased in such a way as to enable the peoples of Europe explicitly to affirm their determination to progress by stages towards the establishment of a real European federation.

*(Monthly Bulletin of European Documentation, October 1960)*

*At the 12th Congress of the 'Europa-Union' of Germany, held in Kiel (26-30 May 1961) Mr. Mommer (SPD) stressed the need for early direct elections to the European Parliament. At the 13th Congress held in Bad Bodesberg on 22 and 23 October 1962, the closing resolution described European elections as the first aim in its action programme.*

B—The 14th Congress of the 'Europa-Union' of Germany (Frankfurt, 13-14 April 1964) also called for European elections, and on 1 June 1965 its Bureau adopted a memorandum of which the following are the opening passages :

As required by the Basic Law, the Bundestag has again and again pressed for a supranational and democratic united Europe and decisively contributed towards its achievement, particularly by ratifying the Treaties setting up the three European Communities. A great deal, however, remains to be done.

In the weeks and months ahead the Bundestag will have repeated opportunities to press for further progress in the integration and democratization of the European Communities and to demonstrate the seriousness and consistency of its unification policy.

*At its 16th Congress held in Baden-Baden from 20 to 22 November 1966 the 'Europa-Union' again called for direct European elections in Europe, as it did in the motion adopted at the close of its 17th Congress (Cologne, 4-5 May 1968).*

## VI—Resolutions of the Council of European Local Authorities

### A—Resolution adopted at the end of the 5th Congress of Officials of European Local Authorities (Cannes, 10-13 March 1960)

The setting up of a European executive endowed with wider and real powers, of a Parliament representative of the peoples and invested with political powers, and of a Court of Justice, as guardian of a charter of human rights and of the Communities, is described, in a resolution passed by the Political Committee, as an urgent necessity for the progress of European integration in the economic and political sectors.

The involvement of the people in a really united Europe would be inconceivable without their active participation through regional and local authorities, the very basis of a really democratic society.

The resolution demands that local authorities be systematically represented in the Europe of the Fifteen and in the Europe of the Six.

It calls further for the application of the Articles of the Treaties of Rome providing for the election of the European Parliament by direct universal suffrage. Finally, it asks that the future federal constitution of Europe should provide for a bicameral Parliament to the election of whose upper chamber would contribute not only the federated States but also the local and regional communities.

(Communes d'Europe, Bulletin No. 6, May 1960)

### B—Item 3 of the political resolution adopted at the end of the 7th Congress of Officials of European Local Authorities (Rome, 15-18 October 1964)

European economic integration, which got off to a hopeful start under the existing Communities, can make no real progress unless a decisive step is taken towards a federal organization: gradual extension of the Community's competence to foreign policy, defence and cultural affairs, and the early establishment of a European Federal Government. Genuine democratic control must be exercised by a Parliament one of whose chambers should be directly elected by all Europeans.

(Communes d'Europe, Bulletin No 44, November-December 1964)

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