

TEN YEARS OF EUROPEAN POLITICAL COOPERATION

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The opinions expressed are the author's own and do not in any way commit the Commission of the European Communities.

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## INTRODUCTION

On 27 October 1970 the Foreign Ministers of the Six laid the foundations of European political cooperation (EPC) with the Luxembourg Report. Those who regarded the Treaties of Paris and Rome as the paradigm for European integration in all areas looked on this purely intergovernmental endeavour with a mixture of disdain and anxiety; disdain for a creature lacking a legal basis or decision-making powers, which would be incapable of paving the way to a European foreign policy, and anxiety lest the Member States try to use the machinery of political cooperation to backslide from the integration that had been achieved in the Community, and regain national freedom of action.

Today, ten years on from the birth of EPC, the possibilities and limitations of intergovernmental foreign policy cooperation have become apparent. The positive achievements have exceeded expectations, and awareness of the limitations has led Member States to use the Community machinery much more than was ever expected in the pursuit of foreign policy objectives, and to seek ways of strengthening their cooperation while preserving its intergovernmental character.

For an observer working in the Community, particular interest attaches to the relationship between EPC and the Community institutions, and to the recent proposals to strengthen EPC by endowing it with a certain amount of infrastructure.

I. Origins and principles of European political cooperation

The Hague Summit of 2 December 1969

"agreed to instruct the Ministers for Foreign Affairs to study the best way of achieving progress in the matter of political unification, within the context of enlargement."

The response of the Foreign Ministers was to produce the Luxembourg Report (Davignon Report) of 27 October 1970 (Annex 2), proposing cooperation on matters of foreign policy.

EPC was not intended as the first step on the road to an eventual "Political Community", but was rooted in the perception that consensus on the goal of "political integration" was impossible to achieve.

In formulating the objectives of EPC, the Foreign Ministers laid stress on the principle of cooperation between sovereign states. Those objectives were described as follows:

- "- to ensure, through regular exchanges of information and consultations, a better mutual understanding on the great international problems;
- to strengthen their solidarity by promoting the harmonization of their views, the coordination of their positions, and, where it appears possible and desirable, common actions."

In the Copenhagen Report of 23 July 1973 (Annex 4), the ministers strengthened EPC structurally, but left those basic principles intact. What they did was to spell the objectives out in greater detail, and add weight to the moral obligation to respect the rules of a cooperation which lacked a formal basis in law, and which each Member State was at liberty - at least in theory - to walk out of from one day to the next.

- "- the purpose of the consultation is to seek common policies on practical problems;
- the subject dealt with must concern European interests whether in Europe itself or elsewhere where the adoption of a common position is necessary or desirable."

In addition,

"..each State undertakes as a general rule not to take up final positions without prior consultation with its partners .."

## II. European political cooperation structures

Structurally EPC is altogether separate from the Community institutions - a reflection of its purely intergovernmental nature. The French Government in particular consistently urged that cooperation between sovereign Member States on matters of foreign policy should be kept outside the European institutions of Brussels. It was only in 1974, with the creation of the European Council, that Community and cooperation were brought together under one roof:

"The Heads of Government have ... decided to meet, accompanied by the Ministers of Foreign Affairs, three times a year and, whenever necessary, in the Council of the Communities and in the context of political cooperation."

(Communiqué issued after the Paris Summit of 10 December 1974 - Annex 7)

The second "institution" common to both Community and EPC consists of the informal meetings of Foreign Ministers inaugurated at Schloss Gymnich, also in 1974.

The highest-level regular forum for political cooperation consists of the ministerial meetings which in theory are supposed to take place twice in the lifetime of each six-month Presidency, in the capital of the Member State whose turn it is to supply the President. Nowadays, however, Foreign Ministers discuss political cooperation issues much more often than this. Frequently, they do so on the occasion of Council meetings in Brussels or

Luxembourg. One meeting per presidential term is still held in the capital concerned\*.

The EPC "steering committee" is the Political Committee ("CoPo" or "PoCo", formerly known as the Davignon Committee), consisting of the Political Directors (i.e. the heads of political divisions) of the individual foreign ministries. This committee prepares the ministerial meetings and gives instructions to the expert working groups. The Political Committee's function in the EPC set-up is - to a certain extent - comparable to that of COREPER (the Permanent Representatives Committee) in the Community framework. It meets regularly once a month, and also often holds meetings in conjunction with UN General Assemblies, European Council meetings and meetings of the Council (Foreign Affairs).

Each Member State's foreign ministry has a "European Correspondent", who comes under the Political Director and is in charge of coordinating participation in EPC.

The Group of European Correspondents meets immediately before and after meetings of the Political Committee. It deals with organizational and procedural matters and prepares the draft conclusions for ministerial and Political Committee meetings. These conclusions, like all other political cooperation texts, have to be approved by consensus.

There are also expert working groups which deal with specific regions (Africa, Asia, the Mediterranean, Middle East, Latin America and Eastern Europe), issues (the Conference on Security and Cooperation in Europe (CSCE), United Nations and UN -Disarmament) or functions, such as the Heads of Protocol, Heads of Communications, or senior civil servants from justice ministries (generally

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\* Compare the situation now with that in 1973, under the Danish Presidency, when the Foreign Ministers, at the request of their French colleague, Michel Jobert, had to meet in Copenhagen during the morning to discuss EPC matters, in particular the effects of the Yom Kippur war, then were whisked in a Danish air force plane to Brussels for an afternoon's Council meeting on Community topics, all this notwithstanding a clause in the Copenhagen Report adopted just a few months previously, specifying that ministers "may also, whenever they consider it necessary to consult each other on specific subjects between meetings, meet for that purpose when they happen to come together on other occasions".

referred to by their French title of "Hauts Fonctionnaires des Ministères de la Justice") dealing with legal cooperation. Thus only North America and non-EEC Western European countries (which basically means EFTA) are not "covered" by such a working party. The Euro-Arab Dialogue Coordination Group is a joint Community-EPC body.

The expert working groups operate under the jurisdiction of the Political Committee and report to it. Theoretically they can operate only on the basis of a specific mandate from the Committee. But exchanges of views under the heading of "other business", embracing a wide variety of issues and handled by experts all of whom know each other well, form an important part of the coordination 'reflex' which the national administrations have developed.

The political cooperation partners keep in constant touch with each other via a special coded telex network known as "COREU" (after the French "correspondance européenne").

Some five thousand messages a year are exchanged through COREU. Their content varies widely, ranging from a new draft declaration by the Ten to an answer to a written question by a Member of the European Parliament, the announcement that Mr X will represent Member State Y at the forthcoming meeting of the Africa working group, or the coordination of positions on some current foreign policy issue. Coordination may cover such matters as whether and on what terms the Member States are willing to grant visas to artists from a country they do not recognize which, though fairly mundane in itself, is an example of the extent to which the Ten endeavour to harmonize their policies.

Another essential feature of EPC is cooperation between the embassies of the Ten in non-member countries. Concerted action by the embassies is routine in a crisis (in Teheran, for example), and coordination is particularly intensive at UN headquarters.

Occasionally the Political Committee asks the embassies of the Ten in a particular non-member country to draft a joint report on some issue. But such reports have sometimes been found to represent a "lowest common denominator", so that some factors have been eliminated even at the information processing stage.

The embassy of the Member State supplying the current President of the Council (the Presidency) acts as spokesman for the Ten in diplomatic moves or information exchanges.

Another important factor in coordination between the Ten is the system of briefings whereby the other Member States are kept informed of the outcome of contacts with non-member countries. Following a visit to a non-Community country, the minister of a Member State will report - often in person - on his impressions to the Ambassadors of the other nine Community partners. After a visit to a Community capital by the member of a non-EEC government, or senior diplomat, the Ambassadors of the other nine Member States are invited to a briefing session. This has provided an interesting new function for Member States' embassies in other Community countries, which had lost something of their former importance because of the frequent face-to-face meetings between ministers at sessions of the EEC Council.

The Presidency takes charge of the secretariat and physical organization of all meetings held during its term of office; these take place, with few exceptions, in the capital concerned. It also prepares draft declarations, reports, conclusions and answers to parliamentary questions. On rare occasions, the EPC system will work on a draft prepared by another Member State.

Over the years the work involved in the Presidency has become extremely onerous, particularly for the smaller Member States (the number of written questions from the European Parliament, for example, has risen considerably since direct elections). The job is complicated further, for countries holding the Presidency in the second half of the year, by the UN General Assembly, which necessitates their organizing vast numbers of coordination meetings between the Ten and acting as Community spokesman not only in plenary sessions but in almost all committees too.

In recent years it has become customary for each Member State, six weeks before the start of its Presidency, to assign one of its diplomats to the current Presidency, which in turn provides the incoming country with one of its own civil servants for the first six weeks of the new term.

### III. The scope of political cooperation

The main subject-matter of EPC is Member States' foreign policy towards non-Community countries. Problems which divide Member States, such as Northern Ireland, cannot be discussed in the EPC framework. In practice, too, there are whole geographical areas and important aspects of foreign policy which are not subject to coordination between the Ten.

This is the case, for example, with certain areas which are regarded as "out of bounds"; nothing to do with West Berlin is ever discussed in the EPC framework, but is dealt with by the Federal Republic and the three Western powers. The Maghreb countries have also been excluded - so far, at any rate - albeit on a less explicit basis, and only very recently has a country of francophone central or West Africa - Chad - appeared on an EPC agenda.

In the field of East-West relations the first major EPC success, which was scored with the preparation and presentation of joint positions in the CSCE, achieved such a high level of multilateralism that after the signing of the Final Act in Helsinki a number of Member States attempted to protect the bilateral character of their relations with Eastern-bloc countries against EPC "interference". This had the result of restricting the work of the Eastern Europe group for a long time to somewhat academic studies. It is only since Afghanistan that the working party has really become operationally active.

The areas out of bounds also include the role of France and the United Kingdom as permanent members of the Security Council. Their position in this forum is determined by special tactical and strategic considerations, and they are thus rarely willing to consult their Community partners on Security Council votes.

Apart from these taboo areas, certain parts of the world seem simply to have been overlooked by EPC, even at the organizational stage; it is paradoxical that two regions close to the Community - Western Europe (with the exception of the Mediterranean countries) and North America - are not covered by regional working groups.

Political relations with the EFTA countries seem to be so easy that no coordination was thought necessary (except within the CSCE context, where the Ten maintain close contacts with NATO members and with the neutral and non-aligned countries).

As regards relations with the United States, EPC was long preoccupied with procedural questions. The "Document on the European Identity" published in Copenhagen on 14 December 1973 and the "Gymnich" formula\* for consultations with Washington reflect the Member States' desire to keep foreign policy cooperation on a European basis. Also, the fact that the United

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\*The approach was formulated by Mr Hans-Dietrich Genscher, the German Foreign Minister, at a press conference following the Bonn ministerial meeting of 11 June 1974:

"The ministers were agreed that in elaborating common positions on foreign policy there arises the question of consultations with allied or friendly countries. Such consultations are a matter of course in any modern foreign policy. We decided on a pragmatic approach in each individual case, which means that the country holding the Presidency will be authorized by the other eight partners to hold consultations on behalf of the Nine.

In practice, therefore, if any member of the EC raises within the framework of EPC the question of informing and consulting an ally or a friendly State, the Nine will discuss the matter and, upon reaching agreement, authorize the Presidency to proceed on that basis.

The ministers trust that this gentleman's agreement will also lead to smooth and pragmatic consultations with the United States which will take into account the interests of both sides."

States, preoccupied with Vietnam, took relatively little part in the preparations for the Helsinki Conference doubtless contributed to the unexpected success of coordination between the Nine. The Member States would undoubtedly have found it difficult to keep in step if Washington had exerted pressure on them to accept US positions.

Relations with the USA as such have rarely been a matter for discussion in EPC. But in 1980, following the seizure of the American diplomats in Teheran and the Soviet invasion of Afghanistan, public feeling in the US was beginning to run high against the lack of European "solidarity", and the Nine reacted, adopting measures which answered US expectations (such as sanctions against Iran) despite doubts as to their advisability.

Certain issues likewise are excluded from EPC, the most important being one of the essential components of any foreign policy, security. What takes place in Nato is simply ignored by EPC. Dublin and Paris attach the highest importance to the preservation of a clear-cut distinction between the two forums.

Disarmament, on the other hand, is traditional EPC fare, in discussions on confidence-building measures at CSCE meetings, and within the UN.

There are other foreign policy issues which are not usually dealt with in the EPC framework: for years the international talks on the law of the sea, for example, remained largely outside the province of both EPC

and the Community since they were the preserves of the foreign ministries' legal divisions, sometimes less European-minded than the political or economic divisions.

A similar situation affects coordination between the Ten in UNESCO, where in many of the Member States responsibility lies with the ministries of culture.

Over the last few years there has also developed, as an adjunct to foreign policy cooperation, "judicial cooperation" between ministers of justice; this is also referred to as the "European legal space". So far this is confined to issues concerning extradition between Member States and certain criminal law matters. The "Hauts Fonctionnaires" Group reports to the Political Committee, i.e. the Political Directors of the foreign ministries, which for these purposes is subordinate to a committee of ministers of justice. Legal cooperation makes use of the EPC procedures, particularly the COREU network.

However, the coordination between Member States in the fight against terrorism (TREVI) is not part of political cooperation proper.

IV. The relationship of EPC to the Community institutions

A. EPC and the Commission

In the early days following the creation of EPC in 1970, relations with the Commission were virtually non-existent, despite a clause in the Luxembourg Report providing that:

"Should the work of the Ministers affect the activities of the European Communities, the Commission will be invited to make known its views."\*

and despite the intention recorded by the Heads of State and Government at their Paris Summit on 21 October 1972

"... of transforming, before the end of the present decade and with the fullest respect for the Treaties already signed, the whole complex of the relations of Member States into a European Union."

Three years after the Luxembourg Report, the Copenhagen Report of 23 July 1973 gave more explicit acknowledgement of the need for EPC and the Community to work together:

"The Political Cooperation machinery, which deals on the intergovernmental level with problems of international politics, is distinct from and additional to the activities of the institutions of the Community which are based on the juridical commitments undertaken by the Member States in the Treaty of Rome. Both sets of machinery have the aim of contributing to the development of European unification. The relationship between them is discussed below.

The Political Cooperation machinery, which is responsible for dealing with questions of current interest and where possible for formulating common medium and long term positions, must do this keeping in mind, inter alia, the implications for and the effects of, in the field of international politics, Community policies under construction.

For matters which have an incidence on Community activities close contact will be maintained with the institutions of the Community."

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\*The Luxembourg Report does not lay down a procedure to be followed should the opposite occur and the work of the Community affect the foreign policies of Member States. This reflects the fear of certain Member States that EPC might acquire the right to oversee the operations of Community institutions.

"The last section of the previous paragraph is implemented in the following way:

- the Commission is invited to make known its views in accordance with current practice;

the Council, through the President of the Committee of Permanent Representatives, is informed by the Presidency of the agreed conclusions which result from the work of the Political Cooperation machinery, to the extent that these conclusions have an interest for the work of the Community."

The Copenhagen Report goes on to describe the practice which had meantime evolved as a means of enabling the Commission to "make known its views":

"The Commission of the Communities has been invited to participate in ministerial discussions and in sessions of the Political Committee and of groups of experts when the agenda of the meeting provides for the examination of questions affecting the activities of the Communities."

It also acknowledges that Community work may affect EPC:

"The Ministers will similarly be able, if it is so desired, to instruct the Political Cooperation machinery to prepare studies on certain political aspects of problems under examination in the framework of the Community. These reports will be transmitted to the Council through the President of the Committee of Permanent Representatives."

The Copenhagen Report showed clearly that early on in the life of EPC, Commission participation in some of its activities had become inevitable. A consensus had been reached among the Member States on inviting Commission representatives to sit in on certain meetings, at least for certain items on the agenda.

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\* It is still necessary for the Ten to reach consensus if a Commission representative is to be admitted, but on most occasions such consensus is now taken for granted.

In the early days the Commission faced opposition to its presence in EPC precincts from two sources. The position of the French Government, on the one hand, was emphatic: it was opposed on doctrinal grounds to any sort of osmosis between EPC and the Community and insisted on strict, "geographical" separation of EPC ministerial meetings and Council meetings, a line which also naturally applied to any participation by the "supranational" institution. Many of the Member States' diplomats, for their part, initially expressed strong reservations too, fearing that the confidentiality of EPC would be lost if the notoriously leaky Community bureaucracy was involved.

But developments in two major areas which had been on the EPC agenda since its first ministerial meeting in Munich on 19 November 1970 (and still are), namely East-West relations and the Middle East, showed the artificiality of the rigid division between EPC and Community. Before long these two topics, under the headings of "Preparation for the Conference on Security and Cooperation in Europe (CSCE)" and "Euro-Arab Dialogue", clearly demonstrated the close relationship between the foreign policy of the Member States and the Community's "external relations" :

The Helsinki Conference "Basket II" largely concerned economic relations which had been transferred from the Member States' sphere of competence to that of the Community. In the Euro-Arab Dialogue too, the European side were placing the emphasis on economic issues so that this forum would not become simply another platform for discussion of the Middle East conflict.

In 1972 Commission officials were invited for the first time to take part in meetings of the CSCE ad hoc working party\*. Shortly afterwards, the President of the Commission was allowed to be present at the ministerial meeting while the CSCE item on the agenda was debated.

The Euro-Arab Dialogue was inaugurated in Paris in July 1974. Representing the European side were Mr Jacques Sauvagnargues, President of the Council, and Mr François-Xavier Ortoli, the Commission President; the Arabs were represented by Kuwait's Foreign Minister and the Secretary-General of the Arab League.

The inclusion of Commission officials in CSCE negotiations with non-Community countries was rendered especially tricky by a number of problems external to the Community and its Member States. The Eastern European countries insisted that the CSCE was a Conference of states, and that "international organizations" had no part to play in it. Romania, fearing an analogous strengthening of the role of the CMEA (Comecon), held particularly fast to this view.

After protracted discussions, a solution was found which is still in effect today: Commission officials are included in the delegation of the Member State holding the Council Presidency and come under the name of that country in the lists of delegations, but with their Community rank and office.

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\* In deference to the principle that the Commission was excluded from meetings of the "CSCE sub-committee", that body became an "ad hoc working party" whenever a Commission official took part.

In the Euro-Arab Dialogue the Commission has performed from the outset certain functions going beyond its normal remit, acting as the Arab League Secretariat's opposite number in coordinating technical contacts between the two sides, serving as "headquarters" for the European side, and organizing the meetings of the working committees and specialized groups - including the Working Committee on Cultural Affairs, for instance - when they are held in Europe.

From the very beginning of its participation in EPC, the Commission has seen to it that early fears about breaches of confidentiality proved groundless. As its involvement with EPC has progressed, it has set up suitable structural and procedural machinery.

A special division of the Secretariat-General, under the Deputy Secretary-General, handles liaison with EPC and coordinates the Commission's contribution to its activities, alongside the divisions responsible for relations with Council and Parliament. Officials working in this division are subject to the same security checks as Member States' diplomats. Only those Members of the Commission and those officials who are directly concerned, have access to information on EPC proceedings.

Today the Commission's role in EPC is broadly satisfactory. Since 1974, the President and the Members of the Commission concerned have been able to attend all Ministerial meetings without restriction.

Since 1975, there has also been unrestricted Commission representation at meetings of the Political Committee, normally in the person of the Deputy Secretary-General. Oddly enough, progress has been slowest at the expert working group level, and the situation there is still not wholly satisfactory.

The Commission is not directly linked to the COREU network; the Belgian foreign ministry, acting on behalf of the Presidency, sends it daily copies of the telexes exchanged.

Participation by the Heads of Commission Delegations outside Europe in the coordination meetings of the Ten's ambassadors does not normally pose problems.\*

The part played by the Commission in EPC is clearly quite different from its role in the Community. The difference is made manifest at meetings; at Council meetings the Commission's interlocutory role as spokesman for the Community, as opposed to national, interest is highlighted by its place opposite the Council President, whereas at EPC meetings the Commission takes its place on the left of the Presidency.

"It does not act as guardian of the Treaties; here there is no Treaty to guard. Nor does it initiate or propose action; that is the role of the Presidency. Yet it is more than an observer, for it participates in discussions (though not in decision-making), supplies information and details of its own experience, and ..... sometimes helps to implement decisions. It also defends the Community's

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\*Particularly in the case of Delegations coming under the Directorate-General for External Relations.

powers against encroachment by the political cooperation machinery. Its role, then, is peculiar, ill-defined, requiring tact on the part of the individuals who represent it."\*

To this one might add that nowadays Commission officials occasionally take the opportunity offered by meetings of the EPC working groups to consult Member States' experts on the political implications of initiatives in the field of external Community relations. This is something which is often impossible with the Council working parties in Brussels, because of the watertight partitioning of some Member States' foreign ministries, where communication between the economic divisions dealing with Community affairs and the political divisions responsible for EPC appears to be somewhat limited. For the same reason, it is only very rarely that Commission representatives are required to defend the Community's territory. Experience has shown that the Member States' representatives on the working groups usually avoid straying onto Community ground, feeling that their grasp of the technical details is inadequate to allow them to express opinions on such issues.

#### B. Relations with the European Parliament

The Luxembourg Report provided at the outset for a degree of linkage between EPC and Parliament:

"In order to give a democratic character to political unification, it will be necessary to associate public opinion and its representatives with it.

The Ministers and members of the Political Commission of the European Parliamentary Assembly will meet for a biannual colloquy to discuss questions that are the subject of consultation within the framework of co-operation on foreign affairs. This colloquy will be held in an informal way to give parliamentarians and Ministers an opportunity freely to express their opinions."

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\* Philippe de Schoutheete, *La Coopération Politique Européenne*, Brussels, 1980 (p. 56).

The link was further strengthened by the Copenhagen Report:

"Having regard to the widening scope of the European Communities and the intensification of political cooperation at all levels, four colloquies will be held each year at which the Ministers will meet with members of the Political Committee of the European Parliament. For the purpose of preparing the colloquies, the Political Committee will draw to the attention of Ministers proposals adopted by the European Parliament on foreign policy questions.

In addition the Minister exercising the function of President will continue, as in the past, to submit to the European Parliament, once a year, a communication on progress made in the field of political cooperation."

It is noteworthy that the authors of this report were even then prepared to see Parliament put forward foreign policy proposals on its own initiative. This fact, and the injunction to the Political Committee to draw such proposals to the attention of Ministers seems rather to have been lost sight of by EPC bodies.\*

The Paris Summit of 10 December 1974, which came up with the idea of the European Council as a means of bringing Community and EPC together under one roof, went further to meet Parliament:

"In view of the increasing role of political cooperation in the construction of Europe, the European Assembly must be more closely associated with the work of the Presidency, for example through replies to questions on political cooperation put to him by its Members."

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\* But then Parliament has not yet devised a procedure for informing EPC bodies promptly of its foreign policy resolutions.

MEPs are making increasing use of this opening, and drafting answers - requiring the consensus of the Ten, like all EPC business - is one of the major tasks of the Presidency, particularly since direct elections.\*

The answers supplied to parliamentary questions, like the information garnered from the "colloquies" where the EPC President meets Parliament's Political Affairs Committee, are often a source of frustration to MEPs, since information can only be given on the results of EPC, i.e. on issues where the Ten have managed to reach consensus. These are almost invariably in the form either of common statements on foreign policy matters or of common votes in international organizations like the UN. In the nature of things Parliament is already aware of such utterances before it is officially informed. The individual statements of position by Member States' Governments which precede and clinch consensus, or render it impossible, are matters on which the Governments in question are responsible to the national parliaments and which cannot therefore be reported on by the Presidency.

Another bone of contention is what MEPs like to call the "artificial distinction between 'Community' and 'political cooperation' matters".\*\* The distinction may be regrettable, but it is inevitable so long as the Community's external relations are regulated by a Treaty - which, for example, gives Parliament the right to pass a motion of censure on the Commission - while EPC is based purely on a gentleman's agreement between the Governments of the Member States. But why does Parliament itself apply this artificial distinction to its own internal affairs, without being required to do so? For the Community's external relations are dealt with by

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\* From 1 July 1977 to 30 June 1978, Parliament put 49 written questions and 42 oral questions. Between 1 July 1979 and 30 June 1980, the numbers rose to 111 written questions and 65 oral questions.

\*\* European Parliament Resolution of 19 January 1978 on European political cooperation.

the Committee on External Economic Relations, while EPC questions are discussed by the Political Affairs Committee, with the result that the latter's debates often fail to take in all aspects of a topic.\*

Clearly enough, it will be even more difficult to strengthen Parliament's role in foreign policy matters than in its other spheres of activity. Not only do national feelings run particularly high in this field, but even the national parliaments exercise less supervision over the details of government action than they do in domestic matters. Nevertheless, President Anwar Sadat's speech to the European Parliament on 10 February 1981, and reaction in the Member States, showed that Parliament has the potential to become a platform for debate on major European foreign policy questions and to exercise a definite influence - via European public opinion rather than directly - on the formulation of common positions in EPC.

#### C. Relations with the Council

In strict theory there are no relations between EPC and Council, other than the fact that it is the same ministers who meet in both forums.\*\* The Council Secretariat is not present when EPC affairs are discussed "on the occasion"

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\* In connection with the CSCE, for example, the MEPs on the Political Affairs Committee are more interested in Baskets I and III than in Basket II (cooperation), where the Community has a wide sphere of competence.

\*\* In its early years as a Community member, and even during its Presidency, Denmark had a Foreign Minister responsible for EPC matters and another minister with responsibility for Community affairs. The innumerable practical problems which arose at a European level led Denmark to abandon this division of powers.

of Council meetings; its role is taken over by the Presidency.\*

But the Copenhagen Report, as we have already seen, laid down certain liaison procedures to be used whenever Council business has implications for the foreign policy of the Ten. Increasingly, the tendency is to call on EPC for an opinion. When this happens the Chairman of the Permanent Representatives Committee acts as linkman between Council and EPC. In practice, however, Commission officials, who are the only ones participating in the work of both forums, quite frequently notify the EPC working groups or the Political Committee if there is some Community issue affecting the foreign policy of the Ten.

#### Achievements and Limitations

The definition of a coherent strategy for the negotiations which led to the CSCE Final Act in Helsinki (30 July 1975) and the maintenance of a united front throughout that four-year period enabled the Community and its Member States to play a decisive role, surprising even themselves. This unexpected success proved that the Member States carried far more weight in international relations if they acted together. Their experience encouraged them to continue and consolidate their cooperation. However, the way in which they

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\*The Council Secretariat is represented in the Euro-Arab Dialogue Coordination Group. This is logical as the group coordinates EPC and Community activities in the Dialogue; it is therefore common to the two forums.

acted in the CSCE context for a long while remained a fairly rare example of the Nine adopting a concerted active policy. Generally speaking, they have tended to limit themselves to commenting, through joint declarations, on major events in international politics and - in so far as possible - to voting together at the United Nations General Assembly and other international forums.

The Nine's cohesiveness has not always matched what they achieved in Helsinki. Even where interests have coincided, this has not always been a guarantee of success. The Cyprus question provided a sad example of this. An end to the conflict between Greek and Turkish Cypriots before Greece's entry into the Community was of cardinal importance to all Member States. They could have been in a fairly strong position to contribute to a solution, given the close relations they all had with Cyprus, Greece and Turkey and the existence of association agreements, including financial protocols, linking these three countries to the Community. The Nine were, however, unable to agree on common operational positions.

The case of Cyprus showed that differences in interests between the Member States are sometimes not the biggest obstacle; compromises can always be struck. Traditional patterns of behaviour of national diplomats subconsciously following outdated doctrines do prove to be insuperable barriers, however. Thus some felt that the Greek positions should be supported almost unconditionally whereas others supported the Turkish positions.

The fact that the Nine have in their cooperation more often than not confined themselves to occasional joint declarations or coordination in international organizations and have been unable to pursue an on-going, active policy is attributable to the lack of specific EPC instruments.

Of the three major instruments of foreign policy, namely armed forces, budget, commercial and cooperation policy, EPC has none. And yet this situation, in particular the absence of an army, is not always a disadvantage. Their military impotence is one of the reasons why EPC and the Community hold out a certain attraction for the Third World.

Nevertheless, the Member States were forced to recognize that the lack of instruments severely restricted Europe's ability to make its voice heard in the world. Since there was no way of reinforcing EPC institutions, they naturally discovered the resources of the Community, which possesses two of the three instruments referred to: a budget and a commercial and cooperation policy.

The first opportunity of which EPC was able to take advantage presented itself in 1975: a year after the "carnation revolution" Portugal was in the throes of a full-scale economic and political crisis; it was uncertain whether permanent democratic institutions could be set up and the establishment of a totalitarian Marxist régime was feared; Washington was already behaving as though it considered Portugal as lost to the West. In this situation the European Council (Brussels, 17 July 1975) offered Portugal Community solidarity in order to contribute to the stabilization of democracy in that country:

"The European Council reaffirms that the European Community is prepared to initiate discussions on closer economic and financial cooperation with Portugal. It also points out that, in accordance with its historical and political traditions, the European Community can give support only to a democracy of a pluralist nature".

Subsequently, the European Investment Bank made available to Portugal a special loan with an interest-rate subsidy from the Community budget and the Commission began negotiations on improving the existing agreement between Portugal and the Community.

Many Portuguese consider that this show of European solidarity had undoubted impact on public opinion in Portugal and thus helped Admiral Azevedo's government to straighten out the country's political situation in autumn 1975 and prepare for the first parliamentary elections in spring 1976.

Another example is the United Nations Conference held on 20 and 21 July 1979 in Geneva on refugees from Indochina : in 1978 EPC established "interregional" relations for the first time with the Association of South-East Asian Nations (ASEAN). It took advantage of the links which had existed since 1975 between the Community and this group of countries, and a ministerial meeting due to be held within that framework on 20 and 21 November 1978 provided an opportunity for an informal discussion between the two sides' Foreign Ministers on international political matters. Since then, ongoing contacts at various levels have increased each side's awareness of the other's intentions and prompted the Nine to make the South-East Asian situation one of the principal subjects of EPC, which has enabled them to define common operational positions. Thus ASEAN and EPC took the initiative of convening a conference in Geneva.

At that Conference the Community budget and the support of European public opinion, which was extremely moved by the tragedy of the "boat people" of the South China Sea and of the "land people" on the border between Thailand and Cambodia, enabled the Nine to play a decisive role and to pledge a

considerable amount (in the event nearly 40% of the total) to the international community's effort to help the refugees. A number of Member States made further bilateral contributions but there is no doubt that the Nine could have mobilized such an amount nationally without the Community budget.

A third example of the use of Community instruments for foreign policy purposes is very recent: the supply of agricultural produce on favourable terms to Poland.

The European Council meeting held on 1 and 2 December 1980 in Luxembourg, which was prepared by the Foreign Ministers, made a very detailed statement on the situation in Poland, in which the Heads of State or Government declared their

"willingness to respond, within their means, to the requests for economic support made to them by Poland".

Two weeks later, the Council of the European Communities decided, as an exceptional measure, to make it possible for Poland to buy various quantities of agricultural produce at favourable prices in response to the urgent needs it had made known. The Commission then took appropriate measures under the machinery of the common agricultural policy to sell this produce at low prices to Poland (which purchased them with credits offered by the Member States).

In addition to the Community instruments serving EPC there are other reasons for closer cooperation between EPC and the Community. We have already seen how such cooperation became inevitable when the Member States took foreign policy initiatives in the framework of EPC affecting areas on which the Community had jurisdiction.

Basket II of the CSCE and many of the topics covered by the Euro-Arab Dialogue were the first examples of this.

Another interesting case was the European response to the Soviet invasion of Afghanistan. The slowness with which EPC reacted - owing to the fact that the Soviet military intervention took place during a holiday period, a few days before the Presidency was transferred from Ireland to Italy - provoked much bitter comment. It was not until 15 January 1980 that a ministerial meeting could be held - on the occasion of a Council meeting arranged long beforehand - and a statement was put out that was necessarily somewhat vague since it had to take account of all the individual positions expressed by Member States earlier. Because the Commission had reacted faster, though, the ministers were nevertheless able to take an operational decision: on 5 January President Carter had announced that the United States would not be delivering any more grain to the Soviet Union beyond the 8 million t it was obliged to supply under the agreement concluded with the USSR and, on 9 January the Commission had taken interim protective measures to prevent Community exports to the USSR from replacing the suspended US supplies. At its meeting of 15 January the Council confirmed these measures and laid down

"the principle that Community deliveries must not replace, directly or indirectly, United States deliveries on the USSR market. With this in mind, the Council requested the Commission to take the necessary measures as regards cereals and products derived therefrom and to propose other possible measures for other agricultural products while respecting traditional patterns of trade."

The discussion of the various aspects of the Afghan crisis introduced a considerable innovation: Political Directors and Permanent Representatives were present together at the ministers' discussions. Even today it is still not quite clear when the EPC ministerial meeting ended and the Council meeting began.

A third area of collaboration between EPC and the Community involves those cases where there are specifically "political" aspects to Community activities. We have seen that the Council can, according to the Copenhagen Report, "instruct the Political Cooperation machinery to prepare studies on certain political aspects of problems under examination in the framework of the Community" and that the Commission occasionally directly asks the opinion of the Political Committee or of an EPC expert working group. However, an EPC body may seize upon the "political" aspect of a Community matter on its own initiative.

Examples of this are:

the question of whether to continue the negotiations between the Community and the Andean Pact on an economic cooperation agreement after the military coup d'état in Bolivia;

the question of whether the start of the second phase of the Association Agreement with Cyprus could exacerbate the division of the island;

the compatibility of possible Community aid for a certain non-member country with the Member States' foreign policy intentions.

There are, however, cases where neither EPC nor Community bodies take the initiative of discussing the "political" aspects of a Community matter in EPC. The negotiations on the conclusion of a trade agreement between the Community and China, for instance, were never debated within EPC, despite

the political importance attached by the Pekin Government to those negotiations, which in its view were an expression of its openness towards the West.\*

The negotiations between the Commission and the Council for Mutual Economic Assistance (CMEA/COMECON) provide an example of an area where Commission and Member State officials in the COREPER working party have accumulated so much expertise in both the political and economic aspects that there would be no point in referring the matter to the EPC's Working Party on Eastern-European Countries. The Commission has confined itself to keeping the Political Directors informed of the progress, or rather lack of progress, in the matter.

Of course EPC's new activities are not restricted to the grey area between the Member States' and the Community's jurisdiction. The most spectacular initiative of recent years was taken in an area which is outside the Community's scope: the European Council's Venice Declaration (12 and 13 June 1980) on the Middle East and the contact-making mission entrusted successively to Mr Thorn and then Mr van der Klaauw.

It is still too early to pronounce on the Venice mission's chances of success but the fact that the Nine were able to initiate it and prepare jointly an analysis of the essential ingredients of a solution to the conflict is already a considerable achievement in itself, for when EPC was established in 1970 the Member States' positions differed considerably on this problem but the interminable discussions on the Middle East at all levels of political cooperation have gradually brought the positions closer together. The Nine's unity of action, however, suffered a considerable blow: while the Venice mission was taking place - and despite it - the Nine went their own different ways in United Nations General Assembly votes on a number of Middle Eastern issues: Palestine (France and Greece abstained;

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\* According to an American political science theory the difference between EPC and Community matters corresponds to that between "high politics" and "low politics" - an unconvincing theory considering that while the Community was negotiating this trade agreement with the People's Republic of China EPC coordinated the Member States' positions on visa applications from certain visitors from Taiwan.

the others voted against); the Middle Eastern situation (France, Ireland and Italy abstained; the others voted against, except Greece which voted for<sup>\*</sup>), Israeli nuclear weapons (Denmark and Netherlands voted against; others including Greece abstained).

The degree of cohesion among the Member States at United Nations General Assemblies is also an indicator of EPC's successes and setbacks in fields other than the Middle East. Outside the United Nations context the failure of an attempt to present a common front is not necessarily noticed, while at General Assemblies the cards have to be laid on the table and each disagreement between the Ten is formally noted.

The Nine's voting record in New York over the past few years would seem to indicate that EPC has gone as far as it can with its present structures. While the number of subjects on which there has been coordination has grown the percentage of joint votes has remained more or less stable since 1974, fluctuating between 80% and 84% during that period<sup>\*\*</sup>. Where there have been differences, the voting pattern is not only yes/abstention or no/abstention but there has been a disappointingly large number of yes/no or yes/abstention/no votes, often on important resolutions. At the last General Assembly there were three-way split votes on the following subjects: decolonization, apartheid, UNITAD and the legal aspects of the new world economic order. Some progress can, however, be seen as since 1977 no Member State has voted in favour of draft resolutions openly criticizing another Member State.

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\* These votes were prior to Greece's accession to the Community and EPC. The Greek positions are likely to be more closely aligned in certain cases with the EPC positions at the next General Assembly.

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These statistics give only a rough idea as the votes are not all of equal importance and the number of votes per subject may vary considerably from one General Assembly to another.

This situation would seem to indicate that EPC has not sparked off a gradual process of alignment of the Member States' foreign policies which would one day pave the way for a common foreign policy.

Admittedly the pragmatic way in which EPC has developed and its very flexible procedures have undeniably enabled it to achieve, at least in certain areas, a remarkable degree of cohesion among the Member States and to increase their weight in international forums.

The involvement of a large number of officials (from desk officer level upwards) in the coordination procedures - in meetings or through COREU - has had a definite effect on the Member States' decision-making: often, when a new problem arises, the national authorities immediately find out about their partners' positions and take account of their interests.

The fact that the Presidency supplies the EPC's secretariat has an "educative" effect on its diplomats. For six months they are obliged to work as "Europeans", their traditional instructions being coloured by their new role: they produce drafts of answers to parliamentary questions, for instance, which are often different from their country's traditional position, and have to explain to their astonished minister that this draft is the only one which has any chance of being accepted by the other nine partners. This kind of experience will not be forgotten at the end of the Presidency. The officials concerned will continue to have this coordination "reflex" whether they remain in their capital or serve abroad.

The purely intergovernmental nature of EPC also contributes to this willingness to cooperate. An observer with experience of the Community institutions is struck by the extreme frankness at meetings of EPC working groups, where everyone is ready to share confidential information with his colleagues - which distinguishes these meetings from those of COREPER working parties in

Brussels. The fact that there is no treaty, Community institutions or conflict of powers between the Community and the Member States is probably the main reason for this. In Brussels the national civil servants are faced with proposals from the Commission; it is their job to ensure that the interests of their country are taken adequately into account in those proposals and their attitude is therefore inevitably defensive. In EPC no Community interest can be set against the specific interest because there is no voice to express it. There are merely diplomats from the Member States, trying to work out a common position together. If they fail, each Member State will do what it wants. Moreover, the national experts have no fear of being dispossessed; the presence of a Commission official is certainly not regarded as a threat to their powers.

An esprit de corps is beginning to take shape among diplomats from the Member States. Social ties between them often have that air of familiarity characteristic of contacts between diplomats from the most "British" Commonwealth countries. There is no doubt that the way a country's foreign policy is implemented is not determined only by a minister's instructions but is also influenced by its diplomats' subconscious reflexes. We have seen how national reflexes prevented the Nine from conducting an active policy in respect of Cyprus; similarly, it can be assumed that the coordination reflexes will contribute to an alignment of the Ten's positions on foreign policy matters.

All these advantages of a very flexible intergovernmental structure cannot, however, hide its faults and limitations:

- (i) in the absence of any central body the qualities (or lack of qualities) of a small number of Presidency officials have direct repercussions on the Member States' cohesion and EPC's productivity;
- (ii) each Presidency needs a running-in period and it is difficult to maintain a satisfactory degree of continuity despite the secondment of diplomats before and after the change-over. The Nine's slowness in reacting to the Soviet invasion of Afghanistan, which took place a few days before the change of Presidency, has highlighted this;
- (iii) an international crisis makes it very difficult, at any time of the year, to convene the Political Committee for an emergency meeting because it also means that the Political Directors must be present in their respective ministries;\*
- (iv) the Presidency's workload is becoming unbearable for the small member countries, particularly during the second half of the year, when the United Nations General Assembly makes additional demands. The number of contacts that have to be maintained by the President-in-Office personally with ministers or other politicians in non-member countries is greater than the Foreign Ministers can handle, particularly in the big member countries, which have to maintain their country's bilateral relations as

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\*The Luxembourg Report provides for an emergency procedure:

"Should a grave crisis or a matter of particular urgency arise, extraordinary consultations will be arranged between the Governments of the Member States. The Chairman will get in touch with his colleagues in order to determine the best way of ensuring such consultation."

However, the weakness of this emergency procedure is the requirement that, in EPC, there has to be a consensus on all matters, even the dates of meetings.

well as coping with the Presidency;\*

- (v) too often politicians in the Member States forget the undertaking in the Copenhagen Report not to fix their own position definitively without having consulted their partners. In many cases it proves impossible to adopt common positions because one or other of partners has made a public pronouncement in favour of a given policy which subsequently fails to meet the approval of the others.

#### VI. Strengthening cooperation

The time seems to have come to strengthen EPC. In recent months many politicians in the Community have argued along these lines.\*\* at their 1 November 1980 meeting the Foreign Ministers instructed the Political Committee to submit to them options for possible improvements to the operation of EPC. All the signs indicate that this matter will become one of the major issues for the United Kingdom Presidency during the second half of 1981. A third report on EPC could be the result.

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\* Mr van der Klaauw, the Netherlands Foreign Minister, for instance, intends to set aside 30 working days for contacts to be taken up in the context of the Venice Middle East mission.

\*\* For example, Lord Carrington in Hamburg on 17 November 1980, Mr Jenkins, the then President of the Commission, in Brussels on 6 November 1980, Mr Genscher in Stuttgart on 6 January 1981 and Mr Colombo in Florence on 28 January 1981.

So far, the suggestions offered can be divided into three categories: strengthened commitment on the part of the Member States; better crisis management procedures; and improvements to EPC structures.

A. Strengthened commitment from the Member States

It is quite clear that, at the moment, the Member States are simply not prepared to abandon the consensus requirement for foreign policy decisions.

For this reason, a recent proposal made by President Giscard d'Estaing on French television aroused widespread negative reactions from the smaller Community countries. What he suggested was that in certain cases the task of defining the joint position should be left to those who "aimed to make a positive contribution on major international issues", i.e. the Community's "Big Four".\*

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\* "If there is to be a common European policy, it must not be aligned on the weakest stand or the slowest movement. The Community is now ten strong, and on political matters the rule of unanimity is the only one possible. I can see no way of forcing a country to adopt an international policy stand against its will.

The snag with this system is that Europe could end up always in a weak posture, taking the weakest stand. So we need to approach this in a practical light. I am certain that the major European countries, the Federal Republic, Britain, Italy and France, aim to make a positive contribution on major international issues. Is this aim shared by all our partners? Are they equally keen to take action? I am not sure that all of them are. This means that we must improve political cooperation, those who wish to must develop it further, while keeping the system flexible enough so that the voice of Europe does not necessarily have to be Europe's most timid voice".

Interviewer: "You're talking about a "directoire"....."

"No, it's not a "directoire". It depends on what the individual countries want. If they want to participate in an active policy - the ones I've seen recently do want to, and have shown this - then they will participate. If other countries, for domestic reasons, don't want to, then they should not oblige the others to adopt too timid and weak a stand".

("Le Monde", 29 January 1981).

This suggestion in fact implies abandoning the principle of unanimity, but only at the expense of the smaller countries, while the larger ones would retain their veto powers. Furthermore, the risk of a country's finding itself in a minority is not counterbalanced here - as it is in the Treaty of Rome - by the rule that there should be a proposal from a Community body, representing the common interest. President Giscard put his proposal as a sort of analogy to the idea of a "two-tier" Community, to which the smaller countries would retort that it is not necessarily the Big Four who are keenest to see Europe express itself with a single voice. They might add that what prevents action by the Ten is not usually certain Member States' opposition to a joint initiative, but their diverging views of what the initiative should consist of. The proposal has therefore widely been regarded as a revamped version of the old idea of a "Directoire". The smaller members would also undoubtedly point out that France has invariably been one of the first to insist on identity of membership between the Community and EPC. This is an important point; cooperation restricted to a few Member States only would necessarily forfeit the use of Community instruments, which, as we have seen, can prove valuable.

Until the Member States are prepared to advance beyond the stage of intergovernmental cooperation, they will remain prone to the difficulties inherent in this type of action. Any attempt to compel the minority to align itself on the majority, irrespective of which side contained "big" or "small" countries, would spell the end of political cooperation. There is no forcing consensus, but equally there is nothing to prevent the Member States strengthening the "obligation" to seek common positions. There is really no need for new rules or another report; all that is needed is a more serious commitment to the undertakings given in the Copenhagen Report to "consult each other on all important foreign policy questions" and "not to take up final positions without prior consultation with .... partners".

B. Crisis management

The procedural rules whereby meetings are convened are probably the only ones for which the strict consensus requirement could be waived in an emergency. The inability of the Nine to reach agreement on a date for ministers' or Political Directors' meetings for three weeks after the Soviet invasion of Afghanistan was a traumatic experience for all concerned. The promise to refrain from taking up final positions without first consulting the partners becomes impossible to keep if consultation cannot actually take place.

Lord Carrington's suggestion that a meeting be convened automatically within 48 hours whenever three Member States judge that a crisis calls for prompt consultations seems to be the only recent proposal for an improvement which might prove acceptable to all partners at this stage.

C. Structural improvements

Most of the proposed changes involve structural improvements, which tend to mean the creation of a certain amount of infrastructure for the Presidency. In this connection the idea of a political secretariat, something which for years constituted a stumbling block to any progress, has now been resurrected. When this was first mooted, the French Government insisted that it be set up in Paris, away from Brussels, to underline the fact that it was not a Community institution; other Member States were opposed to this line of thinking, and preferred to do without a secretariat altogether rather than have one which was not in Brussels.

The various proposals differ according to the degree of permanency of the infrastructure envisaged and its location. In theory, and aside from the specific proposals which have been put forward, the different

possibilities are:

1. Providing the foreign ministry of the Presidency with diplomats seconded from the other Member States:
  - (a) "troika"
  - (b) peripatetic secretariat,
2. Setting up a secretariat in Brussels:
  - (a) completely separate from the Community institutions
  - (b) making use of the Council Secretariat's facilities
  - (c) integrated in the Council Secretariat, but made up of Member States' diplomats
  - (d) as a department of the Council Secretariat
  - (e) as part of the Commission
3. Setting up a secretariat in Paris (or anywhere else other than Brussels).

1. The proposals aimed simply at strengthening the Presidency's foreign ministry by seconding diplomats from the other Member States are undoubtedly less ambitious than the others. Theoretically there is no reason why they could not be implemented without any change in EPC rules, merely by agreement between the Member States concerned. Integrating "foreign" civil servants into a ministry has turned out to be less difficult than might have been supposed; the diplomats seconded to such posts for the weeks preceding and following a change of Presidency play an unrestricted part in the host ministry's EPC's management. And once, in 1977, a diplomat from the outgoing (UK) Presidency was in fact seconded for six months to the following Presidency (Belgium). It does look as though one reason why this example has not been imitated has been the Member States' anxiety to prove that they could cope with the work of the Presidency by themselves.

But the spiralling workload might well prompt them to accept some type of back-up for the Presidency, provided all Member States could agree to it.

The two possible variants, the "troika"\* or the peripatetic secretariat, differ only in respect of the number of Member States whose diplomats would be seconded to the Presidency and by the potential length of secondment. In both cases the seconded diplomats would help the Presidency draft texts, keep in regular contact with the embassies of non-Community countries (particularly "friendly and allied countries"), and handle the actual administration of the secretariat. Conceivably, a seconded diplomat could even head an expert working group. The peripatetic secretariat variant would also enable a forgotten scheme from the Copenhagen Report to be realized - the setting up of a special analysis and research group to undertake medium and long-term studies.

This approach does, however, have its technical limitations because of the failure to provide for a permanent headquarters; few of the Member States' diplomats would be keen to accept a post involving six-monthly removals. A peripatetic secretariat, therefore, would consist largely of young civil servants at the start of their careers.

2. There would be no problems of this type if a permanent political secretariat were to be set up in Brussels, naturally. At first blush, this kind of

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\*The "troika" (the incumbent Presidency plus its immediate predecessor and successor) was invented for the purposes of contacts with non-member states. In the case of the Euro-Arab Dialogue it represents a compromise for use at meetings where representation of Europe by all the Member States was considered excessive, and representation by the Presidency alone inadequate. The "troika" is also used for EPC-Turkey information exchanges.

administrative facility looks like a step towards the distant (and not unanimously accepted) goal of a common foreign policy. Located next door to, or even within, the Community institutions, it could help the Presidency with the EPC secretariat work, undertake studies more exhaustive than those carried out by the working groups, operate as a medium and long-term think-tank, and help coordinate EPC and Community activities. The different possible forms (a)-(e) of a Brussels-based political secretariat are broadly similar as regards their scope for action at this stage, but they present a variety of options for the longer term. The establishment of organizational ties with Community bodies in particular would be consistent with the objective of the Paris Summit of 21 October 1972 of "transforming, .... with the fullest respect for the Treaties already signed, the whole complex of the relations of the Member States into a European Union."

However, it may be doubted whether a political secretariat, whatever its form, located anywhere other than the capital of the Presidency could really help strengthen the structure of EPC. Foreign policy is to a great extent a matter of communication. The everyday duties of a diplomat call for access to the continuous flow of information received by his ministry, via the country's embassies abroad and foreign representations accredited to its government. If he is cut off from this flow, his work ceases to be operational and becomes confined to more or less academic studies. This would be the danger facing a political secretariat from the outset. Such officials would have a function very different from that of the diplomats working with the Presidency in its capital. In the eyes of the national administrations such a secretariat would be an autonomous body, regarded with slight suspicion. A specific foreign diplomat, integrated into the host ministry, can be authorized to have access to all necessary information, but it is inconceivable that any national administration would reveal all its cards to an international body, irrespective of whether it was staffed

by diplomats on secondment or actual Eurocrats. The immediate result would be the development of an anti-centralist pull. National civil servants would soon be asking "Does that particular piece of information really need to be passed on to Brussels?", and if in doubt would play safe and keep it to themselves.

Another type of problem would also arise. I have already noted that the discussion is franker in EPC meetings than in COREPER working parties, and attributed this important advantage of EPC to the fact that the national experts working within it are not continually on the defensive against competing claims for jurisdiction from a Community organ. But a political secretariat would naturally (and designedly) tend to try for common positions, sometimes in the face of reluctance on the part of the national delegations, who would react by restricting the transfer of information. That, however, is as far as the analogy with the Commission faced with a COREPER working party will stretch; the Commission, after all, can fall back on the powers conferred on it by the Treaty, while a political secretariat would have no such defence.

There seems to be no way of simultaneously maintaining the strictly inter-governmental character of EPC and improving its efficiency by incorporating in it an independent element. Admittedly, EPC would not be the first inter-governmental organization to have a permanent secretariat, but international organizations are usually established by an agreement conferring certain powers on their institutions.

3. A secretariat located in Paris would be subject to the same problems as one in Brussels, without any of the latter's advantages when it came to improving the coordination of Community activities and EPC initiatives. And it would

have two major drawbacks.

Firstly, the policy until now - and it has been a wise one - has been to avoid establishing European institutions in the capitals of the larger Member States. A political secretariat in Paris would fuel the smaller Member States' fears of a "Directoire".

Secondly, Europe - and this applies particularly to Parliament - is already suffering from a surfeit of Community capitals. A secretariat located in Paris would be one more obstacle to the rationalization of European integration.

The conclusion to be drawn from all this is that a low-key approach which preserves the character of EPC unchanged would allow limited but definite improvements to its delicate structure. The more ambitious proposals do not appear to take sufficient account of the fragility of a fabric which, lacking a binding contractual basis, has grown out of a plethora of different relationships some of which belong more to the realms of sociology or psychology than to the science of administration.

#### Another approach to the strengthening of EPC

The time is not yet ripe for bold qualitative changes; the transition to a formula with greater coercive force cannot take place in isolation in the foreign policy field. It will depend on the Community itself making significant progress.

Until that time comes, it seems best to inch forward with a series of very gradual adjustments. It therefore becomes necessary to see whether there is a way of strengthening the EPC machinery without setting up a central body.

One proposal intended to deal with a technical problem arising from enlargement offers a possible way forward. With Greece's accession the lines of communication between the outlying Member States have become so stretched that taking part in a one-day meeting in the capital of the Presidency involves two days' travelling time.

It has therefore been suggested that all meetings of expert working groups, and perhaps of the Political Committee too, should be held centrally, in Brussels.

This system would enable the Member States gradually to build up their own infrastructure in Brussels. Initially, they could second one or two experts on the main EPC issues to their Permanent Representations to the Community. This would mean that experts dealing with the Middle East or Afghanistan, for instance, could meet within a couple of hours of a meeting's being called, thus making for easier crisis management. The same people would of course cover their subjects in the Community framework too, which would improve coordination.

After the running-in period, Member States could even base Deputy Political Directors in Brussels, which would give EPC an element of greater continuity.

Within a matter of years, an organization parallel to COREPER would be built up to take charge of all the work which it is thought today a political secretariat should handle. Such an organization, however, would retain the strictly intergovernmental character of EPC, and would not arouse anti-centralizing reactions in the different capitals.

There would be no need for any intergovernmental arrangement or treaty to institutionalize EPC until a later stage, when it had become consolidated and more closely linked with the Community. It would be better able to withstand the likely strains between the centre and the capitals, and a codification of the EPC acquis would be less likely to constitute an obstacle to further development.

## Annexes

1. Extract from the Communiqué of the Conference of the Heads of State and Government of the Member States of the European Communities (The Hague, 2 December 1969)
2. First Report of the Foreign Ministers to the Heads of State and Government of the Member States of the European Communities (Luxembourg Report) (27 October 1970)
3. Extract from the Statement of the Conference of the Heads of State and Government of the Member States of the European Communities (Paris, 21 October 1972)
4. Second Report of the Foreign Ministers to the Heads of State and Government of the Member States of the European Communities (Copenhagen Report) (23 July 1973)
5. Extracts from the Document on the European Identity published by the Nine Foreign Ministers (Copenhagen, 14 December 1973)
6. Extracts from the Press Statement by Mr Hans-Dietrich Genscher, Federal Minister for Foreign Affairs of the Federal Republic of Germany, after the 14th EPC Ministerial Meeting (Bonn, 11 June 1974)
7. Extracts from the Communiqué issued after the Meeting of the Heads of State and Government of the Member States of the European Communities (Paris, 10 December 1974)
8. Extract from the Statement by the 6th European Council on European Union (The Hague, 29-30 November 1976)
9. Resolution of the European Parliament on EPC (19 January 1978)

Excerpt from :      Communiqué of the Conference of the  
                                 Heads of State and Government of the  
                                 Member States of the European Com-  
                                 munity ( The Hague, 2 December 1969 )

15.

They agreed to instruct the Ministers for Foreign Affairs to study the best way of achieving progress in the matter of political unification, within the context of enlargement. The Ministers would be expected to report before the end of July 1970.

## 2. First Report of the Foreign Ministers to the Heads of State and Government of the Member States of the European Community of 27 October 1970 (Luxembourg Report)

Under the chairmanship of the Federal Minister for Foreign Affairs, Walter Scheel, the Foreign Ministers of the six European Community countries, on 27 October 1970, in Luxembourg, finally approved, on behalf of their Governments, the report made pursuant to para. 15 of the Communiqué of The Hague on 20 July 1970.

The Foreign Ministers agreed to publish the report on October 30, 1970.

The following is the text of the report:

### Part One

#### 1.

The Ministers for Foreign Affairs of the Member States of the European Communities were instructed by the Heads of State or Government who met at The Hague on 1 and 2 December 1969 "to study the best way of achieving progress in the matter of political unification, within the context of enlargement" of the European Communities.

#### 2.

In carrying out this mandate, the Ministers were anxious to preserve the spirit of The Hague Communiqué. In it the Heads of State or Government noted in particular that with the entry into the final phase of the Common Market the building of Europe had reached "a turning

point in its history"; they affirmed that "the European Communities remain the original nucleus from which European unity has been developed and intensified"; finally, they expressed their determination "to pave the way for a united Europe capable of assuming its responsibilities in the world of tomorrow and of making a contribution commensurate with its traditions and its mission".

3.

The Heads of State or Government expressed their "common conviction that a Europe composed of States which, while preserving their national characteristics, are united in their essential interests, assured of internal cohesion, true to its friendly relations with outside countries, conscious of the role it has to play in promoting the relaxation of international tension and the rapprochement among all peoples, and first and foremost among those of the entire European continent, is indispensable if a main-spring of development, progress and culture, world equilibrium and peace is to be preserved".

4.

A united Europe conscious of the responsibilities incumbent upon it by reason of its economic development, its industrial potential and its standard of living, intends to increase its efforts for the benefit of the developing countries with a view to establishing trustful relations among nations.

5.

A united Europe must be founded upon the common heritage of respect for the liberty and the rights of men, and must assemble democratic States having freely elected parliaments. This united Europe remains the fundamental aim which should be achieved as soon as possible through the political will of its peoples and the decisions of their Governments.

6.

Consequently, the Ministers held the view that for the sake of continuity and in order to meet the ultimate goal of political union in Europe, so strongly underlined by The Hague Conference, their proposals had to proceed from three considerations.

7.

First, shape ought to be given, in the spirit of the preambles to the Treaties of Paris and Rome, to the will for political union which has not ceased to further the progress of the European Communities.

8.

Second, the implementation of common policies already adopted or about to be adopted requires corresponding developments in the political sphere as such so that the time will come nearer when Europe will be able to speak with one voice. It is therefore important that the construction of Europe should proceed in successive stages and that the most appropriate method of, and instruments for, joint political action should gradually develop.

9.

Third, Europe must prepare itself to exercise the responsibilities which to assume in the world is both its duty and a necessity on account of its greater cohesion and its increasingly important role.

10.

The present development of the European Communities requires Member States to intensify their political co-operation and provide in an initial phase the mechanism for harmonizing their views regarding international affairs.

Thus, the Ministers felt that efforts ought first to concentrate specifically on the co-ordination of foreign policies in order to show the whole world that Europe has a political

mission. For they are convinced that progress in this direction would favour the development of the Communities and make the Europeans more conscious of their common responsibility.

## Part Two

The Ministers propose the following:

Desirous of making progress in the field of political unification, the Governments, decide to co-operate in the sphere of foreign policy.

### *I. Objectives*

The objectives of this co-operation are as follows:

- to ensure, through regular exchanges of information and consultations, a better mutual understanding on the great international problems;
- to strengthen their solidarity by promoting the harmonization of their views, the co-ordination of their positions, and, where it appears possible and desirable,
- common actions.

### *II. Ministerial Meetings*

1.

On the initiative of the Chairman, the Ministers for Foreign Affairs will meet at least every six months.

If they feel that the gravity of the circumstances or the importance of the subjects in question so justify, their meeting may be replaced by a conference of Heads of State or Government.

Should a grave crisis or a matter of particular urgency arise, extraordinary consultations will be arranged between the Governments of Member States. The Chairman will get in touch with his colleagues in order to determine the best way of ensuring such consultation.

2.

The Minister for Foreign Affairs of the country having the chair in the Council of the European Communities will chair the meetings.

3.

The ministerial meetings will be prepared by a committee composed of the Directors of political affairs.

### *III. Political Committee*

1.

A committee composed of the Directors of political affairs will meet at least four times a year to prepare the ministerial meetings and carry out any tasks delegated to them by the Ministers.

Further, the Chairman may, in exceptional cases, and after having consulted his colleagues, convene the Committee either on his own initiative or at the request of one of the members.

2.

The chairmanship of the Committee will be subject to the same rules as those which apply to ministerial meetings.

3.

The Committee may set up working groups to deal with special matters.

It may appoint a group of experts to collect material relating to a specific problem and to present the possible alternatives.

4.

Any other form of consultation may be envisaged where necessary.

#### *IV. Subjects for Consultation*

Governments will consult on all important questions of foreign policy.

Member States may propose any question of their choice for political consultation.

#### *V. Commission of the European Communities*

Should the work of the Ministers affect the activities of the European Communities, the Commission will be invited to make known its views.

#### *VI. European Parliamentary Assembly*

In order to give a democratic character to political unification, it will be necessary to associate public opinion and its representatives with it.

The Ministers and members of the Political Commission of the European Parliamentary Assembly will meet for a biannual colloquy to discuss questions that are the subject of consultation within the framework of co-operation on foreign affairs. This colloquy will be held in an informal way to give parliamentarians and Ministers an opportunity freely to express their opinions.

#### *VII. General Provisions*

1.

The meetings will as a general rule be held in the country whose representative is in the chair.

2.

The host country will make the necessary arrangements to provide the secretariat and the material organization of the meetings.

3.

Each country will designate an official of its Ministry of Foreign Affairs who will liaise with his counterparts in the other countries.

### Part Three

1.

In order to ensure continuity in the task undertaken, the Ministers propose to pursue their study on the best way of achieving progress in the field of political unification, and to present a second report.

2.

This study will also deal with the improvement of co-operation in foreign policy matters and with the search for other fields where progress might be achieved. This study must take into account work undertaken within the European Communities especially with a view to reinforcing their structures and thus, if need be, to enable them to live up to their increasing and developing tasks.

3.

To this end, the Ministers instruct the Political Committee to arrange its activities in such a way that it will be able to fulfil this task, and to present a summary report at each biannual ministerial meeting.

4.

The Chairman of the Council will once a year address a communication to the European Parliamentary Assembly on progress in that work.

5.

Notwithstanding any interim reports which they may consider worth submitting if their deliberations so permit, the Ministers for Foreign Affairs will present their second full report not later than two years after the commence-

ment of consultations on foreign policy. That report must contain an assessment of the results obtained by those consultations.

#### Part Four

Proposals concerning association of the applicant countries with the work envisaged in parts II and III of the Report.

1.

The Ministers emphasize that there is a correlation between membership in the European Communities and participation in the activities designed to help achieve progress in the field of political unification.

2.

Since the applicant countries must be consulted on the objectives and procedures described in the present Report, and since they must adhere to them once they have become members of the European Communities, it is necessary to keep those countries informed of progress in the work of the Six.

3.

In view of those different objectives the following procedures for informing the applicant countries are suggested:

##### (a) Meetings of the Ministers

At each of their biannual meetings the Ministers will fix the date of their next meeting.

They will at the same time propose a date for a ministerial meeting of the Ten. That date shall be as close as possible to that of the meeting of the Six and shall normally be after it; in fixing that date such occasions shall be borne in mind when the ten Ministers or some of them meet anyhow.

After the ministerial meeting of the Six the Chairman shall inform the applicant countries of the questions which the Ministers propose to put on the agenda of the ministerial meeting of the Ten, and shall furnish them all other information likely to make the exchange of views of the Ten as fruitful as possible.

In view of the fact that the information and the exchange of views must be marked by a certain flexibility, it is understood that they will be intensified once the agreements on the applicant countries' accession to the European Communities have been signed.

**(b) Meetings of the Political Committee**

This Committee will furnish the applicant countries the information likely to be of interest to them. The information shall be transmitted by the Chair to whom those countries shall address their response, if any. The Chair will report on it to the Political Committee.

Excerpt from : Statement of the Conference of the  
Heads of State and Government of the  
Member States of the European Com-  
munity (Paris, 21 October 1972)

#### **Political Co-operation**

14.

The Heads of State or of Government agreed that political co-operation between the Member States of the Community on foreign policy matters had begun well and should be still further improved. They agreed that consultations should be intensified at all levels and that the Foreign Ministers should in future meet four times a year instead of twice for this purpose. They considered that the aim of their co-operation was to deal with problems of current interest and, where possible, to formulate common medium and long-term positions, keeping in mind, inter alia, the international political implications for and effects of Community policies under construction. On matters which have a direct bearing on Community activities, close contact will be maintained with the Institutions of the Community. They agreed that the Foreign Ministers should produce, not later than 30. June, 1973, a second report on methods of improving political co-operation in accordance with the Luxembourg report.

5. Second Report of the Foreign Ministers  
to the Heads of State and Government  
of the Member States of the European  
Community of 23 July 1973  
(Copenhagen Report)

The Foreign Ministers of the nine Member States of the European Communities, in carrying out the instruction given them in para. 14 of the Declaration of the Paris Summit Conference of 21 October 1972, have submitted the second report on the European Political Co-operation. The Heads of State and Government have approved the report.

The following is the text of the report:

Part I.

The Heads of State or of Government of the Member States of the European Communities approved on 27 October 1970 the Report of the Foreign Ministers drawn up in implementation of paragraph 15 of the Communiqué of The Hague Conference of 1 and 2 December 1969. The document reflected the belief that progress towards concerted action in the field of foreign policy was likely to promote the development of the Communities and to help the Europeans to realize more fully their common responsibilities. The objectives of that co-operation are:

- to ensure, by means of regular consultations and exchanges of information, improved mutual understanding as regards the main problems of international relations;
- to strengthen solidarity between Governments by promoting the harmonization of their views and the alignment of their positions and, wherever it appears possible and desirable, joint action.

The Report also proposed that the Foreign Ministers should submit a second general report which would, *inter alia*, contain an assessment of the results obtained from such consultation. At the time when the enlargement of the European Communities became a fact, paragraph 14 of the Summit Declaration in Paris on 21 October 1972 required the Foreign Ministers to produce by 30 June 1973 a second report on methods of improving political co-operation in accordance with the Luxembourg Report.

The Heads of State or of Government, meeting in Paris, expressed their satisfaction at the results obtained since the political co-operation machinery was formally set up on the basis of the texts of 27 October 1970. In several fields, the Member States have been able to consider and decide matters jointly so as to make common political action possible. This habit has also led to the "reflex" of co-ordination among the Member States which has profoundly affected the relations of the Member States between each other and with third countries. This collegiate sense in Europe is becoming a real force in international relations.

The Ministers note that the characteristically pragmatic mechanisms set up by the Luxembourg Report have shown their flexibility and effectiveness. What is involved in fact is a new procedure in international relations and an original European contribution to the technique of arriving at concerted action. The experience acquired so far has resulted in a strengthening of the belief in the usefulness of concerted action by means of direct contact between senior officials of Foreign Ministries and of a very thorough preparation of the matters under consideration as a basis for the decisions by Ministers.

Such concerted action has also had a positive influence in so far as it has brought a more conscious collaboration between representatives of Member States of the Communities in third countries. They have been encouraged to meet and compare the information available to them. This

habit of working together has enabled the procedure for concerted action to become more widespread wherever common action or common consideration seemed desirable.

In the Luxembourg Report provision was made for the Commission to be invited to make known its views when the work of the Ministers affected the activities of the European Communities. The Foreign Ministers express satisfaction that these contacts have now become a reality and that a constructive and continuing dialogue is in course both at the level of experts and of the Political Committee, and at ministerial meetings.

The colloquy with the Political Commission of the European Parliament and the communication by the President of the Council to the European Parliament have put into effect the desire of the Foreign Ministers to make a contribution to the democratic character of the construction of political union.

The final Declaration of the Conference of Heads of State or of Government held on 19—21 October 1972 expressed, *inter alia*, the conviction that Europe must be able to make its voice heard in world affairs and to affirm its own views in international relations.

Europe now needs to establish its position in the world as a distinct entity, especially in international negotiations which are likely to have a decisive influence on the international equilibrium and on the future of the European Community.

In the light of this it is essential that, in the spirit of the conclusions of the Paris Summit Conference, co-operation among the Nine on foreign policy should be such as to enable Europe to make an original contribution to the international equilibrium. Europe has the will to do this, in accordance with its traditionally outward-looking mission and its interest in progress, peace and co-operation. It will do so, loyal to its traditional friends and to the

alliances of its Member States, in the spirit of good neighbourliness which must exist between all the countries of Europe both to the east and the west, and responding to the expectations of all the developing countries.

The results obtained by the procedure of political consultation since its inception, referred to in the preceding paragraphs, are the subject of a descriptive Annex attached to this Report.

## Part II.

In implementation of the task entrusted to them by paragraph 14 of the Paris Summit Declaration, and having regard to the objective which the Heads of State or of Government set themselves, namely to transform, before the end of the present decade, the whole complex of the relations between the Member States of the European Communities into a European Union, the Foreign Ministers propose that the Heads of State or of Government approve the following measures:

### *1. Ministerial Meetings*

Henceforth, the Foreign Ministers will meet four times a year. They may also, whenever they consider it necessary to consult each other on specific subjects between meetings, meet for that purpose when they happen to come together on other occasions.

### *2. The Political Committee of the Member States of the European Communities*

The Political Directors of the Member States of the Community will meet in the Political Committee of the Member States of the European Communities with a view to preparing ministerial meetings and carrying out tasks entrusted to them by the Ministers. In order to attain that objective, meetings of the Committee will be held as frequently as the intensification of the work requires.

### *3. The Group of "Correspondants"*

A group consisting of European "Correspondants" in the Foreign Ministry (called the Group of Correspondants) will be set up. That Group will be entrusted with the task of following the implementation of political co-operation and of studying problems of organization and problems of a general nature. Furthermore, for certain matters, the Group will prepare the work of the Political Committee on the basis of instructions given by that Committee.

### *4. Working Parties*

(a) In order to ensure more thorough consultation on individual questions, working parties will be set up to bring together senior officials of the Ministries of Foreign Affairs responsible for the subject under consideration. These working parties will cease to meet as soon as they have completed the task entrusted to them. Exceptionally, and especially in order to ensure continuity if the work can be completed in the near future, the chairman of a working party may be required to continue in office beyond the usual period.

(b) The chairman in office may approach the Political Committee about the need to bring together senior officials of the major ministerial departments who have not met during the preceding six month period with a view to keeping them in contact with each other.

### *5. Medium and Long-Term Studies*

In accordance with paragraph 14 of the Declaration of the Paris Summit Conference, which set as an objective on political co-operation the formulation; where possible, of common medium and long term positions, several methods of work can be envisaged. According to circumstances, this will be done either by groups of experts in addition to the current matters which they normally deal with, or by entrusting the preparations of such studies to a special

analysis and research group consisting normally of officials.

The Political Committee will propose to the Foreign Ministers specific subjects for study.

*6. The Rôle of the Embassies of the Nine in the Capitals of the Member Countries of the Community*

The Embassies of the Nine participate closely in the implementation of political co-operation. In particular, they receive information on a Community basis issued by the Foreign Ministry of their country of residence. Furthermore, they are occasionally entrusted with consultations on specific subjects:

- at the seat of the Presidency at the request of the Political Committee, the Presidency or another Member State; or
- in another Capital at the request of the Foreign Ministry.

They will appoint one of their diplomatic staff who will specifically be entrusted with ensuring the necessary contacts with the Foreign Ministry of their country of residence, within the framework of political co-operation.

*7. Rôles of the Embassies in Third Countries and of the Offices of Permanent Representatives to Major International Organizations*

With the introduction of the political co-operation machinery, it proved useful to associate Embassies and Permanent Representatives' offices with the work. In the light of the experience gained, better information on the work in progress in the field of political co-operation should be provided so as to enable them, where necessary, to put forward in an appropriate form those aspects which they consider of interest for this work, including considerations on joint action.

With this in mind, the Political Committee will notify the missions concerned when it considers it necessary to obtain a contribution on a specific item of its agenda. Where appropriate, it may require a common report to be prepared by them on specific questions.

In addition to the provisions contained in the texts in force governing reciprocal information on the occasion of important visits, the Ambassador concerned, accredited in the country where the visit takes place, should first provide information to his colleagues on the spot so as to enable any appropriate exchange of views. After the visit, such information as may interest them should be given to them in the most appropriate manner.

Finally, in application of the provisions governing the rôle of missions abroad, the permanent representatives of the Member States to the major international organizations will regularly consider matters together and, on the basis of instructions received, will seek common positions in regard to important questions dealt with by those organizations.

#### *8. The Presidency*

As regards the internal organization of the work of political co-operation, the Presidency:

- sees to it that the conclusions adopted at meetings of Ministers and of the Political Committee are implemented on a collegiate basis;
- proposes, on its own initiative or on that of another State, consultation at an appropriate level;
- may also, between meetings of the Political Committee, meet the Ambassadors of the Member States in order to inform them of the progress of the work of political co-operation. The meeting may take place at the request of an Ambassador of a Member State seeking consultation on a specific subject.

Experience has also shown that the Presidency's task presents a particularly heavy administrative burden. Administrative assistance may therefore be provided by other Member States for specific tasks.

*9. Improvement of Contact between the Nine*

The Foreign Ministers have agreed to establish a communications system with a view to facilitating direct contact between their departments.

*10. Relations with the European Parliament*

Having regard to the widening scope of the European Communities and the intensification of political co-operation at all levels, four colloquies will be held each year at which the Ministers will meet with members of the Political Committee of the European Parliament. For the purpose of preparing the colloquies, the Political Committee will draw to the attention of Ministers proposals adopted by the European Parliament on foreign policy questions.

In addition the Minister exercising the function of President will continue, as in the past, to submit to the European Parliament, once a year, a communication on progress made in the field of political co-operation.

*11. Priorities to be set in respect of the Matters to be dealt with within the framework of Political Co-operation*

Governments will consult each other on all important foreign policy questions and will work out priorities, observing the following criteria:

- the purpose of the consultation is to seek common policies on practical problems;
- the subject dealt with must concern European interests whether in Europe itself or elsewhere where the adoption of a common position is necessary or desirable.

On these questions each State undertakes as a general rule not to take up final positions without prior consultation with its partners within the framework of the political co-operation machinery.

The Political Committee will submit to the meetings of Foreign Ministers subjects among which the Ministers may select those to be given priority in the course of political co-operation. This is without prejudice to the examination of additional subjects either at the suggestion of a Member State or as a result of recent developments.

*12. Relationship between the Work of the Political Co-operation Machinery and that carried out within the framework of the European Communities*

- (a) The Political Co-operation machinery, which deals on the intergovernmental level with problems of international politics, is distinct from and additional to the activities of the institutions of the Community which are based on the juridical commitments undertaken by the Member States in the Treaty of Rome. Both sets of machinery have the aim of contributing to the development of European unification. The relationship between them is discussed below.
- (b) The Political Co-operation machinery, which is responsible for dealing with questions of current interest and where possible for formulating common medium and long term positions, must do this keeping in mind, *inter alia*, the implications for and the effects of, in the field of international politics, Community policies under construction.

For matters which have an incidence on Community activities close contact will be maintained with the institutions of the Community.

- (c) The last section of the previous paragraph is implemented in the following way:
  - the Commission is invited to make known its views in accordance with current practice;

- the Council, through the President of the Committee of Permanent Representatives, is informed by the Presidency of the agreed conclusions which result from the work of the Political Co-operation machinery, to the extent that these conclusions have an interest for the work of the Community;
- the Ministers will similarly be able, if it is so desired, to instruct the Political Co-operation machinery to prepare studies on certain political aspects of problems under examination in the framework of the Community. These reports will be transmitted to the Council through the President of the Committee of Permanent Representatives.

In drawing up this Report, the Ministers have demonstrated their belief that even more important than the contents of their proposals is the spirit in which these are put into effect. That spirit is the one that emerges from the decisions taken at the Paris Summit meeting.

The Ministers consider that co-operation on foreign policy must be placed in the perspective of European Union.

From now on, it is of the greatest importance to seek common positions on major international problems.

## ANNEX

### Results obtained from European Political Co-operation on Foreign Policy

#### *3. Group of "Correspondants"* (Luxembourg Report—Second Part, VII-3)

In order to facilitate the internal organization of political co-operation, the Luxembourg Report provided that each State should appoint from within its Ministry of Foreign Affairs an official who should act as the "correspondant" of his opposite numbers in other States. These officials were established as a "Group of Correspondants"; this Group, in addition to the task of drafting summaries of the conclusions reached at ministerial meetings and meetings of the Political Committee, was entrusted with the duty of closely following the implementation of political co-operation and of studying the problems of organization and those of a general nature, as well as particular problems the Political Committee gave it to examine, in particular for the purpose of preparing their meetings.

#### *4. Activities of Embassies of the Nine in the Capitals of Member States of the Communities*

The rôle of Ambassadors of the Nine in the capitals of Member States has proved important for the implementation of political co-operation in particular with respect to the exchange of information. In order to facilitate contacts with the Ministries of Foreign Affairs in the countries of their residence with respect to matters of political co-operation, each of these Embassies has appointed a diplomat on its staff whose special duty is to ensure contact with the Ministry of Foreign Affairs in its country of residence on matters of political co-operation.

Since the Ambassadors receive information concerning the Community from the Ministry of Foreign Affairs of their country of residence and, in particular, since they are expected by the Political Committee to engage in discussions from time to time, in the capitol of the Presidency, it is important that they should be fully informed of the progress of political co-operation with the implementation of which their missions are associated.

#### *5. Association of Ambassadors in Third Countries and of Permanent Representatives to International Organizations with the Political Co-operation*

It has been judged necessary and in line with the Luxembourg Report to associate Heads of the diplomatic missions of the Nine with political co-operation. For that purpose, it has been arranged that the Political Committee can ask Ambassadors accredited to a particular country to provide it with reports and thus to encourage co-operation among the diplomatic representatives of Member States.

It had also been arranged that regular discussions can take place between Ambassadors accredited to countries other than those of the Community, on problems of common interest concerning the country to which they are accredited, in accordance with such procedures as the Ambassadors themselves would find appropriate.

These provisions were put into operation and developed during the first two years of political co-operation.

Heads of diplomatic missions in many posts, or their representatives, while taking account of local conditions, take part increasingly in political co-operation, especially through exchanges of view and in certain cases by means of joint reports.

*6. Commission of the European Communities*  
(Luxembourg Report—Second Part, V)

The Luxembourg Report provides that:

“should the work of the Ministers affect the activities of the European Communities, the Commission will be invited to make known its views.”

In accordance with this the Commission of the Communities has been invited to participate in ministerial discussions and in sessions of the Political Committee and of groups of experts when the agenda of the meeting provides for the examination of questions affecting the activities of the Communities: for example, the examination of problems relating to the economic aspects of the CSCE and to the future rôle of the Council of Europe.

*7. European Parliament*  
(Luxembourg Report—Second Part, VI, and Third Part, 4)

In accordance with the Luxembourg Report which provided for two methods of associating public opinion and its representatives with the development of political co-operation, Ministers for Foreign Affairs and members of the Political Commission of the European Parliament held a colloquy every six months and the President in office of the Council reported every year to the Parliament on the progress of work concerning the best means of advancing towards political union.

At the last two colloquies, a new procedure, consisting essentially of the notification in advance to the Political Commission of the European Parliament of the main subjects for discussion, was adopted in order to make the exchange of views more fruitful.

## 8. Document on The European Identity published by the Nine Foreign Ministers (Copenhagen, 14 December 1973)

The Nine Member Countries of the European Communities have decided that the time has come to draw up a document on the European Identity. This will enable them to achieve a better definition of their relations with other countries and of their responsibilities and the place which they occupy in world affairs. They have decided to define the European Identity with the dynamic nature of the Community in mind. They have the intention of carrying the work further in the future in the light of the progress made in the construction of a United Europe.

Defining the European Identity involves:

- reviewing the common heritage, interests and special obligations of the Nine, as well as the degree of unity so far achieved within the Community,
- assessing the extent to which the Nine are already acting together in relation to the rest of the world and the responsibilities which result from this,
- taking into consideration the dynamic nature of European unification.

6.

Although in the past the European countries were individually able to play a major rôle on the international scene, present international problems are difficult for any of the Nine to solve alone. International developments and the growing concentration of power and responsibility in the hands of a very small number of great powers mean that Europe must unite and speak increasingly with one voice if it wants to make itself heard and play its proper rôle in the world.

9.

The Europe of the Nine is aware that, as it unites, it takes on new international obligations. European unification is not directed against anyone, nor is it inspired by a desire for power. On the contrary, the Nine are convinced that their union will benefit the whole international community since it will constitute an element of equilibrium and a basis for co-operation with all countries, whatever their size, culture or social system. The Nine intend to play an active rôle in world affairs and thus to contribute, in accordance with the purposes and principles of the United Nations Charter, to ensuring that international relations have a more just basis; that the independence and equality of States are better preserved; that prosperity is more equitably shared; and that the security of each country is more effectively guaranteed. In pursuit of these objectives the Nine should progressively define common positions in the sphere of foreign policy.

14.

The close ties between the United States and Europe of the Nine—we share values and aspirations based on a common heritage—are mutually beneficial and must be preserved. These ties do not conflict with the determination of the Nine to establish themselves as a distinct and original entity. The Nine intend to maintain their constructive dialogue and to develop their co-operation with the United States on the basis of equality and in a spirit of friendship.

15.

The Nine also remain determined to engage in close co-operation and to pursue a constructive dialogue with the other industrialized countries, such as Japan and Canada, which have an essential rôle in maintaining an open and balanced world economic system. They appreciate the existing fruitful co-operation with these countries, particularly within the OECD.

### III. The Dynamic Nature of the Construction of a United Europe

22.

The European identity will evolve as a function of the dynamic construction of a United Europe. In their external relations, the Nine propose progressively to undertake the definition of their identity in relation to other countries or groups of countries. They believe that in so doing they will strengthen their own cohesion and contribute to the framing of a genuinely European foreign policy. They are convinced that building up this policy will help them to tackle with confidence and realism further stages in the construction of a United Europe thus making easier the proposed transformation of the whole complex of their relations into a European Union.

10. Press Statement by Herr Hans-Dietrich Genscher, Federal Minister for Foreign Affairs, after the 14th EPC Ministerial Meeting (Bonn, 11 June 1974)

The second point is the question of consultations. The ministers were agreed that in elaborating common positions on foreign policy there arises the question of consultations with allied or friendly countries. Such consultations are a matter of course in any modern foreign policy. We decided on a pragmatic approach in each individual case, which means that the country holding the Presidency will be authorized by the other eight partners to hold consultations on behalf of the Nine.

In practice, therefore, if any member of the EC raises within the framework of EPC the question of informing and consulting an ally or a friendly State, the Nine will discuss the matter and, upon reaching agreement, authorize the Presidency to proceed on that basis.

The ministers trust that this gentleman's agreement will also lead to smooth and pragmatic consultations with the United States which will take into account the interests of both sides.

12. Communiqué issued after the Meeting  
of the Heads of State and Government  
(Paris, 10 December 1974)

3.

The Heads of Government have therefore decided to meet, accompanied by the Ministers of Foreign Affairs, three times a year and, whenever necessary, in the Council of the Communities and in the context of political co-operation.

4.

With a view to progress towards European unity, the Heads of Government reaffirm their determination gradually to adopt common positions and co-ordinate their diplomatic action in all areas of international affairs which affect the interests of the European Community. The President-in-Office will be the spokesman for the Nine and will set out their views in international diplomacy. He will ensure that the necessary concertation always takes place in good time.

In view of the increasing rôle of political co-operation in the construction of Europe, the European Assembly must be more closely associated with the work of the Presidency, for example through replies to questions on political co-operation put to him by its Members.

31. Statement by the 6th European Council on European Union  
(The Hague, 29/30 November 1976)

4.

The construction of Europe must also make the best use of possibilities for co-operation between the nine Governments in those areas where the Member States are prepared to exercise their sovereignty in a progressively convergent manner.

This form of co-operation in the field of foreign policy must lead to the search for a common external policy.

#### 45. Resolution of the European Parliament on the European Political Co-operation (19 January 1978)

*The European Parliament,*

- noting the development of political co-operation machinery between the Nine over recent years,
- considering that the links between the Foreign Ministers of the Nine and the European Parliament must be improved and strengthened, particularly with a view to providing the European Parliament with wider scope for exercising influence over political co-operation,
- regretting the instances of failure to coordinate the positions and action of the nine Member States of the Community, particularly in certain cases, in the General Assembly of the United Nations and in other international fora,
- expressing its concern at the lack of substantive and up-to-date information given to the European Parliament by the Foreign Ministers of the Nine concerning measures of joint foreign policy,

A. Requests the Government of the Member States:

1.

to ensure that the European Parliament is fully informed concerning all joint foreign policy decisions taken by the Nine;

2.

to provide Parliament's Political Affairs Committee, in an appropriate form, with substantive and up-to-date information concerning the meetings and activities of the Foreign Ministers of the Nine outside the quarterly meetings and subsequent colloquies;

3.

to take account of the foreign policy guidelines adopted by the European Parliament;

4.

to instruct the Foreign Ministers to submit a written annual report on European political co-operation to the European Parliament one month in advance of the annual debate in Parliament on European political co-operation;

5.

to decide to end the artificial distinction between 'Community' and 'political co-operation' matters, and, in this respect, to invite the Commission to participate fully in all partes of all political co-operation meetings;

6.

to instruct the Foreign Ministers to seek agreement on the political and related aspects of negotiations with third countries before the Council of Ministers gives a mandate to the Commission to open negotiations and to establish this mandate in the light of an orientation debate held by the Parliament;

7.

to ensure that the Commission represents the Community in all major multilateral economic negotiations following agreement by the Foreign Ministers on the political and related aspects of such negotiations;

B. Instructs its President to forward this resolution together with the report of its committee to the Council, the Foreign Ministers meeting in political co-operation, the Commission and to the Parliaments and Governments of the Member States.