

## EDITORIAL COMMENTS

### *Summit Meeting December 1974*

The outcome of the Paris Summit Meeting of December 9 and 10, 1974 is better than the traditional pessimists will have expected, but less satisfactory than the inveterate optimists will have hoped. The governments find themselves confronted with very serious problems: the energy crisis, inflation, and unemployment. There was no definite rupture about the internal and external policies to be pursued in these fields. From the Communiqué<sup>1</sup> it is quite evident that the member States did not wish to emphasize the existing differences of opinion. On the contrary, an agreement was reached at last on the scope and distribution of the Regional Development Fund. In addition there was a willingness as to rapprochement and compromise on other points. This also applies with regard to the problems of continued British membership. All the same, the basis laid in the Communiqué for the co-ordination of standpoints and the bridging of antitheses is still narrow and precarious in all these fields. The follow-up of the Summit Meeting, however, does not so far give cause for gloom.

It was not improperly that great attention was paid at the Summit Meeting to the above-mentioned acute policy problems. Indeed, it is due to them that the existence of the Community is at stake. A thorough discussion of policies for the rest was not in accordance with the original intentions of President Giscard d'Estaing. He had meant this meeting to be primarily concerned with institutional reforms. The importance of such reforms in the long term, however, must not be underestimated. Indeed, a more resourceful, effective, and democratic decision-making process will in the long run tend to facilitate the solution of policy problems of this kind. It is therefore satisfactory that the Heads of Government have not kept aloof from the problem of the institutional reforms either.

The most important result of the consultations of the Heads of Government concerning institutional questions is undoubtedly that henceforth they will meet at least three times a year in the Council of the Communities. The phenomenon of Summit Meetings which take important decisions determining the policy without taking account of any of the Community procedures has now come to an end. The rules concerning the right of initiative of the Commission, the advisory function of European Parliament and the Economic and Social

1. Printed as a Document, *infra* pp. 143-147.

Committee, and the supervision by the Court of Justice of the lawfulness of decisions will fully apply to the decision-making process of the Summit Council. From the Community point of view this is a great advance. However, it will be necessary to guard against the possibility that these Summit Council meetings may function as a kind of court of appeal for the ordinary Council meetings. Indeed, the Ministers might become inclined to shift all responsibility for the making of the concessions needed to achieve decisions to the Heads of Government meeting every three months. This would create a bottle-neck in the decision-making process and would turn the Community into a state of paralysis.

No really decisive break-through of the existing unanimity practice, one of the principal evils from which the decision-making process is suffering, has been decided upon. Upholding the standpoints laid down in the so-called Luxembourg Agreement, the Heads of Government have confined themselves to expressing the opinion that it is necessary to renounce the practice which consists of making agreement on all questions conditional on the unanimous consent of the member States. It is highly dubious whether this negatively formulated statement is the magical formula that will remove the existing psychological barrier to putting proposals to a vote. A more drastic method is necessary.

To everybody's astonishment it had become apparent already before the Summit Meeting that the French Government had given up its opposition of nearly 15 years to the election of the members of the European Parliament by direct universal suffrage and now declared itself to be in favour of it. Though Britain and Denmark made reservations, agreement was reached in Paris on the desirability of having the Council decide in 1976 about the proposals under discussion in the Parliament, in order that such elections could take place in 1978. On January 14, 1975 the Parliament adopted these proposals on the basis of a report by the political commission (rapporteur Patijn) with 107 votes in favour, 2 against, and 17 abstentions (Draft Convention introducing elections to the European Parliament by direct universal suffrage). The resourcefulness of the Heads of Government surprised the Parliament. The year 1978 was hurriedly included in the Draft Convention (Article 13, Section 1) in the place of the year 1980 which was originally mentioned in the text as date of introduction.

Both with reference to the functioning of the Council and with respect to the position of the European Parliament the Communiqué also contains other interesting points. To the Ministers of Foreign Affairs is assigned a task as initiators and co-ordinators in order to ensure consistency in Community activities and continuity of work. Greater latitude will have to be given to the Permanent Representatives, in the

sense that they should submit only the most important political problems to the Council. Their role will have to be strengthened and they should be involved in preparing the national positions on European affairs. It is further important that the competence of the European Parliament will be extended, in particular by granting it certain powers in the Community's legislative process.

It is to be regretted that the European Commission comes off badly in the Communiqué. The only statement made is the obvious one that the Commission will continue to exercise the powers vested in it and that it is important to make use of the possibility of entrusting to it the implementation of Community rules. The days of Hallstein, Rey and Mansholt seem to be over. The position of the Commission is now almost at the lowest point. Its political weight and prestige in Europe is at a minimum. It only seems to perform the function of an expert body assisting the Council and it risks being eclipsed by the Committee of Permanent Representatives. It is also striking that the task of co-ordinating and stimulating Community action is not entrusted to the Commission, which indeed would be best equipped for it, but is reserved explicitly to the Ministers of Foreign Affairs. That the Commission realizes that the neglect of its political role is partly due to its own conduct appears from the militant language in which it has recently indulged and in which it points out emphatically its responsibility to develop a political strategy for the Community.

Finally it is interesting to mention that the Communiqué stresses the consistency in the activities of the Community and the work on political co-operation, and accordingly provides for meetings of both the Heads of Government and the Ministers of Foreign Affairs, in the Council and in the context of political co-operation on the same occasion. In the latter co-operation the European Parliament will be more and more closely involved, *inter alia* through replies to parliamentary questions on this subject. The will to accomplish the Economic and Monetary Union, in spite of all the setbacks, is affirmed once more. It is considered desirable that the member States agree as soon as possible on an overall concept of the European Union. It is striking that 1980 is no longer mentioned as the year in which the two Unions should be accomplished.