

## Editorial

DESPITE THE EXCHANGE of civilities at Milan on 28 and 29 June, where the *esprit Communautaire* does not seem to have played any great role, the decision to convene a conference of the member states of the European Community with a view to achieving concrete progress on European union is an event which may be of great significance

The purpose of the conference, as stated in Milan, is to work out the following:

- a treaty on a common foreign and security policy on the basis of the Franco-German and United Kingdom drafts;
- the amendments to the EEC Treaty in accordance with Article 236 of that Treaty, required for the implementation of the institutional changes concerning the Council's decision-making procedure, the Commission's executive power and the powers of the European Parliament and the extension to new spheres of activity in accordance with the proposals of the Dooge Committee and the Adonnino Committee, as set out elsewhere, and taking into account certain aspects of the Commission proposal concerning the freedom of movement of persons.

The conference will be convened under Article 236 of the Rome Treaty, as the required majority has been obtained (with Britain, Denmark and Greece dissenting). Portugal and Spain will be invited to take part, the Presidency will make the necessary preparations, and the final decision will be taken at the European Council meeting in Luxembourg later this year. However, the ultimate outcome of such a constitutional conference must remain in doubt as its results will require unanimous ratification by all twelve parliaments.

It would therefore appear that there are two separate and distinct proposals, the first to conclude a treaty, outside the existing treaties, dealing with a common foreign and security policy, and the second to amend the Treaty of Rome principally in respect of decision-making.

The Franco-German draft, which borrows much from the British proposals, provides for the establishment of a common European foreign policy, to be achieved by regular consultations between the signatories, followed where possible by common action, including international organizations and conferences. No provisions exist for decision-making, which would seem to indicate consensus, or at the most abstention. There is to be coordination with the existing treaties and the Commission will be represented at all meetings. There will also be cooperation with the European Parliament. A secretary-general will be appointed, with a secretariat nominated by the foreign ministries.

As for the amendment of the Rome Treaty, the Dooge committee majority recommended the adoption of qualified or simple majorities for decisions, except for a certain number of very limited cases, to be listed, where unanimity would still be required. The minority view, (represented by Britain, Denmark and Greece) was to retain the right of veto by a member state where its "very important national interests" were at stake. As regards the powers of the Parliament, the committee put forward three alternative proposals; that Parliament should have a power of co-decision with the Council, that its institutional role should be reinforced, or that it should exercise some form of control over finance.

The principal feature to be noted is the dominance retained by the member governments. In the foreign policy treaty there is little scope given either to the Commission or the directly elected Parliament. Furthermore there is to be a new secretariat, entirely under the control of the governments, which may go the way of the Council secretariat in usurping many of the powers of the Commission. There appears to be a danger that the new treaty will turn into a "super treaty" leading the Community away from a democratic federation towards a concert of powers that will finish up like OECD.

In addition, it will not be known how effective the Dooge amendments on decision-making will be until the list of reserved topics for unanimous decision is settled. The present blockage in the progress of the Community is almost entirely due to governments clinging to their right to make their own decisions, and it seems hardly likely that they will formally agree to relinquish them except under the pressure of events. Progress on every front in the Community requires an acceleration of the decision-making progress in the Council, and in present circumstances there is much to be said for the simpler British proposal for member states to exercise restraint and to try, on a pragmatic basis, to accept the wishes of the majority whenever possible and to refrain from formal dissent. Decisions can still be taken by majority vote under the existing Treaty if the abuse of the so-called Luxembourg compromise—which is, after all, the legacy of the founding members—is explicitly renounced. The risk of getting involved in a full-fledged conference on political unity is that the Community would evade the most urgent pressing economic problem i.e., the creation of a real common market and making Europe a genuine trading reality—including high technology.