

IAI8521

THE GENSCHER-COLOMBO PLAN AND THE EUROPEAN UNION

by Gianni Bonvicini

The Genscher-Colombo plan to relaunch the integration process and quicken the pace toward European Union was conceived at the beginning of 1981 and had unique characteristics with respect to similar initiatives.

First of all, the initiative was taken outside of any institutional framework. In fact, it was announced by the German minister on January 6, 1981 at an FDP Party Congress in Stuttgart (coincidentally, the initiative came to an end more than two years later in the same city).

Secondly, Genscher did not have a precise mandate from his government or from a European institution, as was the case other times (e.g. the Tindemans Report or the Three Wise Men Report). His was the expression of the personal views of a minister who had always looked toward Europe with conviction and interest.

Thirdly, the initiative, to which the Italian Foreign Minister, Emilio Colombo, soon lent his name, was not the only one of its kind. On the contrary, a number of plans to that effect were in the air.

The agreement between Genscher and Colombo matured after the European Commission drew up a report called the "30 May Mandate", indicating accounting and institutional solutions for reform of the Community budget. The origin of the report dates back to the contentious procedure taken by the Thatcher government against the Community budget. But the Commission's response was not limited to financial proposals, it also touched on the field of institutional reform.

Another plan was presented at the beginning of 1981 at the urging of the English foreign minister, Lord Carrington, within the framework of European Political Cooperation. With a very pragmatic approach, Carrington suggested that certain aspects of the EPC be strengthened, in particular, the role of the president and the ability to respond quickly and decisively to international crises (the idea of crisis management).

7/139

Lastly, an important tendency sprang up in the European Parliament at that time and that is, the decision to deal directly with Community reform by draft of a New Treaty. The pressure exerted by Altiero Spinelli and the Crocodile Group finally won out over the caution and skepticism of European parliamentarians.

The reasons for these various attempts to relaunch the process of integration was mainly based on the clear perception of "a state of necessity" to answer internal and external challenges to Europe. The enlargement of the Community to Spain and Portugal (Greece had just entered in January 1981), the need to increase monetary cooperation to match a growing dollar, the struggle against inflation and the diverging economic trends inside the Community, the worsening of European-American relations on the Detente and Middle East problems (just to mention the major ones) were among the many questions the European governments had to face.

Once again the Community found itself in the position of counterbalancing its enlargement with a deepening of its policies and decision-making mechanisms. Not having done so during the first enlargement in 1973, there was a shared feeling of urgency to exploit the last chance left to restore a certain "communitarian" character to the process of integration and a greater efficiency to the decisional apparatus.

The moment was one of great activism in which almost all aspects of European integration were examined, from strictly Community matters to European political cooperation, to more ambitious attempts at a total revision of the terms and manner in which European integration was evolving. As we shall see, this context was to have a profound effect on the outcome of the Genscher-Colombo plan, limiting the scope of its planning and the breadth of indispensable political alliances.

1. A brief history

His January 6, 1981 speech at Stuttgart gave some explanation of the reasons that drove Genscher to undertake such a plan and its basic objectives. But in order to better understand, an interpretation of one of his close collaborators, Von Niels Hansen, in an article which appeared a short time later in Europa Archiv (1), may be useful.

Hansen points out that for a number of years no progress had been made towards integration and underlines how the last important steps taken were the direct elections of the European Parliament, decided upon in 1975 and formation of the European Monetary System (EMS) in 1978. In the meantime, two important plans for reform, the Tindemanns Report in 1976 and that of the Three Wise Men had come to nought. What is more alarming is the fact that both projects were desired and backed by EC government heads and failed nevertheless.

In his speech, Genscher put the emphasis on Europe's pressing political, rather than economic needs. This also, was to have an important effect on the form of the plan. The German minister reasoned in terms of international politics and the deterioration of the climate between the superpowers, even if he was aware of the fact that the EC's internal policies had to be changed to stand up against the impact of enlargement.

Genscher then indicated the fundamental objectives of European Union: development of a common European foreign policy; extension of economic policies provided by the Treaties of Rome and Paris; agreement in security policy, closer cooperation in the cultural sector and legislative harmonization.

Continuing his interpretation of Genscher's speech, Hansen mentions the method to be followed, suggesting the taking up of a number of points from previous plans such as, (and this is rather interesting) the Fouchet plan of 1961² and some of Tindemanns' ideas. He adds that such an initiative would not result in immediate European Union, but rather in an as yet undefined intermediate stage adding another stone to the final construction.

Probably some domestic political reasons convinced Genscher to take the lead of a struggle in favour of Europe, such as the reaffirmation of his leadership over the party and a certain tendency to distinguish himself from Chancellor Schmidt's declining interest in Europe. And, in fact, as the subsequent history of this plan showed, some of the major obstacles to the maintenance of the high profile of the original version were found inside the same German government (hostile, for example, to accepting any further budgetary engagement or economic constraint).

After having announced his proposal, the German minister came to Rome on January 21, where he repeated it, seeking the political support of the Italian government. This was readily assured him by Emilio Colombo in a speech given January 28 at Florence to delegates of the Assembly the Conseil des Communes d'Europe (OCE), in which he expressed his willingness to make this attempt at progressing more rapidly toward European Union. This was the first step in a long story linking the two ministers' names. (2)

2. Italo-German talks and the "Communitarization" of the proposal

Naturally, the Italo-German alliance was not immediate. There were problems of understanding concerning the strategy to be adopted that created difficulties in the work of the group of foreign ministry officials headed by respective political chiefs, Bruno Bottai and Franz Pfeffer.

There were two main problems. The first regarded the final form of the plan. The Germans were in favour of adoption of a juridical instrument (a Treaty) binding all parties to respect of the agreement, while the Italians preferred a more elastic arrangement that would not call for national ratification, jeopardizing the success of the initiative. Successive events swayed opinion toward the latter solution (a Solemn Declaration) (3).

The element of greatest disagreement, however, was the content of the plan. The Italians outlined their position almost immediately, suggesting a considerable increase in the part dedicated to internal Community progress and the development of common policy. The basic idea was that if the Community was not effective internally, it would also be weaker and less credible externally.

This was also the Commission's thesis in its "30 May Mandate" which underlined the dramatic need to thoroughly re-examine and reform common policy in order to avoid annulling the meagre results obtained up to that time. Italian reasoning was flawless, but it touched upon a matter which was unpopular with the German government and for which Genscher had no backing. Increasing the Community budget (because that was the obvious consequence of the Italian proposal) was a subject which was fast becoming taboo in Germany and Chancellor Schmidt had already repeated numerous times that the Germans were tired of being considered the Community net payers. Furthermore, Genscher objected that the English would never agree to a proposal of the kind and that the Germans were not about to deprive themselves of the alliance of Great Britain.

On the other hand, there were two very precise reasons for the thorough examination called for by the Italians. The first was that Italy was not sure of the economic impact enlargement of the Community would have and did not want to lose the relatively advantageous position the Community still offered it. The second was that the Italian government was particularly sensitive to European and federalist movements which were still traditionally linked to the idea of internal Community progress towards a single European currency and new common policies.

The conflict continued until autumn with a succession of proposals and counterproposals from both parts. In two consecutive meetings of ministers, on September 11 and 12, and October 3 in Rome, the problem was momentarily shelved, with priority going to announcement to and acceptance by European partners of the bilateral initiative. The Italians settled for an abridged version of their proposals with the intent to continue talks at a later date.

On November 12, the two ministers sent a copy of the joint plan to their colleagues and to the presidents of the Commission and the European Parliament. The understanding was that both ministers write an accompanying letter, so that divergent motivations and perceptions would come to the fore. In fact, in Colombo's letter, his concern about development of Community economic policy was emphasized with its opening position. (4)

Europe gave the Italian-German plan a lukewarm welcome. The Council of Ministers and European Parliament had no original remarks. The European Council in London on November 26 dedicated very little time to it, inviting foreign ministers to present another report. Denmark objected to the word "appreciation" and proposed the less committing "reception".

3. Examination of the plan and taking of sides by the Ten

On January 4, 1982, the EC Council of Foreign Ministers decided to set up an ad hoc group composed of high foreign ministry officials to start talks about the plan. They ended a year and a half later, in June 1983, with the European Council's Solemn Declaration in Stuttgart.

For the first semester, the group was chaired by the Belgian ambassador Philippe de Schoutheete, since his country was also at the head of the Community at that time. He was succeeded by the Dane Gunnar Riberholdt in the second half of 1982 and the German Pfeffer at the beginning of 1983. Other countries were generally represented by their respective Directors for Political Affairs, aided by lower level stand-ins. Although the method followed - that of forming an ad hoc group composed of diplomats - was not new to the Community, there were two original elements.

The first was that, at the urging of the Italian and German ministers, the European Parliament was kept closely associated. This was done by means of a number of meetings with the Assembly in Strasbourg keeping it informed of all progress. Of course, as a consequence, Parliament pressed for its opinions to be taken into consideration.

The second element was that Genscher and Colombo never relinquished their paternity of the plan to the Community. In other words, they closely followed the evolution of the plan and, by means of a special procedure, were always the ones to explain the progress and difficulties encountered within the various Community institutions. They flanked the president in office at all times and on several occasions, such as reports to the European Parliament, even replaced him.

Nevertheless, the three presidencies of the ad hoc group played different roles in implementing the task given by the Foreign Ministers. The Belgian presidency, for example, took up with a great authority the lead in preparing the first draft of the revised version of the German-Italian proposal, which was already presented on 23 February at a EC Council meeting. On the contrary, the Danish presidency of the second half of the year gave a less enthusiastic contribution to the work of the group, presenting at the Copenhagen European Council of 3-4 December 1982 a brief report on the various points of disagreement among the Ten. The real effort to conclude the Genscher-Colombo initiative was naturally made in the first semester of 1983, when Germany directly took up the lead of the proposal.

In any case, the "entente" between Genscher and Colombo was the decisive element in maintaining a certain interest in the proposal. Therefore, while on the one hand this novel fact (a German-Italian cooperation) helped the initiative to come to a concrete conclusion (and not end up shelved, as had happened so often in the past), on the other hand, it created problems of alliances with other countries.

Why, for example, was there so little enthusiasm for the Italo-German plan on the part of the French? At no stage in talks did the French government display interest in the plan as a whole (except for specific objections to some points). In fact, almost as if to counter it, on October 13, 1981, Paris presented a memorandum on means of dominating the economic crisis and reasserting Europe's political existence, thereby demonstrating its propensity to deal with the European social sphere - Mitterrand's banner of Europeanism - and, more generally, its disapproval of initiatives excluding it in a central role. In other words, initiatives originating outside of the traditional French-German scheme have slight probabilities of success and recent history has borne this out. (5)

Besides France's reluctance during talks, two other countries - Denmark and Greece - turned out to be clearly against all proposals implying greater restraints on their sovereignty and national policies. The English position was less distinct. While in favour of greater cooperation in EPC (as they had set down in the October 1981 London Report) and the inclusion of security problems, they were opposed to traditional reforms of Community institutions.

Britain's main reluctance regarded, naturally, the restoration of majority voting inside the Council in order to solve the negative effects on the decision-making process of the Luxembourg compromise. This attitude (and fear) was reinforced by the decision of the EC Ministers, for the first time after many years, to vote inside the Council on agricultural prices, the 18th May 1982, to overcome British opposition.

The most convinced supporters were Benelux countries and Ireland, but they were not perfectly compact either. In fact, both Ireland and the Netherlands (to a certain extent) were not particularly in favour of an extension of security competences (albeit limited to political and economic aspects) and the prospect of a Defence Ministers' Council.

4. Institutional actors and talks

We have already briefly mentioned the contacts the two ministers had with the European Parliament. It was no easy relationship. Generally, the European Parliament, or some sectors of it, were convinced that the realism contained in the Genscher-Colombo plan would have a double negative effect: on the one hand, it would not help solve the Community's more serious problems and on the other, it would constitute an alibi for governments to neglect the European Parliament's parallel institutional initiative.

Nevertheless, contacts between the two ministers and the Assembly at Strasbourg were frequent. On its announcement there on November 19, 1981, the climate was encouraging and a year later, when the Ad Hoc Group already had done a great deal of job the parliamentary Report of the Belgian Christian Democrat Croux on the work underway (discussed on October 14, 1982), expressed a rather positive judgement on the Genscher-Colombo plan. Emphasis was laid on the need to associate closely with Parliament.

The Danish were the first to oppose this association and they asserted it to the Council of Ministers on November 23, 1982. Colombo suggested then, that the next president, a German, could maintain at least informal contacts. But despite the new president's efforts, conflict broke out with Parliament during the course of 1983. On March 16 of that year, the president of Parliament, Dankert, suggested minor improvements to the plan to ensure it the support of the Strasbourg Assembly. But the second Croux report of April 12, 1983 set the tone of Parliamentary demands: inclusion of the Genscher-Colombo Act in the European Parliament's initiative; implementation of resolutions calling for

parliamentary power of initiative in the legislative sector, Parliament's participation in the stipulation of international treaties and an improvement of orchestration procedures. The conditions were tough, but besides their refusal of the power to ratify international treaties, the two ministers were in agreement with the rest of Parliament's requests. Meetings continued, but in the meantime, the Genscher-Colombo plan underwent a number of (negative) changes during talks with European partners. Just before Stuttgart, Parliament made one last attempt to have its proposals accepted, but by now the course was set and it certainly did not seem to be going the Assembly's way.

Other institutions were involved to a lesser degree. Besides the Council of Ministers which institutionally deals with these matters, other bodies kept a rather low profile. The European Council gave it little consideration; in the December 1982 session in Copenhagen, it merely listed the differences while in Brussels the following March, government heads listened to an informative report. Only at Stuttgart was the time finally ripe for approval.

For its part, the Commission hardly ever dealt with the matter and the Coreper was entrusted with discussion of the strictly institutional aspects.

What was to play an important role in definition of the Genscher-Colombo Act were bilateral and multilateral relations among member states. Besides obvious and continuous contacts between Germany and Italy, the two ministers continued to press their colleagues indirectly through trips to the various capitals, to convince them to keep the initiative alive and not excessively distort its original character.

The decisive element in the termination of the plan was the fortunate coincidence of the German presidency during the final stages. Being directly involved in the entire development of the project, the president was able to take advantage of his semester in office to bring the matter to a concrete conclusion.

5. From the initial plan to the final version

Naturally, in order to judge the validity of the Solemn Declaration of Stuttgart, and more generally, the entire matter, the premises from which the Genscher-Colombo initiative originated must be compared with the final text approved by the EC heads of government. (6)

a) Institutional reform.

The basic principle behind the European Act is similar to that which inspired the Tindemans Report: to bring together the European unification process split into two components, that of the Community and that of political cooperation.

More specifically, the plan proposed:

1. To give the European Council a strategic role and insert it in a permanent and definitive way in the common decision-making structure;
2. To create a single Council of Ministers responsible both for EC and Epc matters;
3. To create new specialized ministerial councils, including ones for culture and defence.
4. Improvement of the decision-making process with a return to a majority vote in the Community and adoption of a more pragmatic procedure, based on a number of readings in the Epc sector;
5. Attribution of a more important role to the European Parliament, giving it extended authority and power of intervention (such as consultation about nomination of the Commission president, confidence concerning his platform, consultation on international agreements, etc.);
6. Strengthening of the role of President and creation of an Epc light secretariat.

Of all these important suggestions, very few survived the year and a half of exhausting talks. Essentially, what were to be innovative institutional mechanisms were turned into verbal expressions of good intent.

As far as the European Council is concerned, the most innovative aspect concerned recognition of the possibility of taking direct decisions and setting guidelines. Substantially, it was to become an organ similar to the Council of Ministers but with a strategic role in setting development guidelines for the integration process. In the Stuttgart Declaration, this innovation was not even taken into consideration. A phrase from the Communiqué of the Paris Summit of 1974 (which established the European Council) was repeated almost literally to the effect that "when the European Council acts in matters within the scope of the European Communities, it does so in its capacity as Council within the meaning of the Treaties" (point 2.1.3.).

Opposition to the idea of making the European decision-making process more unitary through creation of a single Council of Ministers was also complete. The main objection was that a solution of the kind would have implied revision of existing Treaties (7) and would have modified the strictly intergovernmental nature of the Epc. If one takes into consideration the request to return to a majority vote in Council and to give Epc decisions a more binding character,

then the strong opposition to the proposal from the ad hoc group and the Council can be understood. Thus, the Stuttgart Declaration made no mention of a single Council. It did recommend greater respect of Treaties as far as voting procedure was concerned, reaffirming that "the application of the decision-making procedures laid down in the Treaties of Paris and Rome is of vital importance in order to improve the European Communities' capacity to act. Within the Council every possible means of facilitating the decision-making process will be used, including, in cases where unanimity is required, the possibility of abstaining from voting." (point 2.2.2.). Furthermore the idea of creating new specialized councils (especially for Ministers of Defence) totally fell away.

Things were not much rosier for organizational strengthening of the Epc. On the one hand, the need for a more important role of the presidency was reaffirmed (but this problem was already dealt with and partially solved in the 1981 London Report), yet no position was taken concerning creation of a light secretariat.

Equally disappointing was the part of the Stuttgart Declaration dealing with the role of the European Parliament. If one cuts away emphatic statements on the importance of the institution in Strasbourg, hardly anything is left. There was no mention of parliamentary power of investiture of the president of the Commission, nor of extension of the agreement procedure provided for by the 1975 Treaty.

What actually was obtained in the institutional field was more along the line of confirmation and development of current institutional practice than real innovative change of institutional procedures. Not even a total return to respect of the regulations of the Treaty of Rome and the overcoming of various compromises arrived at through the years, starting with that of Luxembourg in 1965 was effectuated. But what is worse is that not even the rationalization of existing structures which was one of the prime objectives of the Genscher-Colombo plan, was achieved.

b) New common policies and foreign policy

We have already mentioned the differences which existed even within the German-Italian duo with regard to common economic policy. Italy's main aim was to reinforce and develop the Community economy. During talks in the ad hoc group, these differences were not ironed out and, to the contrary, the Germans found precious allies in the English. The opposition of these two countries and the substantial indifference of the others reflected on all aspects of the Italian proposal, from definition of a common industrial policy, a considerable increase in proper resources and the establishment of the European Monetary Fund, to reform of the common agricultural policy.

Finding itself up against such compact opposition and to avoid weakening its alliance with its German partner, in the end Italy settled for vague promises in the sector of Mediterranean agricultural policy and generic statements for the rest.

The most innovative elements of the Italo-German plan were the transformation of political cooperation into real common foreign policy and the extension of the sector's authority to security and cultural affairs.

As far as the first problem is concerned, the Italo-German proposals were numerous and articulate and aimed at giving substance to the purely declaratory policy of the Epc, linking preliminary consultations of the Ten more closely to later common action, making reactions more timely, making the so-called *acquis politique* more binding, improving links with the European Parliament, strengthening the presidency, creating a permanent light secretariat and modifying the rules of consensus.

It soon became obvious that the main difficulty lay in including the expression "foreign policy" in the text, which would have underlined the link between the declaratory phase and action. Both France and Denmark felt that the time was not yet ripe for a step of this kind. Objections on other points were no less numerous.

The same occurred for an extension of competence to security and culture. With regard to the former, all hypotheses of common action, coordination of respective national policies and creation of an ad hoc body to deal with them were immediately bombed. At best, Germany and Italy's allies agreed to reaffirm a phrase contained in the 1981 London Report stating that Europeans could discuss some political and economic aspect of security.

6. Conclusions

Conflict arose between Genscher, Colombo and their partners about the clause on revision of the Declaration as well. The two leaders had thought that after a five year period, the Declaration could be turned into a Treaty binding for all. The compromise solution reached at Stuttgart speaks of a re-examination of the text at the latest five years after approval of the Declaration and a consequent decision on whether or not to incorporate progress achieved in a Treaty on European Union, which is tantamount to starting all over again from scratch.

The same wordings of the proposal, first called Treaty, then Act, and finally Solemn Declaration, explain well the downgrading action lead by some governments to empty the political significance and binding character of the proposal. At Stuttgart, the general atmosphere was still very gloomy and the unsolved British contribution to the Community budget continued to play the role of a "Damocle Sword" on the developments of the process of integration. In addition, too many problems and dossiers were on the table of the heads of governments to permit them to devote enough attention to the Genscher-Colombo proposal. It must be remembered here that the paralysis had reached such a great intensity in the Community, that the Stuttgart Council desperately decided on a special procedure to link all topics and problems together in a "package deal" and set up a Special Council (called "Jumbo" Council) for the preparation of the next summit (that of Athens, December 1983, which was another failure).

Thus, Germany and Italy's great effort was cut down to a declaration with little innovative content which, above all, did little to indicate the road to be taken toward attainment of European Union. Genscher and Colombo's plan to "Communitarize" what exists and study the competences of the Union more thoroughly, came out of Stuttgart lacking the concrete means needed to start the process. The Declaration is not a credible instrument of progress toward European Union nor does its wording help to clarify the concept of European Union. It is just another attempt made and will probably be remembered more as an opportunity not seized than for the role it has or will play.

Only to a very limited extent has it, in fact, entered the extended negotiation stated during the second half of 1984, after the Fontainebleau European Council decided on the creation of an Institutional Committee (the Dooge Committee) to reform the Treaty of Rome. Together with the New Treaty of the European Parliament, it has been re-examined and taken into consideration for the few innovative aspects (like the security policy) which it launched in the larger European Debate and which survived in its final version.

NOTES

1. Von Niels Hansen, "Pladoyer fur eine Europäische Union", in Europa Archiv, No. 5 1981, pp. 141-148.

2. A great deal of the information on which this paper is based is drawn from the indispensable source: Ferdinando Lay (ed.), L'iniziativa italo-tedesca per il rilancio dell'Unione europea. Origini e sviluppi della dichiarazione di Stoccarda, Cedam, Padova, 1983. This book represents not only a very rich collection of information, but also a "political" interpretation of the development and results of the bilateral Genscher-Colombo initiative.

3. This interpretation is suggested by F. Lay (ed.), L'iniziativa ..., op. cit., page 14.

4. F. Lay (ed.), L'iniziativa ..., op. cit., page 17.

5. See Gianni Bonvicini, "European Integration and the Future of the Community", in The International Spectator, No. 1 85, page 22 and Wolfgang Wessels, "Alternative Strategies for Institutional Reform", EUI Paper, No. 85 172, Florence 1984.

6. Apart from the above-mentioned book by F. Lay, see "Parliamentary Institutional Resolutions, the Genscher-Colombo Act and the Solemn Declaration of Stuttgart: a Comparison", in Research and Documentation Papers, Political Services, No. 6, 1984, European Parliament and Joseph H.H. Weiler, "The Genscher-Colombo Draft European Treaty. The Politics of Indecision.", in Journal of European Integration, Vol. 6, No 2-3 Winter Spring 1983.

7. See F. Lay, L'iniziativa..., op. cit., page 40.

iai ISTITUTO AFFARI
INTERNAZIONALI - ROMA

n° Inv. 7439

BIBLIOTECA