

NORTH ATLANTIC COUNCIL: NINTH SESSION

CONSEIL DE L'ATLANTIQUE NORD: NEUVIÈME SESSION

ORIGINAL: ENGLISH
20th February, 1952

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DOCUMENT
D-D(52)35(Final)

REPORT BY THE COUNCIL DEPUTIES ON RELATIONS BETWEEN EDC AND NATC

A. Introduction

1. At its Sixth Session in December 1950, the North Atlantic Council (C6-R/1 paragraph 10) approved the recommendations of the Council Deputies and of the Military Committee on the German contribution to the defence of Western Europe which provided (C6-D/1, paragraph 10), with respect to the proposal that there be included within the NATO framework a European Army, that any such institution, if and when created, must:

- (a) strengthen the integrated defence of the North Atlantic area;
- (b) be integrated into the NATO framework;
- (c) promote the closer association of the countries of Western Europe and the more intimate relationship of Western Germany with the Western powers.

2. At its 8th Session, the North Atlantic Council adopted a resolution (C8-D/14) requesting the appropriate North Atlantic Treaty Agencies "to give early attention to the problem of correlating the obligations and relationships of the European Defence Community with those of the North Atlantic Treaty, so that discussions with the Paris Conference on this question may be held and concluded as soon as possible".

3. During their discussions, in which the French Deputy, who is also the Chairman of the Steering Committee of the Paris Conference participated, the Council Deputies agreed that since the North Atlantic Treaty Organization and the European Defence Community have one identical objective, to strengthen the defence of the North Atlantic Treaty area, their mutual obligations and relationships should be based not on the concept of two separate bodies working independently towards the same objective, but rather on the concept of two closely related organizations, one working, so far as this objective is concerned, within the framework of, and reinforcing, the other.

B. Correlation of Obligations

4. Article 8: In this Article of the North Atlantic Treaty, Signatory Governments undertook "not to enter into any international engagement in conflict with this Treaty". In so far as this Article is concerned, the Council Deputies considered that the problem

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was primarily one of ensuring that the obligations contained in the Treaty establishing the European Defence Community were consistent with and did not conflict with those of the North Atlantic Treaty. The applicable obligations under the latter are those contained in Articles 3, 4, 5 and 6.

5. Article 3: This Article sets forth the basic objective which the European Defence Community and the North Atlantic Treaty have in common, and the achievement of which the European Defence Community is designed to assist. It was felt therefore that Article 3 gives rise to no problem and that the obligation of the Parties of the North Atlantic Treaty separately and jointly by the means of continuous self-help and mutual aid, to maintain and develop their individual and collective capacity to resist armed attack would in no way be affected by the establishment of the European Defence Community. The fact that this obligation may be discharged in part through the European Defence Forces would not it is considered be incompatible with the terms of Article 3 of the North Atlantic Treaty.

6. Article 4: It was considered in the light of the information available about the contents of the Treaty establishing the European Defence Community that the obligation under this Article on the Parties namely to "consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened", would not be affected by the establishment of the European Defence Community. No problem was envisaged in the fulfilment of these obligations in this connection, since the European Defence Force will receive its strategic direction and political guidance exclusively from the North Atlantic Treaty Organization. (See paragraph 8 below).

7. Articles 5 and 6: These Articles were considered together since Article 6 merely defines the area and forces upon which an armed attack would bring Article 5 into operation. The problem of correlation of obligations under the European Defence Community with the obligations arising from these Articles is caused by the fact that the European Defence Community and the North Atlantic Treaty do not have the same membership. The Council Deputies recognized that it was essential that all members of the European Defence Community and of the North Atlantic Treaty should be reciprocally bound by the obligations set out in the present Article 5 of the North Atlantic Treaty. The Council Deputies came to the conclusion that the North Atlantic Treaty ought to be adapted to the new situation arising from the establishment of the European Defence Community by a Protocol which could be signed when a Treaty establishing the European Defence Community had itself been signed. This latter Treaty would require to contain suitable articles to correlate the obligations. (See paragraph 10 below).

C. Relationships between the two Organizations

8. The Council Deputies agreed that there must be no possibility of a conflict of authority between the two Organizations. Such conflict would be disastrous in the case of a major emergency or war. In this connection it was noted that the Paris Conference had already agreed that the Treaty establishing the European Defence Community will provide that the command and employment of the forces of the European Defence Community should be entrusted, from their creation, to the Supreme Allied Commander Europe and with regard to naval forces that the use of European Coastal Defence forces will be controlled by

the authorities designated in NATO agreements. Under their terms of reference, the appropriate NATO Commanders receive their strategic direction from the Standing Group of the Military Committee, which in turn receives its political guidance from the Council. It was considered essential that all forces under appropriate NATO Commanders, whether European Defence or other forces, should be subject solely to their command and that they should receive strategic direction and political guidance in the employment of these forces solely from the appropriate North Atlantic Treaty Agencies.

9. The Council Deputies recommend that the following principles should, until otherwise agreed, govern these relationships:

- (a) General: The creation of the European Defence Community will have no effect upon the representation in the North Atlantic Council or its Agencies of those member States of the European Defence Community who are also parties to the North Atlantic Treaty. The relationships between the two Organizations should maintain maximum flexibility and should seek to avoid duplication of responsibilities and functions wherever possible.
- (b) Councils: On questions affecting the common objectives of the two Organizations there would be reciprocal consultation between the North Atlantic Council and the Council of the European Defence Community and, whenever either Council decides that it is desirable, combined meetings of the two Councils. Whenever any of the parties to the North Atlantic Treaty or any of the parties to the Treaty establishing the European Defence Community considers that the territorial integrity, political independence or security of any of them or the continued existence or integrity of the North Atlantic Treaty Organization or the European Defence Community is **threatened**, a combined meeting will be summoned at the request of that party in order to consider the measures necessary to meet the situation.
- (c) Civilian agencies: In order to avoid overlapping responsibilities and the duplication of personnel and work, there should be continuous contact with a view to close coordination on the technical level between members of the staffs of the European Defence Community and of NATO. These relationships should be of a liaison nature and in no sense representational.
- (d) Military agencies: It is understood that as soon as the European Defence Forces have been placed under the command of a NATO Commander, he will have officers of the European Defence Forces as members of his own headquarters and of the appropriate subordinate headquarters. NATO Commanders will ensure such liaison as may be necessary between European Defence Forces under their Command and the other military agencies of NATO.

D. Recommendations

10. The Council Deputies understand that, at its 9th Session, the Council will have before it not only this report, but also a report of the Paris Conference concerning establishment of the European Defence Community, and a report from the Military Committee on the military effectiveness of the proposed arrangements. If, as a result of their examination of these documents, the Council are satisfied that the

establishment of the European Defence Community will meet the conditions set forth in paragraph 1 above, which were laid down by the Council at its 6th Session in Brussels, then the Council Deputies recommend that the Council adopt the draft resolution jointly prepared by the Council Deputies and the Military Committee.

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