CONTINUING MACHINERY FOR THE CONSIDERATION OF THE ROME TREATY

Note by the Chairman of the Committee

1. Paragraph C of the Terms of Reference of the Committee on the Rome Treaty requires it to "make such recommendations as may be appropriate with respect to the continuation of the work of the Committee". The reports of the Sub-Groups will indicate that each of them considers that additional discussion of the matters entrusted to them would be desirable. In these circumstances it is clear that the Committee will have to make recommendations to the CONTRACTING PARTIES for machinery to continue beyond the Session. It would therefore be desirable to have some idea at this stage as to the type of machinery that would be most appropriate and effective.

2. The communiqué issued on 30 October 1957 at the conclusion of the Ministerial meetings emphasises the importance of the examination of the Rome Treaty by the CONTRACTING PARTIES and notes that "in order to further the common objective for the strengthening of trade relations between the European Economic Community, and the parties to the General Agreement, the CONTRACTING PARTIES have confirmed the desirability of establishing effective and continuing cooperation between the CONTRACTING PARTIES and the Community". The machinery and procedures for carrying out this work should therefore reflect its importance. It should also be flexible enough to provide for continuous and effective action. Finally it should be such as to assure every contracting party the right to full participation in the work. I have some doubts as to whether an ad hoc Committee of the CONTRACTING PARTIES would fulfil the first two of these criteria. Accordingly, after consultation with the Chairman and Vice-Chairman of the CONTRACTING PARTIES, the Vice-Chairmen of the Committee, and the Chairman of the Sub-Groups, I would suggest that the Committee recommend that the CONTRACTING PARTIES entrust the continuing work on the Rome Treaty to the Intersessional Committee itself. The following are the principal considerations which motivate this suggestion:

(a) The Intersessional Committee is the most important and permanent body of the CONTRACTING PARTIES when the latter themselves are not in session.
(b) The Committee is a representative body and moreover has the obligation to co-opt any contracting party which is not a member at the request of such a contracting party. There is therefore an absolute guarantee that any contracting party can participate in the work of the Intersessional Committee on the same footing as any of its elected members.

(c) There exist detailed regulations for the convening of the Intersessional Committee and for its proceedings. It is therefore unnecessary to make special arrangements as would be the case with an ad hoc Committee.

(d) The Intersessional Committee in particular has authority to establish working parties or panels, a faculty which will be important in relation to the complicated matters involved in the consideration of the Rome Treaty.

(e) The terms of reference of the Intersessional Committee are appropriate to include this matter, but it would nevertheless be desirable that it be given a specific term of reference on the lines of the terms of reference of this Committee.

(f) It would be desirable for the Intersessional Committee to meet just before or immediately following the conclusion of the Twelfth Session in order to draw up a programme, and if necessary to establish a working party or working parties on particular problems.

(g) In order that the Committee may deal effectively with Rome Treaty questions, it would be desirable for it to separate this work from the ordinary work of the Committee, and to arrange its programme accordingly.