Exploiting the Gaps

The influence of the Common Assembly of the European Coal and Steel

Community on the Treaties of Rome

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Abstract

The historiography of the Treaties of Rome has been dominated by state-centric explanations which view European institutions as instrumental. However, in recent decades, this position has been challenged by new literature re-examining the role of the Common Assembly, suggesting it was more competent to influence the affairs of the European Coal and Steel Community than traditionally assumed. I will build on this research by incorporating it with historical institutionalist analysis. This exposes that in the 1950s, the Assembly's institutional development created gaps in the member state control. The Assembly was then able to exploit these gaps to influence the Treaties of Rome.

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Introduction

The latter half of the 1950s saw the beginning of 'relance', the relaunch of deliberations regarding further integration between European states. They had halted after the plans for European Political Community and European Defence Community fell through in 1953 and 1954, respectively. The renewal came in the form of plans for two new communities, one for atomic energy and other for European common market. Extensive negotiations and multiple conferences ensued between the six Member States of the European Coal and Steel Community (ECSC) to draft the new communities. The period culminated in the signing of the Rome Treaties on 25 March 1957 establishing the European Economic Community and the Euratom. While the Rome Treaties are considered to be one of the most significant steps in European integration process, the negotiations leading up to them have been studied disproportionately from the perspective of nation-states. They are seen both as driving actors and inhibitors of the process as well as the ones affected by the Treaties. However, while the Member States of the ECSC are the main actors in the negotiations, focusing on them has led to others dismissal of other actors' contributions. One of these is the Common Assembly of the ECSC. As a representative body, its most prominent function was to monitor the High Authority, the supranational body of the ECSC.² Recent literature and new archival research have shown that the Common Assembly had more initiative and competences to influence the affairs of the Community than traditionally assumed.³ This extends to the negotiations of the Rome Treaties between 1954 and 1957 where they actively followed their progress and

¹ Wim van Meurs et al., *The Unfinished History of European Integration* (Amsterdam University Press, 2018) 38-43.

² Ibid., 35-37.

³ Franco Piodi, *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome* (Archive and Documentation Centre, 2007); Mechthild Roos, 'Far Beyond the Treaties' Clauses: The European Parliament's Gain in Power, 1952-1979', *Journal of Contemporary European Research* 13, no. 2 (2017): 1055–75.

participated by lobbying for causes such as the extended common market and greater budgetary and legislative powers for the Assembly.

The Common Assembly has been long disregarded in the historiography of European integration. Alan Milward's *The European Rescue of the Nation State* is an example of a state-centric account of the history of European integration in the 1950s. He argues that the driving force of the European integration was the desire for national governments to create socioeconomic security for its citizens to which integration was an answer to.⁴ He challenges previously dominant federalist ideals and the neo-functionalist model created by Erst Haas and Leon Lindberg. As envisioned by some of the first advocates of united Europe, Monnet and Schuman, the goal of integration was seen to be a federalist United States of Europe. To reach it, increased cooperation, and dependence or how it later came to be known, integration between European states was necessary.⁵ According to Haas it would be achieved through neo-functionalism. It emphasizes the central role of the supranational High Authority of the ECSC and spill-over effect by which integration in one sector will influence other sectors and lead to integration in them as well. He does not regard the CA as an important actor but believes that it will develop into a key-institution in the future. This is a result of the national political elites increasingly switching their allegiance to the European level. Haas then, while being less state-centric than Milward, still largely dismisses the agency of the Common Assembly in the 1950s.⁶

In the 2000s the attention has increasingly shifted to the role of non-state actors in the European integration process which include the European institutions. This has also encouraged research into the Common Assembly of the ECSC, often disregarded in favour of

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⁴ Alan Milward, *The European Rescue of the Nation-State*, 2nd ed. (London: Routledge, 2000) 16-17.

⁵ Van Meurs et al. *Unfinished history of European Integration*, 44-45.

⁶ Ernst Haas, *The Uniting of Europe* (Stanford, California: Stanford University Press, 1958).

studying other ECSC institutions or its successor the European Parliament. The European Parliament, through the Archive and Documentation Centre has produced multiple studies into the activities of the CA, including an overview of its positions on the Rome negotiations and a briefing paper on the impact of the Assembly on the negotiations. ⁷ Rittberger in Building Europe's Parliament brings together social sciences and history as he looks into why the CA was created. Basing his answer on democratic theory he concludes that the governments saw it as a way to combat a legitimacy deficit created by transferring part of their sovereignty to a supranational level. 8 Other studies include Krumrey's *The Symbolic* Politics of the European Integration: Staging Europe, which dedicates two chapters to the Assembly. They elaborate on the Assembly's activities and symbolic significance within the ECSC. Krumrey argues that the CA put effort into organizing itself in a parliamentary manner when they were not obligated to do so and thus were able to gain credibility and influence. Similarly Roos has looked into how the members of the CA by their own initiative were able to extend their competences. The founding Treaty of the ECSC only vaguely defined the role and policy area of the Assembly which it leveraged to strengthen its role in relation to the Community's other institutions and as representatives of the Community's citizens. 10 While these studies differ in their approaches, they all seek to challenge the old perspective of the Assembly's insignificance within the ECSC. Rather they acknowledge it as an actor with will and capability to influence affairs within the Community. Recognizing this creates a need to reassess the early history of European integration, especially during key

⁷ Piodi, *Towards Single Parliament*, 2007; Christian Salm, *Impact of the ECSC Common Assembly on the Politics, Negotiation and Content of the Rome Treaties*, European Parliament History Series (European Parliamentary Research Service, 2017).

⁸ Berthold Rittberger, *Building Europe's Parliament: Democratic Representation Beyond the Nation-State* (New York: Oxford University Press, 2005).

⁹ Jacob Krumrey, *The Symbolic Politics of European Integration: Staging Europe* (Palgrave McMillan, 2018) 111-127.

¹⁰ Mechthild Roos, 'Far Beyond the Treaties' Clauses: The European Parliament's Gain in Power, 1952-1979', *Journal of Contemporary European Research* 13, no. 2 (2017): 1055–75 1056-1057.

moments like the negotiations of the Rome Treaties which shaped the future development of the Community. Understanding the role of the Assembly in the negotiations will broaden the knowledge of how the European Union and its institutions as they exist today came to be.

However, while there is a growing body of literature on the Common Assembly, much of it still focuses on describing its structure, party politics, or the creation of it. The influence of the Assembly on specific instances such as the Rome Treaty negotiations is not elaborated on. Many studies mention it briefly, if at all, with the exception of Piodi's 2007 study *Towards Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome.*¹¹ However, while it offers comprehensive archival research into the positions of the Assembly, it is descriptive and lacks connection to the theories of the European Integration. This leaves space to expand on the topic.

The research question I will be investigating is to what extent was the Common Assembly of the ECSC able to influence the negotiations leading to the Rome Treaties which took place between 1954-1957? My aim is to challenge the previously dominant state-centric accounts of creation of the Rome Treaties. Simultaneously I will build on the recent historiography which emphasizes the significance of the Common Assembly within the ECSC. Most importantly, I will expand on Piodi's study by bringing in a historical institutionalism as outlined by Pierson, as my theoretical framework. This allows me to approach the Common Assembly from a perspective it has not been studied from before. Additionally, it incorporates the topic into the broader discussion about what drives the European integration.

Historical institutionalism stresses the role of institutions and the value of wider context to any event. Here I will be discussing the Common Assembly as an institution. That means

¹¹ Franco Piodi, *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome* (Archive and Documentation Centre, 2007).

¹² Paul Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', *Comparative Political Studies* 29, no. 2 (April 1996): 123–63.

considering the values, rules, and norms which constitute its institutional behaviour. The behaviour then dictates its function. Historical institutionalism sees that while Member States play a dominant role in the European integration, there are gaps in their control which offer possibilities for autonomous action by supranational actors such as the Common Assembly. The gaps result from unintended consequences and gradual institutional evolution which increases the autonomy of supranational actors and restricts the states' ability to close the gaps. Pierson positions himself in opposition to the state-centric accounts of European integration and builds on the neo-functionalist theory. He sees spill-over as a significant factor in institutional developments but disagrees with Haas' notion of authority moving from national to supranational level. Instead, he sees that both national and supranational actors play a role in integration, but gradual institutional development will constrain the member state's ability to act as sole drivers of it.¹³ The historical institutionalism therefore offers tools to challenge the state-centric accounts of the Rome negotiations. Further, it will allow me to move from description to explanation. Instead of outlining how the CA influenced the negotiations, I can offer an explanation to why it was successful and even possible in the first place.

To investigate the role of the Common Assembly in the Rome negotiations, I will use a number of documents from the European Parliament historical archives which concern the role of the Assembly. These include reports, resolutions and memorandums addressed to the governments of the ECSC Member States, minutes of meetings of the Working Party of the CA tasked to draft its position on the proposed Treaty, and meetings between the Assemblies of the ECSC, the Council or Europe and Western European Union. These will offer insight into how the Assembly was involved in the Rome negotiations, who they worked with, and its institutional behaviour which dictates its opinions and ways it could influence the

¹³ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 146-148.

negotiations. However, for establishing the influence of the Assembly, these sources, including the ones addressed to national governments, are limited. They only offer the perspective of the Assembly on the matter and not how it was received or the potential consequences of the reports. To establish what influence the Assembly had on the negotiations I will cross reference their proposals with the drafts of the Rome treaties such as the Spaak Report and, as well as secondary literature.

In the first chapter, I will contextualize the Rome negotiations by exploring the structure of the ECSC and the Common Assembly's position within it. This will allow me to illustrate how gaps in the member state control were created in the 1950s and how they benefited the Assembly. Assessing the competences of the Assembly and limitations to its powers allows me to establish the ways it was possible for it to be part of the Rome negotiations. The second part will focus on the negotiations themselves and answer how the Assembly was able to leverage its role as the parliamentary element of the ECSC and exploit the gaps to influence the essentially intergovernmental negotiations of the Rome Treaties.

1. The position of the Common Assembly within the ECSC

The studies elaborating on the Common Assembly's role in the negotiations leading to the Rome Treaties emphasize its role as the parliamentary element of the ECSC. Piodi and Krumley both emphasize how the Assembly had a strong self-image as the representatives of the people of the Community, which it was able to leverage in order to influence the Treaties leading to the Rome Treaties. ¹⁴ I however see that this symbolic power alone is not a strong enough explanation for the Assembly's influence. Instead, it was a product of institutional development that occurred in the first half of the 1950s, which increased the authority of the Assembly and constrained the Member States ability to act as sole drivers of the European Integration. ¹⁵ Therefore, to understand the influence of the Common Assembly on the Rome Treaty negotiations, it is necessary to first establish the emergence of the gaps in control of the ECSC member states in the 1950s. Identifying the gaps also sets the stage for the scope and type of action the Assembly could engage in during the negotiations.

The establishment of the ECSC

The Second World War altered the political atmosphere of Europe and inspired increased economic cooperation between the Western European states. The United States emerged as a leading economic power which was felt in Europe with the division into Western and Eastern spheres of influence and the US funded Marshall aid, officially the European Recovery Program. The question of the future of Germany was also significant. Initially it was solved by dividing it into four occupation zones but by the end of the 1940s it was seen that it should be incorporated into the European system. This aimed to prevent conflicts between France

¹⁴ Krumley, Symbolic Politics of European Integration, 148-150; Piodi, Towards Single Parliament, 41-42.

¹⁵ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 131-132.

and Germany, ensure democracy in Federal Germany and secure the country to the Western side and strengthen German economy. Against this background, 18 April 1951, France, Italy, Belgium, the Netherlands, Luxembourg, and the Federal Republic (West Germany) signed the Treaty of Paris establishing the European Coal and Steel Community.

The Treaty came into effect on 26 July of the following year. Its aim was to ensure a permanent supply of coal and steel needed to rebuild Europe after the Second World War and contribute to peace between the six Member States. The ECSC was directed by the High Authority. Its members acted in the interests of the Community rather than their Member States. It was supranational in areas outlined in the Treaty; its most important task being supervising the execution of the Treaty. It was balanced by the Council of Ministers composed of representatives of the Member States, one per member. It aimed to represent the general interests in relation to coal and steel as well as the interests of the Members. Its approval was needed for any important decisions. The ECSC also included a Consultative Committee made of employers, employees', and businesspeople, appointed by the Council, and a Court of Justice. Last, there was the representative body, the Common Assembly of the ECSC. 18 These institutions are central to the working of the ECSC, but their function has been subject to a debate. Moravcsik, representing the intergovernmentalist view of European integration sees creation of supranational institutions as a product of cost benefit calculation and "acceptable to national governments only insofar as it strengthens, rather than weakens, their control over domestic affairs." ¹⁹ The European Institutions are therefore seen as instruments, created by states to improve the effectiveness of working collectively and to

¹⁶ Wim van Meurs et al., *The Unfinished History of European Integration*, 28-31.

¹⁷ "Treaty Constituting the European Coal and Steel Community." *The American Journal of International Law* 46, no. 4 (1952): 107-48. Accessed June 18, 2021. doi:10.2307/2213971.

¹⁸ Ibid., 35-37.

¹⁹ Andrew Moravcsik, 'Preferences and Power in the European Community: A Liberal Intergovernmentalist Approach', *Journal of Common Market Studies* 31, no. 4 (December 1993): 507.

ensure that the states benefit from this exchange.²⁰ However, while this might be the intention of the states when drafting the institutions, it is challenged by the fact that there are often diverges between the institutional and policy preferences of the states and the European institutions, or what Pierson calls "gaps" in the member state control.²¹ Their existence implies autonomy of institutions, which I argue is a result of institutional development.

The Common Assembly

During the negotiation process for the ECSC, the states involved were concerned about the supranationality of the High Authority. The consensus was that it needed to be controlled. However, there were differing views on how and to whom it should be accountable for. Germany wished for the ECSC to have a federal state structure with a parliament endowed with legislative and budgetary powers along with the control of the Authority. France also believed the need for parliamentary accountability but preferred largely unconstrained High Authority with a weaker Assembly. The Benelux countries were also against strong parliament and while they accepted its necessity, they were against it holding any legislative or budgetary powers. They saw that their preferences would be better represented in intergovernmental negotiations and the existence of a strong parliament would give too much power to the supranational elements. ²² The states therefore intended for the Assembly to be a tool to control the High Authority with, that simultaneously would not have power to threaten their sovereignty or have a say in the development of the Community.

As a result of this, the Common Assembly was loosely outlined in the Paris Treaties and given only few responsibilities. The Treaty determined that the Assembly would act as the

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²⁰ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 129.

²¹ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 131-132.

²² Rittberger, Building Europe's Parliament: Democratic Representation Beyond the Nation-State, 98-107.

representatives of the people of the Members of the Community.²³ It was to have 78 delegates and the number of each state's representation was determined by its size. It was up to the Member States to decide how they chose their delegates.²⁴ The most prominent power assigned to the Assembly was the ability to dismiss the High Authority. It was to meet once a year to discuss the annual report of the High Authority, which included the option to put forward a motion for censure.²⁵ Other tasks bestowed by the Treaty included the ability to ask questions from the High Authority which was obligated to answer either orally or in writing, and the ability for the Assembly to fix its own rules of procedure.²⁶ The latter would be important for the future development Assembly as it gave a lot of agency for its members to shape its form.

It is also important to recognize the limitations to the Assembly's responsibilities that are not explicit but still identifiable from the Treaty. First of all, it had no budgetary or legislative powers traditionally associated with parliamentary bodies. Second, the Common Assembly, while holding a significant role in supervising the High Authority, has no control of the Council of Ministers.²⁷ It is these limitations that make the Common Assembly distinctly different from many national and international parliamentary bodies, and why its role within the ECSC was long dismissed in research. Indeed, a look at the Treaty of Paris, does not give any indication that the Assembly could have a role in future intergovernmental negotiations such as those proceeding the Treaties of Rome. Hence, to understand how the Assembly was involved, it is necessary to look for answers outside the Treaty. As Pierson notes, the European treaties establish the basic features of institutional design and day-to-day proceedings of the Community. Therefore, they do offer a valuable baseline for

²³ "Treaty Constituting the European Coal and Steel Community", Article 20.

²⁴ "Treaty Constituting the European Coal and Steel Community", Article 21.

²⁵ Ibid., Article 24.

²⁶ Ibid., Article 23; Article 25.

²⁷ Ibid.

understanding institutions such as the Common Assembly. However, focusing overwhelmingly on these intergovernmental agreements neglects the political developments between the bargaining periods for the Treaties.²⁸ I therefore contend that the involvement of the Common Assembly in the negotiation for the Rome Treaties can be understood by considering the institutional development of the Common Assembly that took place in the early 1950s.

The Institutional Development of the Common Assembly

Historical institutionalism emphasizes the significance of historical processes in which institutions and their behaviour evolves, leading to gaps in member state control. This perspective challenges the idea that institutions will through their existence correspond with the vision of its original creator who in the case of European communities are the states. Pierson identifies four factors which contribute to the institutional development: the partial autonomy of European institutions, restricted time horizons for decision makers, potential for unintended consequences and changes in the preferences of member states.²⁹ Taking these into consideration, I will illustrate how by 1955, when the negotiations for new European Communities kicked off, the position of the Assembly had shifted from what had been laid out in Paris.

First, to understand the direction of the Assembly's development, it is necessary to understand who belonged to it. The Treaty of Paris gave two options for the Member States on how to choose their representatives. Direct elections or annual designation by national parliaments. All the states chose the latter, but their procedures varied. The Netherlands, Belgium, and Italy chose delegations from both houses of their parliaments, but Germany and

 $^{^{28}}$ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 130.

²⁹ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 132-133.

France had unequal representations between their houses. Further, the Netherlands, Luxembourg, Germany, and Belgium tended to send the same delegations each year, whereas the Italian and French delegations changed more often.³⁰ What was common between the different delegations was a federalist attitude towards the European project. The national parliaments tended to send the members already part of the Council of Europe's Consultative Assembly, to the ECSC Assembly. This meant that the selection procedure favoured pro-European delegates. It also prevented Eurosceptic groups such as French and Italian Communists and various neofascist groups from becoming members of the CA. The Assembly therefore was unified in its belief in supranationalism and further European integration.³¹ This led to a majority of the Assembly's resolution decided by unanimity in the 1950s. It was felt that due to their weak Treaty-based position, presenting a united front would increase the chances of the Council and the High Authority listening to them. Also, since the Assembly at the time was not consulted on many issues, its resolutions were based on the members' own initiatives. This also made it easier to reach a united stance.³² When creating institutions, in order to make them functional and efficient, it is necessary for the states to endow them with authority. However, this gives them resources to become more than passive tools for the member states. The European Institutions generally seek to use their authority to increase their autonomy.³³ The Assembly's right to set its own Rules of

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Procedure is an example of this. Since most members of the Assembly also belonged to

national parliaments, they were well versed in parliamentary tradition. Accordingly, they

established seven committees, each with their own specific political responsibility. Further in

decided to structure the Common Assembly like a real parliament. In January 1953, it

³⁰ Haas, *Uniting of Europe*, 405-407.

³¹ Krumrey, Symbolic Politics of European Integration, 115-116.

³² Roos, 'Far Beyond the Treaties' Clauses', 1061-1062.

³³ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 132.

June 1953 they adopted the resolution establishing three party groups: Christian Democrats, Socialists, and Liberals and Allies. It is notable to recognize that in these early years of the party group's existence, their positions were not so much divided on left-right scale, rather their attitude towards European integration. After their establishment, the party-group membership gradually became more important than the delegates' nationality. Many procedural decisions, such as the attribution of rapporteurship, the composition of committees, and the elections of the CA presidents and vice-presidents came to be dependent on their party. The Assembly therefore functioned like a parliament but did not possess the status or traditional powers of one.³⁴ The Assembly therefore lacked the traditional powers associated with parliaments, but by structuring itself in parliamentary manner, it was able to foster an image of itself as the representatives of the European people. This gave it certain symbolic power and leverage where it lacked in actual powers.³⁵

The Assembly's internal organization also allowed it to expand its assertiveness and involvement in a broad range of issues concerning the ECSC. The plenary sessions were prepped within the Committees and the party groups choreographed their statements. This led to more efficient and shorter debates, allowing the Assembly to engage with more topics. ³⁶ Additionally, already in 1953, the Assembly held a plenary meeting three to four times a year instead of once like it was required, and in between these the members met in their committees and party groups. ³⁷ In their debates, the Assembly tended to link the technical subject matters like tariffs and production capacities to the need for enhancing and increasing European cooperation. ³⁸ The Common Assembly, through its internal organization, therefore managed to emerge as an institution with strong shared values and stance on integration

³⁴ Roos, 'Far Beyond the Treaties' Clauses', 1060-1061.

³⁵ Krumley, *The Symbolic Politics of European Integration*, 148-150.

³⁶ Krumley, Symbolic Politics of European Integration, 124.

³⁷ Roos, 'Far Beyond the Treaties' Clauses', 1061.

³⁸ Krumley, Symbolic Politics of European Integration, 124.

which guided its position on European affairs. It also embedded itself with rules and procedures that allowed it to exhibit a role greater than envisioned by the states that created it.

In the light of the Assembly's development, it is hard to see it as the instrumental institution envisaged by the ECSC member states, illustrating an emergence of a gap; the functioning of the Assembly no longer reflected the preferences of the states. As per the symbolic power of the Assembly, the efforts to organize itself in a parliamentary matter indeed reflect an attempt to employ it. However, as I have argued here through historical institutionalism, as the Assembly enhances its authority by presenting itself as the representation of the people of the Community, it simultaneously constrains the state's ability to exert total control over it.

2. The drafting of the Treaties of Rome

The emergence of constraints in member state control has implications on the European integration as a whole. They create room for actors beyond the states to influence the future direction of development. One of the central aspects of European Communities are the Treaties. They are not merely summaries of the agreements reached collectively but also act as a framework for any future activities. The treaties are often viewed as intergovernmental bargains, but as I have argued, during its first years of existence, the Common Assembly developed into an institution with will and capability to shape the affairs of the Community. In this chapter, I will illustrate how the Assembly exploited its new position and the gaps in member state control to influence the negotiations for the new European Communities and at the same time helped to shape the future of Europe.

The beginning

Relance, the relaunch of the deliberations concerning the European integration in the 1950s is often defined through the actions of national actors. It commonly refers to two plans for new European Communities which were presented in 1955. First the plans for a community for atomic energy by former president of the ECSC High Authority Jean Monnet and Belgian minister of Foreign Affairs, Paul-Henri Spaak. Second, the proposal by Dutch minister Beyen for European market which would begin with a customs union. However, this perspective neglects the fact that the Common Assembly had begun to advocate for re-initiation of the European project already before these plans existed.

On 31 August 1954, the French Parliament rejected the European Defence Community (EDC) Treaty which was seen as a blow to further European integration. In the next session

³⁹ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 126.

⁴⁰ Wim van Meurs et al., *The Unfinished History of European Integration*, 202.

⁴¹ Wim van Meurs et al., *The Unfinished History of European Integration*, 40-41.

of the Common Assembly, the failure dominated the discussions even when they did not directly relate to the matter. Instead of being discouraged by the turn of events, the Assembly displayed commitment to European integration. Many members of the Assembly called for improving the internal procedures and even extending the ECSC's competences to new sectors such as energy.⁴² This stance is not surprising considering the members of the Assembly were notoriously in favour of further integration, but it does show how the changes in state preferences also creates diverges between the interests of institutions and the states.⁴³ When states supported the integration process, the Assembly was seen as a beneficial tool in the efforts.⁴⁴ Now when the attitude of national actors was less favourable, tensions between the ministers and the Assembly grew.⁴⁵

The Assembly took this gap as an opportunity to establish themselves as the advocates for united Europe and to call for changes to internal workings of the ECSC. These sentiments culminated in the report on *the Powers of Scrutiny of the Common Assembly and Their Use*, known as the Teitgen Report after its rapporteur, Pierre-Henri Teitgen. It discussed the strengthening of the Assembly's powers and improvements to the working methods within the ECSC. The most drastic points of the report suggest that the Council should answer to the Assembly. For example, it proposes that the Assembly should be able to call on them to answer questions and to inform the Assembly on Council policy. Additionally, it suggests an establishment of a Working Party to work towards establishing ways to enhance the Assembly's position by expanding its powers or scrutiny and elections by universal suffrage. The Teitgen Report represents an important moment in European parliamentary history. It was the first call for a democratically representative body to play a role in the

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⁴² Piodi, *Towards Single Parliament*, 14-15.

⁴³ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 139-140.

⁴⁴ Krumley, Symbolic Politics of European Integration, 119.

⁴⁵ Krumley, 134-135.

⁴⁶ Teitgen Report, 1954.

integration process.⁴⁷ In regard to the relance, the Teitgen Report reveals that the first initiative for further integration after the rejection of the EDC came from the Common Assembly.

The Assembly also made sure the states heard their calls. Early 1955, the president of the Common Assembly at the time, Giuseppe Pella travelled to all the capitals of the ECSC Member States to promote the new initiative for the European integration. ⁴⁸ They also established the Working Party that had been proposed in the Teitgen Report to study the progress on the subject. It had 28 members appointed by the Assembly from its own ranks, representing all member states and parties of the Assembly. It was appointed on 13 May 1955 and it held its first meeting the following day. It focused on two topics, extension of the powers of the ECSC and the establishment of a broader single market beyond the coal and steel sector. ⁴⁹ It was to not only study the possibilities for these developments but to monitor any discussions pertaining to these topics outside of the Assembly. With these responsibilities, it became the primary body through which the Assembly engaged with the negotiations. ⁵⁰

Formally, the relaunch of the efforts to create further unity in Europe took place in June 1955 when the ministries of Foreign Affairs of the ECSC Member States came together in the Conference of Messina. The aim was to discuss the plans for expanding European cooperation.⁵¹ The Conference was a success and in the end the ministers agreed "to go a step

⁴⁷ The Committees of the Common Assembly, 82.

⁴⁸ Salm, Impact of the ECSC Common Assembly on the politics, negotiation, and content of the Rome Treaties, 3-4.

⁴⁹ Piodi, *Towards Single Parliament*, 18-19.

⁵⁰ Piodi, Franco. *The Committees of the Common Assembly*, (Archive and Documentation Centre, 2008), 82.

⁵¹Wim van Meurs et al., *The Unfinished History of European Integration*, 41-42.

further towards the construction of Europe."⁵² This was to take place in the economic field with the establishment of the common market. The ministers also outlined the general objectives for the task as well as how to proceed towards them. The treaties are to be drafted in intergovernmental conferences, prepared by an intergovernmental Committee assisted by experts. There is also a mention that the High Authority of the ECSC, the Secretariats-General of the Organization for European Economic Co-operation, the Council of Europe and the European Conference of Ministers of Transport could call for cooperation by the Committee.⁵³ The Common Assembly of the ECSC was therefore excluded as a potential partner for the Committee by the representatives of the Member States, indicating that despite its self-image as an advocate for integration, the ministers did not share its vision.

Indeed, the Common Assembly, while applauding the relaunch of the integration at the national level, was also disappointed with how the national governments approached it. Prior to Messina, the Assembly called on the attending Ministers to ask the Community's institutions to draw up proposals for the extension of the ECSC, and further intergovernmental conferences to draft treaties to advance the European integration process. After the Conference they noted that their proposals had been considered but not fully answered. There was also dissatisfaction with the fact that the Conference had only seen a limited role for the Assembly in the European integration process, and it had failed to consider the special position of the ECSC in comparison to other European institutions.⁵⁴

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⁵² Archives historiques du Conseil de l'Union européenne, Bruxelles, Rue de la Loi 175. Négociations des traités instituant la CEE et la CEEA (1955-1957), CM3. Réunion des ministres des affaires étrangères, Messine, 01-03.06.1955, CM3/NEGO/006

⁵³ Archives historiques du Conseil de l'Union européenne, Bruxelles, Rue de la Loi 175. Négociations des traités instituant la CEE et la CEEA (1955-1957), CM3. Réunion des ministres des affaires étrangères, Messine, 01-03.06.1955, CM3/NEGO/006.

⁵⁴ Piodi, *Towards Single Parliament*, 21-23.

It is therefore clear that in the beginning of the negotiations, the Assembly was not recognized for its commitment to further European integration. While it had been the Assembly who brought European integration back to the Community's agenda initially, once formal intergovernmental discussion began, it was side-lined. At the same time, the Assembly had established the Working Party as an instrument for their further involvement and strongly supported the initiatives of the states to pursue new Communities, ensuring the project had the backing of the representative body of the ECSC.

Intergovernmental Committee and the Common Assembly

Belgian Foreign Minister Paul-Henri Spaak was selected as the chairman of the Intergovernmental Committee created by the Messina Conference. It held its constituent meeting on 9 July 1955 in Brussels, Belgium and consisted of delegates from all six ECSC Member States. It was tasked with drafting a report outlining what would become the European Economic Community and the European Atomic Energy Community. ⁵⁵ On 21 April 1956, they published the Brussels Report on the General Common Market, unofficially referred to as the Spaak Report. It was to act as a basis of the treaty-drafting convention to be held in Brussels 26 June 1956. Much like the Resolution adopted in Messina, the Spaak Report also neglected to address the matter of the future of the ECSC institutions. Rather, it presented an outline for two new European communities and a road map to how they could be constructed. ⁵⁶

The appointment of Spaak as the chairman of the Intergovernmental Committee was beneficial for the Common Assembly's involvement in the negotiations. The Belgian minister had been the first President of the Common Assembly and hence was not only familiar with

⁵⁵ Wim van Meurs et al., *The Unfinished History of European Integration*, 41-42.

⁵⁶ "Report of the Heads of Delegation to the Foreign Ministers" (Brussels, 21 April 1956) https://www.cvce.eu/en/obj/report of the heads of delegation to the foreign ministers brussels 21 april 1956-en-52a08e74-02f5-4912-a667-2ea34b9dcdea.html.

but also fond of its work. Prior to the ECSC Assembly, Spaak had been the president of the Council of Europe's Assembly from which he resigned during its second session. In his resignation speech he scolded the Assembly for its lack of commitment to the idea of united Europe, noting that only 60 of its 200 members stood behind the idea. The Common Assembly of the ECSC, which almost unanimously supported further European integration, was more closely aligned with Spaak's federalist ambitions.⁵⁷ Spaak therefore did not agree with the ministers of the Member States that had deemed the Common Assembly insignificant. For example, in March of 1956 he reported directly to the Assembly and praised their contribution to the European project. He asserted that it was the Assembly's right to hear about the progress of the Intergovernmental Committee and brought up the Teitgen Report of 1954. He credits the Assembly for being the true sponsors of the revival of the integration process.⁵⁸ During the drafting of the Treaties of Rome, Spaak took upon himself to personally keep the Working Party informed on the proceeding of the negotiations. He attended two Working Party meetings on 19 December 1955 and 8 December 1956.⁵⁹ Beyond chairing the Committee, Spaak also chaired the Intergovernmental Conferences in which the Treaties were drafted.⁶⁰ He is therefore an important character in understanding the Assembly's influence in the Rome negotiations. As a chair, Spaak had considerable influence over the intergovernmental negotiation process. He shared the Common Assembly's vision for further integration and recognized it as an important institution of the ECSC. Hence, he was able to act as a link between the Assembly and the negotiations process, especially the Intergovernmental Committee. This meant that he not only informed the Assembly of the proceeding of the negotiations but was able to bring their vision to the intergovernmental

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⁵⁷ Krumley, *Symbolic Politics of European Integration*, 115.

⁵⁸ Ibid., 135-136.

⁵⁹ Piodi, *Towards Single Parliament*, 21-23.

⁶⁰ Ibid., 21-23.

talks from which the ministers had previously excluded them from. The cooperation between the Assembly and the Committee is also significant as the first instance of an intergovernmental body working together with a representative body to revise and consolidate texts relating to the European integration process.⁶¹

Even though Spaak helped to bring the Assembly closer to the intergovernmental negotiations, they were still not directly involved. For most of the negotiation process the Assembly focused on advocating for the need of the new Treaties and shadowed the work of the Intergovernmental Committee by analysing their progress and suggestions. ⁶² The general principles of its position on the matter also stayed rather constant. For example, the Assembly's resolution from March 1956 refers back to the Teitgen Report and the resolution adopted before the Messina Conference, as the basis for their call on the member states to conclude a Treaty establishing a common market. Hence, it more as a reaffirmation of the Assembly's stance. ⁶³

It is in the later stages of the negotiations when the drafting of the Treaties has moved beyond setting the basic principles of cooperation, when the Assembly is able to engage with specific policy questions and have a concrete impact beyond expressing their support for the Treaties. On 8 December, Spaak announced to the Working Party that the negotiations had reached a crucial stage. The states largely agreed on the general principles of the new Communities, but no formal decisions were made, and some major difficulties persisted, namely France's demands for special position within the common market and Germany's proposal regarding the supply of fissile materials. Harmonizing social security contributions, the overseas

⁶¹ Ibid., 23.

Salm, Impact of the ECSC Common Assembly on the politics, negotiation and content of the Rome Treaties, 4.
 Common Assembly. "Motion for a Resolution addressed to the governments of the ECSC Member States of

the ECSC (29, March 1956), in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 167-168.

territories of the European states and relations with the United Kingdom were also divisive topics. Despite these challenges, Spaak said that he expected the treaties to be ready for signing by the end of January 1957.⁶⁴ Following this, the Working Group used Spaak to channel a memorandum to the ministers of the Member States. Framed as the wishes of the Assembly it can be seen as the last-minute effort by the Assembly to influence the ministers. They for example defend the importance of supranational institutions and suggest that the Community should help its members to adjust to the change brought by the common market through investment funds.⁶⁵

It is hard to definitely prove that the reports and memorandums created by the Assembly had a significant impact on the Treaties of Rome. If anything, its ability to actively engage with and follow the negotiations alongside the other obligations of the Assembly is a testament to the effectiveness of its internal organization. The link provided by Spaak was fundamental in giving the Assembly insight into the negotiation process in which it otherwise did not hold a formal role. Indeed, it is important to note that the Assembly had its own wishes for the new Communities, they acknowledged that drafting Treaties was an intergovernmental process. While the memorandum delivered through Spaak was aimed to influence the ministers it also notes: "it is to these [remarks] especially that the Working Party wants to draw the Ministers' attention before the final decisions are taken at government level."

⁶⁴ Common Assembly, Working Party. "Minutes of the meeting of Saturday, 8 December 1956" (extract: Exchange of views on the current progress of the proceedings of the Intergovernmental Conference on the Common Market and Euratom) in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 171-186.

⁶⁵ Common Assembly, Working Party. "Memorandum on the European Relaunch", (January 7, 1957), in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 197-200.

⁶⁶ Common Assembly, Working Party, "Memorandum on the European Relaunch."

The institutional questions

The Common Assembly's most prominent and clear contribution to the Treaties of Rome concerns the institutional structure of the new Communities, namely its assembly. As the Teitgen Report illustrates, for the Common Assembly the questions about its future were intertwined with the discussions about further integration since the beginning. Going even further back, the Assembly was working to enhance its powers since its establishment, as I argued in the first chapter.

The articles concerning the institutions of the new European Communities were among the last to be drafted. The experts and delegation heads saw that it would be better to start by agreeing on the substance of the Communities before moving to its institutions. Additionally, the options for available institutions were not explored until the late stages of the negotiations.⁶⁷ Where for the Assembly institutional questions had been one of its first concerns, this clearly was not the case for the states on the negotiation table. Again, the interests of the Assembly and states diverged.

When the negotiators finally addressed the matter of institutions, the solution they presented did not satisfy the Common Assembly. The Intergovernmental Conference of the Foreign Ministers had decided to establish a fourth Assembly, a decision which faced opposition from parliamentary circles and public opinion. Indeed, both the Council of Europe Consultative Assembly and WEU Assembly had rejected the proposal. Further, the president of the Consultative Assembly had invited the three assemblies to work together to present

⁶⁷ Common Assembly, Working Party; Subcommittee on Institutional Affairs. "Notes on the drafting of the institutional clauses of the Euratom and Common Market Treaties", (December 10, 1956), in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 189-190.

"proposals bearing the authority of the three European Assemblies to put to the Ministers." The future Assembly would influence all of the existing Assemblies; hence it was in all of their interest to pool their authority in an attempt to influence the Treaties.

Before the joint meeting of the Assemblies, the Common Assembly met to establish its position on the matter. Furler, the president of the Assembly, proposed that instead of a new Assembly, the competences of the Common Assembly should be extended to cover the parliamentary scrutiny of the Common Market and Euratom. However, this would likely be objected by Ministers and hence it would be more desirable to set up a new Parliamentary Assembly which would have competences over both the General Common Market and the Coal and Steel Community. Together with this, the Common Assembly would retire in favour of the new one which would absorb its competences as laid out in the ECSC Treaty.⁶⁹ Later in the same day, he presented this plan to the Bureaux of the three Assemblies. Mr Pezet representing the WEU Assembly supported the need for the single Assembly enthusiastically, adding that everything possible should be done to achieve it. Mr Dehousse representing the Council of Europe Consultative Assembly did not express his direct opinion on the matter, rather he suggested that the Recommendation to the ministers should not be too detailed or in depth. In the end, the final Recommendation of the Assemblies was close to the vision of the Common Assembly. It rejected the idea of a fourth European Assembly in favour of enlarging the Common Assembly. If this would face "insurmountable objections", a new Assembly could be created with arrangements that merge the ECSC Assembly with it.

⁶⁸ Common Assembly, Bureau. "Minutes of the meeting of Saturday, 2 February 1957", in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 203-207.

⁶⁹ Common Assembly, Bureau, "Minutes of the meeting of Saturday, 2 February 1957."

The end goal of both plans is ensuring a single Assembly which would simplify the parliamentary structure of the Communities. ⁷⁰

This time the Assembly did not have to utilize Spaak to be heard by the intergovernmental conference. 4 February, a delegation from the three Assemblies presented their vision to the six ministers meeting at Val Duchesse. Unknown to the Assemblies, before their hearing, the Ministers had already agreed that it would be undesirable to create a new assembly coexisting along the already existing ones, meaning the Ministers already agreed with the general principle presented by the delegation. Further, the Ministers from the Federal Republic of Germany, the Netherlands and Luxembourg all expressed their direct approval of the delegation recommendation. In the end, the Assemblies were asked to form a more detailed proposal regarding the general principles for the new Assembly. In the final Memorandum by the Assemblies, they asserted that "provision should be made at a later stage for the new Assembly to be incorporated into a single European Assembly." The Assembly would be shared with the ECSC, the common market and Euratom. The present members of the Common Assembly would also form the new Assembly in its first year to ensure the continuity of the institutions.

In the end, the institutional demands on the Assembly were largely met. It had lobbied for the follower of the High Authority to be given a more prominent role as an executive as had been envisioned in Messina. This came true. In regard to the Assembly, the Treaties of Rome

⁷⁰ "Minutes of the joint meeting of the Bureaux of the ECSC Common Assembly, the Council of Europe Consultative Assembly and the Western European Union Assembly 2 February 1957" in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 211-216.

⁷¹ "Minutes of the hearing accorded to the delegation from the Bureaux of the three European Assemblies by the six Ministers meeting in Conference at Val Duchesse, Brussels", (February 4, 1957), *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 219-223.

⁷² "Minutes of the meeting of the delegation from the Bureaux of the three European Assemblies", (Brussels, February 4, 1957), in *Towards a Single Parliament: The Influence of the ECSC Common Assembly on the Treaties of Rome*. Ed. Franco Piodi, (Archive and Documentation Centre, 2007), 227-231.

followed the plan devised by Furler. The Common Assembly was dissolved in favour of the new Assembly which absorbed its powers. The powers assigned to the new Assembly did not quite meet the demands set on the Teitgen report. The Assembly's position remained similar to what it had been in the ECSC, but this was again better than what had been outlined in Messina Conference. Last, the most significant achievement of the Common Assembly, the single parliament for all three European Communities, a product of the lobbying efforts of the three European Assemblies. It was not something that had been proposed by the states themselves.⁷³

Closing the gaps

The institutional questions also illustrate the second part of the historical institutionalist argument; not only do gaps inevitably emerge and constrain the Member State control but they are also hard to close. Pierson identifies three general reasons for this. One of them, the sunk costs and rising price of leaving, is more prominent in the later stages of European integration than in the 1950s when the integration through organizations had just begun. Essentially it means that policy reversal becomes unattractive as time passes and the states invest into and become more entangled with the institutional arrangements which lock it into a self-reinforcing path of further integration. Considering that only few years prior, the French parliament had opted out of the EDC, and with-it further integration, without causing devastating costs for France, this reason does not seem particularly strong in this case.

The supranational actors also tend to resist the member states attempts to control their activities. Through their existence, the European institutions have gathered political resources which they can deploy against the Member States.⁷⁵ With the Common Assembly, these

⁷⁴ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 144-146.

⁷³ Piodi, *Towards Single Parliament*, 42.

⁷⁵ Pierson, 'The Path to European Integration: A Historical Institutionalist Analysis', 141-142.

include its ability to set the Community's agenda like seen with the Teitgen Report, as well as its symbolic power as the representation of the people of the Community. ⁷⁶ However, while notable, these do not remove the fact that the legal authority to determine and alter the structure and functioning of the Community is within the states. This brings the second challenge to gaps; institutional barriers to reform. In theory, the states hold the power to alter any aspect of the European Communities through Treaty revision. In reality, achieving this is unpredictable and difficult. It for example requires agreement between states with different preferences, and often also ratification in national parliaments. Hence consensus to make radical changes is hard to achieve. ⁷⁷ The issue of balance between supranational institutions and the Council of Ministers, was indeed divisive. Germany is in favour of the Commission acting as the executive of the Treaty that could initiate proposals. The Council could then approve them by qualified majority vote, eliminating the possibility of national veto on some policies. France on the other hand was against a greater degree of supranationalism than enjoyed by the ECSC institutions. It also demanded that the implementation of the customs union required a unanimous decision by the Council. 78 Within this conflict of interests, the states were forced to meet in the middle, which resulted in the institutional structure with mild improvements from Messina, but not on the level wished by the Assembly nor with the restrictions advocated by France.

⁷⁶ "Resolution adopted on 2 December 1954 on the Powers of scrutiny of the Common Assembly and their use"; Krumley, Symbolic Politics of European Integration, 148-150.

⁷⁷ Pierson, , 'The Path to European Integration: A Historical Institutionalist Analysis', 142-144.

⁷⁸ Milward, The European Rescue of the Nation State, 190-191.

Conclusion:

Looking at the Paris Treaty, the Common Assembly seems like a rather insignificant institution. It lacked the legislative and budgetary powers associated with traditional parliaments. The little control they had over the affairs of the European Coal and Steel Community was limited to the supervision of the High Authority, while their influence over the Council of Ministers was essentially non-existent. For a long time, prominent scholars of European integration like Haas, Milward, and Moravcsik dismissed the Assembly on these principles which led to state-centric accounts dominating the early history of European Communities. What I have shown in this thesis by applying historical institutionalism to the case study of the Treaties of Rome, is that contrary to the dominant view, the Common Assembly was actually an actor with capability and will to influence the European affairs. However, this position was not given rather it emerged over time.

The Assembly's ability to influence the Treaties of Rome was a result of institutional development that occurred in the 1950s. The Assembly mostly consisted of members who believed in united Europe and further integration. This became the shared value that guided its decision-making process. The Assembly also made use of its right to fix its own rules of procedures and structured itself in a parliamentary manner. Not only did this make the Assembly more efficient, but it gave it symbolic legitimacy. It is easier to present oneself as the representation of the people of the Community when the institution acts like a democratic body. These developments simultaneously allowed the Assembly to gain autonomy and become more than an instrumental institution created to benefit states. The function of the Assembly split from the vision the states had when creating it, creating a gap in the member state control.

After the failure of the EDC, more divergences in the interests of the national governments and the Assembly emerged. This was significant because this way it could become a voice that challenged and pushed the states instead of just echoing their sentiments. The Assembly established itself as an advocate for further integration. From this position it initiated the relance by putting the idea of further integration on the Community's agenda. Through the negotiations, it remained a supportive actor, constantly pushing the states to stay committed to the establishment of the new Communities. Lastly, it was not satisfied with the national government's plan for the institutional structure and managed to shape through extensive lobbying. Alongside the Assembly's own activity and initiative, its influence was amplified by the fact that once member state constraint emerges, due to the complexity of the European organization, it is extremely hard for the states take back full control. By illustrating that the Common Assembly was able to influence the Treaties of Rome, I strengthen the case against state-centric historiography that has dominated the subject. Recognizing the contributions of the Common Assembly also suggests that there might be other non-state actors whose contribution to the European integration has not been addressed and which warrant further investigation.

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