

APPENDIX II

TREATY OF PARIS¹

Treaty constituting the European Coal and Steel Community (excerpt) Paris; 18 April, 1951

THE PRESIDENT OF THE GERMAN FEDERAL REPUBLIC, HIS ROYAL HIGHNESS THE PRINCE ROYAL OF BELGIUM, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS,

CONSIDERING that world peace may be safeguarded only by creative efforts equal to the dangers which menace it;

CONVINCED that the contribution which an organized and vital Europe can bring to civilization is indispensable to the maintenance of peaceful relations;

CONSCIOUS of the fact that Europe can be built only by concrete actions which create a real solidarity and by the establishment of common bases for economic development;

DESIROUS of assisting through the expansion of their basic production in raising the standard of living and in furthering the works of peace;

RESOLVED to substitute for historic rivalries a fusion of their essential interests; to establish, by creating an economic community, the foundation of a broad and independent community among peoples long divided by bloody conflicts; and to lay the bases of institutions capable of giving direction to their future common destiny;

HAVE DECIDED to create a European Coal and Steel Community and to this end have designated as plenipotentiaries:

THE PRESIDENT OF THE GERMAN FEDERAL REPUBLIC:

DR. Konrad ADENAUER, Chancellor and Minister for Foreign Affairs;

HIS ROYAL HIGHNESS THE PRINCE ROYAL OF BELGIUM:

MR. Paul VAN ZEELAND, Minister for Foreign Affairs,

MR. Joseph MEURICE, Minister for Foreign Trade;

THE PRESIDENT OF THE FRENCH REPUBLIC:

MR. Robert SCHUMAN, Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

MR. Carlo SFORZA, Minister for Foreign Affairs;

HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG:

MR. Joseph BECH, Minister for Foreign Affairs;

¹ <http://www.ena.lu/?lang=2&doc=16303>.

HER ROYAL HIGHNESS THE QUEEN OF THE NETHERLANDS:

MR. D. U. STIKKER, Minister for Foreign Affairs,

MR. J. R. M. VAN DEN BRINK, Minister of Economic Affairs;

WHICH, having exchanged their powers, found in good and due form, have agreed to the following provisions.

TITLE ONE - The European Coal and Steel Community

Article 1

By the present Treaty the HIGH CONTRACTING PARTIES institute among themselves a EUROPEAN COAL AND STEEL COMMUNITY, based on a common market, common objectives, and common institutions.

Article 2

The mission of the European Coal and Steel Community is to contribute to economic expansion, the development of employment and the improvement of the standard of living in the participating countries through the institution, in harmony with the general economy of the member States, of a common market as defined in Article 4.

The Community must progressively establish conditions which will in themselves assure the most rational distribution of production at the highest possible level of productivity, while safeguarding the continuity of employment and avoiding the creation of fundamental and persistent disturbances in the economies of the member States.

Article 3

Within the framework of their respective powers and responsibilities and in the common interest, the institutions of the Community shall:

- (a) see that the common market is regularly supplied, taking account of the needs of third countries;
- (b) assure to all consumers in comparable positions within the common market equal access to the sources of production;
- (c) seek the establishment of the lowest prices which are possible without requiring any corresponding rise either in the prices charged by the same enterprises in other transactions or in the price-level as a whole in another period, while at the same time permitting necessary amortization and providing normal possibilities of remuneration for capital invested;
- (d) see that conditions are maintained which will encourage enterprises to expand and improve their ability to produce and to promote a policy of rational development of natural resources, avoiding inconsiderate exhaustion of such resources;
- (e) promote the improvement of the living and working conditions of the labor force in each of the industries under its jurisdiction so as to make possible the equalization of such conditions in an upward direction;
- (f) further the development of international trade and see that equitable limits are observed in prices charged on external markets;
- (g) promote the regular expansion and the modernization of production as well as the improvement of its quality, under conditions which preclude any protection against competing industries except where justified by illegitimate action on the part of such industries or in their favor.

Article 4

The following are recognized to be incompatible with the common market for coal and steel, and are, therefore, abolished and prohibited within the Community in the manner set forth in the present Treaty:

- (a) import and export duties, or charges with an equivalent effect, and quantitative restrictions on the movement of coal and steel;
- (b) measures or practices discriminating among producers, among buyers or among consumers, specifically as concerns prices, delivery terms and transportation rates, as well as measures or practices which hamper the buyer in the free choice of his supplier;
- (c) subsidies or state assistance, or special charges imposed by the state, in any form whatsoever;
- (d) restrictive practices tending towards the division of markets or the exploitation of the consumer.

Article 5

The Community shall accomplish its mission, under the conditions provided for in the present Treaty, with limited direct intervention.

To this end, the Community will:

- enlighten and facilitate the action of the interested parties by collecting information, organizing consultations and defining general objectives;
- place financial means at the disposal of enterprises for their investments and participate in the expenses of readaptation;
- assure the establishment, the maintenance and the observance of normal conditions of competition and take direct action with respect to production and the operation of the market only when circumstances make it absolutely necessary;
- publish the justifications for its action and take the necessary measures to ensure observance of the rules set forth in the present Treaty.

The institutions of the Community shall carry out these activities with as little administrative machinery as possible and in close cooperation with the interested parties.

Article 6

The Community shall have juridical personality.

In its international relationships, the Community shall enjoy the juridical capacity necessary to the exercise of its functions and the attainment of its ends.

In each of the member States, the Community shall enjoy the most extensive juridical capacity which is recognized for legal persons of the nationality of the country in question. Specifically, it may acquire and transfer real and personal property, and may sue and be sued in its own name.

The Community shall be represented by its institutions, each one of them acting within the framework of its own powers and responsibilities.

TITLE TWO - The Institutions of the Community**Article 7**

The institutions of the Community shall be as follows:

- a HIGH AUTHORITY, assisted by a Consultative Committee;
- a COMMON ASSEMBLY, hereafter referred to as « the Assembly »;

- a SPECIAL COUNCIL, composed of MINISTERS, hereafter referred to as « the Council »;
- a COURT OF JUSTICE, hereafter referred to as « the Court ».