



Doc. 715

11 October 1957

First annual Report on the activities of the Working Party on relations with national Parliaments

Report¹

Working party on relations with national parliaments

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1. 1957 - 9th Session - Second part



A. 1. Draft Resolution

presented by the Working Party on relations with national Parliaments

The Assembly,

Having examined the Interim Report, [Document 640](#), and the First Annual Report, [Document 715](#), of the Working Party on Relations with National Parliaments, set up in virtue of Resolution 104 of 25th October 1956;

Reaffirming yet again its determination to make its contribution towards greater unity between the Member States of the Council of Europe;

Believing that this contribution is the more important as so little action is taken by the Committee of Ministers on the Assembly's recommendations ;

Welcoming t h e substantial progress in bringing the work of the Consultative Assembly to the notice of national parliaments and in obtaining from individual Ministers response to Assembly recommendations on which t he Committee of Ministers (or their Deputies) fails to act;

Desiring to increase the capacity of the Working Party to carry out its duties efficiently,

Resolves as follows :

1. The membership of the Working Party shall be increased from seven to fifteen, each national delegation to the Consultative Assembly being entitled to one member.
2. There will be substitutes for each member as before.
3. The members of the Working Party will continue to be assisted by " spokesmen" in the national parliaments, where national delegations so decide.

B. II. Explanatory Memorandum**Contents****CONTENTS**

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1. I. Introduction

1. The Working Party on Relations with National Parliaments was set up by the Assembly's Resolution 104 on 25th October 1956 with the general task of maintaining close links between the Consultative Assembly and national parliaments to support texts adopted by the Assembly. The same Resolution called for annual reports from the Working Party on action taken. The present paper is the first of such annual reports.

2. Its main purpose is to set forth the Working Party's organisation and working methods so far; to suggest improvements; and to provide the Assembly with a general picture of the results achieved in the first year of work.

2. II. Organisation and methods of work

3. The Working Party, consisting of seven members (each of whom has a substitute), has met six times. In the course of these meetings, the Working Party :

- a. agreed its organisation and working methods;
- b. selected a total of 45 Assembly texts for which the support of national parliaments could suitably be invited;
- c. took action to speed up the ratification of Council of Europe Conventions and Agreements.

4. As was indicated in greater detail in the Working Party's Interim Report ([Doc. 640](#)), the Working Party has been assisted in its operations by the " spokesmen ", by the secretariats of national delegations, and by the Secretariat at Strasbourg. Comment is made on the role of the spokesmen in paragraph 7 (ii) below.

5. As regards the secretariats of national delegations, these have provided indispensable help to the Working Party. Most of them have given to the Secretariat in Strasbourg detailed information on activities in their national parliaments in support of Consultative Assembly texts and have generally assisted in what is very much an effort of team-work by all concerned. It would be of great value if this help could continue to be provided on as large a scale as possible by all secretariats of national delegations so that the Secretariat in Strasbourg receives, and is able to relay to all delegations, a comprehensive picture of what is being done in individual parliaments to support the Consultative Assembly's work.

6. The Secretariat in Strasbourg has continued its valuable work, which it has carried out most efficiently. It has generally serviced the Working Party and acted as a centre for collecting and rediffusing information coming from the parliaments of the member countries. 7. The following conclusions have been reached by the Working Party on organisation and working methods, and the most important of them are embodied in the draft Resolution at the head of this Report :

2.1. (i) Membership of the Working Party

Not only is the Working Party responsible for taking the initiative in action in national parliaments, but it is the centre of a constant exchange of ideas and views which makes this action more effective. The Assembly cannot expect those delegations which have no representative on this Working Party to make their proper contribution to the Assembly's work in this field. The Working Party accordingly recommends strongly that its membership be increased to fifteen, so that each delegation can be so represented.

2.2. (ii) Spokesmen

The spokesmen have given members of the Working Party a great deal of help in their work, and much of the action which has been taken in national parliaments would not have been possible without that help. Two detailed comments may, however, be made on the position of the spokesmen. First, spokesmen nominated in

addition to the fifteen members of the Working Party should be appointed as far as possible from political parties other than those of the corresponding Working Party member. Secondly, delegations have always been able to appoint more than one spokesman, but not all have so far taken advantage of this facility. It is, of course, necessary that the Working Party should have direct contact with as many political parties as possible in national parliaments, so that the widest circulation can be given there to Assembly texts. In order also to provide for cases where the member of the Working Party, or the spokesman, is unable, for party political reasons, personally to support a given Assembly text in his parliamentary party or his national parliament, national delegations should appoint more than one spokesman.

2.3. (iii) Selection of texts

This is the root of all the Working Party's activities. Up to the time of the Working Party's meeting in Paris on 25th September 1957, 45 texts had been selected for action. These 45 texts, apart from a few adopted by the Assembly prior to October 1956, all come from the total number of texts (80) adopted by the Assembly at the sessions of October 1956 and January and April 1957. At the Working Party's meeting held at the end of the April 1957 session, however, only seven texts were selected out of a total of 22 adopted at that part-session. The proportion represented by this last selection of 7 out of 22, as compared with 45 out of 80 for the whole year, is significant. It represents a trend towards restricting radically the number of texts selected for action in national parliaments out of the total number adopted by the Assembly. Your Working Party feels that it is essential that this trend continue, in order to ensure that the efforts of the Working Party to support these texts in national parliaments are concentrated and intensified, and that there is no dispersal of effort over texts of only moderate significance.

2.4. (iv) Quality of texts

In this connection, your Working Party draws the attention of the Assembly yet again to the importance of ensuring that the quality of the texts is as high as possible, a necessary condition if they are to be given any real attention in parliaments at home. Above all, recommendations should contain verifiable proposals. By verifiable proposals is meant the following: If the Assembly asks the Ministers to do "all in their power", or to do something "as far as maybe possible", or to take "all reasonable steps", it is difficult subsequently to check how far the Assembly's wishes have been met, or to convict the Ministers of negligence if their action is felt to fall short of what the Assembly desired. It must be pointed out that one of the difficulties in achieving constructive and specific recommendations is the tendency of committees, in order to conciliate views on some much-disputed problem, to weaken the sense of what is said so that each member can interpret it in his own way (often diametrically opposed to that of other members). An example may be given. In Resolution 125 on the political, economic and social aspects of the treaty instituting Euratom, the Assembly said (paragraph 7), "Urges that in developing the (European Atomic Energy) Community's programme private enterprise be ensured a proper part consistent with the objectives of the Treaty". Is it possible that Socialist and Conservative members of the Assembly could have had anything but quite divergent views on what part it would be proper for private enterprise to play in atomic energy development? What guidance could national Governments possibly be given from a recommendation of this kind? Your Working Party's view is that unless this kind of formulation is avoided in Assembly texts, national parliaments will take little notice of what the Assembly says. The aim should be, wherever possible, for committees to vote on disputed points of this sort. Parliaments at home and the public at large would then know that the Assembly means what it says and that what it says means something.

3. III. Results

8. During the period covered by this report, 119 cases were reported where action in support of Consultative Assembly texts has been taken, or general debates on Council of Europe affairs have been held, in the parliaments of member countries. The following table gives details of those activities²

Country	Motions, question or draft Bills	Individual questions approach Ministers	General debates	Total
Austria	4	6	3	13
Belgium	5	—	-	5
Denmark	1	—	1	2
France	—	2	3	5

2. Texts of motions, questions, etc., and information on general debates are to be found in Circulars 1, 2 and 3.

Country	Motions, question or draft Bills	Individual questions approach Ministers	General debates	Total
Fed. Rep. of Germany	36	—	2	38
Greece	—	—	—	—
Iceland	—	—	—	—
Ireland	1	—	1	2
Italy	5	3	5	13
Luxembourg	—	—	1	1
Netherlands	6	—	—	6
Norwy	—	—	—	—
Sweden	—	—	1	1
Turkey	—	—	—	—
United Kingdom	31	1	1	33
TOTAL	89	12	18	119

9. Of the 45 texts selected by the Working Party, 35 have been the subject of action in national parliaments. In addition, 9 other Assembly Recommendations, and 8 Questions relating to the Council of Europe in general terms have been debated. Finally, there were debates on the ratification of Council of Europe Conventions and Agreements.

10. It is significant that action was mostly taken on those texts which contained the clearest and most specific requests to Governments, e. g., the texts on the simplification of frontier formalities, on fertilisers, on motor insurance, and on the need to avoid setting up a fourth European Assembly.

11. Generally speaking, the activity recorded above is encouraging, particularly in the Bundestag and the House of Commons. In the Bundestag notable success has been achieved in bringing the texts of the Assembly to the notice of members, and in having these texts referred to the competent committees of the Bundestag for detailed examination. In the House of Commons, question after question has been put to Ministers within whose competence the points raised by any given Assembly text lie, and the increased awareness of the work of the Assembly thus produced in the minds of Ministers represents a considerable achievement. The Working Party makes no apology for singling out two delegations to the Assembly for honourable mention in this way —it will be recalled that one of the purposes of the periodic Circulars is to stimulate friendly competition between delegations.