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COUNCIL OF EUROPE
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Rationalisation of European institutions

Communication
Mr Etienne de la VALLEE POUSSIN, Belgium

1.

The Political Committee wish to draw the attention of the Consultative Assembly to the following points :

1.1. 1. Resolution (57) 27 adopted by the Committee of Ministers of the Council of Europe on 13th December 1957 (see Appendix to this paper).

This resolution contains two main decisions :

(a) The proposal for amalgamating the Council of Europe and 0 , E. E. C. is shelved until the current negotiations on the setting up of a European Free Trade Area have reached the stage where institutions are considered.

Comment:

In Opinion No. 26 the Assembly expressed the view that " the amalgamation of the Council of Europe and the 0 . E. E. C. ought not to await the outcome of t h e negotiations on the Free Trade Area, as it is justified in its own right ".

Nevertheless, it will be observed that in its resolution of 13th December 1957, the Committee of Ministers decided " to request the OEEC Council to resume consideration with the Committee of Ministers of the problem of future relations between the two organisations ... before any decision has been taken with regard to the institutions required for t h a t Area [the Free Trade Area]".

Your Committee believe that, in general, although the Committee of Ministers does not agree to the immediate merger proposed by the Assembly, it at any rate recognises one vital principle, namely that it is essential to rationalise the European institutions. It is clear from the resolution of the Ministers t h a t it is not intended to set up new institutions to operate the proposed Free Trade Area but that the present institutions of the Council of Europe and O. E. E. C. are to be adapted to this new task.

(b) Approval is given to the proposals made by the 0. E. E. C./Council of Europe joint Liaison Committees for achieving closer working relations between 0. E. E. C. and the Council of Europe.

Comment :

The proposals in paragraphs 1, 2 and 3 (a) of the new supplement to the Agreement between the Council of Europe and 0. E. E. C. are satisfactory and do not call for any comment.

The proposal under 3 (b), however, is not very satisfactory. It is suggested in this paragraph that texts adopted by the Consultative Assembly and relating to questions which are of interest to 0. E. E. C. should first be examined by the joint 0. E. E. C./ Council of Europe Liaison Committees " with a view to determining which of the two organisations can more appropriately deal with the questions raised ". This provision is all the more surprising as in paragraph 3 (a) the Committee of Ministers has. given standing instructions to t h e Secretary-General to transmit such Assembly texts direct to. 0. E. E. C. without delay. Moreover, it is a fact that the

Committee of Ministers of the Council of Europe had to all intents and purposes renounced its competence in economic matters in favour of 0. E. E: C, and it would therefore seem a pure waste of time for the joint Liaison Committees to consider such Assembly texts especially after they have been transmitted by the Secretary-General to 0. E. E. C. It is clear that in all cases such action as can be taken by Governments will be taken within 0. E. E. C., and the interference of the joint Liaison Committees is hardly likely to serve a useful purpose.

Your Committee consider that the Secretary-General, who has instructions to do so in Article 3 (a), should be trusted to select the Recommendations to be transmitted to 0. E. E. C. It therefore seems superfluous to give the Liaison Committees the same task. At least three Members of Parliament sit on the 0. E. E. C./Council of Europe Liaison Committees, and it would be a waste of time to convene these Committees for the sole purpose of discussing a selection previously made by the Secretary-General.

1.2. 2. Work of the Council of Ministers of Western European Union on the rationalisation of European institutions

he Assembly will recall that on 28th April 1957 the Committee of Ministers informed the Assembly as follows : "The Permanent Council of Western European Union, which is now studying ways and means of achieving closer association and a possible merger of European Assemblies, will bring this question before the Committee of Ministers of the Council of Europe in due course. In reply to the telegram sent by the President of the Consultative Assembly to the Chairman of the Committee of Ministers on 2nd February 1957, the Committee agreed to give the President an assurance that the Assembly will be consulted, when the time comes, on any projects likely to affect its competence and organisation" (paragraphs 21-22 of Doc. 635.Eighth Report of the Committee of Ministers).

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Later, on 11th October 1957, the Committee of Ministers told the Assembly t h a t its Resolution 123 would be " considered shortly, when the Brussels Interim Committee and the Council of Ministers of Western European Union have made known their views on the same problem." (Paragraph 12 of Doc. 710, Supplementary Report to the Eighth Report of the Committee of Ministers.)

Your Committee understand that the Council of Ministers of Western European Union has declared themselves unable at this stage to arrive at any final conclusions within the framework of W. E. U. It is believed to have sent a report in this sense to the Committee of Ministers of the Council of Europe.

1.3. 3. Relations between the Consultative Assembly and the Assembly of the six-Power Communities

It will be recalled t h a t on 25th October 1957 the Assembly adopted Resolution 130 which instructed the President of the Assembly to take steps, at the appropriate time, to ensure close relations between the Assembly of the Council of Europe and the institutions of the new six-Power Communities, in particular, the parliamentary assembly. This resolution is as follows :

" The Assembly,

Having welcomed the resolution of the six Foreign Ministers which is designed to ensure partial identity of membership between the Assembly of the six-Power Communities and the Consultative Assembly;

Considering that other steps must be taken to preserve and ensure a sense of common purpose between those engaged in building up the six-Power Communities and those belonging to the wider European Community;

Considering that relations between the Council of Europe and the E. C. S. C. are the subject of a protocol signed in Paris on 18th April 1951,

Instructs the President of the Assembly to approach the competent authorities of the new Communities of the Six with a view to preparing the way for the conclusion of arrangements providing for the following :

a. the annual reports of the Executive Commissions of the European Economic Community and the European Atomic Energy Community to be transmitted to the Consultative Assembly; on request, the annual report of the Committee of Ministers of the Council of Europe to be transmitted to the European Commissions;

b. joint meetings between the Consultative Assembly and the single Assembly of the six- Power Communities to be organised regularly to discuss matters of common concern;

c. the single Assembly of the six-Power Communities to send a report to the Consultative Assembly at the request of the President of the latter and, in turn, the Consultative Assembly to send a report to the single Assembly of the six- Power Communities at the request of the President of the latter;

d. joint meetings of the Bureaux of the three European Assemblies to be held at least twice a year to discuss problems of mutual interest, to exchange information about the activities of the three Assemblies, the proposed dates of their sessions, the questions on their agendas and any other matter in which co-ordination would be of advantage; these meetings to be used to keep public opinion abreast of the development of general problems of interest to the European community;

e. the single Assembly of the six-Power Communitie's and the Consultative Assembly to meet, normally in the same place. "

The Committee of Ministers of the Council of Europe, in Resolution (57) 27 of 13th December 1957, expressed " the wish that, as soon as the institutions of the European Economic Community and the European Atomic Energy Community are set up, close relations should be established between the Assemblies of the Council of Europe and the Communities of the Six and, in general, between the Council of Europe, on the one hand, and the European Economic Community and European Atomic Energy Community, on the other. "

The Political Committee consider that it would be desirable to give further consideration to a speech made by M. Furler, President of the Common Assembly, on 14th May 1957.

In this speech, M. Furler said that " the Bureau of the Common Assembly and the Chairmen of the Political Groups have expressed themselves in favour of the establishment of organic relations among the three Assemblies, which should be made the subject of an agreement". He went on to say that " the suggested agreement would be much wider in scope than the Protocol to the Treaty instituting the E. C. S. C. " which deals with relations between the Council of Europe and the Coal and Steel Community.

The main feature of this protocol is t h a t it provides for the submission of reports from the Common Assembly and the High Authority to the Consultative Assembly.

M. Furler also said t h a t joint meetings between the Consultative Assembly and the six-Power Assembly, on the lines of the joint meetings between the Consultative Assembly and the Common Assembly, should be given " an institutional basis", and should take place once a year at a fixed date.

Another proposal made by M. Furler was that a standing committee of the three Bureaux should be set up under the proposed agreement and that representatives of Governments and of the European institutions might participate in its work.

This proposal is important as it would serve, if accepted, to strengthen the link between the Assembly of the six-Power Communities and the Consultative Assembly. It would also probably strengthen the claim of the Consultative Assembly to be recognised, in due course, as the Assembly of the Free Trade Area.

Your Committee suggest t h a t the tasks of this Standing Committee might be :

a. to prepare the joint meetings between the Assemblies and, in particular, to draw up a list of questions which might be discussed;

b. to meet, as the occasion might require, in between the joint meetings to consider any urgent question that might arise affecting the Six and the Fifteen, and to permit exchanges of views between Members of Parliament and representatives of the European Executives and the Councils of Ministers;

c. to study the repercussions of the setting up of the Common Market on the European non-members of the six-Power Communities ;

d. to review the work of the Assemblies from time to time, with a view to avoiding duplication and overlapping.

The Standing Committee might include the Chairmen of the main committees of each Assembly. It would have a Chairman who would convene the Committee as might be desirable. At the same time the Standing Committee would remain subordinate to the three Bureaux as regards its competence.

There are other points worth considering. In particular, the setting up of the Common Market may mean t h a t joint meetings ought to take place twice a year instead of once as formerly. There is also the question of co-operation between the secretariats, which is extremely desirable, especially among technical services.

Your Committee would like to suggest t h a t the views expressed by M. Furler in his important speech of 14th May 1957 should be carefully considered in function of the forthcoming establishment of the single Assembly of the six-Power Communities.

Appendix 1 APPENDIX

Resolution (57) 27 - Rationalisation of European organisations adopted by the Committee of Ministers on 13th December 1957

The Committee of Ministers,

Recalling its Resolutions (56) 24 on the duplication of work between European organisations and (57) 10 on relations between the Council of Europe and 0. E. E. C;

Taking note of the following texts brought to its attention concerning certain important aspects of the institutional structure of European collaboration :

a. Reports of the Acting Secretary- General and of the 0. E. E. C./Council of Europe Liaison Committees on relations between the two organisations and Opinion No. 26 of the Consultative Assembly on the same subject;

b. Assembly Recommendation 146 and Resolution 130 on relations between the Council of Europe and the six-Power Communities;

c. Assembly Recommendation 148 on the location of the institutions of Euratom and the Common Market and other European organisations;

d. The Treaty instituting the European Economic Community and, in particular, its Preamble and its Articles 230 and 231;

e. The Resolution adopted in Rome on 25th March 1957 by the six Ministers for Foreign Affairs on Liaison between the European Economic Community and Euratom, on the one hand, and the countries of AVestern Europe which are not members of these institutions and the broader European organisations, on the other;

f. The resolution of the Foreign Ministers of the Six on the partial identity of the Representatives to the Assembly of the Six and those of the Consultative Assembly,

Expresses its appreciation of the contributions made by the Assembly, the Liaison Committees of the Council and O. E. E. C, and other European bodies;

Reaffirms its interest in the eventual attainment of the most effective pattern of European institutions, in the interest both of avoiding duplication of effort and of giving maximum impact to intergovernmental collaboration and parliamentary association in Europe;

Expresses the wish that, as soon as the institutions of the European Economic Community and the European Atomic Energy Community are set up, close relations should be established between the Assemblies of the Council of Europe and the Communities of the Six and, in general, between the Council of Europe, on the one hand, and the European Economic Community and the European Atomic Energy Community, on the other ;

Welcomes the OEEC Resolutions of October 17th declaring the determination of that Council to secure the establishment of a European Free Trade Area; and

Draws to the attention of the OEEC Council the expression of views of the Consultative Assembly in their Recommendation 152;

Decides :

1. to request the OEEC Council to resume consideration with the Committee of Ministers of the problem of future relations between the two organisations as soon as the substance of the Free Trade Area has been established and the institutions are under consideration, and before any decision has been taken with regard to the institutions required for that Area;

2. to agree meanwhile to the proposals made by the Liaison Committees as detailed in the Annex to this Resolution for achieving closer working relations between the two organisations;

3. to instruct the Secretary-General to transmit these proposals to the Council of 0. E. E. C. for approval as a supplement to the agreement between the Council of Europe and 0. E. E. C;

4. to examine, at the appropriate moment, in the light of the establishment of, on the one hand, the European Economic Community and of Euratom and, on the other hand, of a European Free Trade Area, the advisability of introducing certain measures of rationalisation in the general institutional framework of European collaboration.

Appendix 2 APPENDIX

Supplement to the Agreement between the Council of Europe and 0. E. E. C.

1. The reports prepared by 0. E. E. C. for the Consultative Assembly are presented to the latter by a Minister representing 0. E. E. C. The representatives to the Assembly may address written questions on these reports to 0. E. E. C. before they are presented by the Minister in plenary session. As a rule the Minister who has presented the OEEC report to the Assembly takes part in a meeting of the Economic Committee of the Assembly, assisted by his advisers and by members of the Secretariat of 0. E. E. C.

2. In order to avoid overlapping in the activities of the governmental bodies of the two organisations the Liaison Committees meet regularly to discuss any questions of an economic nature which may arise either from the discussions of the Committee of Ministers of the Council of Europe, or from those of the Council of 0. E. E. C.

3.

a. In order to assure the quick communication of texts adopted by the Consultative Assembly and relating to questions which are of interest to 0. E. E. C, the Committee of Ministers of the Council of Europe has given standing instructions to the Secretary-General of the Council of Europe to transmit these texts directly to 0. E. E. C

b. These texts are then examined by the Liaison Committees—which should, in any case, meet after every session of the Consultative Assembly— with a view to determining which of the two organisations can more appropriately deal with the questions raised; it is then either for the Council of 0. E. E. C. or for the Committee of Ministers of the Council of Europe (after a technical opinion has been given by 0. E. E. C.) to take final decisions on the substance. These two bodies keep each other mutually informed of their decisions, and it will rest with the Committee of Ministers of the Council of Europe to communicate them to the Consultative Assembly.