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Activities of the Working Party on relations with national Parliaments

Report¹

Working party on relations with national parliaments

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1. 1958 - 10th Session - Second part



A. Draft Recommendation

The Assembly,

Considering paragraph 9 of the Special Message of the Committee of Ministers transmitting to the Consultative Assembly the Programme of Work of the Council of Europe (Doc. 238), in which it expresses the belief that the impact of Assembly debates on public opinion would be increased if national Parliaments could be persuaded to devote more time to discussing Council of Europe questions;

Emphasising that the Committee of Ministers, through its Chairman-in-office and in its Supplementary Report of 3rd October 1958 (Doc. 863) has repeatedly referred to the assistance members of the Assembly could give to the work of the Council of Europe by action taken by them in their national Parliaments;

Wishing to obtain this assistance from national Parliaments in order to achieve the aims of the Council of Europe;

Believing in the advantage to be derived from using this means to make known to a wider public the work of the Consultative Assembly and the achievements of the Committee of Ministers;

Recalling its Resolution 104 and 135 on setting up and strengthening the Working Party on relations with national Parliaments, which transmits to national Parliaments after each part-Session selected texts adopted by this Assembly,

Recommends that the Committee of Ministers request Member Governments to keep their national Parliaments regularly informed, so far as possible, of the decisions taken by the Committee of Ministers.

B. Explanatory Memorandum

1. INTRODUCTION

1. The Working Party on relations with national Parliaments, set up on 25th October 1956, in accordance with paragraphs 4 and 7 of Resolution 104, has the honour to submit to the Assembly its second annual report.

2. The report is a continuation of the two preceding reports submitted (Docs. 640 and 715) and covers the period 1st October 1957 to 30th September 1958.

2. ACTIVITIES

3. In accordance with Resolution 135 of 28th October 1957 the Working Party increased the number of its members from seven to fifteen and held four meetings during the period under review. At its meetings the Working Party:

- a. considered the 48 texts adopted by the Assembly during the period covered by this report and selected 24 of them as suitable for action to be taken in national Parliaments;
- b. reconsidered the 45 texts selected during the previous year, of which 18, on which no appropriate action had in the meantime been taken, were again transmitted to the national Parliaments;
- c. took steps to expedite the signing or ratification of Council of Europe conventions and agreements;
- d. improved its working methods in the light of experience.

4. The Working Party has been encouraged by the growing interest shown by members of the Assembly, as reflected in the results given below. But the Committee of Ministers, too, has, through its Chairman-in-office, repeatedly reminded Members of the Assembly of the assistance they could give to the Council of Europe by taking action in their national Parliaments.

5. As in the previous year the Working Party has been aided in its work:

- a. by spokesmen;
- b. by the secretariats of national delegations and;
- c. by the Secretariat-General at Strasbourg.

Spokesmen

6. The Working Party would like to draw attention to the wording of paragraph 3 of Resolution 135, adopted on 28th October, 1957: " The members of the Working Party will continue to be assisted by 'spokesmen' in the national Parliaments when national delegations so decide. " The notable progress made up to that time was indeed in some measure due to the assistance given by the spokesmen. It must, however, be pointed out that for most national delegations the members of the Working Party also act as spokesmen and that there are therefore very few Representatives who are merely spokesmen.

7. To enable each Member of Parliament to assume his manifold tasks, the Working Party again draws the attention of national delegations to the benefits of dividing up the work among its members and taking advantage of the option of appointing several spokesmen.

Secretariats of national delegations

8. The Working Party is once more grateful for the invaluable help it has received from the Secretariats of national delegations, either in the form of assistance to its members and spokesmen or of information supplied to the Secretariat-General at Strasbourg concerning the action taken in national Parliaments to further the interests of the Council of Europe. The Working Party is well aware that such assistance from the secretariats is often given in difficult circumstances, since in most cases their staff has other important work to do as part of its normal parliamentary duties or, in other cases, the staff does not belong to the Parliaments but to the Ministries of Foreign Affairs

9. Experience has shown that the best results are obtained where officials belonging to the Parliaments in question are appointed to work in close collaboration with the Working Party. The reason is obvious. The officials are in constant touch with the members of their delegation, for whom they often draft documents

intended to support Consultative Assembly texts. They see to it that the necessary signatures are obtained and are able to inform the Secretariat- General at Strasbourg immediately of any steps taken in their own Parliament in connection with Council of Europe affairs. In short, these secretaries can, by virtue of their position, make a valuable contribution in regard to the basic questions with which the Working Party is concerned.

10. Secretaries from Ministries of Foreign Affairs, owing to their dependence upon the Government, are unable to act as freely as parliamentary officials. Their primary concern must therefore be to see to it that the members of their, delegation are supplied with practical facilities during Assembly Sessions or at committee meetings.

11. For this reason the Working Party urges national delegations to consider strengthening their secretariats and submits the following suggestions:

- a. Permanent parliamentary secretariats might be set up to deal solely with European parliamentary affairs or the affairs of international parliamentary organisations; or ,
- b. their present secretaries should be relieved, if possible, from part of their normal parliamentary duties; or
- c. in cases where the secretarial services are provided by staff from the Ministry of Foreign Affairs, a parliamentary official should be instructed to collaborate closely with the responsible delegation secretary.

12. The assistance given by the Secretariat- General at Strasbourg is referred to later under the heading "Improvement in Working Methods ".

Selection of texts

13. A thorough study of 93 texts enabled the Working Party to establish some interesting facts.

14. It would, first of all, however, like to make the general observation that the Assembly is to be congratulated on its growing tendency to concentrate on questions of current interest to member countries, instead of dissipating its energies over problems of only secondary importance. The need for this was emphasised by the Working Party in its interim report (Doc. 640). This trend can be seen from the following table:

Texts adopted by the Assembly	October 1956	October 1957	October 1957	October 1958
Opinion	6		3	
Recommendations	46		22	
Resolutions	30		23	
Total	82		48	

15. With regard to the selection of texts on which action could well be taken in national Parliaments, the Working Party mentioned in its previous report that it had tried to reduce their number appreciably in order to concentrate and intensify efforts to support them in national Parliaments.

16. The Working Party has continued along these lines, as the following table shows:

	October 1956	October 1957	October 1957	October;1958
TTtexts examined.	82		48	
Texts selected.	45		24	

17. The Working Party also reviewed the 45 texts previously selected, retaining 18 of them on which no adequate action had yet been taken, and again forwarding them with its comments to- the national Parliaments; 27 texts were for various reasons discarded.

18. The quality of the texts, a matter to which the Working Party devoted a special section in its previous report, is closely connected with their selection. The Working Party had asked that recommendations should contain only clear, precise and practical proposals, so that they might be favourably received

19. When reviewing the 48 texts adopted by the Assembly since October 1957, the Working Party found that its wishes had to a large extent been met, a fact which explains their more practical impact on the Committee of Ministers and national Parliaments. It must, however, be pointed out once more that the formula requesting the Committee of Ministers " to take all possible steps " or " ensure that " or " consider the possibility " not only makes it impossible for the Committee of Ministers to obtain a clear idea of the Assembly's requests, but also makes it very difficult for the Working Party to suggest measures which would gain support for the texts in the national Parliaments, apart from the fact that such vague requests make it impossible to establish later how far the real wishes of the Assembly have been met.

20. The Working Party is aware of the difficulty of reconciling in the committees divergent points of view - which is often responsible for such loose, imprecise wording as that mentioned above. It therefore again recommends that, whenever possible, the Committee should vote on controversial questions.

Measures to expedite the signing or ratification of Council of Europe Conventions and Agreements

21. The Working Party has kept its members and the spokesmen informed of the number of signatures and ratifications of the Council of Europe conventions and agreements and has requested them to speak in their own Parliaments or to take individual steps with the appropriate members of their Government in support of conventions and agreements which have not yet been signed or ratified by their countries..

Improvement in working methods

22. The Working Party welcomed the decision of the Committee of Ministers to create, a staff post at the level of Secretary to assist members of the Working Party. As a result, it has been able to take various steps to ensure that its work may proceed more smoothly.

2.1. Register of action taken on texts adopted by the Assembly

23. The Secretariat has opened a register which it keeps up to date, showing the action taken by the Committee of Ministers and national Parliaments on the texts selected by the Working Party.

2.2. Collaboration with Assembly Committees

24. In order to facilitate the discussion in committee of the " action taken on texts adopted within the terms of reference of the Committee " (which is automatically included in the agenda of each meeting, in accordance with Resolution 62), the Working Party regularly supplies an extract from the above-mentioned " Register of action taken " for each of the texts.

25. Furthermore, Chairmen of Committees have been requested to prepare a short opinion for the Working Party, each time a text is reconsidered by its Committee, stating:

whether new measures should be taken by the Working Party to gain support for the text in question by action in the national Parliaments;

or whether the text may be discarded (if adequate action has been taken on it, or if for various reasons it has become pointless).

2.3. Appointment of a Rapporteur to suggest texts for selection and send them to national Parliaments

26. In order that the Working Party shall be fully informed of all the facts before taking decisions it has appointed a Rapporteur whose duty it is:

to suggest texts for selection by the Working Party and prepare comments on them;

to report on the action taken on texts already selected, and to suggest either further steps to support them in the national Parliaments or their deletion from the Working Party's agenda.

2.4. Information on the activities of national Parliaments concerning the affairs of the Council of Europe

27. As explained in the Working Party's previous reports, its Secretariat collects and distributes news from the various national Parliaments in order to keep delegations abreast of the work in progress in other Parliaments. The news is sent out in the form of a " circular " giving an account of the activities of national Parliaments with regard to Council of Europe affairs.

28. In order to receive more complete news, the Working Party has decided to initiate methods of close collaboration between the secretariats of national delegations and its own Secretariat. In this connection the Working Party again emphasizes how necessary it is to accord the secretariats of national delegations the material facilities suggested in paragraph 9 above.

2.5. Translations of adopted texts

29. On request, the Secretariat of the Working Party has supplied a few texts in various languages, and hopes that Members of the Assembly will avail themselves of this service when occasion demands, as it is anxious to assist spokesmen and other Members of the Assembly in obtaining the documents they wish to deposit with their national Parliaments.

30. The Working Party has been generally concerned with the way in which national Parliaments are kept informed of the work of Council of Europe institutions. It finds that:

in every Parliament, the texts adopted by the Assembly are placed in the libraries;

in some Parliaments, Members of the Consultative Assembly submit reports on their work at Strasbourg as well as comments on the texts adopted;

in one country, the Government asks Parliament each year for its opinion on some of the texts adopted by the Consultative Assembly.

31. Although the Assembly's requests are to some extent known to the Parliaments, the Working Party has not been able to discover in what way Parliaments are informed of action taken in response to the Assembly's requests, that is to say, of the work done by the Committee of Ministers.

32. It has been found that if the national delegations merely place the texts adopted by the Assembly in the libraries, or submit a progress report to their Parliaments, this does not in practice lead to supporting action being taken by Representatives on the subject in question.

33. For this reason the Working Party transmits all important texts to national Parliaments as explained above. The attitude taken by the Parliaments, after they and their competent committees have considered the texts, not only serves as a guide to the Foreign Ministers, and helps them to define their position at meetings of the Committee of Ministers, but also keeps alive parliamentary interest in the subjects dealt with by the Council of Europe.

34. If the national Parliaments receive requests from the Assembly in this way, it is only logical that they should also be told how such requests have been met, that is to say, they should be kept informed, so far as possible, of the work the Committee of Ministers. Results are all t h a t matter, and the Working Party believes that to inform the national Parliaments of the Resolutions passed by the Committee of Ministers would be a means not only of interesting them more than hitherto in Council of Europe questions but also of bringing the latter to the knowledge of a wider public.

35. For these reasons the Working Party has the honour to submit to the Assembly the above draft Recommendation which it has unanimously adopted.

3. RESULTS

36. During the period covered by this report, 205 cases were reported where action was taken in the Parliaments of member countries in support of Consultative Assembly texts or Council of Europe Conventions or general debates held on Council of Europe affairs. Compared with the corresponding figure for the previous year (119), the activities of national Parliaments in this field have been considerably intensified.

37. The following table gives details of these activities, the figures for the previous year being shown in brackets:

38. Of the 42 texts selected or reconsidered by the Working Party, 35 have been subject of action in national Parliaments; most of them on several occasions.

39. The development of the activity recorded above thus confirms that the work undertaken by the Working Party has given satisfactory results. Your Working Party desires to thank all Members of the Consultative Assembly who, by their work in their national Parliaments, have contributed in great measure to this success.

Countries	Documents tabled	General reports or debates	Individual approache	Total
Austria	11 (4)	9 (3)	13 (6)	33 (13)
Belgium	3 (5)			3 (5)
Denmark	2 (1)	5 (1)	8	15 (2)
France		(3)	4 (2)	4 (5)
Fed. Rep. of Germany	41 (36)	3 (2)		44 (38)
Greece			1	1
Iceland				
Ireland	(1)	(1)		(2)
Italy	15 (5)	(5)	5 (3)	20 (13)
Luxembourg		2 (1)		2 (1)
Netherlands	(6)	5		5 (6)
Norway	1	2		3
Sweden	18	1 (1)		19 (1) .
Turkey				
United Kingdom	56 (33)	1 (1)	27 (1)	28 (31)
Total	119 (89)	54 (18)	32 (12)	205 (119)