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Second Supplementary Report to the ninth Report of the Committee of Ministers to the Consultative Assembly presented in accordance with Article 19 of the Statute

Statutory report
to Recommendation 125 (1957)
, to Recommendation 135 (1957), to Recommendation 155 (1958), to Recommendation 168 (1958), to Recommendation 169 (1958), to Recommendation 171 (1958), to Recommendation 172 (1958), to Recommendation 173 (1958), to Recommendation 174 (1958), to Recommendation 175 (1958), to Recommendation 176 (1958), to Recommendation 177 (1958), to Recommendation 178 (1958), to Recommendation 179 (1958), to Recommendation 180 (1958), to Recommendation 181 (1958), to Recommendation 182 (1958), to Recommendation 183 (1958), to Recommendation 184 (1958) and to Recommendation 187 (1958)
Committee of Ministers

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1. Introduction

1. This document is a further supplement to the Ninth Report submitted by the Committee of Ministers to the Assembly at the second part of its 10th Session (Doc. 863).

2. It covers the period from 10th October 1958 to 18th January 1959.

3. The Committee of Ministers held its 23rd session in Paris on 15th December 1958. The decisions which i t took on t h a t occasion are given in the appropriate chapters of this Report.

4. During the same session the Agreement for the Exchange of Television Film Programmes and the European Agreement and Protocol on t he Exchange of Therapeutic Substances of Human Origin were signed.

5. The Joint Committee met on 15th December 1958 at ministerial level.

6. During the period under review the Ministers' Deputies held four meetings:

64th meeting (17th to 20th November 1958)

65th meeting (21st to 25th November 1958)

66th meeting (12th December 1958) and

67th meeting (14th January 1959).

7. The Report follows the same plan as the previous reports of the Committee of Ministers. 8. An up-to-date chart showing the deposit of ratifications of Council of Europe Conventions and Agreements is appended.

8. The Committee of Ministers recognised the importance of the request submitted by the Assembly in Section IV, paragraph 9, of Recommendation 178 (1958), concerning the establishment of a general programme of work for 1959, but decided t h a t it would be difficult to prepare any such programme at present.

9. I t nevertheless has the honour to submit to the Assembly, in tabular form, the plan of work envisaged—subject to subsequent approval of the necessary credits for its realisation—for the current year for the Committees of Governmental Experts, whose activities are of valuable assistance to the Ministers (Appendix I).

2. Section I - Steps taken to achieve the aims of the Council of Europe

2.1. CHAPTER I - Political Questions

2.1.1. (a) Report of the Secretary-General of the Council of Europe

11. The Committee of Ministers stated in its last Report (Doc. 863, paras. 14 to 16) that it had instructed the Deputies to carry out a detailed study of the proposals in the second part of the Report prepared by the Secretary-General in pursuance of Resolution (57) 26, paragraph 4.

12. While carrying out this study, the Deputies also examined the Assembly's proposals contained in its Recommendation 178 (1958).

13. After considering, at its 23rd Session, the Report presented by the Deputies on this matter, the Committee of Ministers adopted the following conclusions:

2.1.1.1. I . FUNCTIONING OF THE COUNCIL OF EUROPE

A. Functioning of the Committee of Ministers

1. Power of the Committee of Ministers to take decisions binding on all Member Governments, as in O.E.E.C. — Doc. SG (58) 1, Part II, paragraph 65 — Recommendation 178, Part III, para. 7 (a)

14. The Committee of Ministers considered t h a t for the time being it was not advisable for it to have the power to take unanimous decisions ibinding on Member Governments, as provided for the Council of O.E.E.C. in Article 13 (a) of t he Convention of 16th April 1948 setting up the Organisation. The adoption of this proposal would in fact entail an amendment of the Statute of the Council of Europe which would have to be approved unanimously.

15. Having noted that the majority of Members Governments were not for the time being in favour of a revision of the Council's Statute for this limited and specific purpose, the Committee of Ministers considered that it was preferable not to change the present system. The proposal might, however, be re-examined, together with t h a t for a revision of the Statute, if and when the question of amalgamating the Council of Europe and O.E.E.C. was taken up.

2. Broader and more flexible application of t h e provisions on " partial agreements " — Doc. SG (58) 1, P a r t II, paragraph 65 — Recommendation 178, Part III, para. 7 (6)

16. The Committee of Ministers was in favour of maintaining the present procedure as laid down in its Resolution (51) 62.

17. The Ministers noted that in fact the preliminary unanimous vote had never hindered the conclusion of a partial agreement, but thought i t desirable to leave all members free to oppose, if they wished, the conclusion in the framework of the Council of Europe of an agreement which might be harmful to their own interests.

3. Periodical consideration by the Committee of Ministers of action taken on its own Resolutions — Doc. SG (58) 1, Part II, para. 66 — Recommendation 178, Part III, point 7 (c)

18. The Committee of Ministers decided in favour of the proposal of the Secretary-General. Although it did not think it possible to give him the task of following up its own Recommendations to Member Governments, it decided t h a t examination of the action taken by Governments on its Resolutions should be placed once a year on the Agenda of a meeting of the Deputies. The Assembly would, where appropriate, be informed of the progress made in a particular matter. This examination could take place at the meeting preceding that in which the Report addressed by the Committee of Ministers to the Assembly in pursuance of Article 19 of the Statute was drawn up.

4. Transmission of detailed information.to the Assembly — Doc. SG (58) 1, Part II, paragraph 66 — Recommendation 178, Part III, para. 7 (e)

19. The Ministers decided in favour of transmitting to the Assembly, at the moment judged opportune, the fullest possible information on decisions of t h e Committee of Ministers.

5. Communication to Committees of Experts, when Assembly Recommendations are transmitted to them by the Committee of Ministers, of the latter's political views on the aims to be attained — Doc. SG (58) 1, Part II, paragraph 66 — Recommendation 178, Part III, para. 7 (f)

20. The Committee of Ministers was in favour of this proposal, on the understanding that its political views should be communicated to the Committee of Experts in appropriate

cases and at the moment judged opportune. 6. Prior discussion by the Deputies on the political aspects of Assembly Recommendations, without formally committing their Governments — Doc. SG (58) 1, Part II, paragraph 67, — Recommendation 178, Part III, para. 7 (d)

21. The Ministers expressed themselves in favour of the proposed procedure, on the understanding that it should not be applied in a rigid or systematic manner.

B. Role of the Secretary-General in co-ordinating the work of the Council's two organs

1. Position of the Secretary-General in relation to the Committee of Ministers — Doc. SG (58) 1, Part II, paras. 69 and 70 .

22. The Committee of Ministers devoted special attention to two proposals:

(i) That the Secretary-General should have the right to submit proposals to the Committee of Ministers

23. At present, under Article 4 (b) (iii) of the Rules of Procedure of the Committee of Ministers, the Secretary-General is empowered to submit to the Committee administrative and financial matters concerning the working of the Council, referred to in Articles 16 and 38 of the Statute.

24. The suggestion that the Secretary-General should be given the right to submit proposals to the Committee of Ministers was favourably received, and the Rules of Procedure of the Committee have been amended accordingly.

(ii) That the Secretary-General should attend meetings of the Committee of Ministers and its subsidiary organs in an advisory capacity

25. The Committee of Ministers approved this proposal. Its Rules of Procedure have been amended accordingly.

2. Position of the Secretary-General in relation to the Assembly — Doc. SG (58) 1, Part II, para. 70, — Recommendation 178, Part I, para. 3

26. In his Report, after suggesting that he should be granted both the right to submit proposals to the Committee of Ministers and to attend meetings of the Committee and its subsidiary bodies in an advisory capacity, the Secretary- General expresses the view that similar facilities might be accorded to him by the Consultative Assembly.

27. The Ministers consider that this is a matter for the Assembly. Article 28 of the Statute provides that the Consultative Assembly should adopt its own Rules of Procedure; it should thus be left to the latter to determine how the Secretary-General's suggestions should be applied. Furthermore, Article 23 (b) of the Statute stipulates that " the Assembly shall draw up its Agenda ".

28. In this connection the Ministers hope the Consultative Assembly will consider that it would be desirable also to recognise the Secretary- General's right to submit proposals to it and to discuss them. Since, unlike the Committee of Ministers, the Assembly meets in public, however, it would be advisable to avoid such action by the Secretary-General taking place in the plenary Assembly itself, save in exceptional cases.

29. This concept of the Secretary-General's role vis-a-vis the Assembly reflects the desire indicated in Recommendation 178, Part I, para. 3, where the Assembly " thanks the Secretary- General for this important and valuable report, trusts that he will continue, as in the past, to make available to the Committees of the Assembly the benefit of his experience and further expects him, when occasion arises, to feel free to submit his views to the Assembly, appropriate arrangements being made with the Bureau. "

30. The Ministers consider that the action they have taken, and any that may be agreed by the Assembly, will facilitate relations between the two organs and improve the efficiency of the organisation in pursuing the aims assigned to it.

3 . Functioning of the Joint Committee — Doc. SG (5 8) 1, Part II, paragraphs 6 8 and 69, — Recommendation 178, Part III, para. 7 (g)

31 . The Committee of Ministers fully shares the opinion expressed by the Assembly in its Recommendation 178 " t h a t the Joint Committee should be enabled to function as the co-ordinating agency between the Committee of Ministers and the Assembly ".

32 . A reform of the working methods of t h e Joint Committee, at both ministerial and deputy level, is the. essential counterpart to the improved co-ordination between the Council's two organs which would result from putting into practice the suggestions made in points 1 and 2 above.

33 . Such reform depends as much on the Assembly as on the Committee of Ministers. For this reason the latter proposes that this point should only be taken up at the appropriate moment and has therefore taken no decision for the time being on the proposals of the Secretary- General on this subject.

2.1.1.2. II . MERGER BETWEEN THE COUNCIL OF EUROPE AND THE O.E.E.C. - Doc. SG (58) 1, Part II, paras. 71 to 74)

34 . The Committee of Ministers has not pronounced on this question as such, in view of the present state of the negotiations on a European Economic Association. On the other hand, it felt it would be useful to tackle the hroader problem of the rationalisation of European institutions other than those of the Six. 'This point is dealt with in para. 44 of this Report.

2.1.1.3. III . DEVELOPMENT OF RELATIONS WITH CERTAIN EUROPEAN STATES - Doc. SG (5 8) 1, Part II, paras. 75 to 78)

35 . The Secretary-General's suggestions on this subject were made on the assumption of a CE/OEEC merger.

36 . For this reason, and in view of the considerations set out in point II above, the Deputies did not feel that any decision should be taken on this question at the present stage.

2.1.1.4. IV. CO-ORDINATION OF FOREIGN POLICIES OF MEMBER STATES - Doc. SG (58) 1, Part II, paras. 79 to 86)

37. The Committee of Ministers proposes to return to this subject in the light of any decisions taken by the Assembly and on the basis of a document prepared by the Secretariat.

2.1.2. (b) Preparation and presentation of the 1959 report on European co-operation

38. With regard to the Report on European co-operation referred to in point II of Recommendation 178 (1958) and in Resolution (57) 26, the Ministers considered that for next year they could not go beyond the provisions of para. 3 of this Resolution. They therefore asked the Secretary-General once again to draft and present t h e Report on his own responsibility in time for the 1959 spring Session of the Consultative Assembly.

39. It was agreed, however, that the Chairman of the Committee of Ministers might, in his personal capacity, comment on the Report and give his views on the progress of European integration when the statutory Report of the Committee of Ministers was presented to the Assembly.

2.1.3. (c) Functioning of the Council of Europe

40. The Committee of Ministers felt unable to accede to the Assembly's proposal in Recommendation 177 (1958), paragraph 1, asking that it be informed of the vote of each Member Government on its Recommendations.

41. It considers that it is for each Member Government to inform Members of the Assembly of its views, where requesed, in its own national Parliament. On the other hand, the Ministers expressed themselves in favour of transmitting to the Assembly, at the appropriate time, the fullest possible information on their decisions.

42. Nor could the Ministers give a favourable reply to the Assembly's proposal in paragraph 2 of the same Recommendation, requesting that the Secretary-General should be made permanent Chairman of the Committee of Ministers, whether meeting at ministerial or deputy level.

43. The Assembly Representatives were informed of the foregoing during the meeting of the Joint Committee on 15th December 1958.

2.1.4. (d) Rationalisation of European institutions

4A. At its 23rd session the Committee of Ministers requested the Permanent Representatives of Member Governments to prepare, in time for its next session, a Report on t he rationalisation of European institutions other than those of the Six.

2.1.5. (e) Relations between the Council of Europe and the European Economic Community (E.E.C.) and Euratom

45. The Committee of Ministers has noted with satisfaction the arrangements made between the Consultative Assembly, on the one hand, and the European Parliamentary Assembly and the EEC and Euratom Commissions, on the other, to establish with these new institutions the links already existing with E.C.S.C. The Committee was particularly glad to note that the principle of joint meetings between the two Assemblies to discuss progress reports of the executives of the three Communities had been maintained.

46. As stated in its Resolution (58) 11, mentioned in para. 17 of the first Supplementary Report (Doc. 863), the Committee of Ministers directed the Secretary-General to enter into contact with E.E.C. and Euratom in order to examine ways and means of establishing close relations between the Council of Europe and these Communities.

47. Following the first contacts between the Secretary-General and the Commissions of the two Communities, the Committee of Ministers instructed him at its session in December 1958 to prepare, together with the competent authorities of the new Communities, a new draft agreement on the relations to be established between the latter and the Committee of Ministers of the Council of Europe.

2.1.6. (f) Transmission to national Parliaments of decisions taken by the Committee of Ministers

48. As regards the Assembly's proposal in Recommendation 168 (1958), the Committee of Ministers recalls the considerations set forth in its last Report to the Assembly (Doc. 863, para. 21).

49. It should be added that several Member Governments transmit the official documents of the Council of Europe, emanating both from the Assembly and from the Committee of Miinisters, to the Clerks or libraries of their Parliaments and that some Governments prepare for their Parliaments a special annual report on the Council's activities.

2.1.7. (g) Present situation in central and eastern Europe

50. After considering Assembly Recommendation 184 (1958), the Committee of Ministers decided to draw the attention of Member Governments to its provisions and also to the report by the Committee on Non-represented Nations in which the Recommendation originated (Doc. 884).

51. The Ministers acknowledge the importance of the principles enunciated in the Recommendation but consider it politically inexpedient to take action upon them for the time being.

52. The Recommendation will, however, remain on their Agenda.

2.1.8. (h) Situation in the Soviet zone of Germany

53. The Ministers took note of the considerations expressed by the Assembly in its Resolution 153 (1958).

2.2. CHAPTER II - Economic Questions

2.2.1. (a) European Economic Co-operation

54. At its 23rd Session on 15th December, the Committee of Ministers adopted the following Resolution (58) 25 :

" The Committee of Ministers,

Recalling that the aim of the Council of Europe is to achieve a greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress;

Confirming their decision to continue to consult together as in the past and further develop their consultations whenever a problem arises which vitally affects the Council of Europe;

Considering the present state of the negotiations for a European Economic Association;

Conscious of the urgent need to maintain and develop the co-operation between the Governments of all member counries of O.E.E.C. in order to safeguard the harmonious development of their economic relations,

Reaffirms the determination of Member Governments of the Council of Europe to bring about a multilateral association between the European Economic Community and the other member countries of O.E.E.C. "

55. This Resolution was immediately transmitted to the Council of O.E.E.C, and was also brought to the knowledge of Representatives of the Assembly at the Joint Committee's meeting on 15th December 1958.

2.2.2. (b) European Co-operation in the field of Posts and Telecommunications

56. On 20th November 1958, the Committee of Ministers adopted the following Resolution (58) 21:

" The Committee of Ministers,

Having regard to Recommendations 102 and 143 of the Consultative Assembly on European co-operation in the field of posts and telecommunications and on the institution of a European Conference of Ministers of Posts and Telecommunications respectively;

Having noted the action taken by the member countries of the European Economic Community towards the establishment of close co-operation in the field of posts and telecommunications, and welcoming the proposals to place such co-operation in a wider framework;

Noting with satisfaction the creation of a preparatory committee, including representatives of the Six and of other European countries, to examine in detail the possibilities of a wider cooperation of this kind,

Expresses the hope that all Member States of the Council will co-operate in furthering this important enquiry. "

57. This Resolution was brought to the knowledge of Representatives of the Assembly at the Joint Committee's meeting on 15th December.

58. The Permanent Representative of Turkey informed the Committee of Ministers that, in accordance with paragraph 6 Assembly Recommendation 102 (1956) his Government had issued a series of European stamps which had been given a special postmark.

2.2.3. (c) Exploitation of the natural gas resources of the Northern Sahara

59. The technical aspects of Assembly Recomendation 167 (1958) are at present being studied by O.E.E.C., to whom this Recommendations was transmitted in accordance with the Agreement between that organisation and the Council of Europe.

60. The Committee of Ministers was informed that the French Government was also considering the various problems raised therein.

61. On account of the political aspects of the matter, the Ministers decided to resume consideration of the Recommendation when the French Government had made known its position and in the light of the technical opinions expressed by O.E.E.C.

2.2.4. (d) First report of the European Nuclear Energy Agency of O.E.E.C. to the Consultative Assembly

62. The Committee of Ministers expressed to the Council of O.E.E.C. t h e hope t h a t the latter would take a favourable view of the provisions of Assembly Recommendation 187 (1958), paragraph 16[1] , which the Committee felt might be applied as part of the General Agreement between the Council of Europe and O.E.E.C.

63. I t was also stated that the Committee reserved the right to examine paragraph 17 of the Recommendation, in which the Assembly recommends the Committee of Ministers to establish with the Euratom Commission the desired relations between the Council of Europe and Euratom. This paragraph obviously does not concern O.E.E.C.

64. The Ministers felt it advisable to inform the Assembly t h a t it would be receiving an annual progress report from the European Nuclear Energy Agency. Having regard to the opinion expressed by the Liaison Committees that the Agency is an integral part of O.E.E.C, it was not thought that the transmission of such reports required the conclusion of a fresh agreement between the Council of Europe and O.E.E.C.

65. In this connection, t h e Council of O.E.E.C. has requested the Steering Committee of the European Nuclear Energy Agency to prepare in 1959 a further Report on its activities for the Consultative Assembly, taking into account the suggestions contained in paragraph 14 of the Recommendation.

66. The Council of O.E.E.C. has also asked the Steering Committee to take into consideration in its work the proposals made in paragraphs 9 (b) and (c), 10, 11, 13 and 15 of the Recommendation.

2.3. CHAPTER III - Agricultural Questions

2.3.1. (a) Forestry situation in Europe

67. The Committee of Ministers, at the appropriate time, transmitted to O.E.E.C. and F.A.O., for opinion and information respectively, Assembly Recommendation 135 (1957) on the forestry situation in Europe.

68. After noting the replies received from these two organisations, it transmitted them to the Assembly for information (Doc. 928).

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1. In paragraph 16 of Recommendation 187 (1958), the Assembly recommends that an agreement between the Council of Europe and O.E.E.C. should specify the terms on which: (a) an annual report on the activities of the European Nuclear Energy Agency will be transmitted to the Consultative Assembly; and (&) the texts adopted by the Assembly after discussion of this report will be transmitted to the Council of O.E.E.C. and by the latter to the Steering Committee of the Agency.

69. In addition, since the F.A.O. is carrying out studies in the field covered by the Recommendation, the Ministers decided to ask that organisation to send them a supplementary opinion and to keep them regularly informed of further developments in its work.

2.3.2. (b) Marketing of livestock and meat

70. Pursuant t o the Agreement between the Council of Europe and O.E.E.C., Assembly Recommendation 180 (1958) has been transmitted to the latter organisation for opinion.

71. The Committee of Ministers will inform the Assembly in due course of any action taken by O.E.E.C. in this matter.

2.3.2.1. (c) Control of foot-and-mouth disease

72. The Committee of Ministers decided to draw the attention of Member Governments to the provisions of Assembly Recommendation 181 (1958).

73. The Committee was also informed that Luxembourg was in process of ratifying the International Sanitary Convention on the Prevention of Foot-and-mouth Disease.

2.3.3. (d) Production and marketing of vine products and spirits in Europe

74. Assembly Recommendation 182 (1958) on this question, which has been transmitted to O.E.E.C. under the Agreement between that organisation and the Council of Europe, will remain on the Agenda of the Committee of Ministers.

75. The Assembly will be informed in due course of O.E.E.C.'s reply to the Committee of Ministers.

2.4. CHAPTER IV - Social Questions

2.4.1. (a) Public Health

Signature of the European Agreement on the Exchange of Therapeutic Substances of Human Origin and Protocol thereto

76. This Agreement and its Protocol were signed at the 23rd Session of the Committee of Ministers on 15th December 1958.

77. The Agreement standardises the criteria for the preparation, preservation, packing and despatch of the therapeutic substances in question. The result will be that a country receiving a gift of therapeutic substances from another signatory country will henceforward be able to use them immediately, as if they had been prepared in its own laboratories. The exchanges forming the subject of this Agreement must be entirely non-profit-making and the substances will be made available only for medical purposes, through the sole medium of organisations authorised by the Governments concerned. No import charges will be levied on these products and the Governments undertake to ensure that they will be conveyed to their recipients as rapidly as possible and by the most direct means.

78. Austria, France, the Federal Republic of Germany, Greece, Italy, Luxembourg and Turkey signed subject to ratification.

79. Belgium, Ireland, Norway and Sweden signed without reservation as to ratification. For these countries the Agreement and its Protocol came into force on 1st January 1959 (see ratifications chart appended).

2.4.2. (b) Social Charter

80. The European Tripartite Conference, organised in co-operation with I.L.O. to discuss the Social Charter, took place inStrasbourg from 1st to 13th December.

81. As mentioned in the last Report of the Committee of Ministers (Doc. 863, para. 39), the latter will shortly resume consideration of the draft Charter (see also paragraph 155).

2.4.3. (c) European code of Social Security

82. The Committee of Ministers decided to refer to the Committee of Experts on Social Security, for consideration at their next meeting, those Articles of the draft Code and Protocol to which amendments have been made (Articles 68, 75 and 76 of the Code and Article 2 of the Protocol) or on which no agreement has been reached.

83. The Committee of Experts was requested to examine these Articles not only from the point of view of the technical problems raised by these amendments, but more particularly bearing in mind the political importance the Governments attach to the conclusion of an agreement on the draft Code and Protocol.

84. The Ministers will resume their consideration of the matter at a later date.

2.4.4. (d) Ratifications of the European Interim Agreements on Social Security and the European Convention on Social and Medical Assistance

85. On 18th November 1958, Luxembourg deposited with the Secretary-General of the Council of Europe its instruments of ratification of these two Agreements and their Protocols, and of the European Convention on Social and Medical Assistance.

86. The Agreements, Convention and Protocols in question have now been ratified by Belgium, Denmark (excluding the Protocols to the two Agreements), France, Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Norway, Sweden and the United Kingdom (see chart appended).

2.4.5. (e) Agreement on the exchange of war cripples between member countries of the Council of Europe for purposes of medical treatment

87. On 22nd October 1958, the Netherlands deposited its instrument of ratification of this Agreement with the Secretary-General of the Council of Europe.

88. The Agreement is now in force in respect of Austria, Denmark, France, Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Norway, Sweden and the United Kingdom (see chart appended).

2.5. CHAPTER V - Refugees and Over-population

2.5.1. (a) Evacuation of European refugees from the Far East. Measures taken by Member Governments

89. At the meeting of the Joint Committee on 15th December 1958, the Assembly Representatives were informed of certain measures taken by Member Governments with regard to the problem of European refugees in the Far East, which forms t h e subject of Recommendation 170.

90. The Committee of Ministers transmits herewith to the Assembly in Appendix II some further information received from certain Governments on this subject, and also a letter from the United Nations High Commissioner for Refugees thanking the Council of Europe for its action to assist these refugees from the Far East.

2.5.2. (b) Second progress report of the Special Representative of the Council of Europe for national refugees and over-population

91. The Committee of Ministers has taken note of Assembly Recommendation 171 (1958).

92. With regard to paragraph 3 of this Recommendation which concerns the implementation of the measures suggested in Recommendation 113 (1957) and, in particular, the proposal for the holding, within the framework of the Council of Europe, of periodical conferences of Ministers of Labour and Social Welfare, O.E.E.C. has announced that it feels such conferences would be useful.

93. However, the Committee of Ministers has not pronounced on this matter nor, more particularly, on the question as to the international organisation under whose auspices such conferences might be held.

94. With regard to most of the other points i n Recommendation 171, the Committee of Ministers noted t h a t they were dealt with in the Second Report of the Special Representative, Twhich was presented to the Assembly during the second part of its Tenth Session.

2.5.3. (c) Seventh progress report of the United Nations High Commissioner for Refugees

95. The Committee of Ministers expressed itself in favour of Assembly Recommendation 169 (1958), which recommends the Committee of Ministers to urge Member Governments to give their fullest support and make a most generous ^response to the appeal to be launched by the High Commissioner for his 1959 programmes. 'The Committee of Ministers decided to call the ;attention of Member Governments to this Recommendation.

2.5.4. (d) Sixth report on the activities ofl.C.E.M.

96. The Committee of Ministers decided to draw the attention of Member Governments to Assembly Recommendation 172 (1958) recommending the Committee of Ministers to invite Member Governments to give all possible support to I.C.E.M., and has asked each of them to consider the possibility of acting on the proposal contained therein.

2.6. CHAPTER VI - Cultural Questions

2.6.1. (a) Council of Europe Cultural Fund

2.6.1.1. (i) Representation of the Assembly on the Administrative Board of the Fund

97. With reference to the Assembly's proposal in Recommendation 174 (1958), the Committee of Ministers recalls that, under Article V, para. 3 of the Statute of the Cultural Fund it is for the Fund's Administrative Board itself to make proposals to the Committee with regard to the co-opting of additional members of the Board.

98. The Ministers nevertheless decided to suggest to the Government representatives on the Board that two members of the Assembly at most, should be co-opted.

2.6.1.2. (ii) Arrangement with the European Cultural Foundation

99. The Committee of Ministers examined Assembly Recommendation 175 (1958), but considered that at the present stage there was no need either to open official negotiations with the European Cultural Foundation as provided for in Article III of the Statute of the Fund, nor to set up an ad hoc liaison committee as proposed by the Assembly.

100. The Committee of Ministers, which is most interested in the establishment of close links between the Council of Europe Cultural Fund and the Amsterdam Foundation, will inform the Assembly in due course of the outcome of the negotiations to be undertaken between the two organisations in accordance with Article III of the Fund's Statute.

2.6.2. (b) Eighth course of European studies

101. This course was held at Strasbourg from 10th to 19th October 1958. The 49 participants were the directors of national youth bodies or non-governmental youth organisations.

102. The lecturers were :

M. Wilhelm Cornides, Director of Europa- Archiv, Frankfurt.

M. Jan de Meyer, Professor, University of Louvain.

M. Philippe Deshormes, Secretary- General, European Youth Campaign.

M. P. B. Couste, Consultant of the World Assembly of Youth (WAY) to the Council of Europe.

2.6.3. (c) Model Assembly of European Youth

103. The Model Assembly of European Youth met on 9th August 1958 in the hémicycle of the Council of Europe Pavilion at the Brussels Exhibition.

104. It was arranged at the request of the Council's Committee of Cultural Experts by the International Secretariat of the European Youth Campaign, and was prepared beforehand by a study course held at Dinant (Belgium) from 3rd to 8th August 1958.

105. About 300 young people from all the Council of Europe countries, as well as Switzerland and Spain participated.

106. The preparatory meetings at Dinant were assisted by the Council of Europe, N.A.T.O., lecturers from these two organisations, the European Economic Community and E.C.S.C. The Comité de l'expansion du Namurois (Belgium) and the Dinant local authorities also lent their support.

2.6.4. (d) Publication of theses written by Council of Europe fellowship holders

107. At the request of the Committee of Cultural Experts the Secretariat has concluded a contract with an international publishing-house for the publication of the best theses written by Council of Europe fellowship holders.

108. A start has been made on the publication 'of these works by Messrs. A.W. SijthoiT, of i e y d e n , in a series entitled Aspects Européens. The general subject of the series is European integration, and there are five sections:

Humanities

Economic sciences

Political sciences

Social sciences

Law.

109. The first work in Section (ii) is by M. Paul Romus, on the subject of " Regional economic expansion and the European Communities ".

2.6.5. (e) University exchange scheme

110. The member countries -which have benefited during the last three years from the scheme to invite university teachers under the Council of Europe exchange scheme were:

(1) in 1956

Austria - 3 university teachers invited

Denmark - 1

Federal Republic of Germany - 3

Greece - 1

Italy - 2

Norway - 2

Total - 12

(2) in 1957

Austria - 2 university teachers invited

Federal Republic of Germany - 3

Ireland - 3

Italy - 2

Norway - 2

Sweden - 1

United Kingdom - 1

Total - 14

(3) in 1958

Federal Republic of Germany - 2 university teachers invited

Italy - 3

United Kingdom - 1

Total - 6

2.6.6. (f) Scientific research crisis in Europe

111. In pursuance of the Agreement between the Council of Europe and O.E.E.C., Assembly Recommendation 173 (1958) was transmitted to the latter organisation and considered by the CE/OEEC Liaison Committees at their meeting on 3rd November last.

112. It was decided that O.E.E.C. should be entrusted with the task of studying the Recommendation, on the understanding that the Committee of Ministers would remain at liberty to ascertain whether there was any duplication between the activities of the OEEC Bureau for Scientific and Technical Manpower and those of the Committee of Cultural Experts of the Council of Europe, in particular as regards the equivalence of diplomas.

113. In its next Report to the Assembly O.E.E.C. will inform the latter of its activities in the field covered by the Recommendation. The Council of that organisation has already taken note of paragraph 1 of the Recommendation and has agreed to take its paragraph 2 into consideration when examining the future activities of the European Productivity Agency.

2.6.7. (g) Equivalence of agricultural diplomas

114. After a preliminary study of Assembly Recommendation 176 (1958), the Committee of Ministers decided to refer it to the Committee of Cultural Experts for an opinion, in the light of which it will resume its consideration.

2.7. CHAPTER VII - Convention on the Protection of Human Rights and Fundamental Freedoms

2.7.1. (a) List of candidates for the European Court of Human Rights

115. At its 23rd Session in Paris on 15th December 1958, the Committee of Ministers noted that each of the fifteen Member Governments of the Council had submitted its list of three candidates in accordance with Article 39 of the Convention. It grouped all the names in a single list which its Chairman then transmitted by letter of the same date to the President of the Consultative Assembly (Doc. 918).

116. The Committee has thus complied with the wish expressed by the Assembly in its Recommendation 183 (1958) " that the list of candidates required under Article 39 of the Convention be submitted without delay by Member States of the Council of Europe, thus enabling the Assembly to elect the members of the Court before the close of its Tenth Session ".

2.7.2. (b) Election of a member of the European Commission of Humanr Rights

117. At its 23rd Session the Committee of Ministers adopted the following Resolution (58) 24:

" The Committee of Ministers,

Having regard to Articles 19 paragraph 1, 20 and 21 of the Convention for the Protection of Human Rights and Fundamental Freedoms ;

Considering that the Government of Austria, having become a Member of the Council of Europe on 16th April 1956 and having signed the above-mentioned Convention on 13th December 1957, deposited its instrument of ratification of the said Convention on 3rd September 1958 ;

Considering that the number of High Contracting Parties to the Convention has thus been increased from thirteen to fourteen;

Considering that the European Commission of Human Rights is composed of a number of members equal to that of the High Contracting Parties;

Considering that it is therefore necessary to complete the membership of the Commission by the election of a fourteenth member, who will sit in respect of Austria;

Having regard to the list of candidates transmitted by letter of the President of the Consultative Assembly on 14th October 1958;

Having voted on this matter,

Declares M. Felix Ermacora, Professor at the University of Innsbruck, unanimously elected a member of the European Commission of Human Rights. "

2.7.3. (c) Second Protocol to the General Agreement on Privileges and Immunities of the Council of Europe (Provisions relating to members of the European Commission of Human Rights)

118. On 13th November 1958, the Government of Austria signed this protocol without reservation as to ratification.

119. The Protocol, which was opened for signature on 15th December 1956, is at present binding on eight States which have either signed it without reservation as to ratification (Austria, Denmark, Iceland, Netherlands, Norway and Sweden) or have ratified it (Italy and United Kingdom).

2.8. CHAPTER VII - Legal and Administrative Questions

2.8.1. (a) Signature of the European Agreement concerning programme exchanges by means of television film

120. At the 23rd Session of the Committee of Ministers on 15th December 1958, t h e European Agreement concerning programme exchanges by means of television film was signed.

121. The object of this Agreement is to resolve the difficulties encountered by the television organisations in the exchange of filmed programmes owing to the differences in national legislations with regard to the determination of the legal nature of television films and the rights they grant in this respect.

122. Belgium, Denmark, Greece, Italy, Luxembourg Sweden and Turkey signed the Agreement subject to ratification, while France, and the United Kingdom signed it without such reservation.

123. The Government of the Federal Republic of Germany announced that, while it approved the Agreement in principle, it could not sign it for the time being, since there were still a number of legal questions to be cleared up, as a result of the internal legislation of the Federal Republic on authors' rights.

2.8.2. (b) European Civil Service

124. The Committee of Ministers noted the contents of the Second Report of the Working Party on the European Civil Service. It approved i t s main lines and decided to transmit it to the Assembly for information. (Doc. 912).

125. The Ministers felt that it was too early to express any opinion on the Assembly's proposal, contained in Section II of Recommendation 155 (1958), that the Working Party should be transformed into a permanent co-ordinating body. They decided, in consequence, that it should be left to the Working Party itself, when it thought fit, to make concrete proposals concerning, its future activities.

126. The Working Party met in Paris on 24th November 1958, with the participation of representatives of the EEC and Euratom Commissions, in accordance with the wish expressed by the Assembly in para. 3 of its Recommendation 155. It is now preparing a third report dealing with recruitment and staff training.

2.8.3. (c) Arbitration in respect of International Relations of Private Law

127. The Committee of Experts on Arbitration met at Strasbourg from 10th to 15th November 1958. The meeting was also attended by observers from The Hague Conference of International Private Law and from the United Nations.

128. In accordance with Resolution (58) 6 of the Committee of Ministers, the Experts' instructions were to consider the possibility of concluding, within the framework of the Council of Europe, a Convention along the lines suggested in Assembly Recommendation 156 (1958) concerning arbitration in respect of international relations of private law, on the understanding that such a Convention might be limited to certain of the aims envisaged by the Assembly.

129. The Committee of Experts considered that it was not bound by these instructions to limit its inquiries to t h e proposals of t h e Assembly, and it recommended that the Committee of Ministers should cause a draft Convention to be prepared on a uniform arbitration law which would replace the national laws of the Contracting States. It was understood that any such draft might contain a clause whereby any Contracting State would be free to declare that it would apply this uniform law only in its international relations with the other Contracting States.

130. At one of its forthcoming meetings the Committee of Ministers will state its opinion on t h e Experts' proposal.

2.8.4. (d) Reduction of the number of cases of multiple nationality

131. The Committee of Experts, convened in pursuance of Resolution (58) 16 of the Committee of Ministers (Doc. 863, para. 154), held its first meeting from 8th t o 14th January 1959, in order to examine the possibility of concluding within the framework of the Council of Europe a Convent-ion based on the principles set forth in Assembly Recommendation 164 (1958).

132. The experts considered it possible to conclude such a Convention and drew up a preliminary draft text, which will be re-examined at their next meeting in June.

2.8.5. (e) Liability of Hotel-keepers

133. The Committee of Experts set up in pursuance of Assembly Recommendation 125 (1957) met from 15th to 20th December last. At a session specially held for the purpose it heard a representative of the International Union of Hotel-keepers Association. It also noted a memorandum prepared by the World Touring and Automobile Organisation.

134. The Experts prepared a draft Convention with an annex containing provisions on the responsbility of hotel-keepers for the property of their guests. The provisions embody the principle of strict liability, limited to a sum to be determined, and are to be regarded as a minimum; the States are entitled to go beyond them and increase hotel-keepers' liability.

135. The Experts will meet again in September 1959 to draw up the final text of the draft Convention.

2.8.6. (f) Prevention of crime and treatment of offenders (European Committee on Crime Problems)

136. The Bureau of the European Committee on Crime Problems met on 30th and 31st October last.

137. It formed five Sub-committees of coopted members, each presided over by a Chairman/ Rapporteur and instructed to study one of the six questions at present included in the first stage of the Committee's plan of action (see Doc. 863, para. 147):

Sub-committee No. 1: The death-penalty in European countries

Sub-committee No. 2: Civil and political rights of prisoners and ex-prisoners

Sub-committee No. 3: Mutual assistance in after-care

Sub-committee No. 4: Co-operation in the punishment of road traffic offences

Sub-committee No. 5: Juvenile delinquency..

138. Sub-committee No. 4 met in Paris on 26th November at the headquarters of the International Criminal Police Organisation (Interpol), which is affording it technical assistance.

139. Sub-committees 2 and 3 held their first meeting on 27th and 28th November respectively. Sub-committee No. 3 is to have the benefit of a full enquiry into after-care institutions, to be conducted by Mrs. Mayo, a sociologist specialising in the employment of ex-prisoners in factories.

140. The Working Party of the Sub-committee on Juvenile Delinquency met on 10th and 11th December; it was composed of M. Eriksson (Chairman/Rapporteur) and two consultant experts, Mr. Hugh Klare (Howard League for Penal Reform) and Professor Sieverts (Hamburg).

141. Finally, Sub-committee No. 1 (deathpenalty) held its first meeting on 12th December at the French Centre for Comparative Law in Paris, which is acting as a consultant body for the Sub-committee.

2.8.7. (g) Compulsory insurance of motor vehicles

142. The Committee of Ministers noted the contents of Assembly Opinion No. 29 on the draft European Convention on the compulsory third-party insurance of motor vehicles.

143. Having learned that several Member Governments were still studying the draft Convention, the Committee of Ministers decided to resume its consideration of this matter at a later meeting.

2.8.8. (h) Second report of the international commission on civil status

144. The Committee of Ministers will shortly examine Assembly Recommendation 185 (1958) and will in due course inform the Assembly of any action i t is able to take thereon .

145. The Government of Luxembourg has already announced that ratification procedure is in progress for the Convention on the issue of birth, marriage and death certificates for transmission abroad and the Convention on the free issue of certificates of civil status and exemption from the need for authentication.

2.8.9. (i) First report of the International Institute for the Unification of Private Law

146. The Committee of Ministers has noted Assembly Resolution 154 (1958) containing a reply to the Institute's first report.

2.8.10. (j) Convention on the law relating to child maintenance

147. After considering Assembly Recommendation 179 (1958) the Committee of Ministers decided to draw the attention of Member Governments to that Recommendation and informed The Hague Conference on International Private Law that, having regard to the agreement concluded between the Council of Europe and the Conference, it hoped that any conventions which the latter might prepare in the future would provide for the possibility of accession by any Member State of the Council of Europe which might so desire by the simple deposit of an instrument of accession and without further formality.

148. As regards signature and ratification of the Convention in question by Member States, the Ministers were informed as follows:

Italy signed the Convention on 8th October 1958;

Luxembourg ratified it on 23rd July 1958;

The Netherlands has signed the Convention and has initiated ratification procedure;

Norway has also signed the Convention, but ratification cannot take place before 1960 because the Convention is incompatible with domestic legislation.

2.9. CHAPTER IX - Participation of local and regional authorities in European activities

149. At its 23rd Session, the Committee of Ministers expressed itself in favour of the holding of a third European Conference of Local Authorities and instructed the Deputies to decide on the practical measures involved, with particular regard to the financial implications and the date of the Conference.

3. Section II - Council of Europe machinery and administration

3.1. (a) Permanent representatives of Governments to the Council of Europe

150. M. A. Reifferscheidt has been appointed Permanent Representative of the Federal Republic of Germany to the Council of Europe, in succession to M. G. Feine.

3.2. (b) Calendar of meetings

151. 1958

10th to 18th October

Eighth Course of European Studies (Strasbourg).

21st to 23rd October

Governing Body of the Resettlement Fund (Paris).

29th to 31st October

Second European Conference of Local Authorities (Strasbourg).

30th to 31st October

Bureau of the European Committee on Crime Problems (Paris).

3rd November

CE/OEEC Liaison Committees (Paris).

3rd to 4th November

Bureau of the Committee of Legal Experts on Television (Paris).

10th to 15th November

Committee of Experts on Arbitration (Strasbourg).

12th to 19th November

Sub-commission of the European Commission of Human Rights (Strasbourg).

17th to 20th November

64th Meeting of Ministers' Deputies (Strasbourg).

20th to 21st November

Bureau of the Committee of Cultural Experts (Paris).

21st to 25th November

65th Meeting of Ministers' Deputies (Strasbourg).

24th to 26th November Working Party on the European Civil Service (Paris).

1st to 6th December

Budget Committee (Strasbourg).

1st to 13th December

Tripartite Conference on the European Social Charter (Strasbourg).

12th December

66th Meeting of Ministers' Deputies (Paris).

15th December

Joint Committee (Paris).

15th December

23rd Session of Committee of Ministers (Paris).

15th to 20th December

Committee of Experts on the Liability of Hotel-keepers (Strasbourg).

16th December

CE/OEEC Liaison Committees (Paris).

17th to 19th December

Joint Meeting of Governing Body and Administrative Council of the Resettlement Fund (Paris).

1959

8th to 14th January

Committee of Experts on Multiple Nationality (Strasbourg).

14th January

67th Meeting of Ministers' Deputies (Strasbourg).

4. Section III - Relations with other international organisations

4.1. (a) Organisation for European Economic Co-operation

152. The Council of Europe/OEEC Liaison Committees met twice during the period under review. The first meeting, held on 3rd November 1958, was devoted to consideration of the texts adopted by the Assembly at its October Session and relating to problems of concern to O.E.E.C., in order to ascertain which of the two organisations would be better fitted to take appropriate action thereon.

153. A second meeting was held on 16th December, when the Special Representative for National Refugees and Over-population, M. Schneiter, outlined his programme of action for training unskilled labour in Europe.

4.2. (b) International criminal police organisation - Interpol

154. The Committee of Ministers has approved the conclusion of an agreement with Interpol. The text of the agreement, which takes the form of an exchange of letters to take place between the Secretaries-General of the two organisations, appears in Appendix III.

4.3. (c) International Labour Organisation

155. The Tripartite Conference, convened by the International Labour Organisation at the request of the Council of Europe in pursuance of Article 3 of the Agreement between the two Organisations in order to examine the draft European Social Charter, met in Strasbourg from 1st to 13th December 1958.

156. The Chair of the Conference was taken by M. Fernand Dehousse, President of the Consultative Assembly. M. Jef Rens, Deputy Director-General of the International Labour Office, was appointed Secretary-General of the Conference and was assisted by officials of I.L.O. and the Secretariat of the Council of Europe. (See also paragraph 81 above).

Appendix 1 – Committees of Governmental Experts: Programme for 1959 - (See paragraphs 9 and 10)

1. Social Questions

(1) Committee of Experts on Public Health

The items on the Committee's Agenda for the current year are as follows:

(a) Pooling of stocks of test sera of human origin for blood group determination in member countries.

This item relates to the European Agreement on the Exchange of Therapeutic Substances of Human Origin. It will probably be included in that Agreement as soon as the Committee has finished work on it.

(b) Duty-free importation on a temporary basis of scientific equipment not available in sufficient quantity in the importing country, for use in hospitals and particularly their laboratories.

Work on this question will probably be completed by the end of 1959.

(c) Study of the standardisation of the training of nurses in order to achieve equivalence of national diplomas and so facilitate the exercise of their calling in the various member countries.

(d) Availability to other member countries of climatic facilities, hospitals and special treatments,

The study of the technical aspects of this problem has been completed. The Experts will resume consideration of it in the light of the opinion which they have requested of the Committee of Experts on Social Security.

(e) Mutual assistance in the event of serious accidents or natural disasters in frontier areas.

(f) Mechanical classification of medical cards.

(g) Request for an opinion on some aspects of the problem of occupational diseases.

The reply to the request for an opinion by the Special Representative of the Council of Europe may be drafted before the end of 1959.

(h) Problems facing Public Health Departments in regard to physical and mental health as a result of developments in automation.

This question is now being studied by the European Regional Office of W.H.O. If that organisation so requests, it may possibly re-appear on the Committee's Agenda.

(i) Preparation of a co-ordinated research project for the coming years as part of the Council of Europe Medical Fellowship piugramme.

In the initial stages the medical fellowship programme comprisedi ndividual fellowships only. The Budget Committee has now approved for the first time an appropriation for co-ordinated research fellowships in 1959. The estimate will be submitted to the Committee of Ministers for approval.

The study on camping hygiene and action to standardise camping regulations in all member countries will be undertaken this year.

(j) Activities of the Committee on Industrial Health and Medicine set up by the High Authority of E.C.S.C.

This item is of a purely informative character.

(2) Social Committee

The following questions are on the Committee's Agenda for 1959:

(a) European Social Charter

The report of the Tripartite Conference, which met to discuss the draft Social Charter, will be submitted to the Committee of Ministers. It is, however, for the Council of Europe itself to draft the final text of the Charter in the light of the report of the Conference.

(b) Housing

The Committee of Ministers has referred to the Social Committee Recommendation 154 (1958) of the Assembly on certain aspects of the European housing problem.

(c) Suppression of the traffic in persons and of the exploitation of prostitution.

The Committee of Ministers has referred to the Social Committee Assembly Recommendation No. 161 (1948) calling for the speedy ratification of the International Convention of 2nd December 1949 for the Suppression of the Traffic in Persons and of the Exploitation of Prostitution.

(d) Extension to all members of the Council of Europe of the Convention concluded by the Brussels Treaty Powers on 17th April 1950 on the exchange of student employees.

During 1959 the Social Committee will have to follow up the action already begun with a view to extending this Convention to other Members of the Council of Europe.

(e) Study of ILO Conventions and Recommendations.

This question is formally on the Agenda of the Social Committee.

The purpose is to review the state of ratification of Conventions and the application This item is of a purely informative character.

It should be noted that the Committee will probably be unable to complete its work on all the above points during 1959. Furthermore, at its 7th Session in March 1958 the Committee decided that at its next Session all delegations should make suggestions for matters to be included in the future working programme. It may thus be expected that during 1959 the Committee will draw up a further programme.

(3) Committee of Experts on Social Security

The following is the 1959 programme:

(a) European Code and Protocol of Social Security.

The Ministers' Deputies have decided to refer back to the Committee of Experts for new study certain articles of the draft European Code and Protocol, particularly Article 68 which deals with equality of treatment as between nationals and aliens. It will also study Articles 75 and 76 in connection with which the Assembly has proposed certain changes.

(b) Social security aspects of making climatic facilities, hospitals and special treatments existing in certain member countries available to nations of other member countries.

The Committee of Ministers has referred this question to the Committee at the request of the Committee of Experts on Public Health. The Committee of Experts on Social Security had its first discussion on this subject at its last Session in March this year and will take it up again at its first meeting in 1959.

(c) Examination of the European Convention concerning the social security of migrants with a view to its extension to other members of the Council of Europe.

This Convention was concluded in December 1957 by the Members of E.C.S.C.

At its last Session the Committee requested I.L.O. to prepare a questionnaire to be submitted to Member Governments which are not Members of the Community, in order to ascertain their position with regard to the application of at least some of the principles of the Convention in the wider framework of the Council of Europe.

2. Cultural Questions

(1) Convention

The Committee of Cultural Experts hopes to complete the drafting of the Convention on the Equivalence of University Diplomas. Work will be continued on the draft Convention on effeclus civilis.

(2) Research fellowships

The Council of Europe Research Fellowships will again be awarded in 1959. Publication of the theses written by the Fellows will also be continued.

(3) European exhibitions

The fifth European Exhibition, "The Romantic Movement —1750 to 1850 ", will be held in London during 1959.

(4) European Film Prize

The European Film Prize, as well as the newsreel prize, will be awarded at the Edinburgh Festival in August 1959.

(5) Course on the European idea in education

This will be organised by Austria and its subject will be: " The European Idea in Adult Education ".

(6) Course of European studies

This will be held on the occasion of the Consultative Assembly's autumn session.

(7) Conferences on the revision of history textbooks

The Committee plans to publish the work of all these conferences.

(8) Youth

A Youth Conference will take place in Strasbourg in March 1959.

(9) Study tours for workers

These will be continued in 1959.

(10) Translation of literary works written in the lesser-known European languages

These will be continued in 1959.

(11) European folklore collection

Work will be continued during 1959.

(12) Microfilm reproductions of manuscripts

A meeting of experts will be held in 1959.

(13) Cultural identity card

Work on this will continue in 1959.

(14) University exchanges

These will also be continued in 1959.

(15) Miscellaneous

The Committee of Cultural Experts will likewise pursue its work on a number of projects not yet finally agreed upon:

participation of the Council of Europe in the UNESCO major project " East-West".

competition in advanced European research.

(16) Meetings

A plenary meeting of the Committee of Cultural Experts, two meetings of its Bureau and several Sub-committee meetings are envisaged for 1959.

(17) Council of Europe Cultural Fund

The Administrative Board of the Fund met for the first time from 13th to 15th January 1959, in Strasbourg. An informal exploratory meeting between certain members of the Administrative Board of the Fund and the Governors of the European Cultural Foundation (Amsterdam) took place on 13th January 1959.

3. Legal and Administrative Questions

(1) Special Committee of Senior Officials for the Simplification of Frontier Formalities

At its meeting devoted to the 1959 Budget, the Committee of Ministers will consider what questions might be placed on the Special Committee's Agenda.

(2) Working Party on the European Civil Service

The Working Party's task this year will be:

a. Preparation of a third report, dealing with methods of recruitment and staff training. Publication is envisaged in the spring.

b. Preparation of a fourth report, dealing (i) with grading, advancement and promotion, and (ii) with the residential status of junior staff. It seems unlikely that this report will be ready before the autumn of 1959.

(3) European Committee on Crime Problems

During the winter and spring of 1959 various Sub-committees (mentioned in paragraph 137 of this Report) - will each meet to continue their examination of the questions included in the plan of action prepared by the Committee of Experts and to submit to that Committee certain proposals for implementing them.

The items included in the plan of action are as follows:

co-operation between European States with regard to motoring offences;

prisoners' wages and related questions;

civil and political rights of prisoners and ex-prisoners;

mutual assistance in after-care;

the death penalty in European countries;

certain aspects of juvenile delinquency.

The plenary Committee will probably meet during the coming autumn.

(4) Committee of Experts on the Compulsory Insurance of Motor Vehicles

Early in 1959 the Committee of Ministers will be examining Assembly Opinion No. 29 concerning the draft European Convention on compulsory third-party insurance for motor vehicles.

Should any amendments to the draft be submitted by Governments, the Committee of Experts may be reconvened. Otherwise the Convention will probably be signed during 1959.

(5) Committee of Experts on Mutual Assistance in Criminal Matters

The draft European Convention on Mutual Assistance in Criminal Matters has been transmitted to the Assembly for an opinion by the Committee of Ministers, who will resume consideration of it when it has received that opinion.

The Committee of Experts will be convened only if important amendments to the text of the Convention are proposed; failing this, the Convention will probably be signed towards the end of this year.

(6) Committee of Experts on the Treatment of Legal Persons

This Committee's terms of reference are to prepare a draft Convention on the treatment accorded, on the territory of a Contracting Party, to corporate bodies registered on the territory of another Party under the laws of the latter. It has already held four meetings, in May 1956, May 1957, January 1958 and September-October 1958. It will meeet again in February 1959 and during the second half of the year.

(7) Committee of Experts on the Liability of Hotel-keepers

This Committee has been instructed to draft a European Convention for a uniform law on the liability of hotel-keepers, taking into consideration inter alia the draft uniform law prepared in 1932 by the International Institute for the Unification of Private Law (Rome) and the United Kingdom Hotel Proprietors' Act, 1956.

It has already held two meetings, in December 1957 and December 1958; it will meet again in 1959 and will probably complete its work by the end of the year.

(8) Committee of Experts on Multiple Nationality

This Committee has been instructed to examine the possibility of concluding a Convention, in the framework of the Council of Europe, on the lines set forth in Assembly Recommendation 164 and, if necessary, to draft a Convention on the reduction of cases of multiple nationality.

It held its first meeting from 8th to 14th January 1959 and another meeting is contemplated in June.

(9) Committee of Experts on Arbitration in respect of International Relations of Private Law

This Committee, whose terms of reference were to examine the possibility of concluding a Convention, within the framework of the Council of Europe, on the lines indicated in Assembly Recommendation 156 (1958) concerning arbitration in respect of international relations of private law, has submitted its report to the Committee of Ministers.

The latter will examine it at the beginning of this year. Should the conclusions therein be adopted, the Experts might meet again during the year.

(10) Committee of Experts on Patents

This Committee was set up to study a plan for creating a European Patents Office. It has considered several questions of patent law and has prepared the Convention on the formalities required for patent applications and the Convention on international classification of patents for invention.

The Committee has appointed a Bureau composed of the Chairman, the Vice-Chairman, the general Rapporteur and three other Experts. I t has also appointed a number of Rapporteurs to draft reports on the unification of certain points of patent law. These have not yet been completed. A special Working Party has been instructed to prepare the international classification of patents for invention.

A meeting of the Committee's Rapporteurs is contemplated for February 1959. If their reports are completed by July, the Bureau of the Committee might be convened in the autumn and the Plenary Committee towards the end of the year. The Working Party on the classification of patents will meet at The Hague from 9th to 21st March 1959. A second meeting of the Working Party is expected to be held in the autumn.

Appendix 2 – European Refugees from the Far East

Measures taken by Members Governments

BELGIUM

The Belgian Budget for 1959 includes a global contribution of $200,000 for the activities of the Office of the United Nations High Commissioner for Refugees. The Government is prepared to allocate for the transport of refugees from the Far East a sum of up to three-quarters of this amount —i.e. a maximum of $150,000— depending on the needs of the situation. Parliamentary approval, however, is necessary.

Belgium's contribution might possibly take the form of services such as air or sea transport.

FRANCE

For some years past France has concerned itself with the fate of European refugees in China who have been left without work or assistance as a result of the revolution and the loss of the European colonies. When the International Refugee Organisation was wound up, France received 60 seriously ill refugees, two of them lepers; subsequently, a further 104 aged Russian refugees were admitted, who were nearly all placed in refugee homes.

Owing to the increasingly tragic situation of refugees in China it was decided to make a fresh effort, and 210 aged and sick refugees are in progress of being transferred to France. Certain international organisations (particularly the United Nations High Commissioner for Refugees) have helped to construct reception centres for the refugees, who will be entirely supported by the French Government.

Furthermore, out of the French contribution to the Office of the High Commissioner for Refugees, which amounted to $257,143 (Fr. 108,000,000) in 1958, France has requested that 580,000 or Frs. 33,600,000 be allocated for the European refugees in China. For 1959 France's contribution will probably amount to the same sum; and half of it will be used for transporting these refugees.

LUXEMBOURG

As the Luxembourg Government possesses no large transport planes, it is unable to contribute directly towards the evacuation of European refugees in the Far East. As in the past, credits have been allocated for making a suitable grant to the United Nations Office of the High Commissioner for Refugees.

NETHERLANDS

The Netherlands Government, subject to parliamentary approval, has decided to grant the sum of $25,000 for the evacuation of European refugees from the Far East in 1959.

Should it prove impossible to increase the Netherlands contribution for aid to the Hong Kong refugees by using part of the operational contribution to I.C.E.M. for this purpose, as was done in 1958, the Government has announced its willingness to consider the possibility of increasing its effort. At all events, the contribution already promised by the Netherlands would be adequate for chartering a plane.

NORWAY

Norway has already received 30 refugees classed as " hard core " cases from Hong Kong and has now offered to receive 5 more and pay their travel expenses to Norway.

SWEDEN

Since 1953 the Swedish Government has xeceived approximately 40 " hard-core " refugees (10 during 1958), together with some 50 of their relatives. The refugees received during 1958, as well as 10 of the refugees received earlier, are still in hospitals or convalescent homes, etc., while the remaining persons have been given jobs in Sweden.

UNITED KINGDOM

Two airlifts of these refugees have taken place more or less according to plan. The first left Singapore on December 16th and put down 20 refugees at Brindisi and 23 at Basle, and brought 12, with two medical escorts, to the United Kingdom on December 19th. The second put down 18 at Brindisi, and brought 25, with

three escorts, to the United Kingdom on January 5th. Due to difficulties in getting exit permits from China, the ICEM representative in Hong Kong was only able to send 30 handicapped refugees on this flight, and used some of the remaining seats to move non-handicapped refugees, 2 destined for Chile and 11 for Brazil, who are being sent on from Brindisi. Unfortunately, even so, there were 11 empty seats on this trip.

UNITED NATIONS

Office of the High Commissioner for Refugees

Palais des Nations, Geneva

11th December 1958.

Sir,

Thank you for your letter of 3rd December informing the Office of the High Commissioner of the decision taken by the Ministers' Deputies at their last meeting held in November 1958, concerning Recommendation 170 on the evacuation of refugees from the Far East. You also informed me of the declaration made by the Danish Representative concerning a supplementary contribution of 100,000 Danish Kroner ($14,478) which was to be paid to the Intergovernmental Committee for European Migration for the transport of European refugees from the Far East.

I have the honour to thank you for your kind communication, and I should like to take this opportunity to express to the Council of Europe my appreciation of the material support i t has unfailingly given to the work of the Office of the High Commissioner. The Danish contribution of $14,478, made up to a total of $26,220 by a contribution from the United States of $11,742 will enable 50 refugees to be transported. Furthermore, it will set an example which I hope will be followed by other Governments. The activities of the Secretariat of the Council of Europe have certainly contributed not a little to the results achieved, and I should like to thank you once again for your assistance.

I am, Sir,

Your obedient Servant,

A. R. LINDT

United Nations

High Commissioner for Refugees

M. G. SCHLOESSER,

Clerk of the Consultative Assembly,

Council of Europe,

Strasbourg.

Appendix 3 – Agreement between the Council of Europe and the International Criminal Police Organisation

Draft Exchange of Letters

Strasbourg,

Sir,

The aim of the Council of Europe, as defined in Article 1 of its Statute, is to achieve greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress. The Council pursues this aim through its organs by discussion of questions of common concern and by agreements and common action in economic, social, cultural, scientific, legal and administrative matters and in the maintenance and further realisation of human rights and fundamental freedoms.

Within the limits of its competence, the Council is interested in any problem a solution of which may promote closer unity between its Members. It is its duty to co-ordinate its work with that of other international organisations which are active in the same fields. In this connection, the Council of Europe regards its cooperation with the " International Criminal Police Organisation " (Interpol) as particularly valuable.

According to Article 2 of its Constitution, the aims of Interpol are to " ensure and promote the widest possible mutual assistance between all criminal police authorities within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights; to establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes ".

Furthermore, Article 3 of your Constitution stipulates that " it is strictly forbidden for the Organisation to undertake any intervention or activities of a political, military, religious or racial character ".

In order that the already existing co-operation may be placed on a permanent footing and further developed, I think it desirable that our two Organisations should agree on measures to govern future relations between them. Such measures could include arrangements to exchange documents likely to be of mutual interest, for consultation between the two organisations whenever necessary and for observers to attend meetings of either organisation at which matters of interest to the Council and the I.C.P.O. are to be discussed.

I therefore have the honour to inform you that I am prepared to make the following arrangements with the International Criminal Police Organisation:

1. Exchange of information

The Secretariat-General of the Council of Europe will transmit to the International Criminal Police Organisation, subject to any measures which might be necessary to safeguard the confidential nature of certain documents, all publications and documents relating to its activities on subjects of interest to the Organisation. This exchange of documents will be supplemented, if the need arises, by contacts between members of the Secretariat-General of the Council of Europe and of the International Criminal Police Organisation, for the purpose of consultation as regards projects or activities of common interest. In addition, the Secretary-General of the Council will make available to the I.C.P.O. any statistical or legal data in its possession on subjects of interest to the Organisation.

2. Mutual consultation

The Organisation and the Council of Europe will consult one another at all stages of the preparatory work and the execution of projects of common interest, with particular reference to the activities of the European Commission on Crime Problems.

3. Attendance of representatives of the International Criminal Police Organisation at meetings of Committees of Experts convened by the Council of Europe

Whenever questions of common interest come up for discussion, representatives of Interpol will be invited to attend meetings of the committees of government experts convened by the Committee of Ministers of the Council and may also be invited to attend other meetings or conferences held by the Council or under its auspices.

4. Technical co-operation

The Secretariat-General of the Council of Europe will afford to the I.C.P.O. any technical co-operation which may be asked of it for the purpose of studying questions of common interest and the execution of certain projects. In t h e event of such co-operation entailing heavy expenditure, consultations will be held in order to determine the most equitable way of meeting such expenditure.

I venture to hope that these measures may contribute to promoting fruitful co-operation between the Council of Europe and the Inter-national Criminal Police Organisation, and t h a t it may be possible for you to strengthen this cooperation by granting similar facilities to the Secretariat-General of the Council of Europe.

I am, Sir.

Your obedient Servant,

Signed : L. BENVENUTI

Secretary-General.

M. M. SICOT,

Secretary-General of the International

Criminal Police Organisation,

37 bis, r. Paul-Valéry, Paris (16e).

Appendix 4

Paris,

Sir,

I have the honour to acknowledge receipt of your letter of . . . in which you suggest ways and means of establishing working relations between the Secretariat of the Council of Europe and the Secretariat of the International Criminal Police Organisation.

I fully agree with you that it would be most valuable for the Secretariat of each organisation to be acquainted with the work carried out by the other, especially in the economic and social fields. I consider, like yourself, that this aim might be achieved by an exchange between the two Organisations of all documents likely to be of mutual interest, by consultation between them whenever necessary, and by arranging for observers from the Secretariat-General to attend such meetings of either Organisation as are of interest to the other.

The proposals contained in your letter for the establishment of working relations with the Secretariat of the International Criminal Police Organisation are fully acceptable to me, and I shall make reciprocal arrangements in regard to the Secretariat-General of the Council of Europe.

The Secretariat-General of the International Criminal Police Organisation will as far as possible place the European radio network at the disposal of the Council of Europe for the transmission of urgent legal information.

I am, Sir,

Your obedient Servant,

Signed : M. SICOT Secretary-General.

M. L. BENVENUTI

Secretary-General of the Council of Europe,

Strasbourg.