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Third Annual Report on the activities of the Working Party on Relations with National Parliaments

Report

Working party on relations with national parliaments

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Contents

Page

I. INTRODUCTION - 2

II . GENERAL REMARKS - 2

III . ACTIVITIES - 4

IV. WORKING METHODS - 5

(a) Collaboration - 5

(i) Spokesmen - 5

(ii) Secretarial services of national delegations - 6

(iii) Secretariat-General at Strasbourg - 7

(b) Selection of texts - 7

(c) Measures to expedite the signing or ratification of Council of Europe Conventions and Agreements - 8

(d) Notification of national Parliaments concerning action taken by the Committee of Ministers on Assembly Recommendations - 8

V. IMPROVEMENT OF WORKING METHODS - 9

(a) Distribution of documents containing initial measures taken in support of a selected text - 9

(b) Preparation by the Working Party's Secretariat of documents for tabling in the national Parliaments - 9

(c) Documentation available to national Parliaments when Council of Europe affairs are discussed - 10

(d) Translation of adopted texts - 10

(e) Circulars containing information on activity in national Parliaments relating to Council of Europe affairs - 10

VI . RESULTS - 11

VII. CONCLUSIONS - 11

APPENDICES :

CONTENTS



Appendix I : Table showing action taken in national Parliaments on Council of Europe affairs (1st October 1958 to 31st August 1959) - 13

Appendix II : Table showing number of cases in which action was taken in national Parliaments on texts selected by the Working Party - 14

1. I. Introduction

1. The Working Party on relations with national Parliaments, which will be entering its fourth year in October 1959, has the honour to submit to the Assembly its Third Annual Report, in accordance with paragraphs 4 and 7 of Resolution 104.

2. The Report is a continuation of the three preceding Reports submitted (Docs. 640, 715 and 877) and covers the period 1st October 1958 to 31st August 1959.

2. II. General remarks

3. Despite some scepticism when it was set up three years ago, the Working Party had substantial results and by the constant impetus it gives to the pursuit of the aims of the Council of Europe, today holds a special position within the Assembly. The nature of these functions, owing to the complexity of procedure in the different national Parliaments, obliges it not only to select and develop a great variety of means of giving effect to the Assembly's requests, but also to take practical action on nearly all the questions dealt with by the Assembly and to follow progress on each question very closely.

4. Thanks to the efforts of its members and the spokesmen of the national delegations, and to the understanding of their colleagues in national Parliaments, the Working Party has met with increasing success over the period covered by this Report. This fact has been recognised in several speeches by Members of the Assembly, by committee chairmen, who often turn to the Working Party to obtain support for texts issued by their committees, and, lastly, by the Committee of Ministers, which, in presenting its Statutory Report to the Assembly and in reply to oral questions, has always stressed the importance of discussing Council of Europe affairs in the national Parliaments.

5. The initial creation of the Working Party and its activities have been described in several independent publications. Its documents, particularly the regular "Circular" on activity in the national Parliaments, relating to Council of Europe matters, have been referred to on many occasions in the Parliaments and at the meeting of the Interparliamentary Union in April 1959¹.

6. Thus the Working Party has been able to help bring about a steady increase in the number of occasions on which Council of Europe matters have been raised in Parliaments (see table at the end of this Report) and to achieve the following results;

progress has been made in promoting questions of European interest;

an awareness of their responsibility over European problems has been aroused among European parliamentarians;

the work of the Committee of Ministers has been facilitated by the support that a number of questions have received in the Parliaments;

the role of the Assembly as a forum of European public opinion has to some extent been extended to the Parliaments;

generally speaking, European parliamentarians and the public are better informed on European questions.

7. Despite its successes, the Working Party has no intention of resting on its laurels. Using the experience it has acquired it has therefore embarked on a thorough investigation of the reasons for the differences in the outcome of its efforts, and the results are analysed in the following sections.

8. It can generally be said that when members of the Assembly are in Strasbourg they devote themselves to the work of the Assembly and its committees with commendable zeal. But when the same Representatives return to their own Parliaments they are "snowed under" with national problems, and, with the best will in the

1. Report by M. van der Goes van Naters on Parliamentary Control in International Organisations.

world, they no, longer have the necessary time to devote to Council of Europe matters. This is quite natural and understandable, and the Working Party has sought to devise ways and means of ensuring that Representatives shall "not forget Strasbourg" — and these are also described in the following sections :

9. It has been, and still is, the prime concern of the Working Party to help members of the Assembly to convert their good intentions into practical and effective measures in their Parliaments.

3. III. Activities

10. During the period under review the Working Party held six meetings grouped round Sessions of the Assembly.

11. At these meetings the Working Party :

- a. considered 59 texts adopted by the Assembly over the same period and selected 33 which appeared suited to action in the Parliaments ;
- b. reconsidered 62 previously selected texts (15 of which were reconsidered twice, 4 three times and 1 text four times) ; 29 texts which had not yet met with the desired results were referred back to the spokesmen of national delegations for action in their Parliaments, 9 texts twice and 1 three times ;
- c. conveyed to spokesmen suggestions for possible action ;
- d. took steps, at the request of committee chairmen, to secure parliamentary support for certain texts issued by their committees ;
- e. presented two texts to the Assembly (Recommendation 168 and: the Resolution adopted on 22nd January 1959) with a view to informing national Parliaments of action taken by the Committee of Ministers on Assembly Recommendations and of the attitude of Governments with regard to these texts;
- f. took steps through its members and spokesmen to interest the press in member countries in Sessions of the Consultative Assembly ;
- g. put forward proposals to expedite the signing and ratification of Council of Europe Conventions;
- h. improved its working methods.

4. IV. Working Methods

4.1. (a) Collaboration

As in previous years,, the Working Party has been assisted in its work

by spokesmen;

by the secretarial services of national delegations;

by the Council of Europe Secretariat at Strasbourg.

4.1.1. (i) Spokesmen

In all its previous reports the Working Party has stressed the importance it attaches to the co-operation of the spokesmen. The latter provide the- "driving force" of action in their Parliaments. They have to consider what opportunities their parliamentary procedure offers of taking effective action, discussing matters with their colleagues in the respective committees concerned'with particular questions, tabling documents, defending their proposals in Parliament and perhaps approaching the competent Ministers personally.

Simultaneously with the setting up of the Working Party in 1956 national delegations had appointed for these tasks a number of spokesmen who were not, however, at the same time members of the Working Party. Owing to the fact that most of the spokesmen appointed at that time are no longer members of the Assembly the whole of the work now falls upon members of the Working Party.

For this reason the Working Party is anxious to draw the attention of the delegations once again to the advantage of dividing up the work more evenly among their members and of appointing one or more spokesmen, preferably chosen from political parties other than that of the member of the Working Party.

4.1.2. (ii) Secretarial services of national delegations

The Working Party has always attached great importance to the part secretarial services of national delegations can play in the activities of the Working Party. Delegation' secretaries are regularly invited to attend its meetings and on these occasions they have put forward many practical and useful suggestions.

The Working Party would like to express its thanks once again for their invaluable assistance and co-operation.

In its constant desire to relieve overworked parliamentarians of some of their burden, the Working Party suggested in its previous reports that the national delegations should increase the staff of their respective secretarial services.

The Working Party is glad to note that as a result of these proposals four delegations have strengthened their secretarial services, and this has served to increase the number of occasions on which the Council of Europe matters have been raised in their Parliaments. Indeed, experience has shown that in cases where delegation secretaries, who, moreover, receive copies of all correspondence addressed to members of the Working Party and spokesmen, have helped to draft documents and to collect the necessary signatures, the outcome has been successful.

On the other hand, it must be pointed out that in the periods between Sessions it is difficult for the secretarial services to continue to take part in the activities of the Working Party, mainly because they generally have other important duties in their Government departments which prevent them from aiding their parliamentarians to follow up Council of Europe questions. For this reason the Working Party would like to reiterate the following suggestions made to these delegations in its previous report :

- a. either permanent parliamentary secretariats might be set up to deal exclusively with the affairs of European assemblies or of international parliamentary organisations;
- b. or their present secretaries should be relieved, as far as possible, of some of their parliamentary duties;
- c. or, lastly, in cases where the secretarial services are provided by staff from the Ministry of Foreign Affairs, a parliamentary official should be instructed to work hand in hand with the responsible delegation secretary.

4.1.3. (iii) The Secretariat- General at Strasbourg

The assistance given by the Council of Europe Secretariat at Strasbourg is apparent from the details given in later sections of this report. This assistance has hitherto been provided by one person, namely the secretary of the Working Party.

4.2. (b) Selection of texts

The Working Party has taken great care in the selecting of texts, which forms the basis of all its activities.

As pointed out earlier on, 121 texts were considered or reconsidered several times during the period under review and of these 62 were sent one or several times with the Working Party's comments to spokesmen of national delegations.

In its last annual report the Working Party informed the Assembly that it had appointed a Rapporteur to select new texts and reconsider those selected earlier. During the period covered by this report the Rapporteur has submitted six very detailed reports to the Working Party, thereby enabling the latter to take decisions with a full knowledge of the facts.

Furthermore, the Working Party has, upon request, assisted committee chairmen in connection with a number of texts which, though already adopted by the Assembly, had not been followed up as hoped.

In its previous reports the Working Party had suggested that if the Assembly and its committees expected to receive effective support in the national Parliaments for their adopted texts, the latter should contain only clear, precise and practical proposals.

Examination of the texts adopted by the Assembly since last October prompts the Working Party to draw attention once again to this point. In cases where texts have been drafted in all too general terms, inviting the Committee of Ministers "to give every support" or "to consider the possibility of..." etc., the Working Party has not been able to recommend practical steps in the Parliaments.

4.3. (c) Measures to expedite the signing or ratification of Council of Europe conventions and agreements

As in the past the Working Party has made a regular study of progress in the signing and ratification of Council of Europe conventions and agreements. As a result of its suggestions action has been taken on 40 occasions in the Parliaments of member countries with a view to speeding up signing or ratification. At the April, part-Session in 1959 the Working Party submitted to the Assembly a draft Resolution (Resolution 168) on the subject and it was adopted unanimously.

4.4. (d) Notification of national Parliaments concerning action taken by the Committee of Ministers on Assembly recommendations

The Working Party gave this question particular attention. A great many members of national Parliaments, and: especially those who are not familiar with' the work of the Council' of Europe, believe that most Assembly recommendations remain., a dead letter. The obvious reason for this is that they often hear of the Assembly's request during public debates in their Parliaments but are rarely informed: of what is more important, namely whether the Governments have put the Assembly's recommendations into effect.

The Working Party therefore submitted two motions to the Assembly, which were adopted unanimously (Recommendation 168 of 15th October 1958, and. the Resolution of 22nd January 1959).

After the adoption of these texts several questions were put by members of the Consultative Assembly in the national Parliaments and the Working Party was able to record 25 cases in which Governments supplied information on their attitude in the Committee of Ministers, on particular subjects.

5. V. Improvement of working methods

The improvements in working methods described in the previous annual report (Doc. 877) have, in general, proved useful and the Working Party has applied them as it thought fit.

However, in order to take advantage of every possible opportunity to stimulate parliamentary action in support of Council of Europe affairs, the Working Party has taken the following new measures :

5.1. (a) Distribution of documents containing initial measures taken in support of a selected text

The Working Party's secretarial service has been instructed, as soon as any initial measures have been taken concerning a text in one of the Parliaments, to transmit the document in question to spokesmen in other Parliaments with a request that they look into the possibility of tabling a similar document.

5.2. (b) Preparation by the Working Party's secretarial service of documents for tabling in national Parliaments

As the Working Party is well aware that most spokesmen have neither the time nor staff to draw up documents, such as questions and motions, it has offered to have them drafted by the Secretariat.

Several spokesmen have taken good advantage of this facility. Nearly all the questions prepared by the Secretariat are returned to it in the form of parliamentary working papers.

On other occasions the Secretariat has, at the request of the spokesmen, drawn up short memoranda to facilitate the drafting of documents.

The Working Party would like to draw the attention of members of the Assembly to this facility for drafting and tabling documents in their own Parliaments.

5.3. (c) Documentation available to national Parliaments when Council of Europe affairs are discussed

As a result of steps taken by members of the Working Party in their national Parliaments, a number of the latter now regularly submit their programme of work to the Office of the Clerk of the Assembly.

The Working Party thought it would be valuable for the Clerk of the Assembly to receive, regularly and as early as possible, the programmes of work of the Parliaments of member countries. The Office of the Clerk has thus been able to send the appropriate documents at once to members of the Working Party and the spokesmen every time their respective Parliaments planned to discuss questions on which the Consultative Assembly had adopted recommendations on resolutions.

The idea was that members of the Working Party and spokesmen would thus have material at their disposal giving a European view of the questions under discussion and would as a result be in a position to support in Parliament the texts adopted by the Consultative Assembly.

5.4. (d) Translation of adopted texts

In its previous Report the Working Party invited members of the Assembly to take advantage of the translation facilities for texts, distributing them in their own Parliaments. A number of Representatives made use of this facility and the Working Party's secretarial service has, on request, supplied some texts in Danish and Turkish.

In accordance with the decision of the Working Party, Resolution 169 on the future prospects of co-operation within the orbit of the Council of Europe has been translated into the languages of all member countries and distributed to all the members of the national Parliaments.

5.5. (e) Circulars containing information on activity in national Parliaments relating to Council of Europe affairs

Ever since it was set up, the Working Party has published a "Circular" before each part-Session of the Assembly, giving particulars of parliamentary action relating to Council of Europe affairs. The purpose of the circular is not only to supply information, on events in national Parliaments; indeed it is largely concerned with putting forward suggestions for supporting the Assembly's requests.

As the circular has served its purpose very satisfactorily for the members and the spokesmen over the first two years, the Working Party instructed its secretarial service to improve on its presentation and issue it in printed form for regular distribution to all the Representatives to the Assembly and their substitutes.

As stated above, the circular has aroused great interest outside the Council of Europe as well as among members of the Assembly.

6. VI. Results

In the course of the eleven months covered by this report, the Working Party has been notified of 316 occasions on which action has been taken in the Parliaments of member countries concerning Council of Europe matters, compared with 119 occasions during the twelve months period 1956/1957 and 205 during the twelve months 1957/1958. For details see Appendix I.

Of the 41 texts selected and transmitted to the spokesmen (1 of which was sent four times, 4 three times and 11 twice) 33 gave rise to 138 cases of action in Parliaments. For details see Appendix II.

Action was taken on 40 occasions in support of the signing or ratification of Council of Europe Conventions and on 138 occasions with reference to other texts or during general debates on the Council of Europe.

7. VII. Conclusions

The continuous increase in its activities as described above is in itself confirmation that the measures taken by the Working Party have yielded satisfactory results.

The Working Party believes, however, that there is considerable room for development of its activities, provided that, national delegations help to bring about closer relations between themselves and the Working Party, particularly by appointing spokesmen and strengthening their secretarial services.

Your Working Party desires to renew its thanks to all the members of the Assembly, who, by their understanding and support and by their efforts within their respective Parliaments, have enabled it once again to submit an encouraging report to the Assembly.

Appendix 1 APPENDIX I**Action taken in national Parliaments on Council of Europe affairs (1st October 1958 to 31st August 1959)²**

Countries	Documents tabled	Special or general debates	Individual approaches	Total
Austria	7 (11)	7 (6)	10 (13)	24 (33)
Belgium	4 (3)	5 (-)	- (-)	9 (3)
Denmark	1 (2)	9 (5)	- (8)	10 (15)
France	10 (—)	1 (—)	5 (4)	16 (4)
Fed. Rep. of Germany	29 (41)	14 (3)	3 (-)	46 (44)
Greece	- (-)	- (-)	- (1)	- (1)
Iceland	- (-)	- (-)	- (-)	- (-)
Ireland	1 25 (19)	3 (—)	1 (—)	5 (-)
Italy	5 (15)	7 (—)	- (5)	12 (20)
Luxembourg	- (-)	2 (2)	- (-)	2 (2)
Netherlands	10 (—)	2 (5)	- (-)	12 (5)
Norway	- (1)	1 (2)	- (—)	1 (3)
Sweden	19 (18)	6 (1)	- (—)	25 (19)
Turkey	- (—)	- (—)	18 (—)	18 (-)
United Kingdom	65 (28)	67 (27)	4 (1)	136 (56)
Total	151 (119)	124 (54)	41 (32)	316 (205)

2. Figures for the previous 12 months are shown in brackets.

Appendix 2 APPENDIX II

Number of cases in tvhich action was taken in national Parliaments on texts selected by the Working Party

№	Texts	Dates of transmission to spokesmen	Number of cases ³	
121	A. RECOMMENDATIONS Resettlement of refugee and surplus agricultural workers.	23. 1.1957	23.10.1958	2 2 2 4 6 9 6 8 8 S e o f f e r t i l i s e r s . 5 . 5 . 1 9 5 9 5 . 5 . 1 9 9 5 9 9 9 9 2
158	Aid to less developed areas.	12. 5.1958	23.10.1958	5 . 5 . 1 9 5 9 5 . 5 . 1 9 9 5 9 9 9 9 2
159	Development of Africa.	12. 5.1958	23.10.1958	5 . 5 . 1 9 9 5 9 9 9 9 9 2
162	Convention on the Protection of Cultural Property in the event of Armed Conflict.	12. 5.1958	23.10.1958	2 6 5 1 1 9 9 9 9 2
163	International Agreement on the importation of materials of an educational, scientific and cultural character.	12. 5.1958	23.10.1958	2

3. The number of interventions made during the period covering the previous report is shown in brackets.

№	Texts	Dates of transmission to spokesmen	Number of cases ³	
168	Transmission to the national Parliaments of the decisions taken by the Committee of Ministers	23.10.1958	—	
170	Evacuation of European Refugees from the Far East.	23.10.1958	28. 1.1959	8
171	Second Progress Report of the Special Representative of the Council of Europe for National Refugees and Overpopulation.	23.10.1958	4	
178	Improvements to be made to the machinery of the Council of	23.10.1958	—	
179	Maintenance allowances for children..	23.10.1958	28. 1.1959	7
181	Control of Foot-and-Mouth Disease.	23.10.1958	28. 1.1959	8 . 5 . 1 9 5 9
182	Production and Marketing of vine products and spirits in Europe.	23.10.1958	1	
183	Establishment of the European Court of Human Rights .	23.10.1958	28. 1.1959	7
184	Situation in Central and Eastern Europe.	23.10.1958	3	
186	European Economic Association (Free Trade Area).	23.10.1958	6	
187	Reply to the First Report of the European Nuclear Energy Agency of the O . E . E . C . to the Consultative Assembly.	23.10.1958	—	
188	Hungarian refugees in Austria who wish to settle in a member country 28 . 1 . 1959 7 of the Council of Europe..	28. 1.1959	7	
189	Third Progress Report of the Special Representative of the Council of 28 . 1 . 1959 12 Europe for National Refugees and Overpopulation.	28. 1.1959	5. 5.1959	1 2
191	European Conference of Local Authorities.	28. 1.1959		
192	Simplification of frontier formalities.	28. 1.1959	5. 5.1959	9
193	Reply to the Tenth Annual Report of O . E . E . C .	5. 5.1959	—	

3. The number of interventions made during the period covering the previous report is shown in brackets.

No	Texts	Dates of transmission to spokesmen	Number of cases ³	
194	Nationality of children of stateless persons.	4. 5.1959	1	
196	Ratification of the Convention on the recognition and enforcement of 5. 5. 1959 3 orders on maintenance allowances for children.	5. 5.1959	3	
197	Participation of the Council of Europe in the World Refugee Year	5. 5.1959	4	
202	European Economic Association.	5. 5. 1959	2	
	Carried forward		103	
Brought forward		103		
B. RESOLUTIONS				
140	Calling upon every European municipality to give the name "Europe" to public places.	21.11.1957	(5) -	
146	Reply to the Fourth Report of the European Conference of Ministers 12. 5.1958 (2) 1 of Transport.	12. 5.1958	23.10.1958	2 8) 1 . 1 9 5 9
155	ProWem of Berlin.	28. 1.1959	1	
161	Problem of refugees from the Soviet Zone of Germany.	28. 1.1959	1	
163	Financial and moral support for the Cultural Fund of the Council of 28. 1.1959 1 Europe.	28. 1.1959	1	
	Action taken by the Committee of Ministers on Recommendations of the Assembly.	24. 2.1959	22.1.1958	—
165	East - West Relations.	5. 5.1959	1	
166	5. 5.1959 1 166 Reply to the Fifth Annual Report of the European Conference of Minis5. 5.1959 11 ters of Transport	5. 5.1959	11	
167	Participation of the Council of Europe in the World Refugee Year Ratification of Council of Europe conventions.	5. 5.1959	2	
168	Future prospects of co-operation within the ambit of the Council Europe.	5. 5.1959	1	
169	Perspect ives et avenir de la coopérat ion au sein du Conseil de l'Europe.	transmitted in national languages different dates	—	
C. OPINIONS				

3. The number of interventions made during the period covering the previous report is shown in brackets.

№	Texts	Dates of transmission to spokesmen	Number of cases ³
26	Relations between the Council of Europe and O . E. E. C.	21.11.1957	(8) 7
29	Draft European Convention on Compulsory Insurance against Civil Liability in respect of Motor Vehicles.	23.10.1958	4
30	Draft European Convention on Mutual Assistance in Criminal Matters D. ORDERS OF THE ASSEMBLY	28. 1.1959	3
144	Voluntary contributions of member countries to the Cultural Fund of the Council of Europe.	5. 5.1959	2
	Total		138

3. The number of interventions made during the period covering the previous report is shown in brackets.