



## Recommendation 23 (1951)<sup>1</sup>

# Draft new Statute of the Council of Europe

Parliamentary Assembly

The Assembly,

Recalling as a matter of fundamental importance that on the 13th August, 1949, it was at its first Session asked by the Committee of Ministers “to consider any necessary changes in the political structure of Europe to achieve a greater unity between the Members of the Council of Europe and to make effective European co-operation in the various spheres specified in Article 1 of the Statute”,

Considering that, in answer to this request, it unanimously resolved, on the 6th September, 1949, that the aim of the institutional reform envisaged by the Committee of Ministers was “the creation of a European political authority with limited functions but real powers”,

Recalling that it has spent the past three Sessions studying, in co-operation with the Committee of Ministers, the practical means whereby this aim may be achieved,

Conscious that the development of the international situation makes changes in the political structure of Europe particularly urgent, in order that the competence of the Council of Europe may be defined and enlarged,

Having made every effort to propose only those changes which are compatible with the publicly expressed positions of the various Members concerning the terms of reference and the structure of the Council of Europe,

Having incorporated these changes in a Draft New Statute,

Recommends to the Committee of Ministers :

- a. that the Draft for a New Statute of the Council of Europe appended here to be approved<sup>2</sup>,
- b. that Members be requested to ratify the New Statute, in accordance with the provisions of Article 41 of the present Statute,
- c. that practical measures be taken forthwith to eliminate the confusion of functions existing between European international organisations, by merging with the Council of Europe the Organisation for European Economic Co-operation and the remainder of the Brussels Treaty Organisation.

DRAFT NEW STATUTE OF THE COUNCIL OF EUROPE<sup>3</sup>.

## PREAMBLE

The Governments of the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the German Federal Republic, the Kingdom of Greece, the Republic of Iceland, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Kingdom of Norway, the Saar, the Kingdom of Sweden, the Republic of Turkey, and the United Kingdom of Great Britain and Northern Ireland ;

- 
1. This Recommendation was adopted by the Assembly at its Forty-first Sitting, 11th December, 1951 (See Docs. 68 and 105, Reports of the Committee on General Affairs).
  2. See p. 86.
  3. Alterations made to the Statute at present in force are printed in italics.



*Recommendation 23 (1951)*

Convinced that the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilization ;

Reaffirming their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy ;

Believing that, for the maintenance and further realization of these ideals and in the interests of economic and social progress, there is need of a closer unity between all like-minded countries of Europe ;

Considering that, to respond to this need and to the expressed aspirations of their peoples in this regard, it is necessary forthwith to create an organization which will bring European States into closer association ;

Recognising that an increasing number of matters of common concern have developed from the phase of consultation and agreement to the stage of control and administration through duly constituted authorities of an organised Europe ;

Have in consequence decided to set up a Council of Europe consisting of a Committee of representatives of Governments and an Assembly, and have for this purpose adopted the following Statute :

*CHAPTER I - AIM OF THE COUNCIL OF EUROPE*

ARTICLE 1

(a) The aim of the Council of Europe is to achieve a closer union between its Members for the purpose of safeguarding and realizing the ideals and principles which are their common heritage, facilitating their economic and social progress, strengthening their security and uniting their efforts for the consolidation of peace.

(b) This aim shall be pursued through the organs of the Council by discussion of questions of common concern, and by agreements and common action and Convention-making in accordance with the Statute in political, economic, social, cultural, scientific, legal and administrative matters, and in the maintenance and further realization of human rights and fundamental freedoms.

(c) Participation in the Council of Europe shall not affect the collaboration of its Members in the work of the United Nations and of other international organizations or unions to which they are parties.

(d) The Council of Europe shall control and direct such organizations as shall be merged with the Council of Europe under the provisions of the First Protocol appended to this Statute.

*CHAPTER II - MEMBERSHIP*

ARTICLE 2

The Members of the Council of Europe are the Parties to this Statute.

ARTICLE 3

Every Member of the Council of Europe must accept the principles of the rule of law and of the enjoyment, by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realization of the aim of the Council as specified in Chapter I.

ARTICLE 4

Any European State, which is deemed to be able and willing to fulfil the provisions of Article 3, may, with the approval of the Assembly, such approval to be by a simple majority, be invited to become a Member of the Council of Europe by the Committee of Ministers. Any State so invited shall become a Member on the deposit on its behalf with the Secretary-General of an instrument of accession to the present Statute.

ARTICLE 5

(a) In special circumstances, a European country, which is deemed to be able and willing to fulfil the provisions of Article 3, may, with the approval of the Assembly, such approval to be by a simple majority, be invited by the Committee of Ministers to become an Associate Member of the Council of Europe. Any country

so invited shall become an Associate Member on the deposit on its behalf with the Secretary-General of an instrument accepting the present Statute. An Associate Member shall be entitled to be represented in the Assembly only.

(b) The expression "Member" in this Statute includes an Associate Member except when used in connection with representation on the Committee of Ministers.

#### ARTICLE 6

Before issuing invitations under Articles 4 or 5 above, the Committee of Ministers shall, with the approval of the Assembly, such approval to be by a simple majority, determine the number of Representatives to the Assembly to which the proposed Member shall be entitled.

#### ARTICLE 7

Any Member of the Council of Europe may withdraw by formally notifying the Secretary-General of its intention to do so. Such withdrawal shall take effect at the end of the financial year in which it is notified, if the notification is given during the first nine months of that financial year. If the notification is given in the last three months of the financial year, it shall take effect at the end of the next financial year.

#### ARTICLE 8

Any Member of the Council of Europe which has seriously violated Article 3 may be suspended from its rights of representation and requested by the Committee of Ministers to withdraw under Article 7. If such Member does not comply with this request, the Committee may decide that it has ceased to be a Member of the Council as from such date as the Committee may determine.

#### ARTICLE 9

The Committee of Ministers may suspend the right of representation on the Committee and on the Assembly of a Member which has failed to fulfil its financial obligation during such period as the obligation remains unfulfilled.

### CHAPTER III - GENERAL

#### ARTICLE 10

The organs of the Council of Europe are :

*The Committee of Ministers ;*

*The Assembly ;*

*The Joint Committee ;*

*Executive agencies.*

These organs shall be served by the Secretariat-General of the Council of Europe.

#### ARTICLE 11

The Seat of the Council of Europe is at Strasbourg.

#### ARTICLE 12

The official languages of the Council of Europe are English and French. The rules of procedure of the Committee of Ministers and of the Assembly shall determine in what circumstances and under what conditions other languages may be used.

### CHAPTER IV - COMMITTEE OF MINISTERS

#### ARTICLE 13

Each Member shall be entitled to one vote in the Committee of Ministers. The representatives on the Committee shall be the Ministers for Foreign Affairs and the Minister for European Affairs referred to in Article 14. When neither of these Ministers is able to be present, or in other circumstances where it may be desirable, an alternate may be nominated who shall, whenever possible, be a Member of his Government.

#### ARTICLE 14

*Recommendation 23 (1951)*

Every Member of the Council of Europe shall nominate a Minister, Secretary or Under-Secretary of State, who, without prejudice to the responsibility of the Minister for foreign Affairs, shall co-ordinate all matters relating to the Council of Europe.

ARTICLE 15

(a) On the recommendation of the Assembly, or on its own initiative, the Committee of Ministers shall consider the action required to further the aim of the Council of Europe, including the conclusion of Conventions or agreements and the adoption by Governments of a common policy with regard to particular matters. Its conclusions shall be communicated to Members by the Secretary-General.

(b) In appropriate cases, the conclusions of the Committee may take the form of recommendations to the Governments of Members, and the Committee may request the Governments of Members to inform it of the action taken by them with regard to such recommendations.

ARTICLE 16

The Committee of Ministers shall, subject to the provisions of this Statute, decide with binding effect all matters relating to the internal organization and arrangements of the Council of Europe. For this purpose the Committee of Ministers shall adopt such financial and administrative regulations as may be necessary.

ARTICLE 17

The Committee of Ministers may set up advisory and technical committees or commissions for such specific purposes as it may deem desirable

ARTICLE 18

The Committee of Ministers shall adopt its rules of procedure which shall determine amongst other things :

*the quorum ;*

*the method of appointment and term of office of its Chairman ;*

*the procedure for the admission of items to its Agenda, including the giving of notice of proposals for resolutions ; and*

*the notification required for the nomination of alternates under Article 13.*

ARTICLE 19

At each Session of the Assembly the Committee of Ministers shall furnish the Assembly with a statement of its activities, accompanied by appropriate documentation.

ARTICLE 20

(a) Resolutions of the Committee of Ministers relating to the following important matters, namely :

*Recommendations for the amendment of Articles 7, 15, 20, 22, 42 to 46 and 57.*

*Questions under Articles 21 (a) (i) and (b), and*

*Approval of a Convention under Article 42 (b).*

require the unanimous vote of the Members casting a vote, and of a majority of the Members entitled to sit on the Committee.

(b) Questions arising under the rules of procedure or under the financial and administrative regulations may be decided by a simple majority vote of the Members entitled to sit on the Committee.

(c) Resolutions of the Committee under Articles 4 and 5 require a two-thirds majority of all the Members entitled to sit on the Committee.

(d) All other Resolutions of the Committee require a two-thirds majority of the representatives casting a vote and a majority of the Members entitled to sit on the Committee.

ARTICLE 21

(a) Unless the Committee decides otherwise, meetings of the Committee of Ministers shall be held :

*in private ;*

*at the Seat of the Council.*

(b) The Committee shall determine what information shall be published regarding the conclusions and the discussion of a meeting held in private. Notwithstanding the provisions of this paragraph each Member of the Committee of Ministers shall be entitled to make known his attitude in the Committee concerning any draft Convention transmitted to the Committee of Ministers by the Assembly.

(c) The Committee shall meet before each Session of the Assembly and at such other times as it may decide.

#### CHAPTER V - THE ASSEMBLY

##### ARTICLE 22

(a) The Assembly is the deliberative organ of the Council of Europe. It may deliberate upon all matters included in the aims of the Council of Europe as set out in this Statute. The Assembly shall determine its own Agenda.

(b) The Assembly may pass Motions, make Recommendations, draft Conventions, and give opinions upon any matter within its aim and scope, as defined by this Statute.

(c) The President of the Assembly shall decide, in case of doubt, whether any question raised in the course of the Session is within the Agenda of the Assembly.

##### ARTICLE 23

The Assembly may establish Committees or Commissions to consider and report to it on any matter which falls within its competence under this Statute.

##### ARTICLE 24

(a) Representatives to the Assembly shall be elected by their respective Parliaments, or according to a procedure fixed by the latter. When the Parliament is not in session and has not laid down the procedure to be followed in that case, each Member Government may make such additional appointments as are necessary.

(b) Each Representative must be a national of the Member whom he represents.

(c) No Representative shall be deprived of his position as such during a Session of the Assembly without the agreement of the Assembly.

(d) Each Representative may have a Substitute, who may in the absence of the Representative sit, speak and vote in his place. The provisions of this Article shall apply to the appointment of Substitutes.

##### ARTICLE 25

(a) Members are entitled to the number of Representatives given below :

*Belgium - 7*

*Denmark - 5*

*France - 18*

*Germany (Federal Republic) - 18*

*Greece - 7*

*Ireland - 3*

*Ireland - 4*

*Italy - 18*

*Luxembourg - 3*

*Netherlands - 7*

*Norway - 5*

*Saar - 3*

*Sweden - 6*

*Turkey - 10*

*United Kingdom of Great Britain and Northern Ireland - 18*

(b) Any modification of the provisions of paragraph (a) above shall be made by a two-thirds majority of the Committee of Ministers and a simple majority of the Assembly.

ARTICLE 26

The Assembly shall adopt its rules of procedure which shall determine inter alia :

*the quorum ;*

*the manner of the election of the President and other officers ;*

*the manner in which the Agenda shall be drawn up and be communicated to Representatives ; and*

*the time and manner in which the names of Representatives and their Substitutes shall be notified ;*

*the manner of election and term of office of the Standing Committee.*

ARTICLE 27

(a) The Assembly shall elect a President and its Vice-Presidents, who shall remain in office from the beginning of the First Session in any year until the beginning of the First Session in the succeeding year.

(b) The President of the Assembly shall at the same time be the Chairman of the Standing Committee of the Assembly.

(c) When the President is controlling the proceedings of the Assembly, he shall not take part in the Debate and vote, but the Substitute of the President may sit, speak and vote in his place.

ARTICLE 28

The Standing Committee is the organ of the Assembly entrusted with the task of insuring between Sessions the continuity of action of the Assembly.

ARTICLE 29

(a) The Assembly shall meet in ordinary Session twice a year, the dates and duration of which Sessions shall be determined by the Assembly so as to avoid as far as possible overlapping with parliamentary sessions of Members and with sessions of the General Assembly of the United Nations.

(b) The Assembly may be convened in extraordinary Sessions upon the initiative either of the Committee of Ministers or of the President of the Assembly after agreement between them, such agreement also to determine the date and place of the Sessions.

ARTICLE 30

Subject to the provisions of Articles 42 (d), 46, 51 and 57, all Resolutions and Recommendations of the Assembly shall require a simple majority of the Representatives casting a vote.

ARTICLE 31

Unless the Assembly decides otherwise, its debates shall be conducted in public.

ARTICLE 32

Ordinary Sessions of the Assembly shall be held at the Seat of the Council unless both the Assembly and the Committee of Ministers concur that it should be held elsewhere.

*CHAPTER VI - CONSULTATION*

ARTICLE 33

(a) Members shall consult with one another on matters of common concern which fall within the competence of the Council of Europe, should they consider them to be of a character to influence the achievement of the aims of the Council of Europe. Such consultation shall take place at each meeting of the Committee of Ministers.

(b) (i) Any initiative taken or draft Agreement made by any Member with other Members and falling within the competence of the Council of Europe shall be transmitted to the Committee of Ministers, should the Member in question consider it to be of a character to influence the achievement of the aims of the Council of Europe.

The Assembly may be asked to give an opinion within a fixed time-limit at the request of the Member concerned. In such a case the Committee of Ministers shall transmit the text concerned to the Assembly.

(ii) The text of any Treaty between two or more Members, whose object they shall deem to fall within the competence of the Council of Europe, shall be transmitted for opinion to the Committee of Ministers and the Assembly prior to ratification.

The signatory States may, by common agreement, ask that the opinion of the Committee of Ministers or of the Assembly be formulated within a stated time-limit.

(iii) Where the communication referred to in sub-paragraphs (i) and (ii) shall not already have been effected, any Member not a party to such initiatives or treaties may request that it be transmitted to the Committee of Ministers, for information only.

#### ARTICLE 34

Every Treaty and International Agreement concluded by one or more Members on subjects within the competence of the Council of Europe shall be registered with the Secretariat-General and published under its authority.

#### ARTICLE 35

(a) The Council of Europe may consult any intergovernmental organisation, establish organised links with any of them, and conclude agreements defining the terms upon which such organisations shall be brought into relationship with the Council of Europe.

Such agreements must be approved both by the Assembly and by the Committee of Ministers.

(b) The Committee of Ministers and the Assembly may make suitable arrangements for consultation with international non-governmental organisations which deal with matters that are within the competence of the Council of Europe.

### CHAPTER VII - SPECIALISED AUTHORITIES

#### ARTICLE 36

The creation within the framework of the Council of Europe of institutions upon which the participating States confer definite powers within a clearly specified field is recognised as being in accordance with the spirit and purpose of this Statute, even if all Members are not parties thereto. Any such institution shall be called a Specialised Authority.

#### ARTICLE 37

The initiative for setting up any such Specialised Authority may be taken either by the Council of Europe or by one or more Members.

#### ARTICLE 38

(a) If under the provisions of Article 36 one or more Members initiate negotiations for the creation of a Specialised Authority, these negotiations shall be open to all Members of the Council of Europe.

(b) The object, functions and general principles of any such Specialised Authority shall be communicated to the Committee of Ministers with the object of associating the Council of Europe as a whole in its establishment, and subsequently of integrating within the Council of Europe its organs of administration and control.

(c) No limitations shall be placed on the right of any Member not originally a member of such a Specialised Authority subsequently to accede thereto.

#### ARTICLE 39

Each Specialised Authority shall submit regular reports on its activities to the Council of Europe.

The Council of Europe shall transmit its comments on such reports to the Specialised Authorities.

ARTICLE 40

Each Specialised Authority shall make available facilities for the exchange of information, documents and statistical data with the Council of Europe.

ARTICLE 41

The Council of Europe shall co-ordinate the work of the Specialised Authorities brought into relationship with the Council of Europe, in accordance with the foregoing provisions, by holding joint discussions and by submitting recommendations to them, as well as by forwarding recommendations to Member Governments.

The Specialised Authority shall inform the Council of Europe of action taken in respect of such recommendations.

*CHAPTER VIII - CONVENTION MAKING*

ARTICLE 42

(a) A Convention of the Council of Europe shall be made when approved by the Committee of Ministers and the Assembly in accordance with the provisions of this Statute.

(b) In the case of the Committee of Ministers, a Convention shall be approved only by the unanimous vote of the Members of the Committee casting a vote and of a majority of the Members entitled to sit on the Committee.

(c) If the Committee, by the unanimous vote of the representatives casting a vote and of a majority of the representatives entitled to sit on the Committee, decides that abstention from participation in any proposal before it shall be permitted, that proposal shall be put to the Committee ; it shall be considered as adopted only by the Representatives who then vote in favour of it and its effects shall be limited accordingly.

(d) In the case of the Assembly a Convention shall not be approved except by a vote of not less than two-thirds of the Representatives casting a vote.

(e) A draft Convention of the Council of Europe may originate in either the Committee of Ministers or the Assembly.

ARTICLE 43

(a) A draft Convention originating in either the Assembly or the Committee of Ministers, and approved by either one of these two organs, shall be transmitted to the other, which may either approve it in accordance with the terms of the present Statute in its original form or with amendments, or withhold approval thereof.

(b) If such draft Convention is approved by the Committee of Ministers or the Assembly, in the form in which it was transmitted by the other organ, it shall thereupon become a Convention of the Council of Europe.

(c) Should the Committee of Ministers or the Assembly decide to approve the draft Convention in an amended form, the Convention shall be referred to the Joint Committee which shall draw up amendments. These amendments shall be transmitted to the Committee of Ministers and the Assembly for final approval.

ARTICLE 44

Conventions approved by the Council of Europe shall be drawn up in one original copy only, which shall be signed by the Chairman of the Committee of Ministers, by the President of the Assembly and by the Secretary-General. A duly authenticated copy shall be communicated by the Secretary-General to the Governments of the different Members.

ARTICLE 45

(a) All Conventions of the Council of Europe shall be subject to ratification. Nevertheless, such ratification may be deemed to have taken place by tacit consent after the expiry of a period of one year, provided that this procedure shall have been expressly provided for in the Convention concerned by the unanimous agreement of the Committee of Ministers.

(b) In cases where the constitutional procedure of certain States requires that the ratification of a Convention be preceded by parliamentary approval, such approval shall be sought by the Governments within a period of six months following the adoption of the Convention.

#### ARTICLE 46

In the absence of provision to the contrary, a Convention of the Council of Europe may not be denounced unilaterally, and its repeal may take place only with the consent of a two-thirds majority of the Assembly and of the Committee of Ministers.

#### CHAPTER IX - THE JOINT COMMITTEE

#### ARTICLE 47

The Joint Committee is the organ of co-ordination of the Council of Europe. Without prejudice to the respective rights of the Committee of Ministers or of the Assembly, the functions of the Joint Committee shall be, in particular :

*To examine the problems which are common to the Committee of Ministers and to the Assembly ;*

*To draw the attention of those two organs to those questions which appear to be of particular interest to the Council of Europe ;*

*To make proposals for the draft Agenda of the Sessions of the Committee of Ministers and of the Assembly ;*

*To examine and promote means of giving practical effects to the Recommendations adopted by one or other of those two organs ;*

*To draw up amendments to draft Conventions in accordance with the provisions of Article 43 (c) of the Statute.*

#### ARTICLE 48

(a) The Joint Committee shall be composed of fourteen members, seven of whom shall be appointed by the Committee of Ministers, and seven of whom shall be appointed by the Standing Committee of the Assembly.

(b) The Secretary-General shall be entitled to attend the meetings of the Joint Committee in an advisory capacity.

#### ARTICLE 49

(a) The conclusions of the Joint Committee shall be reached without voting.

(b) The Joint Committee shall adopt its Rules of Procedure which shall, in particular, fix the quorum, the method of nominating its Chairman and the conditions in which it shall be convened.

#### CHAPTER X - EXECUTIVE AGENCIES

#### ARTICLE 50

High Commissioners may assume responsibility for the following executive tasks :

1. Those entrusted to the Council of Europe under the provisions of the present Statute and, particularly, of the First Protocol thereto ;
2. Those which may be entrusted to the Council of Europe under the provisions of future Conventions.
3. Furthermore, particular powers and functions may be vested in High Commissioners under Conventions concluded between two or more Members of the Council of Europe. The decisions taken in accordance with such Conventions shall be binding only upon such Members as are party to the said Conventions.

#### ARTICLE 51

(a) The High Commissioners shall be appointed by the Committee of Ministers.

(b) In the event of the powers they are required to exercise being confined solely to those specified in paragraph (b) of Article 50, their appointment shall be effected by the Committee of Ministers in the following manner :

1. The Ministers representing the States party to the Convention(s) defining the functions and powers of the High Commissioner in question shall have the right to vote.

*Recommendation 23 (1951)*

2. The Ministers representing the States not party to the Convention(s) shall attend in an advisory capacity.

(c) The High Commissioners shall be individually responsible to the Committee of Ministers. The nature of their responsibility shall be contingent upon the conditions fixed for their appointment.

(d) The High Commissioners shall report upon their activities to the Assembly at each of the latter's sessions.

Should their report give rise to a Debate, all the representatives may participate in the Debate.

Should their report give rise to the voting of a Resolution or Recommendation, and should this Resolution or Recommendation relate to the exercise of the functions specified in paragraph (b) of Article 50, only the representatives of the States party to the Conventions defining these functions shall be entitled to vote.

*CHAPTER XI - THE SECRETARIAT*

ARTICLE 52

(a) The Secretariat shall consist of a Secretary-General, and such Deputy Secretaries-General and other staff as may be required.

(b) The Secretary-General and Deputy Secretaries-General shall be appointed by the Assembly on the recommendation of the Committee of Ministers.

(c) The remaining staff of the Secretariat shall be appointed by the Secretary-General, in accordance with the administrative regulations.

(d) No member of the Secretariat shall hold any salaried office from any Government or be a member of the Assembly or of any national legislature or engage in any occupation incompatible with his duties.

(e) Every member of the staff of the Secretariat shall make a solemn declaration affirming his duty to the Council of Europe and that he will perform his duties conscientiously, uninfluenced by any national considerations, and that he will not seek or receive instructions in connection with the performance of his duties from any Government or any authority external to the Council and will refrain from any action which might reflect on his position as a European civil servant responsible only to the Council. In the case of the Secretary-General and the Deputy Secretaries-General this declaration shall be made before the Committee of Ministers and the Assembly, and in the case of all other members of the staff, before the Secretary-General.

(f) Every Member shall respect the exclusively supra-national character of the responsibilities of the Secretary-General and the staff of the Secretariat, and not seek to influence them in the discharge of their responsibilities.

ARTICLE 53

(a) The Secretariat shall be located at the Seat of the Council.

(b) The Secretary-General is responsible to the Committee of Ministers and to the Assembly for the work of the Secretariat. He shall provide both bodies with such secretariat and other assistance as they may require.

*CHAPTER XII - FINANCE*

ARTICLE 54

(a) The expenses of the Committee of Ministers, the Assembly, the Committees and Sub-Committees of both bodies, the Standing Committee, the Joint Committee, such Executive Agencies as may be set up under the Statute, the Secretariat-General, and all other common expenses, shall be shared between all Members in such proportion as shall be determined by the Committee of Ministers on the basis of the population of Members.

(b) The Assembly shall have a special Budget which shall be submitted annually by the President of the Assembly to the Committee of Ministers. In case of any disagreement, the matter shall be laid before the Joint Committee. The Committee of Ministers shall be responsible for taking the final decision.

(c) The Secretary-General shall, after obtaining the opinion of the Joint Committee, submit each year the general Budget of the Council of Europe, including all other expenditure for approval by the Committee of Ministers, in accordance with the conditions laid down in the Financial Regulations.

#### ARTICLE 55

(a) The Secretary-General shall each year notify the Government of each Member of the amount of its contribution. Each Member shall pay to the Secretary-General the amount of its contribution, which shall be deemed to be due on the date of its notification, not later than six months after that date.

(b) The Secretary-General shall be responsible for defraying the expenses of the Council of Europe, as enumerated in Article 69 (a) of this Statute.

#### CHAPTER XIII - PRIVILEGES AND IMMUNITIES

#### ARTICLE 56

The Council of Europe, members of the Committee of Ministers and Representatives to the Assembly, and members of the Secretariat-General shall enjoy in the territories of Members such privileges and immunities as are necessary for the fulfilment of their functions. These immunities shall include immunity for all Representatives to the Assembly from arrest and all legal proceedings in the territories of all Members in respect of words spoken and votes cast in the Debates of the Assembly or its Committees.

#### CHAPTER XIV - AMENDMENTS

#### ARTICLE 57

(a) Proposals for the amendment of this Statute may be made in the Committee of Ministers or in the Assembly.

(b) Subject to the provisions of Articles 20 and 25, such amendments shall require, both in the Committee of Ministers and in the Assembly, a two-thirds majority of the representatives entitled to sit in the Committee and in the Assembly respectively.

(c) The Committee of Ministers shall cause to be embodied in a Protocol those amendments which have fulfilled the provisions of paragraph (b) of this Article.

(d) An amending Protocol shall come into force when it has been signed and ratified on behalf of two-thirds of the Members.

(e) Notwithstanding the provisions of the preceding paragraph of this Article :

*No amendment to Articles 7, 20, 21, 22 and 42 - 46 shall be considered until the expiry of the second Ordinary Session of the Assembly following the entry into force of this Statute ;*

*Amendments to Articles 23 - 32, 47 - 49, 54 and 55 which have been approved by the Committee of Ministers and by the Assembly in accordance, with the provisions of paragraph (b) of this Article shall come into force on the date of the certificate of the Secretary-General, transmitted to the Governments of Members, certifying that they have been so approved.*

#### FIRST PROTOCOL RELATING TO THE FUSION OF CERTAIN EUROPEAN ORGANISATIONS WITH THE COUNCIL OF EUROPE

#### ARTICLE 1

The Members of the Council of Europe signatory to the Convention for European Economic Co-operation undertake to enter into negotiations with the other signatory States in order to draw up provisions whereby the organizations created by virtue of the said Convention shall be merged with the Council of Europe.

#### ARTICLE 2

The Members of the Council of Europe signatory to the Brussels Treaty undertake to take the necessary measures, in agreement with the other Members, whereby the social and cultural organizations created under the Brussels Treaty shall be merged with the Council of Europe.

#### ARTICLE 3

*Recommendation 23 (1951)*

The Members of the Council of Europe who are parties to the European Customs Union Study Group undertake to take the necessary measures, in agreement with the other Members, whereby the said Study Group shall be merged with the Council of Europe.

*SECOND PROTOCOL RELATING TO SPECIALIZED AUTHORITIES*

ARTICLE 1

In cases where the organs of a Specialized Authority include an Assembly, the Council of Europe should recommend :

- a. that the members of such Assemblies be selected wherever possible from Representatives to the Council of Europe ; and
- b. that such Assemblies shall hold their meetings at the Seat of the Council of Europe.

ARTICLE 2

The Secretariat-General may be called upon to provide the administrative staff of the Specialized Authorities.