



Recommendation 326 (1962)¹

Expanded legal programme for the Council of Europe

Parliamentary Assembly

The Assembly,

Considering the statement of the Committee of Ministers of 12th December 1960 that it intended "to concentrate on a full programme of practical tasks" and that it invited the Assembly to "co-operate with them in the study and implementation of suitable projects;"

Considering that the Committee of Ministers informed the Assembly on 20th May 1954 that it would "consider what should be the role of the Council of Europe in the legal and administrative fields, or, in other words, what activities the Council can usefully carry out in this domain;"

Considering the statements made in the Consultative Assembly by the Chairman of the Committee of Ministers on 17th January 1962 and by the Austrian Minister of Justice on 17th May 1962

Believing that it is necessary to ensure the widest possible measure of legal cooperation in Europe and that the Council of Europe is the appropriate instrument for this purpose;

Having considered the report of its Legal Committee ([Doc. 1452](#)),

Recommends to the Committee of Ministers :

1. That, as a first step, the Committee of Ministers should decide to expand the legal programme of the Council of Europe;
2. That the Committee of Ministers should appoint an ad hoc Committee of senior officials to plan the general lines of an expanded programme of legal co-operation in Europe. This committee might include two representatives per country, for instance, one from, or appointed by, the Ministry of Justice (or corresponding department). The Legal Committee of the Assembly should be associated with the work of the ad hoc Committee (probably through the participation of the Chairman and Vice-Chairmen) in the same way as the Cultural Committee was associated with the work of the ad hoc Cultural Committee;
3. The programme would, naturally, be worked out in consultation with the Hague Conference on Private International Law and the Rome Institute on the Unification of Private Law, which should be represented on the ad hoc Committee. The experience and future plans of the Benelux countries, the northern countries (the Nordic Council) and the European Economic Community should also be taken into account.
4. The ad hoc Committee should draw up the general lines along which an expanded legal programme could be developed and establish an order of priority, taking into consideration the report of the Legal Committee ([Doc. 1452](#)) and the suggestions made by the Austrian Minister of Justice before the Assembly on 17th May 1962. It is to be expected that the programme would include three main branches : questions of public and private international law; questions of harmonisation and unification of law; criminological questions
5. The conclusions of the ad hoc Committee should be submitted to the Committee of Ministers, and to the Assembly for its opinion.

1. Assembly debate on 20th September 1962 (10th Sitting) (see [Doc. 1452](#), Report of the Legal Committee).

