



## Recommendation 421 (1965)<sup>1</sup>

# Initial measures for the achievement of free movement of manpower within Europe

Parliamentary Assembly

The Assembly,

1. Considering that the member Governments of the Council of Europe have signed the European Convention on Establishment and the European Social Charter, which recognise the right to engage in a gainful occupation in the territory of another Contracting Party ;
2. Having regard to the provisions of the 1953 Decision by the Council of OEEC, which have been taken over by OECD, governing the employment of nationals of member countries and facilitating the grant and renewal of labour permits for migrant workers ;
3. Having regard to the arrangements for the liberalisation of manpower movements within Benelux and the Scandinavian countries ;
4. Having regard to the measures taken by the Six in this field following the entry into force of Regulations No. 15, subsequently replaced by Regulations No. 38/64/CEE, adopted in accordance with Articles 48 and 49 of the Treaty of Rome ;
5. Referring to the decision taken by the Committee of Ministers of the Council of Europe at its 33rd Session to order an investigation of the possibilities of concluding agreements within the Council providing for measures of harmonisation in social matters on the basis of those taken by other organisations, including EEC and EFTA ;
6. Recalling its [Recommendation 376](#) in which it advocated the extension of certain arrangements adopted by the European Economic Community to member countries of the Council of Europe which are not Members of the Common Market ;
7. Recalling its Order No. 223, in which it instructed «its other competent committees to ascertain, both in the Treaty of Rome and in the Regulations adopted by the European Economic Community, those provisions which might form the subject of agreements extending the achievements of the European Economic Community in certain fields to all or some of the member countries of the Council of Europe» ;
8. Recalling paragraphs 4 and 5 of [Resolution 213](#) in which it stresses the need to extend to refugees the provisions of certain European agreements, in particular those relating to the free movement of manpower and admission to employment ;
9. 9. Believing that in the matter of the free movement of workers an effort to harmonise the measures taken by various groupings among the member countries of the Council of Europe is urgently necessary,

Recommends the Committee of Ministers :

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1. Assembly debate on 29th January 1965 (24th Sitting) (see [Docs. 1792](#) Docs. 1792, report of the Social Committee, 1854, opinion of the Political Committee, and 1890, report of the Social Committee). Text adopted by the Assembly on 29th January 1965 (24th Sitting).



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to take in the Council of Europe, in close collaboration with the European Economic Community, steps similar to those prescribed in Regulations Nos. 15 and 38/64/EEC, bearing in mind the provisions of the European Social Charter, the Convention on Establishment and the decisions of the Council of OECD ;

The resulting agreement or convention should be based on the following principles :

- a. The definition of «suitable workers» should be modelled on that in the EEC Regulations ;
  - b. The time-limit for the notification of vacant posts should be reduced to two weeks ;
  - c. Labour permits for regions and occupations scheduled as short of manpower should be granted automatically as under the EEC Regulations ;
  - d. The conditions for renewal of employment might be stated in the same terms as in the EEC Regulations ;
  - e. Criteria for engagement should be based on the same principles as those applied in EEC ;
  - f. Generous facilities for family reunion should be granted, as proposed by the Assembly in its [Opinion No. 32](#) on the European Social Charter, in which it defined the term «family» as «spouse, and dependent children or parents» ;
  - g. Refugees should enjoy to the fullest possible extent the rights provided for by Article 53 bis of Regulations No. 15 on free movement, whose adoption was recommended by the European Parliament on 28th March 1963, and at all events rights at least equal to those laid down in the OECD Decision on the liberalisation of manpower movements ;
11. to invite the European Economic Community, the Organisation for Economic Co-operation and Development and, where refugees are concerned, the Office of the United Nations High Commissioner for Refugees to assist the Council of Europe in preparing the Convention ;
  12. to instruct the Secretary-General to pursue his contacts with EEC with a view to investigating which measures adopted for Communities might usefully be introduced in other member countries of the Council of Europe.

In the light of the Secretary-General's report, the Committee of Ministers might request the countries concerned to take the above-mentioned measures.