

Recommendation 856 (1979)¹

Staff representation at the Council of Europe

Parliamentary Assembly

The Assembly,

1. Having regard to the report of its Committee on the Budget and the Intergovernmental Work Programme on staff representation at the Council of Europe ([Doc. 4294](#)) ;
2. Having regard to the motion for a recommendation on staff representation at the Council of Europe, tabled by Mr Czernetz, the late President of the Assembly, and others ([Doc. 4077](#)) ;
3. Having regard to the Council of Europe Staff Regulations, and considering that these rules no longer meet the legitimate expectations of the staff ;
4. Considering that the Council of Europe has always endeavoured to be in the forefront of social and economic progress, and that it would be unacceptable if the Council of Europe did not apply to its own staff the principles laid down in its Convention on Human Rights and the Social Charter,
5. Stresses the importance it attaches to the implementation of paragraph 9 of [Recommendation 780 \(1976\)](#), by which the Assembly confirmed its intention to continue, through its Committee on the Budget and the Intergovernmental Work Programme, consultations with designated representatives of the Staff Committee ;
6. Having regard to Order No. 368 (1978), on the duties and responsibilities of the Clerk of the Assembly, instructing the Committee on Rules of Procedure, in consultation with the Legal Affairs Committee, to prepare a study defining the duties and responsibilities of the Clerk ;
7. Taking into account that the interrelationship between the Assembly, the Clerk and the staff placed at the disposal of the Assembly is not yet clearly spelt out, particularly in respect of the overall authority of the Secretary General ;
8. Noting the tendencies of the Committee of Ministers to refer an increasingly wide range of questions to co-ordinating levels (CCG), which makes it more necessary than ever to set up a new form of co-ordinated negotiation procedure taking greater account of the views of the staff,
9. Recommends to the Committee of Ministers to amend the Council of Europe Staff Regulations in the following way :
 - a. replace in Articles 3.1, 3.2 (last sentence) and 5.2 of Appendix II to the Staff Regulations (Resolution (73) 32 of the Committee of Ministers) the word "may" by "shall" ;
 - b. amend the appeals procedure over the following parts :
 1. it should be possible for individual staff members, the Staff Committee and the Trade Union(s) to make appeals ;
 2. the grounds for complaint should be broadened and not restricted to the strict legality of the measure compared with the rules ;

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 27 March 1979. See [Doc. 4294](#), report of the Committee on the Budget and the Intergovernmental Work Programme.



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3. the Advisory Committee should have an "even-handed" composition of staff and administration ;
4. the Appeals Board should be elected by the Assembly and include at least one person elected by the staff ;
5. the Appeals Board should be able to supervise the execution of its decisions.