Recommendation 887 (1980)[1]

Functions of the Special Representative of the Council of Europe for National Refugees and Over-Population

Parliamentary Assembly

The Assembly,

1. Having examined the report by its Committee on Migration, Refugees and Demography on the problems that have arisen following the death of Mr Pierre Schneiter, Special Representative of the Council of Europe for National Refugees and Over-Population (Doc. 4456) ;

2. Paying solemn tribute to the work of the Special Representative over twenty-six years, in which it has a direct interest ;

3. Having regard to :

   3.1. Resolutions (55) 34, (56) 8, (56) 9 and (56) 10 of the Committee of Ministers,

   3.2. the Articles of Agreement of the Resettlement Fund,

   3.3. the third Protocol to the General Agreement on Privileges and Immunities of the Council of Europe, concerning the Resettlement Fund,

   3.4. the Rules of Procedure of the Governing Body of the Resettlement Fund,

   3.5. Resolution (76) 3 of the Committee of Ministers on committees' structures, terms of reference and working methods ;

4. Resolution (76) 3 of the Committee of Ministers on committees' structures, terms of reference and working methods ;

5. Convinced, therefore, of the need to maintain the office of Special Representative and the function which he must continue to fulfil for the benefit of refugees and migrants ;

6. Believing that the Special Representative's terms of reference should also be considered in the light of its Recommendation 861 (1979), and of the report on the role of the Council of Europe in the intensification of co-operation between the countries of Northern and Southern Europe (Doc. 4310) ;

7. Emphasising its concern that close links should be maintained between the Special Representative and the Steering Committee on Intra-European Migration (CDMG), successor to CAHRS (Special Representative's Advisory Committee), bearing in mind changes in this committee's legal status, and with the Governing Body of the Council of Europe Resettlement Fund for National Refugees and Over-Population ;

8. Considering it essential that the Special Representative should participate in the work of all Council of Europe bodies and institutions engaging in activities connected with the problems of refugees, migrant workers and their families ;

---

1. Assembly debate on 28 January 1980 (20th Sitting) (see Doc. 4456, report of the Committee on Migration, Refugees and Demography). Text adopted by the Assembly on 28 January 1980 (20th Sitting).

9. Expressing its conviction that the Parliamentary Assembly should be associated with any decision concerning the office and functions of the Special Representative, and should be informed of any change in the activities, objectives and statutory provisions of the Council of Europe Resettlement Fund for National Refugees and Over-Population.

10. Recommends that the Committee of Ministers maintain the office of Council of Europe Special Representative for National Refugees and Over-Population, and define the terms of reference and title attaching thereto in the light of the following principles :

10.1. the office of Special Representative must be retained ;

10.2. his terms of reference might be changed so as to include co-ordination of the activities envisaged in Recommendation 861 (1979) and in the report on the role of the Council of Europe in the intensification of co-operation between the countries of Northern and Southern Europe (Doc. 4310) ; this function should be, above all, political, which is more in keeping with the nature and aims of the Council of Europe than would be operational activity which implies the availability of extensive financial resources ;

10.3. in the interests of efficiency, it is highly desirable that the Special Representative should remain Chairman of the Steering Committee on Intra-European Migration (CDMG), successor to CAHRS (Special Representative's Advisory Committee), taking into account the former's new legal status, and of the Governing Body of the Resettlement Fund, as it would be indispensable that he should take part in meetings and be associated in the activities of all other bodies and institutions of the Council of Europe engaging in action in connection with the problem of refugees, migrant workers and their families ;

10.4. the Special Representative would be made responsible for co-ordinating the activities of the various bodies and institutions in the Council of Europe dealing with refugees and migrants ;

10.5. the Special Representative would present an annual progress report on his own activities and on those of the said bodies and institutions to the Committee of Ministers and to the Parliamentary Assembly ;

10.6. the Special Representative's term of office would be for a fixed period, coinciding, if possible, with the Council of Europe's medium-term plan, and would be renewable ;

10.7. the Special Representative should receive remuneration in accordance with his responsibilities and the magnitude of his tasks ; the office would, ideally, be a full-time one ;

10.8. the person appointed to the office of Special Representative must both possess wide experience in the relevant field, and enjoy political prestige, personal standing and connections necessary for the efficient performance of his functions ;

10.9. the appointment of the new Special Representative and the definition of his terms of reference should be finalised on the occasion of the Conference of Ministers responsible for Migration, to be held in Strasbourg in May 1980 ;

10.10. the Parliamentary Assembly should be associated with any decision concerning the office and functions of the Special Representative, and should be informed of any change in the activities, objectives and statutory provisions of the Council of Europe Resettlement Fund for National Refugees and Over-Population.