Resolution 26 (1953)[1]

Expressing the opinion of the Consultative Assembly on the directives for the preparation of the draft treaty setting up a European Political Community, as adopted by the Ad Hoc Assembly at its meetings on 7, 8, 9 and 10th January 1953

Parliamentary Assembly

I. General principles[2]

The Assembly,

Called upon for an opinion on the directives transmitted by the Ad Hoc Assembly to its Constitutional Committee;

Expresses its unreserved appreciation of the work hitherto performed by the Constitutional Committee;

Being aware that it is impossible, during the present short session, to undertake a detailed study of these texts, the extent and scope of which are of such importance;

Deems that it should therefore limit itself at present to ascertaining whether anything in these directives is of such a nature as to loosen the links forged within the Council of Europe between those of its Members participating in the work of the Ad Hoc Assembly and the other Member States of the Council of Europe;

Draws the attention of the Ad Hoc Assembly in this connection to the vague wording of sub-paragraph 2 of paragraph 9 in Resolution II, whereby the Political Community is instructed to define the common general objectives of foreign policy of the Member States;

Consequently, expresses the opinion that in acting upon this text adequate care must be taken to ensure that the harmony between the foreign policies of the countries represented in the Assembly, which is at present so necessary and is one of the constant aims of the Council of Europe, shall in no way be jeopardised or rendered more difficult of attainment;

II. Questions of Association and Liaison[3]

The Assembly,

Having considered the Report communicated by the Ad Hoc Assembly to the Consultative Assembly, in accordance with the provisions of Section B of the Resolution adopted by the Council of the European Coal and Steel Community at Luxembourg, 10th September, 1952;

Reserving its right to comment further on the Treaty setting up a European Political Community drafted by the Ad Hoc Assembly at such time as that body has completed its work;

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1. This Resolution was adopted by the Assembly at its thirty-fourth Sitting, 17th January 1953 (See Docs. 103 and 104, Reports of the Committee on General Affairs)
2. cf. Resolutions I and III of the Report of the Constitutional Committee.
3. cf. Resolutions V and VI of the Report of the Constitutional Committee.

Stresses the importance of the idea of an associated State and accepts the text concerning Association proposed by the "Ad Hoc" Assembly in its Resolution No. V, subject to the replacement of the word 'agreement' by the word 'treaty';

Considers that the future development of relations between the Community and the other Member States of the Council of Europe not Members of the Community should be on the following lines :

I. Ministerial level

1. There shall be regular meetings of Ministers representing the six Member States of the Community and Ministers representing the other Member States of the Council of Europe.

These Ministers shall be the Ministers for Foreign Affairs. When a Minister for Foreign Affairs is unable to be present, or in other circumstances where it may be desirable, an alternate who should be a member of his Government may be nominated to act for him.

2. The meetings shall be attended by one Minister representing each State and by the European Executive Council.

3. The purpose of the meetings shall be to discuss, in particular :

(i) Measures proposed by the Community which would affect the interests of other Member States of the Council of Europe;

(ii) Conventions or parallel legislation to be applied both to the Community and to other Member States of the Council of Europe.

4. Special rules of procedure for the meetings shall be adopted by the Ministers and the members of the European Executive Council at their first meeting.

5. The meetings shall be held at the Seat of the Council of Europe.

II. Parliamentary level

6. As from the date of the establishment of the European Political Community, the Assembly of the Council of Europe shall be recognised as consisting of the members of the Senate of the European Political Community, and of a corresponding number of Representatives of the other Member States of the Council which are not Members of the Community.

7. The Assembly thus constituted shall be consulted before the implementation of :

(i) Measures proposed by the Community which would affect the interests of other Member States of the Council of Europe;

(ii) Conventions or parallel legislation to be applied both to the Community and to other Member States of the Council of Europe.

8. The European Executive Council shall, at least once a year, transmit to the Consultative Assembly a report on its activities and its plans.

The members of the Europe an Executive shall furnish explanations on this Report to the Consultative Assembly and its Committees.

III. Economic and Social Council

9. An Economic and Social Council shall be set up with consultative functions representing the fifteen Member States of the Council of Europe. If needed, an Opinion of the Economic and Social council may be obtained in dual form ; an Opinion by the majority of the Representatives of the Member States of the Council of Europe and an Opinion by the majority of Member States of the Community.

IV. Relations between the Community and the Council of Europe

10. Information and statistical data shall be exchanged, as fully as possible, on a basis of reciprocity.

V. Consequential amendments to the Statute of the Council of Europe

11. If the above provisions are adopted, the following consequential amendments to the Statute of the Council of Europe would be required to take effect at the same time as the European Political Community is set up :

Article 1

Add the following clause :

The European Political Community, established in accordance with the Treaty signed in..... on....., is in accordance with the aim of the Council.

Members of the Council who are not Members of the Community shall be free to accede to it, or to conclude agreements of Association with the Community, in accordance with the provisions laid down in the Treaty setting up the Community.

Article 10

Add the following phrase to the first paragraph :

(iii) An Economic and Social Council.

Article 25

Substitute for paragraph (*a*), the following :

(*a*) The Consultative Assembly shall consist, in the case of those of the Member States of the Council of Europe which are Members of the European Political Community, of the representatives of the States concerned in the Senate of that Community. In the case of the Member States of the Council of Europe which are not Members of the European Political Community, it shall consist of Representatives of each Member elected by its Parliament or appointed in such manner as that Parliament shall decide, subject, however, to the right of the Governments of such Member States to make any additional appointments necessary when their Parliaments are not in session and have not laid down the procedure to be followed in that case. Each Representative must be a national of the Member State which he represents, but shall not at the same time be a member of the Committee of Ministers.

Article 26

Members shall be entitled to the number of Representatives given below :

(To be completed after a decision has been taken as to the representation in the Senate of the Community.)

VI. Transmission to the Ad Hoc Assembly

12. This Resolution shall be communicated to the President of the Ad Hoc Assembly.