Resolution 227 (1962)[1]

Powers of the Assembly in the organisation of conferences

Parliamentary Assembly

The Assembly,

Considering paragraphs 11 to 14 of the 13th Statutory Report of the Committee of Ministers (Doc. 1410) relating to the powers of the Assembly in the convocation of conferences,

Reaffirming its right, which is recognised by the Committee of Ministers, to take steps to obtain any information that it may require by organising meetings, symposia or conferences between Representatives and experts or independent authorities

Recognising, however, that its powers are not unlimited and agreeing, subject to what is set out below, with the rules proposed by the Committee of Ministers in the 13th Statutory Report ;

Considering, nevertheless, that certain additional clarifications are necessary, as explained in the Report of the Legal Committee (Doc. 1472),

Resolves as follows :

1. The Assembly may, subject to what is stated in the following paragraph, require detailed information to enable it to form an opinion on items on its Agenda. It may therefore take steps to acquire this information, e .g. by organising meetings, symposia or conferences between Representatives to the Assembly and experts or independent authorities.

2. The Assembly has not, however, unlimited power to act in accordance with its own requirements, for it must remain within the sphere of its consultative competence. Consequently :

   a. Meetings, symposia or conferences may be organised by the Assembly (or its Committees) only for the purpose of acquiring information for its own use and in order to enable it to gain a clearer understanding of the problems on its Agenda ;

   b. The conclusions of these meetings must be primarily intended for the Assembly itself ;

   c. Such meetings must be ad hoc and not become institutional in character, for within the Council of Europe the Committee of Ministers alone is empowered to set up institutions (Article 17 of the Statute) ;

   d. The Assembly must remain within the framework and limits of the appropriations granted to it by the Committee of Ministers ;

   e. Any proposal for action adopted at these meetings must be presented in the form of a Recommendation to the Committee of Ministers, which alone is competent to decide what measures shall be taken

3. In order to decide in a particular case whether a conference is of an ad hoc nature or "institutionalised", the determining factors are not the number of meetings which are held, but the limited or unlimited nature of its terms of reference, both as regards the time-factor and as regards the subject

1. Assembly debate on 20th September 1962 (10th Sitting) (see Doc. 1472, Report of the Legal Committee). Text adopted by the Assembly on 20th September 1962 (10th Sitting).