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Necessary changes in the political structure of Europe to achieve a greater unity between the Members of the Council of Europe and to make an effective European cooperation in the various spheres specified in Article 1 of the Statute

Communication

Parliamentary Assembly

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1. RESOLUTIONS OF THE ASSEMBLY AND RECOMMENDATIONS TO THE COMMITTEE OF MINISTERS¹

A. RESOLUTIONS OF THE ASSEMBLY

1. Proposal regarding the Committee for Political Affairs

The Assembly,

Convinced that the problems of common interest to the States of Europe in the spheres mentioned in Article 1, paragraph (b) of the Statute cannot be solved within the framework of the present European structure,

Desiring that a detailed and objective study be made of the proposals to achieve a closer political unity between the Member States,

Decides: that its Committee on General Affairs should be charged with examining

- (a) the general position of the Member States of the Council of Europe considered as a whole;
- (b) the present situation with regard to existing intergovernmental organisations;
- (c) the different proposals for extended collaboration in the political, economic, social and cultural fields;
- (d) the modifications in the political and constitutional structure of the Member States which such a collaboration would entail;
- (e) federal as well as other proposals for the future political development of Europe; and
- (f) the effects on each Member, State of any such measures as these proposals imply.

The Committee shall formulate precise and definite proposals in respect of the matters referred to it and shall make definite recommendations concerning the modifications in the political structure of the Member States, which it considers desirable with a view to a closer unity between them.

1. Adopted 6th September on the conclusion of the Debates on the following item of the Agenda. See: Motions contained in Appendix to the Minutes of proceedings of the Sitting of 17th August, 1949. Doc. Nos. 57, Report; GO Io G3, 65 to G3, Amendments; 73, Text of the Report as amended by the Assembly. Sitzings of 16th and 17th August and 5th and 6th September, 1949.



The Committee shall have the power to appoint sub-Committees, to obtain the assistance of experts and to hear witnesses.

The Committee shall send its Report to the President of the Assembly by the 30th April at the latest. This Report will be transmitted by the President to the Committee of Ministers and to every Representative in the Consultative Assembly.

The Assembly now expresses the wish that this Report shall be placed on the Agenda of the 1950 Session, and that the Committee of Ministers will propose to the Members of the Council of Europe that the recommendations then adopted by the Assembly shall be immediately discussed by the respective Parliaments.

II. Resolution regarding the Standing Committee of the Assembly

The Assembly has decided to set up:

a Standing Committee, consisting of the President, the four Vice-Presidents, and twenty-three Members of the Assembly who shall include, *ex-officio*, the six Chairmen of Committees.

The aforesaid Standing Committee shall be constituted on the recommendation of the Bureau and will be convened by the President of the Assembly whenever he considers it necessary, and not less than four times a year.

Its duties will be:

To co-ordinate the different Resolutions of the Assembly and the Reports or Recommendations produced by the various Committees;

To consider the steps to be taken to prepare the work of the Assembly for the following Session.

The President of the Assembly, acting on behalf of the said Standing Committee, will consult with the Committee of Ministers as to the advisability of convening an extraordinary Session, and also in regard to any matter arising out of the Agenda of the previous Session.

Lastly, between the Sessions of the Consultative Assembly, the Committee will, in general, take any measures that appear calculated to facilitate or expedite the work of the Assembly.

The Assembly next agreed to propose that in constituting the Standing Committee of the Assembly composed as above (23 members, who shall include, *ex-officio*, the Chairmen of Committees, besides the Bureau) the Rules of Procedure laid down in Article 37 in regard to Committees of 23 Members should be applied.

III. Other Resolutions

1. The Assembly decided to refer to the Standing Committee of the Assembly the various proposals for the convocation of an extraordinary session early in 1950.

It regards the convocation of such an extraordinary Session as inevitable, seeing the number and urgency of the problems before the Council of Europe.

It would leave it to the discretion of the Standing Committee of the Assembly to determine the best time for this session, and to request the Committee of Ministers that, as provided in Article 19 of the Statute, the different questions transmitted by the Committee of Ministers to the Assembly for its opinion shall in each case be dealt with in precise Reports and clearly worded Proposals.

2. If the simple majority of the members of the Consultative Assembly requests the President to convene a special Session of the Assembly, the President shall communicate to the Committee of Ministers a request for an extraordinary Session.

3. The Assembly invites the Secretary General to refer to the Committee of Ministers the Assembly's request that with due regard to the provisions or Articles 21 and 38 (*d*) of the Statute, the necessary funds shall be put at the disposal of the Committee entrusted with the study of the question of political unity.

4. The Assembly decided to refer the following resolutions to the Standing Committee of the Assembly, with a recommendation for their favourable consideration.

The Assembly recommends to the Committee of Ministers that it proposes to the Governments of Members of the Council of Europe that they should systematically organise the instruction of the great mass of the people, pointing out to them undeniable advantages of union for Europe and at the same time the dangers inherent in national isolation.

It is especially in the schools, Avorkplaces, political parties, public meetings and, of course, through the press, that this campaign should be concentrated. The members of the Consultative Assembly of the Council of Europe should be requested to give their Governments every assistance in their power in this great work, while at the same time making every effort as individuals to this end.

5. The Assembly decided to refer to the Standing Committee for examination two proposed amendments to Article 13 and various proposals to create a European political authority with clearly defined aims and definite powers; to endow the Committee of Ministers with intergovernmental or supra-national powers and rights; and to create a corps of European civil servants,

6. The Assembly decided to refer to the Committee for General Affairs for examination two proposed amendments to Article 20 of the Statute foreseeing the case when the Committee of Ministers might feel itself unable to take into consideration the recommendations of the Consultative Assembly. The Committee for General Affairs shall include its observations on these amendments in the report it must draw up before the 30th April.

7. The Assembly instructs its Committee op General Affairs to draw up, before 30th April, 1950, for submission to the Assembly, a European Agreement which will define the principles of the Council of Europe, in the political, economic, cultural and social fields. This agreement will bind all Members or Associate States, and will in particular, so far as they are concerned, prevent the outbreak of conflicts in the future, by confirming the intention of the signatories to outlaw war.

8. That the Assembly considers that the aim and goal of the Council of Europe is the creation of a European political authority with limited functions but real powers.

B. RECOMMENDATIONS T O THE COMMITTEE OF MINISTERS

1. The Assembly recommends to the Committee of Ministers the following proposed amendments to the Statute of the Council of Europe:

Proposed Amendment to Article J,: Insert after "may" in the first line: "with the approval of the Consultative Assembly, such approval to be by a simple majority."

Proposed Amendment to Article 5: Insert after "may" in the second line: "with the approval • of the Consultative Assembly, such approval to be by a simple majority;"

Proposed Amendment to Article -23: Substitute a new Article to read as follows:

"The Consultative Assembly may discuss and make recommendations upon any matter within the aim and scope of the Council of Europe as defined in Chapter I; and it shall discuss and may make recommendations upon any matter referred to it by the Committee of Ministers with a request for its opinion."

Proposed Amendment to Article 25: Leave out paragraph (c).

Proposed Amendment to Article 26: That the number of Representatives set out in the Article be doubled.

Proposed Amendment to Article 36: Substitute the following paragraphs for paragraphs (a) and (b):

"(a) The Secretariat General shall consist of a Secretary General, a Deputy Secretary General for the Committee of Ministers, a Deputy Secretary General for the Assembly, and such other staff as may be required.

"(b) The Secretary General and both the Deputy Secretaries General shall be appointed by the Assembly on the recommendation of the Committee of Ministers."

Proposed Amendment to Article 37: Substitute the following paragraph for paragraph (b):

"(b) The Secretary-General is responsible to the Committee of Ministers and to the Consultative Assembly for the work of the Secretariat. Amongst other things, he shall, subject to Article 38 (d), provide, in agreement with the Deputy Secretary General for the Assembly, such secretariat and other assistance as the Consultative Assembly may require.

"The Deputy Secretary General for the Committee of Ministers is responsible to the Committee of Ministers.

"The Deputy Secretary General for the Consultative Assembly is responsible to the Assembly and to its Bureau."

Proposed Amendment to Article Jfl: Delete the last sentence of paragraph (d).

2. The Assembly recommends the drawing up of any further amendments as may be necessary to any other Articles of the Statute to bring them into line with the adoption of the Amendments listed above.

In particular it recommends the following Amendments:

Article 24: Delete "under Article 23" in line 3.

Article 29: Substitute for the words "subject to the provisions of Article.30" in line 1, the wording "subject to the provisions of Articles 4, 5 and 30."

Article 29: Substitute for subsection (ii) the following wording: "determining matters for discussion in the Assembly."

Article 31: Substitute for "Debates on proposals to be made to the Committee of Ministers that a matter should be placed on the Agenda" by the following wording: "Debates on proposals for a matter to be placed on the Agenda."

Article 34: Insert after "The Committee of Ministers..." the words: "on its own initiative or at the request of the President of the Consultative Assembly..."

3. The Assembly recommends that: before next ordinary or extraordinary session of the Assembly, the Committee of Ministers should consider the question of the admission of new Members and new Associate Members to the Council of Europe; and that this question be placed on the Agenda of the next ordinary or extraordinary Session of the Consultative Assembly.