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COUNCIL OF EUROPE
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Best means of giving effect to the United kingdom proposals

Request for an opinion
Committee of Ministers

Resolution (52) 35 adopted by the Committee of Ministers at its 11th Session (Strasbourg, 23rd May, 1932)

The Committee of Ministers,

Having regard to the United Kingdom proposals that arrangements should be made in the Council of Europe to enable the Committee of Ministers and the Consultative Assembly to serve as the Ministerial and Parliamentary institutions of restricted Communities;

Having regard to the questionnaire drawn up by the Ministers' Deputies to enable the various Governments lo define their views on these proposals;

Having heard the observations formulated by its Members on this subject;

Approves the principle underlying the United Kingdom proposals that organic liaison should be established between restricted Communities and the Council of Europe;

Declares that this principle applies to the relations between the Council of Europe and the restricted Communities, in particular as regards their Ministerial and Parliamentary institutions ; and taking note that at the present stage, and until such restricted Communities have come into being, the mechanism of the relationship to be established between them and the Council of Europe cannot be exactly defined;

Resolves :

1. To transmit to the Consultative Assembly the appropriate documents with a view to obtaining its opinion on the best means of giving effect to the United Kingdom proposals;
2. To instruct the Secretary-General to obtain the views of the Governments taking part in the restricted Communities;
3. To instruct the Secretary-General to obtain the views of the restricted Communities as soon as they have come into existence;
4. To instruct the Deputies of the Ministers to proceed with a detailed examination of the problem on the basis of the opinions obtained;
5. To resume the examination of this question at its next Session.

Documents relating to Resolution (52) 35 of the Committee of Ministers (S documents)

I. Aide-memoire by the Government of the United Kingdom on the rôle of the Council of Europe transmitted to the Governments of the Members (March, 1952)

1. The Agenda of the meeting of the Committee of Ministers of the Council of Europe which opens in Paris on the 19th March includes a number of items that raise the question of the future rôle of Strasbourg in the development of the European Community, which is gradually taking shape in the form of the European Defence Community and the Schuman Plan.

2. The movement for unity in Europe, which led to the creation of the Council of Europe, is now flowing along two main streams : the Atlantic Community, a wide association of Slates which, without formal surrender of sovereignty, is achieving increasing unity of purpose and action through the machinery of the North Atlantic Organisation, and the European Community, a smaller group of States which is moving towards political federation by the progressive establishment of organisations exercising supranational powers in limited fields. The Council of Europe seems to be in danger of becoming stranded between these two streams.

3. In an attempt to acquire " limited authority but real powers " the Assembly has produced a draft new Statute of the Council of Europe, which will be on the agenda at the next session of the Committee of Ministers. This transforms what is now a purely consultative body into a quasi-federal institution with legislative and executive powers and the right to be consulted by member Governments on certain matters within its competence. If the new Statute were adopted this would undoubtedly make things very difficult for the United Kingdom.

4. In Mr. Eden's view, a more promising future for the Council of Europe would lie in a remodelling of the organisation so that its organs could serve as the institutions of the European Coal and Steel Community, the European Defence Community and any future organisations of the same structure and membership. The advantages would be :

a. The Council of Europe would be given valuable work to do;

b. The duplication of European bodies would be avoided;

c. The European Coal and Steel Community and the European Defence Community would be provided with ready-made machinery.

5. Mr. Eden hopes that the Committee of Ministers will agree that this possibility is worthy of study. The Council of Europe has already served a useful purpose as the mainspring of plans for European unity, and any adjustment which is now made to bring it into focus with the European Community would be a logical development of the rôle that it has so far played. It will, of course, be necessary to consider the position in the reconstituted Council of Europe of those countries which are not members of the Schuman Plan and the E. D. C. ; But Mr. Eden is confident that a satisfactory " two-tier " system could be evolved which would enable the Council of Europe to continue its work as an organisation for intergovernmental co-operation in Western Europe. On occasions the Committee of Ministers and the Assembly could meet on a 6-Power basis to transact business connected with the Coal and Steel Community, the Defence Community and any future organisations of the same type and membership. At the same time both the Committee of Ministers and the Assembly would continue to meet on a 15-Power basis as at present for the purposes defined in Article 1 of the Statute. In particular, the present practice of receiving and discussing reports from the O. E. E. C. should be maintained. The full Council would also discuss questions relating to the European Community which were of general interest to Western Europe.

Mr. Eden is anxious that M... should be aware of his views before the meeting of the Committee of Ministers when he hopes that they will serve as a basis for a full and frank discussion on the future of the Council of Europe.

II. Statement made by the Secretary of State for Foreign Affairs of the United Kingdom, daring the Tenth Session of the Committee of Ministers [19th March, 1952)

It may be helpful if I explain the thought which lies behind the proposals of Her Majesty's Government, of which my colleagues have already been informed.

We have been actuated in the first place by our desire to promote the idea of European unity •—• an idea which also lay behind the foundation of the Council of Europe.

It seems to us that there is every reason for encouragement.

The idea of European unity is taking shape.

It is taking shape in the form of unions for certain purposes between some European States.

I am thinking, of course, of the European Defence Community and the Schuman Pool.

Her Majesty's Government have made it plain on several occasions that they intend to associate themselves as closely as possible with these European organisations at all stages of their development, whether political or military.

While this development is taking place in the relationship between European states, another line of development is taking place in the shape of the Atlantic association of States, who are achieving increasing unity of purpose and action through the machinery of the North Atlantic Treaty Organisation.

We have been asking ourselves how the Council of Europe can best fulfd the useful and vital rôle which it has to play in these developments inside and outside Europe.

It would clearly be the greatest possible mistake if the Council of Europe were to develop, as it were, in rivalry to the European Defence Community or to the Schuman Pool, or to any future European bodies of that kind.

On the contrary, the Council of Europe should develop along lines complementary to these organisations.

I cannot help feeling some doubt whether the Council of Europe will be taking the right road if it develops along the lines of the new draft Statute which the Consultative Assembly adopted at its last session.

I need not enter into a detailed discussion of this draft now. But it appears to have as its aim the eventual transformation of what is now a purely consultative body into a quasi-federal institution with legislative and executive powers and the right to be consulted by Member Governments on certain matters within its competence.

Would not a more promising future for the Council of Europe lie in a certain remodelling of the organisation so that its organs could serve as the institutions of the Schuman Plan, of the European Defence Community and of any future organisations of the same structure and membership?

Of course, the Council of Europe would also continue to serve as an organisation for intergovernmental co-operation in Western Europe.

It will, therefore, be necessary to study the relationship which ought to be established between the Council of Europe when it meets with representatives of its fifteen members, and the Council of Europe acting with its more limited membership in connection -with the European Defence Community and the Schuman Plan.

I should like to make it clear from the outset that, in our view, the Council of Europe would continue, as at present, to fulfil the purposes set out in Article 1 of the Statute.

In particular, we think it valuable that the Council of Europe should continue to receive and discuss periodical reports from the O. E. E. C.

It would also discuss questions relating to the European Community which are of general interest, to the other countries of Western Europe.

A remodelling of the Council of Europe on these lines would, we feel, have the following advantages :

a. the Council of Europe would become an integral part of the European Community ;

b. it would be given valuable work to do;

c. duplication of European bodies would be avoided;

d. the Schuman Plan and the European Defence Community would be provided with ready-made machinery;

e. it might be possible to arrange for countries, like the United Kingdom, whose aim is to establish a close link with the European Community, to be associated, in an appropriate way, with the Parliamentary and Ministerial institutions of the Community, as well as with the executive organs.

I suggest that, if my proposals meet with commendation from my colleagues, they might be examined in more detail by officials.

We could then look into this question again at our meeting in May in the light of the officials' discussions.

In this way, it might be possible to inform the Assembly when it meets of the lines on which we consider that the Council of Europe should now develop.

III. Memorandum by Her Majesty's Government in the United Kingdom (April, 1952)

1. At the meeting of Ministers' Deputies on 21st March, the United Kingdom Representative undertook to circulate a memorandum explaining in detail how practical effect might be given to the proposals put forward by the Secretary of State for Foreign Affairs at the Tenth Session of the Committee of Ministers.

2. It will be recalled that the essence of Mr. Eden's proposals was that the Council of Europe should be remodelled so that its organs could serve as the Ministerial and Parliamentary institutions of the Schuman Plan, the European Defence Community and any future organisations of the same structure. At the same time, the Council of Europe would continue to serve as a consultative body and as a forum for intergovernmental and parliamentary cooperation in Western Europe.

3. If these proposals arc acceptable, it will be necessary to work out a " two-tier " system on the following basis :

a. On occasions, the Committee of Ministers and the Assembly would meet on a 6-Power basis to transact business connected with the Schuman Plan and the European Defence Community; and on a similarly restricted basis in the case of future supranational organisations with the same structure. Countries not participating in these organisations would not be represented at these restricted meetings unless invited to attend as observers (or in some other capacity) by the Governments concerned.

b. The Committee of Ministers and the Assembly would continue to meet, as at present, on a 15-Power basis for the purposes set out in Article 1 of the Statute.

Method of giving legal effect to the United Kingdom Proposals

4. The Statute of the Council of Europe in its present form would remain the framework within which the Committee of Ministers and the Assembly would operate, on a 15- Power basis. In particular, Article 1 (d) of the Statute, which excludes questions of national defence from the competence of the Council of Europe, would continue to apply to meetings of the Committee of Ministers and the Assembly as a whole, except in so far as the Ministers have agreed that the Assembly can discuss the political aspects of defence (see also para. 7 below).

5. Provision for restricted meetings of the Committee of Ministers and the Assembly, to enable these organs to serve as the institutions of existing and future supranational organisations, would be made in a Protocol to the Statute. This Protocol would be purely permissive. It would therefore be left to the Governments participating in the Schuman Plan and the European Defence Community to decide whether and at what stage the Ministerial and Parliamentary institutions of the European Community should be brought under the aegis of the Council of Europe. Thsee Governments, would make whatever arrangements were necessary among themselves—either by administrative dispositions or by the conclusion of a separate legal instrument —to take advantage of the facilities provided for in the Protocol. This, in the view of Her Majesty's Government, would not necessarily involve at this stage an amendment to the Treaty constituting the Coal and Steel Community or to the draft E. D. C. Treaty in its present form. The United Kingdom proposals need not therefore delay the ratification of the former not the conclusion of the latter.

6. The Protocol to the Statute of the Council of Europe might be based on existing texts dealing with Specialised Authorities and the conclusion of partial agreements. These texts are not, however, sufficiently precise or comprehensive to give effect to the United Kingdom proposals. Moreover, before a Protocol can usefully be drafted, it will be necessary for member Governments to reach agreement on the following points :

a. Membership and functions of the Assembly

1. In order to conform to the representation laid down for the Assemblies of the E. D. C. and the Schuman Plan some adjustment in the membership of the Assembly of the Council of Europe seems desirable in order to permit the same representatives to sit in both the 6-Power Assembly and the 15-Power Assembly. This would provide continuity and a close link between the work of the two bodies. As the draft E. D. C. Treaty stands at present, the E. D. C. Assembly will, in the first instance, be the same as the Assembly of the Schuman Plan, except that, for E. D. C. purposes, France, the German Federal Republic and Italy will each have three additional seats. Taking the E. D. C. Assembly as a basis, this would mean an increase in representation as follows (the figures in brackets indicate present membership) : France - 21 (18) German Federal Republic 21 (18) Italy - 21 (18) Belgium - 10 (7) Netherlands - 10 (7) Luxembourg - 4 (3) Governments not participating in the work of the 6-Power Assembly may wish to consider whether their representation in the 15-Power Assembly should also be increased in order to preserve the present balance.

2. The report of the Paris Conference submitted to the North Atlantic Council at Lisbon states that the First Assembly of the European Defence Community will, as soon as the Treaty comes into force, examine the constitution of a Defence Community Assembly, which will be specially elected on a democratic basis. It therefore appears that the Protocol to the Statute of the Council of Europe should include provisions modifying Article 25 (a) of the Statute to enable Assembly

representatives from the countries participating in the European Defence Community to be appointed in due course by direct election. Representatives from other countries would continue to be elected by national parliaments or appointed in such manner as these parliaments may decide.

3. Provision might be made for representatives of countries not participating in the Schuman Plan and the E. D. C. to be invited to attend restricted sessions of the Assembly as observers or in some other capacity.

4. The Assembly when it meets on a 6-Power basis would exercise those functions allotted to the Schuman Plan and E. D. C. Assemblies under the relevant Treaties, and would not be bound by the rules of procedure of the Assembly as a whole.

b. Committee of Ministers

1. Article 14 of the Statute of the Council of Europe provides that representatives of the Committee of Ministers shall be Ministers for Foreign Affairs or their alternates. Members of the Ministerial bodies of the Coal and Steel Community and the E. D. C. will not necessarily be Foreign Ministers. It therefore seems desirable to include in the Protocol provisions enabling each of the six Governments concerned to be represented at restricted meetings of the Committee of Ministers by any representative whom they choose to appoint. This representative would attend in his own right and not as an alternate of the Minister for Foreign Affairs.

2. Provision might also be made for the six Governments concerned to invite representatives of other member Governments to attend restricted meetings of the Committee of Ministers as observers or in some other capacity.

3. The Committee of Ministers when it meets on a 6-Power basis would exercise the powers and functions of the Ministerial bodies of the Schuman Plan and the E. D. C. and would not be bound by the rules of procedure of the Committee of Ministers as a whole.

c. Organisation of the Secretariat The United Kingdom proposals involve more work and increased responsibilities for the Secretariat-General which, in addition to its present functions, would be required to provide the Secretariat for the Council of Ministers and Assembly of both the Schuman Plan and the E. D. C. The Secretariat-General in its present form should be able to provide certain common services for the Committee of Ministc: --.and the Assembly whether they meet in restricted session or on a 15-Power basis. This arrangement should prove more economical than the establishment of the Ministerial and Parliamentary institutions of the Schuman. Plan and the E. D. C. outside the framework of the Council of Europe. So far as the institutions of the Schuman Plan are concerned, it might he possible for the Secretariat-General to undertake the additional work with only a small increase in its present staff. The work connected with the E. D. C. presents a special problem. In view of the secret nature of E. D. C. questions, special security arrangements will be required to ensure that E. D. C. documents are not dealt with by unauthorised persons and that European Defence Community matters do not come within the competence of the Secretariat- General as a whole. This points to the creation of a separate, self-contained Secretariat for E. D. C. questions, the head of which would be directly responsible to the Secretary- General. This Secretariat would not be concerned with the other work of the Council of Europe, although, for economy reasons, it would make use of the general administrative services of the Secretariat General for such matters as accommodation, payment of salaries, etc.

d. Finance It is suggested that the additional cost to the Council of Europe of undertaking functions connected with the Schuman Plan, the E. D. C, and any similar organisations created in the future, should be borne by the Governments concerned. If it should prove impracticable to secure this object by identifying the proportion of the total expenditure of the Council to be devoted to the performance of such functions and charging them to the powers directly concerned, some alternative means of securing it would have to be devised, for example by re-assessing the percentage contributions of all member countries on a basis which took due account of the degree of participation of each member country in the activities of the Council as a whole.

The E. D. C, defence questions and the Council of Europe

7. The United Kingdom proposals, in so far as they relate to the Council of Ministers and the Assembly of the E. D. C, must be regarded as an exception lo Article 1 (d) of the Statute, which excludes questions of national defence from the competence of the Council of Europe. Article 1 (d) will still apply to the work of the Committee of Ministers and the Assembly as a whole. Thus, those countries not participating in the E. D. C. will not necessarily come into contact with this aspect of the Council of Europe's work. In any case the United

Kingdom proposals do no more than enable the Council of Europe to provide the political institutions of the E. D. C, leaving military questions to be dealt with outside the Council of Europe by the Board of Commissioners of the E. D. C. and by N. A. T. 0

Conclusion

8. The more detailed proposals set out above take into account the views expressed at the Tenth Session of the Committee of Ministers. They are intended as a basis for discussion at the meeting of the Deputies on 28th April. While, in the view of Her Majesty's Government, they represent the most satisfactory way of giving practical effect to the United Kingdom proposals, Her Majesty's Government will, of course, give careful and sympathetic consideration to any alternative suggestions put forward by other Member Governments.

IV. Supplementary memorandum presented by the United Kingdom representatives at the Second Meeting of the Ministers' Deputies, held in Paris from 28 April to S May, 19S2

1. The general exchange of views which took place at the meetings of the Deputies on 28 th and 29th April on the detailed proposals contained in Her Majesty's Government's memorandum has revealed certain differences of interpretation as to their precise nature and extent.

2. The essence of these proposals is that the fifteen member Governments of the Council of Europe should provide the necessary facilities to enable the Committee of Ministers and the Assembly, sitting in restricted session to serve as the Ministerial and Parliamentary institutions of the Coal and Steel Community, the European Defence Community and future supranational organisations of the same structure. It would be left to the participating Governments to decide whether and at what stage to make use of the facilities provided, what relationship, if any, should prevail between the 6-Power bodies and the Committee of Ministers and the Assembly as a whole, and the extent to which non-participating Governments should be associated with the work of the Ministerial and Parliamentary institutions of the supranational organisations. On this last point, the participating Governments would no doubt take into account the relevant provisions of any agreements concluded between such organisations and one of the other members of the Council of Europe.

3. There is therefore no question of merging the Schuman Plan and the E. D. C. with the Council of Europe. The aim is rather to provide at Strasbourg a general framework for European activities, the exact relationship and degree of co-ordination between these different activities to be determined on each occasion when use is made of the facilities provided.

4. Since the immediate objective is to provide such facilities (which the participating Governments can use at their discretion), it woidd appear unnecessary at this stage to consider whether Her Majesty's Government's proposals should be applied to all or only some of the supranational organisations to be created. Moreover, all these organisations constitute stages in the building up of a European Continental Community. Since the aim of the United Kingdom proposals is to bring the Council of Europe into focus with this development, it seems undesirable to limit the scope of these proposals to one or a limited number of the Specialised Authorities.

5. It is, of course, desirable that account should be taken of the general structure of these organisations (i.e. the existence in each case of a Council of Ministers and an Assembly) and the difference in the nature and powers of their institutions, on the one hand, and the existing organs of the Council of Europe, on the other. If these considerations are borne in mind, it should prove possible, by certain changes in the Statute (as indicated in the original United Kingdom memorandum), to make the necessary facilities available. These might then be xised progressively, any further adjustments in the organisation and functions of the Council of Europe being made when necessary.

6. It is suggested that this object could be achieved in the following way. First, by means of a Protocol, the Statute of the Council of Europe should be modified to enable the organs of the Council of Europe to operate not only as organs of the Council of Europe as a whole but also as institutions of those supranational organisations which might decide to make use of the facilities thus made available. Such a Protocol haying provided the framework, then if any supranational organisation wished to place certain of its institutions within that framework, a further instrument would be required. It would be signed only by those Member States of the Council which are also members of the Organisation concerned, and would regulate the operation of the organs of the Council when functioning as the institutions of that organisation. Any such further instrument would be of the nature of a partial agreement; when functioning as institutions of the Organisation concerned, both the Committee of Ministers and the Consultative Assembly would consist only of representatives of the members of that Organisation and their decisions and deliberations would not be those of the Council of Europe as a whole.

V. Report submitted by the Ministers' Deputies to the Committee of Ministers at its 11th Session (21st May, 1952)

1. At its Tenth Session, the Committee of Ministers instructed the Deputies to study the United Kingdom proposals in the light of the views expressed during the Ministerial discussions, and to report back to the Committee of Ministers at its Eleventh Session.

2. The Deputies have considered these proposals in the course of meetings held at Paris (28th April - 5th May) and Strasbourg (16th - 21st May). As a result of a general exchange of views which took place at the first of these meetings, a questionnaire was drawn up setting out the questions of principle on which decisions were necessary and listing various points of detail which would have to be examined before statutory effect could be given to these proposals. A copy of this questionnaire is attached.

3. This questionnaire served as a basis for discussions at a second meeting.

The views developed may be summarised as follows :

It has not been possible to reach agreement on the action to be taken on the British proposals, certain delegations having expressed the opinion that at the present stage of the discussions it was difficult to judge how far these proposals could be applied in practice. They pointed out, in particular, that the organic structure of the Council of Europe was essentially different in nature from those of the European Communities. It was for consideration whether in these circumstances it would be preferable to adhere to the existing texts[1] on the links to be established between the Council and the Communities. Certain delegations (German Federal Republic and Sweden) also pointed out that they thought it difficult to reach a decision on the British proposals until the Communities in process of formation had actually been established. In this respect one delegation (Italy) stated that its attitude depended more particularly on the decisions which would be taken in choosing the seat or seats of the institutions of the various European organisations in question.

Despite these difficulties the majority of the delegations considered that the Committee of Ministers and Consultative Assembly of the Council of Europe, with appropriate composition and exercising such powers as are contained in the treaties setting up the restricted Communities, could be used as the Ministerial and Parliamentary institutions of these Communities. In general they agreed that it was incumbent on the Communities or the participating Governments to decide whether it was expedient to utilise the facilities offered by the Council in its present form or in an amended form. One delegation (France) expressed the opinion that the British proposals were within the scope of the already existing texts of a statutory nature[2] which, it considered, provided for possibilities both of liaison and of integration between certain organs of the

Several delegations (Belgium, France, Luxembourg and the Netherlands) stated that it would be possible here and now to establish the conditions for the implementation of the British proposals. The same delegations urged that there should be two stages. The first would consist of formulating in general terms a Protocol to the Statute offering the restricted Communities the possibility of incorporating their Ministerial and Parliamentary institutions in the framework of the Council of Europe. At the second stage the restricted Communities or their participants would draw up supplementary instruments in order to take advantage of this possibility.

Other delegations (the Netherlands and Sweden) observed that, whenever the question arose of incorporating a restricted Community in the Council of Europe in accordance with the general Protocol referred to above, the Committee of Ministers, in conformity with the Resolution on partial agreements of August, 1951, would have to take a decision in each particular case.

One delegation (Turkey) pointed out the risk of creating watertight compartments within the Council of Europe. Another delegation (Greece) stressed the fact that the procedure envisaged should not result in limiting States not members of the restricted Communities to the rôle of mere observers in the Council of Europe.

5. The majority of delegations indicated that the British proposals should be applied to the Parliamentary and Ministerial institutions of the Communities. Some of them (Belgium, France, Greece, Italy and Luxembourg) favoured their extension to the judicial institutions. Only one delegation (Turkey) was in favour of extending them to the executive organs. Another delegation (Italy) expressed the opinion that, in order to judge better how far the British proposals could be applied in practice, attention would now have to be paid to the problem of the relations to be established between the Council of Europe and the executive organs of the Communities.

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1. See Texts of a Statutory Character adopted by the Committee of Ministers at its 8th and 9th Session : Specialised Authorities, Partial Agreements.
2. See Protocol to the treaty setting up the European Coal and Steel Community.

6. The delegations agreed that, whatever action was taken on the British proposals, they should in no case be allowed to weaken the existing links between the Member States of the Council of Europe. Certain delegations

(Denmark, Iceland, Ireland, Norway and Sweden) thought that priority should be given to the application of the British proposals to the Coal and Steel Community, as in this case a definitive treaty already existed. All delegations emphasised that, if it was decided to incorporate in the Council of Europe Communities whose object extended beyond the scope of the present Statute, the latter would have to be so amended as to make it possible to incorporate these Communities and at the same time maintain the co-operation within the Council of all the present Member States. In this latter respect certain delegations (Belgium, France and the Netherlands) recommended examining a graded form of participation which would doubtless make it easier for countries in a special position to co-operate in the work of the Council of Europe.

7. Two delegations (German Federal Republic and Luxembourg) considered that it was necessary in the first place to examine the points of detail listed in the questionnaire in order to obtain a better idea of the actual effects of the British proposals. The majority, however, came to the conclusion that at this stage such an examination would be premature, since it would depend on decisions which had still to be taken on questions of principle.

Questionnaire

This questionnaire has been drawn up on the understanding that the British proposals are intended to provide facilities which may be used by the Specialised Authorities, if they so desire, and on the assumption that the Member Governments of the Council of Europe and the Specialised Authorities would be prepared to conclude any necessary agreements.

1. Should the Committee of Ministers and the Consultative Assembly of the Council of Europe with appropriate composition and exercising powers as such serve as the framework of :

a. the Ministerial institutions, and

b. the Parliamentary institutions of the Specialised Authorities?

2. Is it possible, here and now, and prior to the setting up of the institutions of the restricted Communities, to establish general principles in this respect?

3. Should the United Kingdom proposals be extended to include :

a. the judicial organs, and

b. the executive organs of the Specialised Authorities?

4. Should certain general principles applicable to all Specialised Authorities be laid down?

5. (a) Will it be necessary to amend the Statute of the Council of Europe?

(b) If so, to what extent can existing texts serve as the basis for a protocol to the Statute?

It is manifestly impossible to answer these questions before considering all relevant texts. This consideration could relate, for instance, to the Treaty setting up the European Coal and Steel Community as well as to the Statute of the Council of Europe and the constitutional decisions of the Committee of Ministers

6. The following questions should be considered :

a. Assemblies

1. Character of the Assemblies ;
2. Number of seats;
3. Appointment of Representatives— common membership;
4. Rules of procedure;
5. Co-ordination of Sessions;
6. Character of the Secretariat :

responsibility of the Secretary- General,

nationality of staff members,

safeguarding the confidential nature of certain documents;

7. Participation of representatives of States which are not Members of the Committees :
    1. by invitation? status and powers of such representatives ;
    2. special rules of procedure.

b. Ministerial Organs

1. Status of Government representatives ;
2. Terms of reference;
3. Rules of procedure;
4. Character of the Secretariat :

responsibility of the Secretary- General,

nationality of staff members,

safeguarding of the confidential nature of certain documents;

5. Participation of representatives of States which are not Members of the Communities;

c. Courts of Justice

d. Executive Organs

e. Financial Questions Distribution of additional charges.

f. Seat of the different institutions

g. Common status of the staff

h. Official languages

i. Presentation and discussion of periodical or other reports

7. European Defence Community. Paragraph (d) of Article 1 of the Statute of the Council of Europe.

8. How would the implementation of these proposals affect the present arrangements for economic co-operation among Member Governments of the Council of Europe within the framework of the O. E. E. C?

9. Could the Council of Europe serve as the framework for existing European intergovernmental organisations, such as the Brussels Treaty Organisation and 0. E. E. C?