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Fifth report addressed by the Committee of Ministers to the Consultative Assembly in pursuance of Article 19 of the Statute

Statutory report[1]
to Recommendation 26 (1952)
, to Recommendation 30 (1952), to Recommendation 46 (1953), to Recommendation 47 (1953), to Recommendation 48 (1953), to Recommendation 50 (1953), to Recommendation 51 (1953), to Recommendation 52 (1953), to Recommendation 53 (1953) and to Recommendation 54 (1953)
Committee of Ministers

1. Introduction

1. In accordance with Article 19 of the Statute of the Council of Europe, the Committee of Ministers has the honour to transmit its fifth Report to the Consultative Assembly on the occasion of its Sixth Ordinary Session.

2. This Report follows on the Supplementary Report to the Assembly of September, 3953, and covers the period from 15th September, 1953, the opening date of the Second Part of the Fifth Ordinary Session, to 19th May, 1954, the eve of the Sixth Session.

3. The Report summarises the work ol' tho Committee of Ministers over the period under review. Much of the tune was taken up in elaborating the Programme of Work foreshadowed in the Message of the Committee of Ministers to the Assembly of May, 1953, of which the Assembly has already approved the principle. The programme now completed by the Committee of Ministers is embodied in a Special Message to the Assembly, which is invited to give its opinion on the text as a whole. Questions dealt with by the Committee of Ministers while examining the programme of work are therefore omitted from this Report.

4. During the period under review the Ministers' Deputies held eight meetings, while the Committee of Ministers itself met on two occasions : in Paris on 11th and 12th December, 1953, and at Strasbourg on 18th and 19th May, 1954, prior to the present Session of the Assembly. Some of the questions considered by the Ministers were also discussed by the Joint Committee at two meetings held in December, 1953 and May, 1954, namely the creation of a Cultural Fund for Exiles, the implementation of Article 21 of the Convention on Human Rights and Fundamental Freedoms, Recommendation 49 (1953) of the Assembly on the appointment and promotion of the staff of the Council of Europe; the transmission of Assembly decisions to Governments and to international organizations, and Recommendation 56 (1953) of the Assembly on the choice of an emblem for the Council of Europe.

5. The main decisions taken by the Committee of Ministers at its December, 1953 Session were the subject of a separate communication to the Consultative Assembly. A letter of 31st December 1953, from the Secretary-General to the President of the Assembly embodied in Document 220 of 8th January, 1954, drew the attention' of the Assembly to the texts of Resolution 32 to 38 adopted by the Committee of Ministers, and questions discussed in that document only recur in the present Report where there have been subsequent developments.

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1. See 6th Session, 1954 : 2nd Sitting, 20th May, 1964 (referred to the competent committees), Doc. 261 (Report of Committees) and 11th Sitting, 29th May, 1954 (draft Reply adopted).

6. The Secretary-General's letter concludes by reporting that on 11th December, 1953, the Ministers for Foreign Affairs signed five conventions or agreements prepared under the auspices of the Council of Europe together with protocols to three of them. Since its signature, the European Convention on the Equivalence of Diplomas leading to admission to Universities has been ratified by the United Kingdom, Ireland and Denmark and, by this third ratification, has entered into force between the countries which have ratified it. Moreover, Ireland' has deposited with, the Secretary-General its instruments of ratification of the two Interim Agreements on Social Security and of the European Convention on Social and Medical Assistance, together with their Protocols.

7. Section I of this Report deals with steps taken by the Committee of Ministers to achieve the aims of the Council of Europe in its various fields of competence.

8. Section II deals with questions relating to the general operation of the Council.

9. Section III reviews the continued development of relations with other international organizations, both governmental and non-governmental.

2. SECTION I - Steps taken to achieve the aims of the Council of Europe

2.1. CHAPTER 1 - Economic Questions

2.1.1. (a) European Conference on Air Transport

10. In its Fourth Report and its Supplementary Report of September, 1953, the Committee of Ministers informed the Assembly of the preliminary arrangements for convening a European Conference on Air Transport made by the I.C.A.O. at the request of the Council of Europe. The Council of the I.C.A.O., later, accepted the invitation to convene this Conference at Strasbourg. The Conference was held in the House of Europe from 21st April to 18th May, 1954 and was attended by observers from the Secretariat-General. Its report and conclusions will be communicated to the Council of Europe. The necessary arrangements will be made to ensure that the Assembly is fully informed of the results of the Conference.

2.1.2. (b) Control of International Cartels

11. The Committee of Ministers has transmitted to the Consultative Assembly, for opinion, the Report of the Ad Hoc Committee on Restrictive Business Practices, on which the United Nations Iras asked the Council of Europe to express an opinion. "While reserving the right to transmit its own comments on this report to the United Nations, the Committee of Ministers will await the opinion of the Assembly before resuming examination of this question.

2.1.3. (c) Strasbourg Plan

12. The Committee of Ministers has received the reply of O.E.E.C. concerning Recommendation 26 (1952) and has decided to transmit it to the Assembly. As requested by the Assembly in its Reply to the Supplementary Report of September last, members of the Committee on Economic Questions were given the opportunity, at a. special meeting of the committees for liaison between O.E.E.C. and the Council of' Europe, of discussing this matter with 'representatives of O.E.E.C. before this Organization drew up its final reply to Recommendation 26. This exchange of views was made possible by the recent new arrangements governing relations between the Council of Europe and O.E.E.C. (see para. 2 of Appendix II below).

2.2. CHAPTER 2 - Social Questions

2.2.1. (a) Ratification of International Labour Conventions.

13. Recommendation 47 (1953), adopted by the Assembly last September, was carefully considered by the Committee of Ministers, which invited Member Governments to let the Secretary- General know which of the Conventions specified by the Assembly they had ratified, indicating, if possible, their position with regard to the others. This information will be transmitted to the Social Committee which it has been decided to set up in connection with the programme of work, so that discussions may be held on the labour conventions in question.

14. The following information has so far been supplied by Governments :

Convention No. 81 (1947) on Labour Inspection : This Convention has been ratified by Prance, the German Federal Republic, Ireland, Italy, the Netherlands, Norway, Sweden, the United Kingdom and Turkey. Tlie Governments of Belgium and Luxembourg have signified their intention to ratify in the near future. Denmark will be able to ratify if a new law submitted to their Parliament is passed.

Convention No. 87 (1948) on Freedom of Association and Protection of the Right to Organize : The following countries have ratified this Convention : Belgium, Denmark, Prance, Iceland, the Netherlands, Norway, Sweden and the United Kingdom, while proceedings for ratification are in progress in Luxembourg. The Italian Government proposes to await the adoption of a. new trade union law, now in course of preparation, before going further with the question. The Governments of the German Federal Republic and Turkey report that the question is under consideration.

Convention No. 88 (1948) on the Employment Service : Belgium, Italy, the Netherlands, Norway, Sweden, the United Kingdom and Turkey have ratified this Convention, which has also been placed before the Parliaments of Franco and Luxembourg. The German Federal Government reports that proceedings for ratification are in progress. Denmark is unable to ratify, since the Convention is not in accordance with Danish legislation, particularly as regards the article providing that the national authorities should be responsible for employment services.

Convention No. 94 (1949) on Labour Claxises (Public Contracts) : This Convention has been ratified by Belgium, France, Italy, the Netherlands and the United Kingdom. It has been submitted for ratification in Luxembourg and Turkey, and is still being examined by the German Federal Government. The Danish Government will shortly submit it to the Parliament for ratification. The Swedish Government reports that this convention can have little significance in Sweden, since the questions involved are normally settled by collective agreement and some of its formal stipulations would seem difficult to apply to present-day conditions in that country. Similarly, the Norwegian Government does not contemplate ratifying this convention, which would not change the situation in Norway, but would entail administrative difficulties.

Convention No. 97 (1949) on Migration for Employment : The ratifications of Belgium, Italy, the Netherlands and the United Kingdom have already been effected. The French Government referred the question to Parliament in 1951 ; Norway is considering ratification ; while the Governments of the German Federal Republic and Turkey still have it under - consideration. The Luxembourg Government would be obliged to make certain reservations owing to the universal nature of the convention, since this country has hitherto confined itself in this field to international arrangements based on the principle of reciprocity. This Government considers that, in view of the demographic and economic structure of the Grand-Duchy, careful assessment must be made of all the consequences of this Convention, but it reserves the right to reconsider its attitude to ratification at any time. The Swedish Government points out that-nearly all the requirements of the Convention are fulfilled by Swedish legislation and that it has decided to postpone ratification for the time being, in. view of certain discrepancies between this text and Swedish legislation. The question is nevertheless under constant review. Denmark cannot ratify this convention, since it is not in conformity with Danish legislation, particularly as regards emigration.

Convention No. 98 (1949) on The Right to Organize and to Bargain Collectively : Belgium, France, Iceland, Sweden, the United Kingdom and Turkey have ratified this Convention and proceedings for ratification are in progress in Luxembourg. Norway is considering ratification. The Danish Government intends to submit a proposal for ratification to the Parliament in the near future. The Convention is still under consideration by the Governments of the Federal Republic and Ireland. The Netherlands Government reports that it is unable to press for ratification. This is because the Government has no power to introduce legislation governing the position of trade union organizations and would find it impossible to discriminate against particular trade union organizations adopting a destructive attitude. The Netherlands Government goes on to say, however, that the underlying principles of Convention No. 98 are generally applied in that country.

Convention No. 102 (1952) on Minimum Standards of Social Security : This Convention has been ratified by Sweden and the United Kingdom and is now before the Netherlands Parliament for approval. The Norwegian Government has already taken steps with a view to ratification. The Governments of Belgium, Denmark and Turkey propose to submit it to their Parliaments shortly. The German Federal Government has signified its intention to seek ratification. The question is still under consideration in France, Ireland and Italy, while the Icelandic Government reports that its decision will be announced in the near future. The Luxembourg Government has the same difficulties here as with Convention No. 97, its attitude being identical in both cases.

2.2.2. (b) European Code of Social Security

15. The preparation of a European Code of Social Security has been included in the programme of work of the Council. In the meantime, the previous work reported in para. 28 of the Fourth Report of the Committee of Ministers to the Assembly has been followed up. The Committee of Experts on Social Security met from 23rd to 26th March, 1954 and took as its basis of discussion a detailed technical study prepared, as already reported to the Assembly, by the International Labour Office. The Committee of Experts was 'able to agree upon certain geueral principles. The International Labour Office has undertaken to prepare the text of a draft Code, in collaboration with tho Secretariat-General, in readiness for the next session of the Committee, which may be arranged for the beginning of next October. It will therefore be seen that definite progress has been made in this important field.

2.2.3. (c) General multilateral Convention on Social Security

16. The Committee of Experts on Social Security also considered the possibility of preparing a multilateral Convention for the protection of the acquired rights of migrant workers in the field of social security, in accordance with the wish of the Assembly. It can see a possibility of further progress in this direction by-working towards a partial solution affecting short-term benefits (sickness allowances, unemployment benefits etc.). The Experts will return to this question at their next session, before which the I.L.O. have agreed to prepare a document clarifying the present position with regard to the preservation of the social security rights of migrant workers, with particular reference to the work of the High Authority of the Coal and Steel Community in this field.

2.2.4. (d) Social Security for the families of migrant workers

17. The Committee of Experts has placed on its Agenda the question of the social security rights of families of migrant workers residing in a country other than that in which the migrant is working. Bearing in mind that this question is being studied by the European Coal and Steel Community, the Experts have decided to await the results of this inquiry.

2.2.5. (e) Comparability of social statistics

18. The *ad hoc* Committee of Experts, appointed to examine the Memorandum by the Secretariat-General on the role the Council of Europe might usefully perform in the social field, met at Strasbourg from 7th to 10th December, 1953. The Committee of Ministers examined the Report of this Committee and made use of its conclusions in drawing up the social section of the programme of work. As regards the particular question of valid social statistics, both the Experts and the Committee of Ministers considered it important, at any rate on the European plane, to arrive at a definition of bases for compiling comparative statistics. The Committee of Ministers took the view that further research in this field should be left in particular to the International Labour Organization and O.E.E.C. It decided to draw the attention of the Governments to this problem, in the belief that its solution could be of great assistance in harmonizing the social policies of Member States, and secondly to ask them, as a first step, to ratify Labour Convention No. 63 (1938) on Statistics of Wages and Hours of Work. Ireland, the Netherlands, Norway, Sweden and the United Kingdom have ratified this convention and the Luxembourg Government has informed the Secretary-General that it is already before Parliament for approval.

2.2.6. (f) Exchange of Social Welfare Personnel

19. The Committee of Ministers recognised the extent to which social co-operation between Member States of the Council would benefit from the utmost encouragement of exchanges between their social welfare personnel. It has brought the exchange programme introduced by the United Nations and I.L.O. to the attention of Member Governments not participating in it and has invited them to become associated. The Danish Government has already informed the Secretary-General that it has decided to participate.

2.2.7. (g) Housing

20. The Committee of Ministers thought that no useful purpose would be served at present by including housing problems' in the programme of work. There has been no change in the situation described in para. 32 of the Fourth Report of the Committee of Ministers to the Assembly, and the same obstacles to the establishment of a European Credit Institute for Housing still remain.

2.3. CHAPTER 3 - Refugees and over-population

2.3.1. (a) Assumption of Office by the Special Representative

21. The Assembly was informed of the Resolution of the Committee of Ministers appointing M. Pierre Schneiter as Special Representative of the Council of Europe for national refugees and over-population by a letter from the Secretary-General dated 31st December, 1953. This Resolution also defines the terms of reference of the Special Representative. M. Schneiter officially assumed office on 1st February, 1954. He has given the Special Liaison Committee an account of his approach to his task and has outlined his plans. He consulted with the Committee of Ministers at the Eighteenth Meeting of the Ministers' Deputies. He has since visited the international organizations dealing with other aspects of refugee and overpopulation problems, notably the United Nations High Commissioner for Refugees, the Ī.C.E.M. and I.L.O. and has discussed the means of collaborating with them. The Special Representative has also visited the Governments of the Netherlands, the German Federal Republic and Italy ; he learned their views and held general consultations with them. The Committee of Ministers is informed by M. Schneiter that he expects to continue his consultations with the Governments of Member States and of non-European countries whose help is most needed to solve the grave problem before him. The Special Representative's progress report, embodying his proposals, which he proposes to draw up at the conclusion of his mandate will be transmitted to the Assembly for opinion.

22. M. Schneiter made a statement to the Committee of Ministers at its Fourteenth Session on the steps he had already taken in fulfilment of his mission and his future intentions. The Committee authorised him to proceed with his task in accordance with certain principles which he submitted for their approval. The Assembly will receive further information on this subject from M. Schneiter himself when he addresses the Assembly during its forthcoming session.

2.3.2. (b) Study of the possibilities of improving the organization of intra-European migration

23. Resolution (53) 19 of the Committee of Ministers, which was duly reported to the Assembly, stressed the importance of developing the intra-European migration of surplus manpower in the search of any solution of refugee and over-population problems. As mentioned in the Supplementary Report of September, 1953, the European Centre for Demographic Studies was instructed, in collaboration with the Secretariat- General, to prepare a paper on the possibilities of improving the organization of intra-European migration. A detailed plan of research has now been completed, the text of which is held at the disposal of Members of the Assembly by the Secretariat-General.

2.3.3. (c) Measures to he taken by the Council of Europe to solve the problem of refugees and • overpopulation

24. The Committee of Ministers approved the broad lines of the report of the Special Liaison Committee on the measures to be taken by the Council of Europe for solving the problem of refugees and over-population. This report, which defines tho field of activity of the Council of Europe in this matter, was based on memoranda submitted by the Member States affected by this problem.

2.3.4. (d) Relations between the Special Liaison Committee and the Special Representative

25. The Committee of Ministers approved the suggestions made to it by the Special Liaison Committee concerning the relations to be established between the latter and the Special Representative.

2.3.5. (e) Proposal concerning the temporary housing scheme in the German Federal Republic for refugees from the Eastern Zone (Recommendation No. 10 of the Special Liaison Committee)

26. The Committee of Ministers has invited the Special Representative to give his opinion on this Recommendation after consulting, in particular, the authorities of the German Federal Republic.

2.3.6. (f) Information work to be carried out in order to arouse public opinion on the problem of refugees and overpopulation in general (Recommendation No. 11 of the S.L.C.) and on behalf of the so-called «hard core» refugees (Recommendation No. 12 of the S.L.C.)

27. The Committee of Ministers has decided to suspend its examination of Recommendation No. 11 until the Special Representative has, in accordance with the wish expressed by the Special Liaison Committee, presented it with proposals on the methods, objectives and most, appropriate moment for the launching of the information compaign in question.

28. It has also approved Recommendation No. 12 of the Special Liaison Committee and in its Resolution (54) 5 has requested Member Governments to give all possible support to the United Nations High Commissioner in this matter.

2.3.7. (g) Ratification of the Geneva Convention of 28th July, 1951, on the status of refugees

29. Since the Fourth Report of the Committee of Ministers to the Consultative Assembly (para. 36), Belgium, the German Federal Republic, Luxembourg and the United Kingdom have ratified this Convention. Six Member States of the Council of Europe have now taken this step, and the Convention entered into force on 22nd April, 1954.

2.4. CHAPTER 4 - Cultural questions

30. Since the last Session of the Assembly, the Committee of Cultural Experts has held two meetings to discuss current business and draw up the programme for 1954, these taking place from 1st to 3rd December, 1953 and from 20th to 22nd March, 1954. In addition, it held an extraordinary session from 17th to 19th March to examine its proposals to the Committee of Ministers for the. programme of work in the cultural field. The conclusions of the Committee of Ministers with regard to these proposals are embodied in a chapter of the special Message to the Assembly.

2.4.1. (a) European Round Table Discussion

31. The Round Table Discussion, announced in the Fourth Report of the Committee of Ministers, took place in Rome from 13th to 16th October, 1953 under the patronage of the Italian Government. M. Denis de Rougemont took the Chair, while MM. Robert Schuman, Kogon, de Gasperi, van Kleffens, Toynbee and Löfstedt discussed " the spiritual and cultural problems of Europe considered in their historical unity and the means of expressing this unity in contemporary terms ". The occasion was one of some brilliance and was attended by the President of the Consultative Assembly and the Chairman of the Ministers' Deputies. The Committee of Ministers is now considering what further action should be taken. It shares the view of the Committee of Cultural Experts that it would be better to make the fullest use of last October's meeting rather than to arrange for a similar one in 1954. At the invitation of the Committee of Ministers, publicists from the member countries of the Council, who took part in these discussions and reported them in the European press, formed a sub-committee which met recently to examine the official report of proceeding with a view to selecting material for a pamphlet designed for the general public. The conclusions of this sub-committee will come before the Committee of Ministers, which will make a point of informing the Assembly what arrangements it has decided to make.

2.4.2. (b) Cultural identity card

32. As from 1st June this year, the cultural identity card of the Council of Europe will replace that of the Brussels' Treaty Organization. The Committee of Ministers has approved a recommendation of the Cultural Experts, to the effect that refugees from European non-Member States lawfully residing in the territory of a Member State shall be entitled to the benefits of the cultural identity card.

2.4.3. (c) European Cultural Convention

33. The Committee of Cultural Experts has prepared a draft multilateral European Convention which will shortly be examined by the Committee of Ministers. The .aim of this Convention, on which the opinion of the Assembly will be sought, is to provide a general f ramè-work for the development of cultural relations between member countries of the Council. This will be the first multilateral instrument of this type to be concluded.

2.4.4. (d) Equivalence of Diplomas

34. Since the signature of the European Convention. on the Equivalence of Diplomas leading to admission to Universities, the Committee of Cultural Experts has given further attention to problems connected with the equivalence of university diplomas. It has been considering the equivalence of periods of study completed by students at universities in member countries other than their own. In this matter, the Secretariat-General is co-operating with the International Association of Universities.

35. The Committee of Experts also proposes to approach the question of the equivalence of final diplomas, beginning with a partial solution whereby a limited number of doctors and engineers might be authorised, on a reciprocal basis, to practise their professions in member countries other than their own.

2.4.5. (e) Cultural programme for 1954

36. The Committee of Ministers has approved the proposals drawn up by the Committee of Cultural Experts for 1954 and has set aside the necessary funds. The Assembly will find below some account of present arrangements for their implementation.

2.4.5.1. (i) Course on the presentation of the European idea in Universities

37. A course for university professors will be held in September at Utrecht University, as a sequel to previous courses at Bruges in 1952 and Nancy in 1953, which were arranged for secondary and primary school teachers respectively;

2.4.5.2. (ii) Symposium on the presentation of the European Idea in the teaching of history

38. The Committee of Cultural Experts has recognised the advantages of continuing work upon the revision of history textbooks begun in 1953 at the Calw (Black Porest) Symposium. A similar Symposium will be arranged in Oslo from 8th to 16th August next.

2.4.5.3. (iii) Course on European studies

39. This course, which will coincide with the second part of the Sixth Ordinary Session of the Assembly, is an innovation to take the place of the short courses on European studies previously held at Strasbourg. It will be arranged throughout by the Secretariat-General and will be attended only by young lecturers interested in the European Idea.

2.4.5.4. (iv) Council of Europe Research Fellowships

40. The appropriations under this head have been increased from 3 to 5 million francs. Awards for 1954 will be made by a selection board composed of MM. R. Schuman, van Kleffens and Toynbee. The High Authority of the European Coal and Steel Community has entered into 'association with the Council of Europe by offering two additional fellowships of 300,000 francs each. The Committee of Ministers has also approved a suggestion by the Committee of Cultural Experts that one of the fellowships should be awarded to a Greek war orphan providing that his entry satisfies the selection board.

41. Finally, in response to Recommendation 48 (1953) of the Consultative Assembly " on the possibility of allowing nationals, including exiles, from European non-member countries to compete for the Council of Europe Research Fellowships ", the Committee of Ministers decided that:

– Refugees from European non-member countries lawfully residing in the territory of a Member shall be allowed to compete ;

– Not more than two out of ten fellowships may be awarded to refugees.

42. The Committee of Ministers could not see its way, therefore, to awarding research fellowships to nationals of non-member countries who are not refugees. It considered that exchanges between scholarship-holders of member covmtries and non-member countries should continue on a bilateral basis 'and saw difficulty in using tho limited resources of the Council for the benefit of non-member countries. This restriction could be waived in favour of nationals of the Members of O.E.E.C. which are not members of the Council, if O.E.E.C. changed its present attitude 'and agreed to participate in the Research Fellowship scheme organized by the Council.

2.4.5.5. (v) European travel grants to promote the exchanges of workers

43. The Committee of Ministers decided to continue for the present financial year the system of allocating these grants outlined in para. 48 of the Fourth Report of the Committee of Ministers to the Consultative Assembly. The countries to receive such allocations in 1954 will be Denmark, Italy and Sweden.

2.4.5.6. (vi) European exhibitions

44. The 1954 exhibition announced in the Fourth Report of the Committee of Ministers (para. 48) will be held in Brussels next autumn, the subject being " 16th Century Humanism, from Leonardo da Vinci to Breughels ". It has been decided in principle to hold a second exhibition in 1955 or 1956, which will be devoted to medieval art and organized by the French Government.

2.4.5.7. (vii) International discussion at Sao Paolo

45. UNESCO has informed the Committee of Ministers that it is to organize an international discussion on cultural relations between the old and new worlds. This discussion will be of the round table type and some fifteen well-known 'figures from Europe, North America and Latin America will participate. In response to the invitation of UNESCO, the Committee of Ministers asked M. Robert Schuman to represent the Council on this important cultural occasion and M. Schuman indicated his consent.

2.5. CHAPTER 5 - Legal and administrative questions

2.5.1. (a) Simplification of frontier formalities for travellers

46. The Committee of Ministers has transmitted Recommendation 51 (1953) of the Assembly to the Governments and requested them to express their views thereon. The replies received will be made available by the Secretary-General to the Sub-Committee on the Simplification of Frontier Formalities. These replies will show that great progress has been made in the abolition of visas. Further reference to this subject will be found in the Special Message of the Committee of Ministers to the Assembly.

2.5.2. (b) Convention for the Protection of Human Rights and Fundamental Freedoms

47. Since 3rd September, 1953, the date of the entry into force of the European Convention on Human Rights, the following progress has been made :

i. The Committee of Ministers has approved for 1954 the estimates concerning the costs of running the European Commission of Human Rights and the department which has been set up within the Secretariat-General to act as the secretariat of the Commission and deal with all questions relating to the Convention.

ii. Recommendation 52, adopted by the Assembly on 24th September, 1953, was duly transmitted to the Governments of all Member States. The Turkish Government deposited with the Secretary-General on 18th May, 1954 its instrument of ratification of the European Convention on Human Rights and of the Protocol thereto. According to the replies received from other Member States which have not yet deposited their instruments of ratification, the procedure of ratification is under way in their respective Parliaments and the instruments will shortly be deposited.

iii. In accordance with the wish expressed in Recommendation 52 (1953), the United Kingdom Government informed the Secretary-General on 23rd October, 1953, that the Convention will be extended to forty-two territories for whose international relations the United Kingdom Government is responsible.

iv. As a result of the opinion given by the Committee on Legal and Administrative Questions on ways and moans of implementing Article 21 of the Convention, as well as o t' the correspondence between the President of the Assembly and the Chairman of the Committee ol' Ministers and the discussion held by the Joint Committee, the Bureau of the Assembly has drawn up and forwarded to the Committee of Ministers, the list of candidates for the European Commission of Human Rights.

48. In accordance with the terms of Article 21 of the Convention, the Committee of Ministers, at its Fourteenth Session, elected on 18th May, 1954, the following persons as members of the Commission by an absolute majority of votes :

– Mme Geneviève PEVTSCHIN - (Belgium)

– Mme Ingeborg HANSEN - (Denmark)
– M. Georges PERNOT - (France)
– M. Adolf SÜSTERHENN - (German Federal Republic)
– M. Constantin EUSTATHIADES - (Greece)
– M. Herman JONASSON - (Iceland)
– Mr. William BLACK - (Ireland)
– M. Francesco Maria DOMINEDO - (Italy)
– M. Paul FABER (Luxembourg)
– Prof. L. J. C. BEAUFORT - (Netherlands)
– M. Paul BERG - (Norway)
– Mme Irmgard FUEST - (Saar)
– M. Sture PETREN - (Sweden)
– M. Muraffa AKBAY - (Turkey)
– Prof. C. H. M. WALDOCK - (United Kingdom)

49. The election of the members of the Commission in respect of those countries which have not ratified the Convention will only become fully effective when their respective countries have become Parties to the Convention by depositing their instruments of ratification. The Committee has, however, recommended to the Commission that the members thus elected should, pending the assumption of their functions, be allowed to participate in a consultative capacity in the preparatory work of the Commission and in drawing up its rules of procedure.

2.5.3. (c) European Convention on the Reciprocal Treatment of Nationals

50. The Experts responsible for drafting this important Convention, on the basis of the draft proposed by the Consultative Assembly have held two further meetings from 18th to 28th January and 5th to 10th April, 1954. Apart from numerous difficulties of detail due to differences between the various national laws, the drafting of this text also raised certain problems of principle which proved particularly hard to solve. Nevertheless, the experts made some progress. A provisional text of the Convention 'as a whole was drawn up. The texts of the Articles concerning entry, temporary residence and expulsion, the exercise of private rights and judicial and administrative guarantees were finally drawn up by the experts subject to the approval of the Committee of Ministers. The experts hope to finish their work in the not too distant future. The Committee of Ministers has approved a meeting between members of the Committee of Experts .and of the Committee on Legal and Administrative Questions of the Assembly. This meeting might take place when the experts have finished their drafting.

2.5.4. (đ) European Convention on Extradition

51. In its Fourth Report and Supplementary Report of last September the Committee of Ministers informed the Assembly that a Committee of Experts was to be set up to study the possibility of laying down certain principles governing extradition which would bo acceptable to all Members of the Council, the question of whether these principles should figure in a multilateral Convention or whether they should serve merely as a basis for bilateral Conventions remaining, for the time being, in abeyance. The experts met in Strasbourg from 5th to 9th October, 1953, and in accordance with the above-mentioned terms of reference examined Recommendation No. 16 (1951). They were helped in their task by the provisional Report on Extradition prepared by the Assembly Sub-Committee. They noted that there was broad agreement between them as to the principles which should govern extradition and they felt it possible to incorporate these principles in a suitable text once a political decision had been taken on either a multilateral or bilateral model convention. The Committee of Ministers does not think it will be able to take this decision until it has had an opportunity of acquainting itself with the latest progress made by the Assembly on this subject and the new proposals now being studied by the Committee on Legal and Administrative Questions. The question of the contact to be established between the members of the Committee and the experts has still to be settled. Until this has been decided, the Secretary-General has been authorized to communicate to the Chairman of the Sub-Committee any relevant information on the Eeport of the experts, on the understanding that the Governments are in no way committed by this Report, since they have not yet given their views.on the subject.

2.5.5. (e) European Convention on the Peaceful Settlement of Disputes

52. The Committee of Ministers has decided to re-examine the text of this draft convention, on account of the submission by the Swedish Government of a new proposal relating to arbitration.

2.5.6. (f) Draft Convention on the International Classification of Patents

53. The Bureau of the Committee of Governmental Experts on Patents and the Special Committee of Experts on Classification met in Strasbourg from 1st to 5th February, 1954. Observers from Switzerland, the International Institute of Patents and the Bureau for the protection of Industrial Property took part in this meeting. Taking due account of the comments of several Governments and those of the Director of the Bureau for the Protection of Industrial Property, the experts drew up a new preliminary draft Convention, the classification system appended thereto remaining unaltered. The draft Convention as à whole is now being studied by the Governments.

54. A Working Party of the Committee of Experts on Classification is continuing its work. This Working Party is drawing up a catchword index for the classification scheme and preparing to extend this scheme by sub-dividing the sub-classes contained therein.

2.5.7. (g) Registration of agreements and conventions of the Council of Europe with the Secretariat General of the United Nations

55. The Committee of Ministers considered in what conditions conventions or agreements concluded within the framework of the Council might, in accordance with Article 102 of the United Nations Charter, be registered with the Secretariat-General of this Organization. It adopted the following Resolution :

RESOLUTION (54) 6

" The Committee of Ministers,

Having regard to Article 102 of the Charter of the United Nations ;

Considering that the treaties and international agreements concluded within tho framework of the Council of Europe arc deposited with the Secretary- General, who is therefore in possession of tho information necessary to effect registration with the with tho Secretariat of the United Nations ;

Resolves :

1. To authorise the Secretary-General of the Council of Europe, acting as the agent of the Members of the Council which are parties to treaties and international agreements concluded within the framework of the Council of Europe and deposited with him, to register any such treaties and agreements with the Secretariat of the United Nations ;
2. To instruct the Secretary-General to transmit the text of this Resolution to the Secretary-General of the United Nations."

56. The Secretary-General of the United Nations has expressed his agreement with this procedure.

2.6. CHAPTER 6 - Information

2.6.1. (a) Recommendation 54 on the use of television as a medium for securing support among the general public for the European idea

57. This Recommendation has been transmitted to the Committee of Cultural Experte for examination. Their conclusions are now being considered by the Governments.

2.6.2. (b) European Yearbook

58. Arrangements have been made for the publication of a European Yearbook devoted to the scientific study of European international organizations, including their constitutions, their functions and their work. It is intended that the Yearbook should contain authoritative articles by recognised experts relating to the principal European ; organizations and their activities ; a documentary section containing their basic legal texts, chronologies of the more' important, developments and lists of their principal publications ; there will also be

a.bibliographical section devoted to books and articles about them. It is believed that, with this material, the European Yearbook will be a valuable work of reference for all those who work with, or study, international organizations in Europe.

59. The Yearbook will be published under the auspices of the Council of. Europe, which has undertaken the financial commitments necessary permit the realisation of the project. However, in order to ensure the independent and impartial character of the Yearbook, responsibility for its contents has been vested in an Editorial Committee, which will be an unofficial and non-political body, devoted to the scientific study of European problems.

60. The members of the Editorial Committee are the following :

– Lord L'AYTON ;

– Professor Codacci PISANELLI, Professor of Administrative Law University of Rome ;

– Professor Max SOERENSEN, Professor of International Law, University of Aarhus, Denmark ;

– Dr. B. LANDHEER, Director of the Peace Palace Library, The Hague ;

– The Secretary-General of the Council of Europe.

2.7. CHAPTER 7 - Participation of local authorities in European activities

61. The Committee of Ministers has given careful consideration to Recommendation 53 (1953) of the Consultative Assembly on the best means whereby the national or international bodies connected with local government and the local authorities themselves may help in the propagation of the -European idea. In this Recommendation the Assembly asks the Committee of Ministers to take a number of specific measures and to broach the question of their implementation with Member Governments.

62. The Committee of Ministers realises that to call on the services of the local authorities to instil the European idea into the minds of the general public might provide the Assembly, as the guide of public opinion, with an effective means of securing more lasting publicity for its debates. Nevertheless, with regard to points (a), (b) and (c) of Recommendation 53 it wonders whether the submission of recommendations to Governments would really be the most effective method to use in the present state of affairs.

63. No doubt the local authorities can only adopt measures and incur expenses which are in the interests of the local community. Nevertheless the public 'authorities of Member States have generally welcomed in a sympathetic and even co-operative spirit the measures undertaken to promote the aims mentioned in Article 1 of the Statute of the Council. The Committee of Ministers doubts whether it is possible to give more formal expression to this welcoming altitude 'by the adoption of recommendations to Governments. It proposes that the Special Committee on Municipal and Regional Affairs, by means of its contacts with leading associations of local authorities, should ascertain what exceptions exist to this favourable attitude and what are the objections raised, and should endeavour to remove them by an intensive campaign to influence the 'authorities concerned. In this respect the Assembly possesses exceptional facilities in that it can count on the co-operation of a large number of its own members.

64. With regard to paragraph (d) of Recommendation 53, the Committee of Ministers does not intend that the implementation of the proposal for encouraging contacts between local authorities by means of pairing should be delayed, since it regards this 'as an effective means of making the public more Europe-minded. Before reaching a decision on the publication o E a small booklet on pairings between municipalities, however, it has instructed the Secretary-General to get into touch with UNESCO and the Associations of Local Authorities and to report 'on the action undertaken by these organizations in the same field so as to avoid duplication.

65. On the other hand, the Committee of Ministers, while appreciate the motives underlying the proposal that a " European Prize " should be annually awarded to the municipality which has done most to propagate the ideal of, European unity, feels this idea to be premature for the same reasons as those advanced in 1952 against the award of a " Council of Europe Prize".

66. The Committee of Ministers feels that the Special Committee on Municipal and Regional Affairs has undertaken a far-reaching task which it can scarcely hope to conclude very rapidly. The Committee of Ministers hopes the Special Committee will continue its present methods of work for the time being, without asking for the establishment of further permanent working parties which might make it more difficult to co-ordinate the machinery which will probably have to be devised for implementing the programme of work.

3. SECTION II - Council of Europe machinery and administration

3.1. (a) Permanent Representatives of the Governments to the Council of Europe

67. The Swedish Government, in accordance with the wish expressed by the Assembly in paragraph 83 of its Reply to the Fourth Report of the Committee of Ministers, has appointed M. Ingemar Hägglöf as its Permanent Representative to the Council of Europe. In addition, M. A. B. Stabell has replaced M. P. Koht as Permanent Representative of Norway.

3.2. (b) Transmission to the national Parliaments of .Council of Europe audited accounts

68. The Committee of Ministers has accepted the principle whereby the audited accounts of the Council of Europe may be communicated to national Parliaments.

3.3. (c) Assembly Budget

69. Resolution (53) 38 which, in accordance with the wishes expressed by the Assembly, lays down the conditions governing the future establishment and administration of the Budget of the Assembly, was transmitted to the Assembly in a letter of 31st December, 1953 from the Secretary-General to the President of the Consultative Assembly.

3.4. (d) Diary of meetings

70. 14th - 18th September, 1953 Thirteenth Meeting of the Ministers' Deputies (Strasbourg).

16th September – Liaison Committees of the Council of Europe and O.E.E.C. with the participation of representatives of the Committee on Economic Questions (Strasbourg).

30th September - 2nd October – Fourteenth Meeting of the Ministers' Deputies (Strasbourg).

1st - 2nd October – Committee of Experts on the Peaceful Settlement of Disputes (Strasbourg).

5th - 9th October – Committee of Experts on Extradition (Strasbourg) .

6th - 7th October – Budget Committee (Strasbourg).

13th - 16th October – European Pound Table (Rome).

16th - 20th November – Fifteenth Meeting of the Ministers' Deputies (Strasbourg).

30th November – Sub-Committee of the Committee of Cultural Experts to study the question of a cultural identity card (Strasbourg).

1st - 3rd December – Committee of Cultural Experts (Strasbourg).

7th - 9th December – Sixteenth Meeting of the Ministers' Deputies (Paris).

11th December – Meeting of the Foreign Ministers for the signing of five Agreements and Conventions and three Protocols (Paris).

11th - 12th December – Thirteenth Session of the Committee of Ministers (Paris).

12th December – Joint Committee (Paris).

13th December – Seventeenth Meeting of the Ministers' Deputies (Paris).

14th - 15th December – Special Liaison Committee on Refugees and over-population (Paris).

15th December – Liaison Committee of the Council of Europe and O.E.E.C. (Paris).

18t h - 27th January, 1954 – Committee of Experts on the Reciprocal Treatment of Nationals (Strasbourg).

28th - 29th January – Drafting Committee of the Cultural Experts (Paris).

1st - 5t h February – Bureau of the Committee of Experts on Patents (Strasbourg).

3rd - 6t h February – Committee of Experts on the International Classification of Patents (Strasbourg).

5th February – Special Liaison Committee on Refugees and Over-population (Strasbourg).

8th - 18th February – Eighteenth meeting of the Ministers' Deputies (Strasbourg).

23rd - 24th February – Bureau of the Committee of Cultural Experts (Strasbourg).

17th - 19th March – Extraordinary Session of the Committee of Cultural Experts to examine the programme of work (Strasbourg).

20th - 22nd Marek – Committee of Cultural Experts (Strasbourg).

23rd - 26th Marech – Committee of Experts on Social Security (Strasbourg) .

29th March - 3rd April – Nineteenth Meeting of the Ministers' Deputies (Strasbourg).

5th - 10th April – Committee of Experts on the Reciprocal Treatment of Nationals (Strasbourg).

10th April – Special Meeting of the Liaison Committees of the Council of Europe and O.E.E.C. with the participation of representatives of the Committee on Economic Questions (Paris).

11th May – Twentieth Meeting of the Ministers' Deputies (Strasbourg).

18th - 19th May – Fourteenth Session of the Committee of Ministers (Strasbourg).

19th May – Joint Committee.

4. SECTION III - Relations with international and supranational Organizations

4.1. CHAPTER 1 - European Communities

4.1.1. (a) European Coal and Steel Community

71. In accordance with the request made to its Chairman by the President of the Assembly on 8th February, 1954, the Committee of Ministers transmitted to the High Authority Resolution 31 (1953), in which the Consultative Assembly gave its comments on the first General Report of the High Authority. The -reply of the High Authority has been transmitted to the Consultative Assembly by a letter of the Secretary- General dated 15th May, 1954.

4.1.2. (b) Political Community

72. In accordance with the Luxembourg Resolution the Deputies of the Six Ministers invited the Secretary-General, to attend the plenary meeting of the Conference held at Rome last October. The Secretary-General addressed the Deputies on 2nd October, 1953, and also had an opportunity of, being in touch with the Conference of the Ministers, of the Six, held at The Hague in November and with the Committee responsible for carrying on the work on the Political Community. Assembly delegations were, moreover, invited to establish contact with both the Conference of .Ministers and the Committee.

4.2. CHAPTER 2 - Intergovernmental Organizations

73. Relations between the Council of Europe and other international organizations continue to develop and become ever closer. The wide scope of the Council's interests and activities means that ia large proportion of the subjects which it discusses are also within the competence of other organizations and the latter are increasingly inclined to consult the Council and seek.its support for their own programmes. The Committee of Ministers shares the- satisfaction expressed by the Assembly (in its Reply to the Fourth Report of the Committee of Ministers) at the practice whereby they present to the Assembly reports on their activities in Europe.

4.2.1. (a) O.E.E.C.

74. In May, 1953, the Committee of Ministers transmitted to the Assembly, under cover of its message on the occasion of the opening of the fifth Ordinary Session, the text of Resolution (53) 15. By the terms of this resolution the Liaison Committee of' the Council of Europe was-instructed, in conjunction with the Liaison Committee of O.E.E.C, to re-examine the existing texts governing relations between the two organizations in

the light of the desirability of ensuring the closest possible links between them, and to report to the Committee of Ministers. The texts in question were the Agreement for Mutual Co-operation (hereinafter called text A) and the procedure for co-operation between the Council of Europe and the O.E.E.C. (hereinafter called text B).

75. At the first part of its fifth Ordinary Session, the Consultative Assembly adopted Recommendation 46 to the Committee of Ministers. In paragraph (Ъ) of that recommendation, the Assembly asked to be kept informed of the Liaison Committees' discussions. These discussions have now been completed. The committees, as a result, decided to propose tho the Committee of Ministers of the Council of Europe and to the Council of O.E.E.C. the adoption of a third text designed to establish still closer links between the two organizations. The Council of O.E.E.C. subsequently proposed minor modifications of this text which were accepted by the Committee of Ministers. Both bodies have now adopted the revised text (hereinafter referred to as text C) and it entered into force in November 1953. This text is annexed. (Appendix I). In addition, the Ministers have adopted a resolution in which they invite the Assembly to appoint two additional representatives to sit on the Council of Europe Committee for Liaison with O.E.E.C. (Appendix II).

76. In paragraph (a) of its recommendation, the Assembly asked that its past recommendations on the subject of relations between the two organizations, and in particular proposals contained in Recommendation 25 which it has adopted in May, 1952, should be taken into consideration by the Liaison Committees. The substance of Recommendation 25 was a request " that the Member States of the Council of Europe, signatories of the Convention for European Economic Co-operation, enter into negotiations with other signatory States in order to reach agreement on the steps to be taken for the purpose of merging the organizations created by virtue or the said Convention with the Council of Europe ". The Assembly will at once observe that text C is in no way designed to bring about the merger proposed. It is only designed to close the links already existing between the two quite separate organizations. In laying this text before the Consultative Assembly the Committee of Ministers therefore wishes to explain why its representatives on the Council of Europe Liaison. Committee, acting in full awareness of its views, limited their proposals in this way.

77. The grounds on which the Consultative Assembly considered a merger desirable were set out with particular clarity in the report presented to the Consultative Assembly on behalf of the Committee on General Affairs (Doc. 8) and considered by it before it adopted its Recommendation 25 (1952). Summarised, they were on the one hand the need to establish the closest contact between the O.E.E.C. and public opinion ; and, on the other, the need to avoid duplication of effort between the two organizations. In this context it may also be recalled that the Swedish Government, both in the Council of Ministers of O.E.E.C. and in the Committee of Ministers of the Council of Europe, have repeatedly stressed the desirability of uniting the two organizations. The Greek Government has also declared that it favours the preparation of such a merger for the future.

78. The Committee of Ministers considers that, whatever may have been the case in the past, the arrangements for liaison established by the three texts provides a system of consultation which excludes the possibility of any significant degree of duplication. It may be helpful to set out the more important of these arrangements. The two Secretaries-General are at liberty to study economic questions jointly (text A, para. (II) 3). And they are authorised (text C, para. 5) to set up liaison groups drawn from their own staffs to exchange views on specific problems. The Secretary-General of O.E.E.C. is authorised to help his colleague in preparing the work on economic subjects carried out by both organs of the Council of Europe (text B, para. 8). At the technical level, members of the OEEC Secretariat may be invited to attend meetings of the Council of Europe Committees of governmental experts when questions of mutual interest arise (text C, para, 3) ; and, conversely, members of the Council of Europe Secretariat may attend meetings of OEEC technical Committees in similar circumstances (text B, paras. 20 and 21). Finally, the Liaison Committees meet from time to time to review economic problems confronting the two organizations with the express aim of avoiding duplication of effort and establishing the most desirable method of proceeding with respect to them (text A, para. (II) 2). This system is gradually improving.

79. With regard to contact between the O.E.E.C. and public opinion, the Committee of Ministers considers that much has already been done. The Consultative Assembly now receives regular progress reports from the O.E.E.C. (text A, paras. (I), 1, 2 and 3). These reports could scarcely be fuller if the two organizations were merged and, instead of having a report from an outside organization, the Assembly were to have a report from the appropriate department of the merged body. In considering them, Assembly representatives are able to consult OEEC experts (text B, para. 22) and to examine many OEEC documents (text B, para. 16) ; and when, on the basis of these reports, or any other basis, the Consultative Assembly adopts a recommendation which is referred by the Committee of Ministers to O.E.E.C. for study, a. member of the Secretariat-General of the Council of Europe explains it to O.E.E.C. (text C, para 1). Finally, it is possible to make arrangements for experts of O.E.E.C. to discuss these recommendations with representatives of the competent Assembly committees (text C, para. 2 (a).

80. The Committee of Ministers believes that this procedure, backed — as it is — by the conscientious support of the Assembly, provides a very strong link between O.E.E.C. and public opinion as expressed by the Assembly. It is a two-way channel. Not only is the Assembly informed of O.E.E.C.'s work, but O.E.E.C. is able to appreciate and absorb what the Assembly is saying about its work.

81. The Committee of Ministers is very ready to agree with the Assembly's view (para. 10 of Doc. 8) that the pattern of European economic co-operation would be simpler for the man in the street to understand if the two organizations were merged. And it is not in question that such better understanding is a desirable aim. But there are certain difficulties in the way of a merger which, in the Committee's view, over-ride this consideration.

82. First and foremost there is the problem of the differing memberships of the two organizations. The Assembly recognised this difficulty in Recommendation 25 (1952), and suggested that it might be overcome if " when considering economic matters, the Committee of Ministers were composed of representatives of all the Member States of the O.E.E.C, and if, when economic matters are under discussion, representatives from States which are members of the O.E.E.C. but not of the Council of Europe attended the Consultative Assembly as observers ". Leaving 'aside the question of Canadian and United States Association, a solution on these lines presupposes that Portugal, Switzerland and Austria, which are -members of O.E.E.C. but not of the Council of Europe would be prepared to sit in the Committees of Ministers of. the latter when it considered economic matters. However, there has been no indication as yet of any such disposition.

83. .The Committee hopes that the Assembly will see the force of the existing difficulties in the way of a merger and will welcome the new arrangements worked oat by the Liaison Committees. It believes that these will further strengthen the links and extend the possibilities of co-operation between the two organizations. It believes also that, if these possibilities are fully exploited by the Assembly, the disadvantages arising from the continued existence of the Council and O.E.E.C. as separate organizations will be very largely offset. While both the Council and O.E.E.C. will be statutorily independent each of the other, the co-operation between the two will become closer. The Council of Europe will retain its political initiative and its right to make general declarations on questions of European economic organization. But at the same time the Committee of Ministers of the Council of Europe will be able, if it considers it desirable, to refer to O.E.E.C. or to other competent organizations, for - specialised study and report, economic proposals put for-ward by the Consultative Assembly.

4.2.2. (b) European Conference of Ministers of Transport

84. In its Fourth Report to the Assembly, the Committee of Ministers described the circumstances leading up to the convening in March, 1953 of a European Inland Transport Conference, adding that Recommendation 30 (1952) had been duly transmitted to this Conference and that a member of the Committee on Economic Questions had been given an opportunity of stating the views of the Assembly on this subject. Subsequently, and in accordance with the wish of the Assembly expressed in its Reply to the Fourth Report of the Committee of Ministers, the preliminary report of the Conference was transmitted to it. The Assembly commented on this Report in its Resolution 36 (1953). This Resolution, which refers to Resolution (53) 13 of the Committee of Ministers, was brought to the notice of the European Conference of Ministers of Transport at Brussels in October, 1953.

85. This Conference led to the signing on 17th October, 1953 by the representatives of 17 countries of a Protocol creating a new permanent organ called the " European Conference of Ministers of Transport " comprising a Council of Ministers of Transport and a Committee of Deputies. On the instructions of the Committee of Ministers and in accordance with the terms of Resolution (53) 13, the Secretary-General immediately contacted the President of the Conference with a view to establishing relations between the new organ and the Council of Europe. The conversations held have resulted in an arrangement whereby the Conference will transmit its Annual Report to the Council. This Report will be tabled in the Assembly and the Conference will be glad to receive the Assembly's comments and suggestions.

4.2.3. (c) N.A.T.O.

86. The Committee of Ministers has carefully considered the Assembly's Recommendation 50 (1953) proposing that N.A.T.O. should be requested to submit a regular report to the Assembly on questions of common interest. Having regard to Article 1 (đ) of the Statute, the Committee of Ministers was not able to agree to any change in the existing arrangements for the exchange of information between the two Secretariats of documentary material relating to the activities of the two Organizations on non-military subjects.

4.2.4. (d) United Nations

87. As a result of the contacts which have been maintained with the United Nations, and previously reported to the Assembly, on the subject of the control of international cartels, the U.N. has requested the opinion of the Council of Europe on the Report of the Ad Hoc Committee on Restrictive Business Practices. The Committee of Ministers has referred the matter to the Assembly with a request for its opinion. Consultations continue to take place with the United Nations, in order to secure co-ordination of the work of the two organizations, on a variety of other topics ; these include the social and legal programmes of the Council, the registration of treaties with the Secretariat of the U.N. and the simplification of frontier formalities.

4.2.5. (e) U.N. High Commissioner for Refugees

88. The desire of the Council of Europe for close collaboration with the High Commissioner has found renewed expression in the Committee of Ministers' Resolution (54) 5 calling on Member Governments to give all possible support to this work for the benefit of " hard-core " refugees ; also in the contacts with him established by the Special Representative, on which occasion it was agreed that the roles of these two personalities were complementary and not competitive.

4.2.6. (f) International Labour Organization

89. Close contact continues to be maintained with the I.L.O. and observers are regularly exchanged at meetings of the two organizations. The I.L.O. has kept the Council fully informed about the European Tripartite Conference which it has convened for' the end of this year and, as explained elsewhere in this report, has undertaken the. extensive task of carrying out the preparatory work necessary for the drafting of the European Code of Social Security.

4.2.7. (g) World Health Organization

90. The proposal made by certain governments that tlie Council should take up various questions in the field of public health has led to discussions with W.H.O. which are reported fully in the programme of work.

4.2.8. (h) UNESCO

91. The Agreement concluded with UNESCO in November, 1952, has led to a regular exchange of information and observers : in addition, UNESCO has made a number of valuable suggestions for the cultural part of the programme of work and arrangements have now been made that UNESCO should present a report to the Assembly on the European pa.rt of its own programme.

4.2.9. (i) International Civil Aviation Organization

92. The decision to convene at Strasbourg on 21st April, 1954, the Conference on the coordination of Air Transport in Europe is recounted elsewhere in this Report. The holding of this Conference in the House of Europe has led to very active co-operation between the two organizations which is likely to have useful results in the future.

4.2.10. (j) Intergovernmental Committee for European Migration

93. Close relations continue to exist between the Council and I.C.E.M. Observers from the Council have attended the sixth and seventh sessions of the Committee. Moreover, the Special Representative has been interested in the work of I.C.E.M. and was present at the beginning of its seventh session.

4.2.11. (k) Combined International Bureaux for the Protection of Industrial' Property and of Literary and Artistic Works

94. The International Bureau for the protection of Industrial Property has continued to collaborate with the Committee of Experts on Patents, and the Convention on the formalities required for Patent Applications signed in December, 1953 is open to accession by all members of the International Union. A representative of the Bureau collaborated, on certain particular points, in the work of the Committee of Experts responsible for establishing the European Convention on the Reciprocal Treatment of Nationals.

95. The International Bureau for the Protection of Literary and Artistic Works has been consulted about those aspects of the Assembly's Recommendation 54 (1953) on television which raise questions of copyright and has invited the Council to be represented at the forthcoming meeting of the Permanent Committee of the International Union for the Protection of Literary and Artistic Works, which will enable the Council to become informed about international activities in this field.

4.2.12. (l) International Institute for the Unification of Private Law

96. The Committee of Ministers has taken careful note of the views expressed in the Assembly's Opinion No. 7 on the, draft Agreement with the Rome Institute and further discussions have been held with the Institute. As a result, the agreement was concluded on 12th January, 1954. The final text, which takes account of the majority of the suggestions made by the Assembly, is annexed hereto in Appendix III.

4.2.13. (m) The Hague Conference on Private International Law

97. The Committee of Ministers has prepared a revised text of the draft Agreement with The Hague Conference on Private International Law, taking into account the views of the Assembly as expressed in its Opinion No. 7. This revised draft has been submitted by the Netherlands Government to Governments which are Members of the Conference but not of the Council of Europe.

4.3. CHAPTER 3 - Non-governmental Organizations

4.3.1. (a) International trade union organisations

98. The Committee of Ministers has finally approved the agreements concluded between the Secretariat-General and the European Regional Organization of the Confederation of Free Trade Unions and the International Federation of Christian Trade Unions respectively. These agreements have therefore now entered into force. They are based on the principles previously adopted by the Committee of Ministers and approved by the Consultative Assembly in ite Opinion No. 2 of 1952. The texts of these agreements will be tabled with the Assembly.

4.3.2. (b) Other non-governmental organizations

99. The Committee of Ministers has given careful consideration to the observations made by the Assembly in its Opinion No. 6 (1953) on the principles which should govern the relations between the Council of Europe and non-governmental organizations. It has now fixed the provisions to be applied in this field, with particular regard to the comments of the Assembly. On one point, however, the Committee of Ministers felt it was unable to agree with Opinion No. 6, where the Assembly requested the deletion of sub-paragraph (i) of paragraph (b) of Chapter 3 of Document 141 providing that non-governmental organizations might send observers, without the right to speak, to public Sittings of the Assembly. The Committee of Ministers did not feel it advisable to deprive the Council of the opportunity, afforded by the presence at Assembly debates of competent observers from these organizations, of keeping in touch with public opinion and interesting it in the Council's work. The Committee of Ministers does not feel that the work of the Assembly would in any way be impeded by the presence of these observers who would simply have reserved seats in the public galleries. The provision referred to in the last sub-paragraph of Opinion No. 6 has therefore been retained. A similar provision, moreover, has already been approved by the Assembly with regard to international trade union organizations. The text of the provisions adopted by the Committee of Ministers, in the form in which they have been communicated to the organization, has been tabled with the Assembly.

Appendix 1

Texts for establishing closer links between the Council of Europe and O. E. E. C. approved by the Committee of Ministers of the Council of Europe and the Council of O. E. E. C. (November, 1953)

I. Recommendations adopted by the Assembly and referred by the Committee of Ministers to O.E.E.C. for examination

1. Whenever a Recommendation of the Consultative Assembly is referred to O.E.E.C. for study, it is essential that the Organization should receive the fullest information in relation to it. With this end in view the 'Secretary General of the Council of Europe, either personally or through a member of his staff, should be invited to give the necessary explanation.

An official of the Secretariat-General of the Council of Europe will be at the disposal of the relevant departments of O.E.E.C, should they require further explanations at a later stage.

2. (a) In this case arrangements may also be made for discussions between experts of O.E.E.C. and representatives of the competent Committees of the Assembly within the framework of the Liaison Committees.

(b) Such discussions shall be subject, mutatis mutandis, to the rules laid down in paragraphs 22 arid 28 of the procedure for co-operation between the Council of Europe and O.E.E.C., approved by the Council of O.E.E.C. and accepted by the Committee of Ministers of the Council of Europe in July 1952.

II. Attendance of observers from the Secretariat-General of O.E.E.C. at meetings of Commutes of ' Governmental experts of the Council of Europe

3. If any economic or social question referred by the Committee of Ministers of the Council of Europe to a committee of governmental experts for examination is of interest to both organizations, the Secretary-General of O.E.E.C. will be invited to follow the proceedings of this Committee of Experts.

III. Co-operation between the Secretaries-General of the two organizations

4. Apart from the existing methods of collaboration, the Secretaries-General of both organizations shall meet, whenever the need is felt, to examine jointly all questions raised by the co-operation between the two organizations within the framework of the texts governing relations between them.

5. The Secretaries-Genera! may each set up liaison groups drawn from their own staffs for the purpose of exchanging views with each other on specific points.

Appendix 2

Resolution (54) 8 of the Committee of Ministers relating to Increasing the Representation of the Consultative Assembly on the Committee for Liaison with O.E.E.C.

The Committee of Ministers,

Having regard to its Resolution (50) 54 of 4th November, 1950 setting up a Committee for maintaining liaison with O.E.E.C. ;

Considering that the development of relations between the two Organizations makes it desirable to increase the representation of the Consultative Assembly on this Committee ;

Noting that the Assembly Committees mainly interested in the work of O.E.E.C. are the Committees on Economic Questions and Social Questions,

1. Invites the Consultative Assembly to appoint two additional representatives qualified to sit on the Liaison Committee ;

2. Recognises the right of Representatives to tho Consultative Assembly who aro members of the Liaison Committee to appoint substitutes.

Appendix 3

Agreement between the Council of Europe and the International Institute for the Unification of Private Law - 12th January, 1954

The Council of Europe, of the first part, and

The International Institute for the Unification of Private Law, hereinafter referred to as "the Institute", of tho second part,

Considering that the aim of the Council of Europe is to achieve a greater unity between its Members, and that this aim is to ho pursued inter alia by the conclusion of agreements in the legal and administrative fields ;

Considering that the Institute, by the terms of its Statute, and by the nature of the . activities which it has carried on since its foundation, is an international organization specialising in the unification, between States, of the rules -of private law ;

Considering that the Institute has declared its readiness to assist the Council of Europe in the achievement of its aims ;

Having regard to the assistance which the Institute has already furnished to the Council in legal matters ;

Being desirous of defining the relation between- the two organizations by a formal agreement, Have agreed as follows :

Article 1

At the request of the organs of the Council of Europe or of its Secretariat-Gen eral, the Institute shall assist the Council in the study of any questions concerning comparative law or the unification of the rules of private law which may be submitted to the Council for consideration.

Article 2

The Council of Europe will inform the Institute of all questions relating to the unification, between States, of the rules of private law submitted for its consideration and will give the Institute an opportunity of expressing its. views thereon.

Article 3

The assistance referred to in.Article 1 shall include furnishing the Council with information and the preparation of technical studies and preliminary draft Conventions.

Article 4

Subject to such preliminary consultation as may be. necessary, the Institute may propose to the Committee of Ministers items for inclusion in the Agenda of the Committee of Ministers or of the Consultative Assembly. Such questions may include the adoption by the Members of the Council of draft Conventions prepared by the Institute.

Article 5

The Secretariat-General of the Council of Europe shall be invited to send representatives to any meetings of the. Institute at which questions of interest to the Council are to be considered.

Whenever it appears advisable, a representative of the Institute shall be. invited to attend meetings of the committees convened by the Committee of Ministers, or the committees of the Consultative Assembly.

Article 6

If compliance with a request for assistance made by the Council of Europe in accordance with Article 1 involves the Institute in any substantial expenditure, consultations shall take place with a view to determining the most equitable manner of meeting such expenditure.

Article 7

This Agreement shall come into force on the date of signature.

Article 8

This Agreement is concluded for a period of four years and thereafter shall be automatically renewed for further successive periods of four years, subject to the right of either party to terminate it at the expiry of the initial period or of any subsequent period by a notification to that effect addressed to the other party at least one year before the expiry of the period in question.

Done on the 12th day of January, 1954 in two copies in the French language.

For the International Institute for the Unification of Private Law M. PILOTTI.

For the Council of Europe L. MARCHAL.