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Changes in the political structure of Europe necessary to achieve a greater unity between the Members of the Council of Europe and to bring about effective cooperation in the various fields specified in Article 1 of the Statute

Report
Committee on Political Affairs and Democracy
Rapporteur: Mr Guy MOLLET, France

1. PART ONE - Explanatory Statement

1.1. Introduction

1. At the end of the First Ordinary Session, the Consultative Assembly defined the terms of reference of the Committee on General Affairs as follows :

" The Assembly,

" Convinced that the problems of common interest to the States of Europe in the spheres mentioned in Article 1, para, (b) of the Statute cannot be solved within the framework of the present European structure, " Desiring that a detailed and objective study be made of the Proposals to achieve a closer political unity between the Member States,

Decides :

That its Committee on General Affairs should be charged with examining :

a. The general position of the Member States of the Council of Europe considered as a whole ;

b. The present position with regard to existing inter-governmental organisations ;

c. The different Proposals for extended collaboration in the political, economic, social and cultural fields ;

d. The modifications in the political and constitutional structure of the Member States which such collaboration would entail ;

e. Federal as well as other Proposals for the future political development of Europe ;

f. The effects on each Member State of any such measures as these Proposals imply. " The Committee shall formulate precise and definite Proposals in respect of the matters referred to it and shall make definite Recommendations concerning the modifications in the political structure of the Member States, which it considers desirable with a view to a closer unity between them. "

(Doc. 87, Section I).

" The Assembly decides to refer to the Committee on Genera] Affairs for examination two proposed Amendments to Article 20 of the Statute to cover cases when the Committee of Ministers might feel itself unable to take into consideration the Recommendations of the Consultative Assembly. The Committee on General Affairs shall include its observations on these Amendments in the Report it must draw up before 30th April. "

(Doc. 87, Section III, para. 6).

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

(Doc. 87, Section III, para. 7).

The Committee on General Affairs, with the agreement of the President of the Assembly, also dealt with various Resolutions which had originally been referred to the Standing Committee, but which appeared to fall within the scope of its work. These were :

a Resolution, concerning the instruction of public opinion with regard to the advantages of a European union ;

the " two proposed Amendments to Article 13 of the Statute of the Council of Europe, and various Proposals to create a European political authority with clearly defined aims and definite powers; to endow the Committee of Ministers with intergovernmental or supra-national powers and rights; and to create a corps of European civil servants. "

(Doc. 87, Section III, paras. 4 and 5).

2. The Committee on General Affairs met on 6th September 1949 to settle its programme of work. It was decided to hold three further sessions before 30th April 1950—the time limit which had originally been fixed—but as the Second Ordinary Session of the Assembly was postponed until August, it was eventually found possible to hold these meetings at longer intervals.

At its second session (21st to 23rd December 1949) the Committee discussed at length the preparatory studies submitted by certain of its members and agreed on the main points of its Report, while reserving the right to develop them in greater detail at subsequent meetings. It decided to consult European intergovernmental organisations and organisations representing economic and professional circles, as well as the movements for European union. Finally, it requested the President of the Assembly to approach the British Government with a view to obtaining information regarding the attitude of the Commonwealth towards European union.

3. At its third session (21st to 24th March 1950), the Committee heard a statement from M. Star Busman, Secretary-General of the Brussels Treaty Permanent Commission, as well as from delegations from the International Chamber of Commerce, the International Federation of Agricultural Producers and the International Confederation of Christian Trade Unions. The International Confederation of Free Trade Unions, which was still in the process of formation, apologised for being unable to attend.

The Committee also examined Proposals for the political strengthening of the Council of Europe (cf. Part Two, Section II). Practical effect was given shortly afterwards to one of these Resolutions, concerning the creation of a joint body composed of representatives of the Assembly and of the Committee of Ministers (cf. para. 58 below).

Finally, at its fourth session (20th to 23rd June 1950), the Committee reviewed its " General Proposals for closer political union " (cf. Part Two, Section I), completed those relating to the political strengthening of the Council of Europe, and adopted the Preamble to its Report.

4. During the First Ordinary Session of the Assembly, the Committee met under the Chairmanship of M. Bidault. On following occasions, he was prevented from attending owing to his duties as head of the French Government. He made a special point, however, of taking the Chair on the opening of the third meeting (March 1950).

In the absence of M. Bidault the Chair was taken either by M. Ohlin, the Vice-Chairman, or during the March meetings by M. van der Goes van Naters.

In addition to MM. Bidault (France), Chairman, and Ohlin (Sweden), Vice-Chairman, the following Representatives took part in the meetings held since the First Ordinary Session of the Assembly :

M. BALTA (Turkey); M. BOHY (Belgium), Substitute for M. LAROCK; M. BONNEFOUS (and M. BASTID and M. VIARD, France); M. CAPPI (and M. MONTINI, Italy); Mr. DALTON (United Kingdom); M. DROSSOS (Greece); M. ERTEN (and M. GULEK, Turkey); M. van dcr GOES van NATERS (and M. BURGER, Netherlands); M. JAKOBSEN (Denmark); Mlle. KLOMPÉ (Netherlands), Substitute for M. SERRARENS; M. KNUDSEN (Norway), Susbtitute for M. WOLD; Mr. LOESHI (Luxembourg); M. MACCAS (Greece); Mr. MACKAY (United Kingdom); Mr. MACMILLAN (United Kingdom); M. MARCONCINI (Italy), Substitute for M. CINGOLANI; Mr. NORTON (and Mr. CROSBIE, Ireland); M. SCHERER (France), Substitute for M. BIDAULT; M. STRUYE (Belgium); M. TREVES (Italy); M. WISTRAND (Sweden); and M. Guy MOLLET (France), Rapporteur.

5. All the members of the Committee have made important contributions to the preparation of the Committee's report, and a large number of memoranda have been submitted. These, as well as the frequent exchange of views with the Bureau of the Committee, considerably facilitated the work of the Committee.

The Committee has also benefited from the assistance given by the non-governmental organisations which have given evidence before it (International Chamber of Commerce, International Confederation of Christian Trade Unions, International Federation of Agricultural Producers) ; from the valuable contribution contained in the Reports and statements of M. Star Busman, Secretary-General of the Brussels Treaty Permanent Commission, and in a memorandum drawn up by the Secretary-General of the 0. E. E. C.

The Secretary-General of the Council of Europe has given the Committee the benefit of his wide experience of European questions, and his suggestions have been of great value.

6. Such was the basis of the work of the Committee. It has brought together the points of view of eminent statesmen of different nationalities and holding different opinions, and of leading European organisations, both official and unofficial. When all the texts submitted had been studied in detail, it was possible to find a very large measure of agreement.

Many Resolutions, which we trust form a coherent and well-balanced whole, have been approved and are submitted herewith to the Assembly (cf. Part Two).

Our discussions were often long and spirited, but I am happy to say that, thanks to my colleagues' firm desire to arrive at constructive decisions, we were able to overcome our difficulties and, with one or two exceptions, all our Resolutions were adopted unanimously and without reservation.

The reason lies in the determination of the Committee, while avoiding all purely theoretical and sterile discussion, to reach common agreement on outstanding questions of interest to Europe and to propose certain practical suggestions in support of its decisions.

We believe that if the Assembly considers our Report, it will find in it the material which will enable it to inform both Governments and the public clearly of the general policy which it would wish to see adopted, and of the practical measures to give effect to that policy. This is surely in accordance with the role of the Assembly, which at one and the same time should represent the public and Parliamentary opinion of Europe, and should act as counsellor—and even guide—to the Governments in their proclaimed purpose of realising co-operation and unity.

7. The present Report is designed in the first place to meet the Assembly's request for " precise and definite Proposals " for achieving " a closer political unity. "

The various draft Resolutions referred to the Committee (cf. para. 1 above) were taken into consideration when drawing up the Report. Broadly speaking, Section II deals with the main points which their authors—most of whom took part in the discussions in Committee—had in mind. It did not therefore seem necessary to quote individual comments on the various Resolutions.

Section I (C), para 42, represents an answer to the request to examine measures for the instruction of public opinion with regard to the advantages of European union. The Committee has defined the broad outline of two Reports which it has requested the Secretary-General of the Council of Europe to draw up and submit to the Assembly.

8. The Assembly had asked for a " detailed and objective study " of the problems of European union. The Committee has laid down the broad lines and fundamental nature of such a study, and has asked the Secretary-General to arrange for it to be completed. A first draft was submitted to the Committee at its meeting in June in the form of a pamphlet containing general information, to which it is recommended that a wide circulation should be given. It will be available in the immediate future.

9. As regards the proposed " European Pact, " the Committee has received a communication from M. Jacques Bardoux, comments from several of its members, and a memorandum from the Secretariat-General. Examination of these documents has revealed many difficulties, of both a political and legal nature. As the Committee has not yet been able to reach a decision on the subject, it requests that the question bo referred back to it for further study.

The Resolutions adopted as a result of our discussions form the Second Part of this Report. The Committee authorised the Rapporteur to draft a " general introductory statement, " and to submit it to the Assembly on behalf of the Committee. The " Preparatory Reports " which the Rapporteur had been required to submit to each meeting were used as a basis for this statement, and account has also been taken of observations made during the discussions.

10. May I finally, before embarking on the Report itself, express to M. Bidault my deep appreciation of the generous interest which he has taken in the work of the Committee, despite his heavy responsibilities, and to express to the Vice-Chairman, M. Ohlin, and to all my colleagues on the Committee, my sincere thanks for the confidence they have shown in me, and for the way in which they have made the task of Rapporteur such an easy and pleasant one.

1.2. Preamble to the general report

11. The Committee considered that its General Report should open with a re-statement of certain political principles underlying European co-operation. Among these some serve, moreover, simply as an introduction to the practical measures contained hereafter in Parts I and II.

It seemed to us, however, that a solemn declaration of these principles was of importance in itself. Such a declaration will enable public opinion to grasp the significance of the " technical " Proposals contained later in the Report, which, by their very nature, have little emotional appeal. It will provide an opportunity for the Committee of Ministers—the spokesman of the European Governments taken as a whole—to make a definite statement on certain aspects of its European policy, and will make it impossible for that Committee indefinitely to postpone.its reply, on the pretext that the question must be referred back for study by experts, a course which is necessary when practical proposals are involved.

The Committee therefore requests the Assembly, if it accepts these Proposals, to recommend that the Committee of Ministers, acting on behalf of the Council of Europe as a whole, should adopt this declaration as its own.

12. The Resolution which is submitted[1] deals with questions which were frequently discussed in the course of the Debates during the First Ordinary Session of the Assembly. It may be considered as :—

A reminder of the aims and purpose of European union, from the point of view of Europe and of the world as a whole.

A reaffirmation of the solidarity of Europe with the territories overseas associated with it, which, at the same time, defines " the extension " which it is intended to give to the European union.

A reminder of the form which the European union should gradually acquire (creation of a European political authority).

An indication of the methods to be adopted in order to achieve further progress towards this goal.

This Resolution was adopted unanimously.

1. The text of this Resolution is given in Part Two, para. 61.

1.2.1. (i) Aims of European union

13. The Committee has stressed the part in the world, which the strengthening of European union and the achievement of its aims in the cultural, economic and social fields (as defined in Article 1 of the Statute[2], must enable a united Europe to play : to be a permanent factor making for understanding and, consequently, for peace.

What should be the limits of this " United Europe "? The Committee points out that only a democratic Europe is concerned. The acceptance of the fundamental principles contained in the Preamble to the Statute[3] is a prerequisite for membership of the Council. Entry to this democratic Europe is, however, open to all peoples who are at present oppressed by an undemocratic regime, from the day on which they regain their freedom. We have not given up the hope of restoring Europe as a whole.

Representatives will remember the number of speeches made during the course of the General Debate in the First Session of the Assembly, which underlined the extent to which the unification of Europe, by ensuring its political and economic independence, would add emphasis to Europe's message of peace and civilisation. Europe's independence does not imply its isolation, which would be impossible; and another Resolution (cf. para. 25) urges the need for a "close co-operation " between democratic Europe, considered as a whole, and the countries of North America. This should be emphasised in view of the statements to the contrary which are made in certain circles.

1.2.2. (ii) European Union and its extensions overseas

14. The important problem of the relationship between European countries on the - one hand, and their associated overseas territories and the Commonwealth on the other, has not escaped the Committee's attention. During its December meeting a " Working Party on Overseas Territories " was established, and steps were taken to obtain information regarding the attitude of the Commonwealth towards European union.

In this latter connection reference should be made to the reply received by the President of the Assembly :

" I am now directed by Mr. Secretary Bevin to inform you that at the Colombo Conference he gave his colleagues an appreciation of the current political situation in Europe. He described the steps which were being taken to promote closer co-operation, both political and economic, between the countries of Western Europe, and the links which were being forged between a united Western Europe and the North American democracies. The Representatives of the other Commonwealth Governments expressed the view that there need be no inconsistencies between the policy followed by the United Kingdom Government in relation to Western Europe and the maintenance of the traditional links between the United Kingdom and the Commonwealth. "

15. The Working Party on Overseas Territories was responsible for drafting that part of the Preamble which refers to this question (cf. para. 61, ii), and in which it is stated :

a. That the steps taken to construct a European union should not entail any weakening of the existing links between certain European nations and those overseas territories or countries which are politically associated with them, for example, the Commonwealth, the French Union, the Netherlands-Indonesian Union, and the overseas territories associated with Belgium and Italy;

b. That the active participation of these territories or countries in the creation of a European union is, on the contrary, of the first importance if it is to be successfully accomplished.

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2. Article 1 of the Statute (paras, a and b) : " (a) The aim of the Council of Europe is to achieve a greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which aro their common heritage and facilitating their economic and social progress. " (b) This aim shall bo pursued through tho organs of tho Council by discussion of questions of common concern and by agreements and common action in economic, social, cultural, scientific, legal and administrative matters, and in tho maintenance and further realisation of human rights and fundamental freedoms ".

3. Extract from the Preamble to tho Statute : — " The Governments of... (hero follows tho list of Member States) ; " Convinced that tho pursuit of peace based upon justice and international co-operation is vital for tho preservation of human society and civilisation; " Reaffirming their devotion to the spiritual and moral values which are tho common heritage of their peoples and tho true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy; " Believing that for tho maintenance and furthor realisation of these ideals and in the interests of economic and social progress there is need of a closer unity between all likeminded countries of Europe... "

The forms which such participation should take should be a subject of special study by the Council of Europe. The Working Party suggested that these studies might be undertaken in collaboration with the countries or territories in question to the extent that they constitute separate legal entities under international law and in accordance with their constitutional structure.

It will be remembered that during the 1949 Session, the Assembly had included similar suggestions in its Economic Recommendation.

The Committee has decided that the Working Party on Overseas Territories shall be kept in being, and has requested it to undertake a further examination and to produce a more precise definition of the conditions in which the " active participation " mentioned above might be realised.

1.2.3. (iii) The necessity for a European political authority

16. Having stated the aims and character of European union, and of its extension through the agency of the states and territories which are associated with it, we must now define its structure. The Committee unanimously agreed that the Assembly could not de better than to restate its historic Resolution of 1949 in clearer terms, and to reaffirm that one of the aims of the Council of Europe is " the creation of a European political authority with limited functions but real powers. "

The fourth point in the Preamble sets out the principles on which should be based the practical measures to ensure progress towards this goal.

1.2.4. (iv) First steps towards the creation of a European political authority

17. It seemed obvious to the Committee that fullest use should be made of existing organisations, and that the Council of Europe provided the best foundation on which to base the increased political unity of Europe, and the European political authority which it is intended to establish. Whatever may be the differences in policy and outlook, the present Statute, with the possibilities which exist for amending it, provides a framework within which agreement may be reached.

This preliminary explanation is developed in the following brief statement of the principles which form the basis of the measures proposed at a. later stage in the Report :

(1) To achieve a closer co-ordination of existing European treaties, agreements and organisations. The lack of co-ordination which exists at present is both disturbing to public opinion and represents an obstacle to effective action. This principle finds expression in the various Resolutions contained in Section I (A).

(2) To render more flexible the rules governing the operation of European organisations. The Committee has recommended that opportunity should be given for the conclusion of " agreements of limited scope " within the framework of the Council of Europe (cf. para. 48). It has, however, emphasised that the closer co-ordination desired must be achieved at the same time if confusion is to be avoided (cf. paras. 27-29).

Any action which tends to the realisation of these two principles would contribute to the creation of a European executive authority, whatever its structure might be.

(3) To set up effective " European parliamentary control. " It is obvious that under present conditions it is only national Parliaments which possess the authority necessary for the exercise of any real form of control. The Committee considers, however, that sooner or later progress must be made towards some form of European parliamentary authority, since this alone would really be effective. It therefore proposes that the Assembly reaffirm these general principles.

In exercising a right of control over the activity of inter-governmental organisations the Assembly would, moreover, be able at once to render considerable assistance to national Parliaments and to contribute to the development of a common policy (cf. Section I, B).

If the Council of Europe is to undertake these duties, new responsibilities will devolve upon it. The Committee submits that this in turn requires that its political and moral authority should be strengthened, and its efficiency increased (cf. Section II).

1.3. I. General Proposals for Closer Political Union

18. The Proposals contained in this Section, as in the one following (which is devoted solely to the functioning of the Council of Europe), deal with the application of the principles set out in the " Preamble. "

Three series of measures are contemplated :

at governmental and inter-governmental level—co-ordination, unification and increased flexibility in co-operation ;

at parliamentary level—-first steps towards the creation of European parliamentary control ;

in the field of parliamentary and public opinion—improved liaison between the Assembly and national Parliaments— Proposals for general information and instruction.

The Resolutions adopted by the Committee are contained in Part Two, Section I, para. 62-66.

1.3.1. A. Closer Inter-Governmental Co-Opiration

19. European co-operation at inter-governmental level is carried on within the framework of the various " European " organisations set up since the war. It can also operate within the larger framework of " world " organisations, such as those attached to the United Nations, and by means of understandings and agreements of a partial character in force within one or other group of European nations. This is only a rough summary but it provides a convenient framework within which to group the Proposals formulated by the Committee.

1.3.1.1. (a) REORGANISATION OF EUROPEAN INTER-GOVERNMENTAL ORGANISATIONS

20. The co-existence of three large European organisations—the 0. E. E. C, the Brussels Treaty Permanent Commission and the Council of Europe, each possessing complete autonomy, is certainly not a factor making for efficiency; and does not suggest that the work of the organisations in question has been coherently planned. The Committee has paid special attention to this problem.

(i) With regard to the Brussels Treaty Permanent Commission

2J. The Committee had the opportunity of interrogating M. Star Busman, Secretary- General of this organisation, who kindly supplied detailed information on its constitution and activities.

The information furnished showed that the administrative structure of the organisation is extremely small and that its activities are based on the periodic meetings of official experts.

Study of the Reports communicated to the Committee showed, on the other hand, that this organisation had achieved real, if limited, results.

No fundamental difference exists between its methods of work and those adopted by the Committee of Ministers of the Council of Europe.

The Committee, therefore, requests (by a Resolution adopted unanimously) that, within a reasonable period of time, the social and cultural organisations of the Brussels Treaty be incorporated in the Council of Europe, so that their activities may be continued within the framework which the Council supplies.

It considers that there seems to be no major obstacle to such an integration. Moreover, the rôle of the Five Power Organisation, however prominent it may have been in its early days, when it acted as the " stimulus " behind the development of European co-operation (creation of the Council of Europe) and of the defence organisation (preparation of the Atlantic Pact), is now declining in importance. The Proposal submitted is, therefore, in accordance with the logic of events[4].

(ii) With regard to the 0. E. E. C.

22. Infinitely more important—and also more complex—is the application of the principle to the case of the 0. E. E. C.

Although it would he a delicate matter to embark on a reorganisation of the 0. E. E. C. before 1952, it is not, however, premature to consider how it could be carried out. The question has already been submitted for governmental and inter-governmental discussion, and is under consideration by the 0. E. E. C. itself.

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4. The Resolution submitted by the Committee is given in Part Two, para. 62 (i).

The Committee agreed with other Committees, among them the Committee on Economic Questions, that it was essential that close liaison at all levels should be established between the 0. E. E. C. and the Council of Europe, and it has attempted to define the way in which that liaison might take place, without causing any disturbance to the smooth running of either Organisation.

The powers and functions of the Council of Europe are wider in scope than those of the 0. E. E. C. On the other hand, the 0. E. E. C. enjoys at the inter-governmental level a certain exclusive prestige in economic matters. Its activities are even being extended to include certain cultural and social questions.

The composition of the two Organisations is not identical. However, all the Member States of the Council of Europe belong to the 0. E. E. C. (the interests of the Saar being represented in that Organisation by France). Only Austria, Portugal and Switzerland (and the Anglo-American Zone of the Free Territory of Trieste) are Members of the 0. E. E. C. without belonging to the Council of Europe.

In their composition, as in their powers and functions, there are, therefore, many analogies between the " Council " of the 0. E. E. C. and the " Committee of Ministers " of the Council of Europe.

It is all the more surprising to see the excess of caution which has surrounded the recent negotiations between the two Organisations. On their behalf two separate " Sub-Committees " met, composed of Representatives of States which, with one exception, belonged at the same time to both Organisations.

23. The Committee therefore proposes a reorganisation based on the following principles :

(1) The two Organisations would be placed under the direction of a single " Council ", composed of the Ministers for Foreign Affairs of all the Members, which would replace the present " Council " of the 0. E. E. C. and " Committee of Ministers " of the Council of Europe, and would take over their functions and powers.

(2) Under the aegis of this " Council " the administrative and specialised departments responsible for the smooth running of each of the organisations would continue to function and would possess all necessary autonomy, subject to the rationalisation made possible by abolishing any duplication of effort.

It would no doubt be comparatively easy to define in the rules of procedure the conditions upon which internal questions relating, for instance, solely to the functioning of the Assembly, could be settled within the common Council with the agreement only of the States concerned.

In a question which is so complex, it is obviously not for the Assembly to pass a final judgment on such Proposals, but rather to recommend that the Committee of Ministers study the problem and, at the same time, to indicate the general lines of the solution which it would wish to have adopted.

24. A detailed discussion preceded the unanimous adoption of the Resolution submitted to you[5].

It was emphasised that although it is important to proceed in the immediate future to the execution of measures proposed (or others to the same effect)—which will no doubt take time— it is essential that a close association be at once established between the work of the Assembly (and of its Economic Committee) and that of the 0. E. E. C. The Committee considered that the measures already adopted in this connection were clearly insufficient. Some of them were even derogatory to the dignity of the Assembly.

It was also considered necessary that the Assembly (and its Standing Committee) should be kept informed of the development of negotiations. The Committee considered that this information could best be made available to the Assembly through the medium of the " Joint Committee ".

When, in the future, a single " Council " directs the activities of both the 0. E. E. C: and the Council of Europe, it will doubtless be the task of the " Joint Committee " to continue to ensure liaison between such a " Council " and the Assembly.

(iii) Relationship between European Organisations and the United States and Canada

25. Recent international conferences have raised the question of the means of drawing closer the economic ties between Western Europe and the United States and Canada, and the part to be played by the 0. E. E. C. in this connection.

Without encroaching on the province of the Committee on Economic Questions, it seemed advisable to the Committee to examine the general question of this " Atlantic " collaboration, and the forms which it might take.

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5. The text of this Resolution is given in Part Two, para. 62 (ii).

After considerable discussion a text was drafted wich received the unanimous approval of the Committee[6]. The complementary nature of the civilisations of Europe and America, and the need for common action by the democratic nations of Europe and America in many fields (security, economic recovery, etc.) were discussed at length. At the same time, it was emphasised that the nations of Europe must be able to treat with the United States of America as free and equal partners.

Democratic Europe must affirm its determination to be politically independent. This independence is desired by the North American democracies themselves, and therein lies the best answer to certain hostile propaganda. Its realisation requires the maintenance and strengthening of Organisations which are purely European. It would be even better assured by the creation of a European political authority.

Far from injuring the Atlantic Community, the closer unity of Europe would help to strengthen it and would enable an even closer collaboration to take place within it. This was the purpose which the Committee had in mind when it recommended the establishment of " a close liaison " between the European Organisations and the countries of North America, without prejudice to the special relations which exist between certain nations of Europe and the United States and Canada.

The same purpose should be seen in the Recommendation—perhaps too ambiguous in its wording and thereby liable to conflicting interpretations—which was adopted by the Assembly in 1949, to the effect that the Committee of Ministers should appoint a " delegation from the Council of Europe " to " enter into negotiations with the Government of the United States of America in order to express the common policy of the Member States " (in the economic field).

The Assembly should draw a clear picture of the state of European public opinion with regard to this important problem, and should request the Committee of Ministers to adopt its Recommendation in the name of the Governments of Europe.

The Committee further considered that the Assembly—and its Standing Committee—should at all times be able to follow the progress and development of co-operation with the countries of North America. It considered that this essential information should be supplied through the medium of the " Joint Committee. "

1.3.1.2. (b) ACTION WITHIN OTHER INTERNATIONAL ORGANISATIONS

26. The Report on social co-operation within the framework of the Brussels Treaty, which M. Star Bussman communicated to the Committee, described the joint action which the Five Powers had decided to undertake within certain international Organisations. It will be remembered that similar action was envisaged in the course of the General Debate during the First Session of the Assembly.

The Committee proposes[7] to recommend to the Committee of Ministers that, before every session or plenary conference of these international Organisations, preparatory meetings or any other convenient form of consultation be organised within the framework of the Council of Europe, for the purpose of working out a common policy, or simply of exchanging opinions and information (Resolution adopted unanimously.)

This preparatory consultation would be confined to problems of common interest which are particularly related to the aims of the Council of Europe. It would thus be possible, without forming a " European bloc " in international Organisations, to encourage progress towards European co-operation. Those who take part in these meetings should be chosen from among the members of the delegations of each country to the international conferences concerned : it is in fact the case that national delegations are often not composed entirely of government experts.

It would seem—subject to the agreement of the " technical " Committees of the Assembly— that the I. L. 0., U. N. E. S. C. 0. and the Economic Commission for Europe are at the present moment the Organisations to which this Recommendation would especially apply.

1.3.1.3. (c) " PARTIAL AGREEMENTS " AND " REGIONAL AGREEMENTS "

27. The conclusion of " partial " agreements which concern only a limited number of Members may in certain cases be a factor making for progress towards European union. It was comparatively easy to conclude a Multilateral Agreement on Social Security between the Five Brussels Treaty Powers : it will no doubt be a long and difficult task to extend it to include all the Member States of the Council of Europe.

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6. The text of this Resolution is given in Part Two, para. 62 (iii).
7. The text of this Resolution is given in Part Two, para. 62 (iv).

On several occasions the Committee has discussed this question. Adopting the point of view expressed above, it has in particular proposed that the Rules of Procedure of the Committee of Ministers should be made more flexible, so as to enable " agreements of limited scope " to be concluded within its framework (cf. para. 48 below).

As was pointed out in the discussions in the Committee, the subsequent extension of such agreements might, however, present certain difficulties, and this problem is, moreover, one which is of immediately topical interest.

The Committee, therefore, considered that it would be useful to elaborate a procedure which, whatever the circumstances, would assure that progress was made in the direction of the union of Europe as a whole.

28. In the discussion the following points were made :

(1) The conclusion of partial agreements of a " regional " character may in many cases be a practical procedure, and one that allows for the varying circumstances of European countries. Hence it may be a factor making for progress towards European union (as, for example, in the case of the Benelux agreement, the agreements for Scandinavian co-operation, the agreements concluded between the Brussels Treaty Powers, etc.).

(2) Some differentiation must be made between these agreements. The majority are simply the result of geographic, economic or social circumstances—or again have only an extremely limited effect (for instance, agreements between Great Britain and Ireland in connection with the trade in eggs, to quote one example frequently referred to in discussion). Some, on the other hand, are important enough to have an influence on the union of Europe as a whole. Since the essential aim remains the achievement of this union, it is necessary that there should be possibilities of extending agreements of the type in question to any European State which may wish to participate.

Various suggestions were put forward, some to the effect that the preparation of such agreements should be undertaken within the framework of existing European Organisations (such as the 0. E. E. C. or the Council of Europe), others proposing that such agreements, after their conclusion, should be " registered " in some way with the Secretariat of the Council of Europe or of the 0. E. E. C. Each of these suggestions is open to serious objections; in the first case there is a risk that there would be excessive delay in concluding the agreements; in the second case the registration may come to be no more than a simple matter of form.

The Committee finally decided that although it might be easy to obtain unanimous agreement on the two following principles :

a. that partial agreements of European scope should be " open " to the accession of all Member States ;

b. that they should be subject to examination or supervision by European Organisations ;

the drafting of a detailed text for their application, would raise numerous difficulties, the solution of which was rather a matter for study by experts (for example, the exact scope of the proposed agreements; any additional clause the insertion of which might be recommended; methods of examination by the Organisations concerned, etc.).

The Resolution[8], adopted unanimously, suggests that this study by experts be requested by the Assembly, and lays down the spirit in which their work should be undertaken.

Comment — Necessity for co-ordination at the national level

29. The co-ordination which is desired at the inter-governmental level can only be achieved and rendered fully effective if it is preceded by a similar close co-ordination within the national governments. These considerations have induced the Committee to recommend that the post of Secretary (or Under-Secretary) of State for European Affairs be created in the Governments of each Member. This latter question is studied in detail below (Section II, para. 46).

30. The various measures contemplated above should not only ensure greater cohesion in the efforts to achieve a European union, but should also help to establish a single European intergovernmental authority, whose structure is sufficiently flexible to make it possible for it to exercise supervision (or direction as

8. The text of this Resolution is given in Part Two, para. 62 (v).

required) over the various forms of European co-operation. Once these measures are enforced they will, however, represent a vitally important step towards the creation of a " European Executive ", the need for which was stressed by a number of my colleagues and with particular emphasis by your Rapporteur himself.

1.3.2. B. First steps Towards the Creation of European Parliamentary Control

31. The establishment of an effective parliamentary control at the European level must be developed at the same time as the closer intergovernmental co-operation already mentioned. The Committee attached great importance to this problem, the consideration of which figured largely, not only in the preparatory Reports of its members, but also in its discussions. The most important point involved is, of course, that the " share of authority " which is delagated to an international Organisation is in fact free from all parliamentary control. National Parliaments have only the possibility of attempting to assert their control individually, and therefore ineffectively.

This situation favours the development of an " international technocracy ", a danger which makes many parliamentarians hesitate to support any real transfer of sovereignty to supranational Organisations.

The Committee has therefore affirmed the imperative necessity of instituting some form of European parliamentary control. There is doutbless no Organisation in existence today which has sufficient authority to ensure this control, but the Committee considered that practical steps should be taken at once with this end in view.

The Assembly has indeed a statutory right of supervision over the functioning of intergovernmental organisations. If it were given the means of exercising this right, this would, without doubt, be one of its principal functions, with the result that its Debates would be more realistic and the Resolutions which it adopts would be more practical and would carry more weight.

Its character as a consultative Assembly would remain, but in the exercise of a general parliamentary control the distinction between a purely consultative and a truly legislative Assembly would be less marked than it is in the case of the other functions of a Parliament. Moreover, the establishment of a closer and more continuous liaison between the Assembly and the national Parliaments (a subject which was also discussed by the Committee, cf. paras. 37-40 below) would give full force to its conclusions.

1.3.2.1. (a) THE ASSEMBLY AND EUROPEAN INTERGOVERNMENTAL ORGANISATIONS

32. The experience gained from the relations between the Assembly and the Committee of Ministers has made it possible to draw certain practical conclusions. The communications made between Sessions by the Committee of Ministers to the Standing Committee, and the Statutory Report of the Committee of Ministers, provide the means by which the Assembly is able to follow the activities of the Committee of Ministers and to draw its conclusions with full knowledge of the facts.

In a Resolution adopted unanimously[9], the Committee proposes that a similar procedure should be applied in the immediate future to European intergovernmental Organisations, and should be continued until such time as the reorganisation referred to above (paras. 20-24) has been carried out. At the same time as its Statutory Report, the Committee of Ministers should present a balance-sheet of the measures taken in favour of European union within the framework of other European intergovernmental organisations, about whose activities the Assembly wishes particularly to be informed (these Organisations would be, for example, the 0. E. E. C, the Organisation of the Brussels Treaty Powers in so far as its work in the social and cultural field is concerned, and, in due course, the High Authority for Coal and Steel, etc.). It would be for the " technical " Committees of the Assembly to formulate precise requests. In particular, information might well be desired on the results obtained within the framework of certain partial or regional agreements.

This new Report would obviously have to be prepared with the help of the Secretariats of the Organisations concerned, by using the annual " balance-sheets" which the latter already prepare.

In view of what will probably be the contents of the Statutory Report which the Committee of Ministers will communicate to the Assembly at this Session, it is not ill-intentioned to suggest that nothing will be lost if in the future that Report can be filled out by the one which has been proposed or by others of a similar nature...

The final preparation of this new Report — which would commit each Government vis-a-vis its Parliament and public opinion as much as it would commit the Committee of Ministers vis-a-vis the Assembly — would be an additional opportunity for co-ordinating the methods of European intergovernmental co-operation.

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9. The text of this Resolution is given in Part Two, para. 63 (1).

Between Sessions it would be left to the Committee of Ministers, or to its Chairman, to decide on the advisability of submitting for study to the Standing Committee or to a specialised Committee new questions which have arisen.

33. If the Assembly adopted the Recommendations arising out of the examination of these Reports, it could request that they be immediately transmitted through the Chairman of the Committee of Ministers to the Organisations concerned, for their consideration and detailed examination. These Organisations would then have to report to the Committee of Ministers on the action taken on these Recommendations. The Committee would in turn inform the Assembly, adding any remarks that might be necessary.

In this way, co-operation similar to that between the Assembly and the Committee of Ministers would be gradually evolved between the Assembly and the governing bodies of European intergovernmental Organisations, and the elaboration of methods of achieving still closer liaison in the future would be facilitated. The Assembly could at the same time ensure that the principles of co-operation which form, the basis of the Resolution on partial agreements submitted above (paras. 27 and 28), was properly respected.

34. This procedure is similar to that adopted for the examination of the Assembly's economic Recommendations, which it would appear, from their Resolution of 1st April, that the Committee of Ministers wish to adopt as their permanent procedure :

" The Committee of Ministers decides...

" to discuss with the Council of the 0. E. E. C, arrangements whereby economic and financial Proposals originating in the Consultative Assembly or its Committees and transmitted by the Chairman of the Committee of Ministers to the Council of the 0. E. E. C.may be examined by that Organisation and form the subject of a Report to the Committee of Ministers."

The way in which this procedure has so far been applied unfortunately justifies all the criticisms levelled against it. Long weeks passed before the Committee of Ministers met and gave authority for the official communication to the 0. E. E. C. of the Assembly's Recommendations. As a result, texts which had been adopted in September were not passed on before November. The Council of the 0. E. E. C. itself, no doubt carried away by this example, took five months before making known its own conclusions...

It should surely be possible at least to prevent this loss of time, due to the abuses of an excessive " red tape. "

35. Certain other practical suggestions were made in Committee to enable this " control " by the Assembly to function more efficiently. In particular, it was suggested that the Assembly should set up ad hoc Committees for certain Organisations, whose terms of reference would be to follow the activities of those Organisations and to report thereon to the Assembly.

The creation of these new Committees, which would contain fewer members than our " traditional " Committees, would also make it possible to adopt less rigid, methods of work than those at present laid down in the Assembly Rules of Procedure, which limit unnecessarily the functions assigned to each Representative.

Mention should also be made here of another Resolution (cf. para. 57 below) concerning the right of Representatives to put written questions to the Committee of Ministers. This would be an efficient method for parliamentary action, and the Committee requests that the conditions be defined in which this right can be exercised between Sessions.

1.3.2.2. (b) LIAISON WITH INTERNATIONAL ORGANISATIONS

36. It is not possible to employ the same procedure in respect of Organisations which are international in the full sense of the term (as, for instance, those which are connected with the United Nations Organisation). The Committee, however, considered it desirable that the Assembly be kept informed of the activities of these Organisations and of the progress achieved (in so far as European Affairs are concerned).

For this purpose, it requests that the Committee of Ministers acting — when the time comes — on proposals submitted by the " preparatory conferences " already mentioned (para. 26), should regularly supply the Assembly with " requests for opinion " on questions which are being discussed by these Organisations and in respect of which it appears that the Assembly or its specialised Committees have particular competence or would be particularly anxious to express an opinion. The Recommendations (or opinions expressed by the Committees) would be submitted to the Committee of Ministers and also to the " preparatory conferences ."

The Committee of Ministers would then be required to keep the Assembly informed of the measures finally adopted by the Organisations concerned.

Such a method of procedure is certainly far from perfect. It would, however, give partial satisfaction to the requests so frequently made that some form of liaison be established between the work of the Assembly and that of certain international Organisations (the I. L. 0.; U. N. E. S. C. 0., E. C. E., etc.).

The text of the Resolution adopted unanimously is given in Part Two, para. 63 (ii).

1.3.3. C. Action Bearing on Parliamentary and public Opinion

1.3.3.1. (a) CLOSER CO-OPERATION BETWEEN THE ASSEMBLY AND THE NATIONAL PARLIAMENTS

37. The rôle of the Assembly is advisory, and it is to be feared that the double " screen" provided by the Committee of Ministers and by national Governments may condemn it to ineffectiveness. Before a convention, or any other practical measure, put forward by the Assembly can be implemented, so many agreements must be concluded, so lengthy and complicated a procedure must be followed, that despite the vigilance of the Representatives there is every possibility that the Assembly's Recommendation will end by being quietly buried.

At the same time, the conclusions which the Assembly might reach after examining the activity of inter-governmental Organisations would only take the form of " Recommendations " without binding force. The Council of the O. E. E. C. will in no way be " responsible ". to our Assembly — any more than is the Committee of Ministers.

38. It appeared to the Committee that it would be premature — and doubtless impracticable having regard to the constitutions of the existing Organisations — to request that the Assembly be given any real legislative power and a right of censure (even over the Committee of Ministers). On the other hand, the Committee considered that, as has already been said above (para. 31), considerable progress can be achieved in that direction through an increase in the co-operation which already exists between the Assembly and the national Parliaments.

By that means, proposals, criticisms or opinions formulated by the Assembly will later be re-adopted by the Parliaments to which each Government is responsible. This parliamentary pressure would considerably reinforce the authority of the Assembly's conclusions, and would at the same time bring them to the notice of public opinion. The Parliaments on their side would be placed in possession of documentation and information resulting from the work of the Assembly, which would be of particular value in that it represented material collected from meetings and discussions between experienced politicians of every European country.

(i) Transmission to Parliaments of Assembly Recommendations

39. The main purpose must be to secure the initiation of political action within the national Parliaments.

The Committee considered that this could take the form of a debate on the principal Assembly Recommendations within each national Parliament. Those which we particularly wished the Parliaments to discuss should include in their text a request that the Committee of Ministers submit them with that Committee's own conclusions to the national Parliaments within a stated period.

It is suggested it is open to the Committee of Ministers to take a decision on this latter request under the procedure of Article 20 (d) of the Statute : that is to say, by a " two-thirds majority of the representatives casting a vote and of a majority of the reprentatives entitled to sit on the Committee ". Its conclusion would thus take the form of a Resolution rather than of a " Recommendation " to Governments, of which the latter would have to give account to the Committee of Ministers. (Article 15 [b]).

It is, however, probable that most Governments would in fact comply with such a Resolution. If they did not de so, it would be for the Representatives, as is the case at present, to initiate similar debates in their own Parliaments, in accordance with the normal practice in their respective countries.

The Committee adopted unanimously this Resolution[10], to which it attached very great importance.

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10. Tho text of the Resolution is given in Part Two, para. 64.

40. In what cases would recourse be had to this procedure? The Committee did not attempt to list them, but the following suggestions were made in the course of the discussion :

1. Cases in which the Assembly adopts a draft Convention, the text of which is ready for ratification — as, for instance, the Convention on Human Rights in its present form In such a case speedy examination by Parliaments, would considerably hasten its implementation.

2. Cases in which the Assembly adopts some general principle concerning a question of major importance from the point of view either of European policy or of its own activities. Thus, one of our colleagues has suggested that the Assembly should lay before national Parliaments precise questions on the conditions in which they would be prepared to agree to the creation of a European political authority, providing them at the same time with complete documentation on the possible constitution, powers and functions of such an authority.

If the Assembly approves the Committee's Proposal, it will no doubt wish to put the procedure advocated into practice during its present Session.

(ii) Regular supply of information to Parliaments on the work of the Assembly

41. The Committee considered that the important measure suggested above might usefully be implemented by taking certain practical steps which, although of a minor character, are likely to create a favourable " atmosphere. " Their purpose would be to keep members of national Parliaments informed of the work of the Assembly and of its Committees, and also perhaps to promote an exchange of information on- the action taken by each Parliament in the field of European union, or on the reactions of parliamentary opinion to certain measures.

The Committee has requested the Secretary- General to submit a Report on the practical steps which could be taken in this connection, bearing in mind the observations made by the members of the Committee. It requests the Assembly to undertake a study of the Proposals contained in this Report at its next Session (Resolution[11] adopted unanimously.)

1.3.3.2. (b) ACTION BEARING ON EUROPEAN PUBLIC OPINION

42. The extension of the influence of the Assembly requires the development of an informed European public opinion. Reference to the " public opinion poll " recently carried out on the initiative of the European Movement shows that the oustanding feature of the present state of public opinion where questions of European union are concerned is the large number of people who know nothing of them or are indifferent to them. Such indifference is perhaps more disturbing than open hostility.

It is therefore important that a systematic attempt be made to inform the general public of the reasons for, and advantages of, European union. Already during the 1949 Session of the Assembly a Motion to this effect was considered by the Assembly.

The Committee considered that action was called for under two headings : on the one hand, any step should be taken, however small, which tends to bring home to the general public the reality of European union (postal concessions, simplification of passport and visa facilities, etc.); on the other hand, every effort must be made, in the full sense, to educate public opinion (by means, for example, of broadcasting). The Directorate of Information of our. Secretariat will have an important part to play in this field, and should extend its activity not only from its headquarters in Strasbourg but in the different States, in collaboration with the appropriate Government services.

The Committee has requested the Secretary- General to arrange for a Report to be prepared on this subject also and to submit concrete Proposals. It requests the Assembly to undertake a study of these Proposals, and to recommend the Committee of Ministers to provide the Secretariat with the necessary means for their implementation (Resolution[12] adopted unanimously.)

11. The text of the Resolution is given in Part Two, para 65.
12. Tho text of this Resolution is given in Part Two, para. 66.

1.4. II. Proposals for the Increase of the Political Authority of the Council of Europe

43. The Proposals contained in this Section are closely connected with those of the preceding Section. The increase which we seek in the responsabilities of the Council of Europe requires that steps be taken effectively to strengthen its authority. If, moreover, the political authority of the Council is reinforced, more rapid progress towards the union of Europe may be expected.

In order to present them more clearly, it has seemed desirable to group here all Proposals relating to alterations in the constitution of the Council. Their more " technical " character distinguishes them from those already submitted, some of which have wider implications.

The Committee considered in turn the following aspects of the question :

Broadening of the scope and competence of the Council of Europe.

Committee of Ministers — extension of its powers and functions, and the introduction of greater flexibility in its procedure.

Consultative Assembly — reinforcement of its authority and improvement of its working conditions.

The general functioning of the Council.

1.4.1. A. Broadening of the Scope and Competence of the Council of Europe

44. There would be no limit to the scope of the Council of Europe if it were not for the restriction contained in Article 1 (d) of the Statute :

" Matters relating to national defence de not fall within the scope of the Council of Europe."

The Committee has discussed at length this limitation. At one moment, some of its members even suggested that this restrictive clause should purely and simply be deleted, but this proposal met with strong opposition.

With two abstentions, unanimous agreement was finally reached on a more flexible formula suggested by the Acting Chairman, M. Ohlin, and contained in the Resolution submitted to you[13].

The Committee found it difficult to accept the idea that the Assembly could not discuss Europe's " foreign policy ", that is to say, the common political attitude to world problems which European States are finding it more and more necessary to adopt. Discussion of this subject — which is not forbidden by the Statute — must necessarily involve the question of security, which is always in the foreground of such discussions. Should we, at that point, regard ourselves as being on forbidden territory ?

It should be remembered that one of the reasons which prompted the creation of the Council of Europe was to be found in a reaction of self-defence in face of the dangers which threatened the security of democratic Europe. The maintenance of this security has political, economic and social implications which become daily more urgent, to the extent that it is impossible to imagine a detailed economic debate, for instance, being held without this problem being raised, as was seen during the Session of 1949. It would not accord with the dignity of the Assembly if we were satisfied with this indirect method of approaching questions of such importance.

Finally, if, as was generally held by the Committee, the Council of Europe is destined to become the European political Organisation which will co-ordinate and supervise the activity of all the others, and will ensure the eventual union of the whole of Europe, it would be anomalous to permit from the outset such excessive limitation to its scope.

45. The Committee also considered that Article 1 (d) of the Statute should be interpreted as a simple statement of the fact that the Council of Europe, unlike the Atlantic Pact Organisation, need not concern itself with questions relating to the technical organisation of defence. The elaboration of strategic or tactical plans obviously does not enter into the competence of our Assembly.

The Assembly therefore has the right to discuss political problems connected with the security of Europe as a whole, whilst refraining from holding debates of a technical nature concerned with military organisation as such.

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13. The text of this Resolution is given in Part Two, para. 67.

In the words of a formula proposed by one of the members of the Committee, all questions which in the ordinary way would be answered in our national Parliaments by the Minister for National Defence, should be excluded from our debates : on the other hand, all questions which would be answered by the Minister for Foreign Affairs should be admitted.

It would thus be possible for expression to be given to a European parliamentary opinion in connection with questions which are the cause of the deepest anxiety to the peoples of Europe.

May I add that on several occasions the wish was expressed that the Assembly should include such a debate in the Agenda of its Ordinary Session of 1951 ?

1.4.2. B. Committee of Ministers

1.4.2.1. (a) " SECRETARIES OF STATE FOR EUROPEAN AFFAIRS "

46. The Committee took account of two factors :

(i) The need, in every country, for all activities directed towards European co-operation to be closely co-ordinated, and inspired and vigorously directed by a responsible politician. This fact has already been mentioned above in a more general context (para. 29).

(ii) The difficulty experienced by the already overburdened Ministers for Foreign Affairs in devoting enough time to the activities of European Organisations, and in particular of the Council of Europe. There is no doubt that the long intervals between the meetings of the Committee of Ministers, and the resulting delay before it has been found possible to examine the Assembly's Recommendations, have been detrimental to the Council's efficiency and prestige.

These considerations led us to propose unanimously that a post of Secretary (or Under- Secretary) of State for European Affairs be created within the Government of each country [14] .

If this were accepted, it would also make it easier for each Parliament to exercise control over the European policy of its country and over the activities of the Council of Europe, and would no doubt tend to make the public opinion of each country more favourably disposed towards the idea of a European union.

47. In what circumstances could such an appointment be made ?

(i) There must be no risk of creating " difficulties " within the Ministries of Foreign Affairs. The occupant of the post for European Affairs must be under the authority of, and responsible to, the Minister for Foreign Affairs.

(ii) The maximum flexibility must be allowed and the appointment should be made in accordance with the constitutional or parliamentary custom of each country : for instance, the holder of the post might be a Minister of State, Secretary of State, Under-Secretary of State — or even a Parliamentary Secretary — as was expressly stated in the discussions in Committee. In the opinion of the Committee, the essential point was that he should be a politician responsible to his Government and to Parliament.

(iii) It may not be necessary to create a new post. In several countries, for instance, the Minister in charge of Foreign Affairs has already one or more deputies in the Government, and all that would be necessary would be for one of them to be recognised as particularly responsible for European Affairs.

The Rapporteur would like to add that the existence of the " Joint Committee", which will be called upon to meet frequently, has clearly indicated the need for such special appointments and indeed several Governments already appear to have made suitable arrangements.

1.4.2.2. (b) GREATER FLEXIBILITY IN THE COMMITTEE'S RULES OF PROCEDURE : CONCLUSION OF " AGREEMENTS OF LIMITED SCOPE "

48. The Committee did not consider the question of the abolition of the unanimity rule. It was held that any discussion of the subject would be too academic since, although the abandonment of this rule might be desirable, it could not take place before the adoption of decisions of a more general character which go beyond the scope of the present Statute of the Council of Europe, and which are only foreshadowed in the measures proposed in Section I of this Report.

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14. The text of this Resolution is given in Part Two, para. 68.

On the other hand, the Committee considered it essential that the unanimity rule be made as flexible as possible within the limits of the Statute. This is the meaning of the Amendment to the Rules of Procedure of the Committee of Ministers, which it unanimously proposes that the Assembly should adopt in the form of a Recommendation[15].

The Amendment in question would enable the conclusion, within the framework of the Council of Europe, of " agreements of limited scope" which, while remaining open to all Members and having the value of a " European law "—to use an expression suggested by one of our colleagues,—would only apply immediately to those who had not expressed any reservations during the negotiations leading to their conclusion.

49. The adoption of this Proposal would have the following advantages :

(i) Without calling into question the provisions of Article 20 of the Statute, it would extend to the Council of Europe the advantages of the greater flexibility in the unanimity rule which is already accepted as far as the procedure of the 0. E. E. C. is concerned.

(ii) It would encourage the conclusion, within the framework of the Council of Europe, of " partial " agreements which would not be of such a nature as to hinder subsequent progress towards European co-operation. Even the Members who were not a party to such agreements would be associated with their preparation, which would make it easier for them to adhere to them later if they so decided.

This latter consideration, may be linked with the Resolution mentioned above (paras. 27 and 28) referring to the submission to European intergovernmental organisations, and particularly to the Council of Europe, of partial agreements of major importance which concern the question of European unity.

Thus this Resolution, like that relating to the creation of posts of " Secretary for European Affairs ", would help to preserve the necessary unity in the task of organising Europe, while avoiding any rigidity incompatible with the different circumstances of each country.

1.4.2.3. (c) VESTING IN THE COMMITTEE OF MINISTERS OF A BINDING POWER OF DECISION

50. The two preceding Proposals, although designed to improve the functioning of the Committee of Ministers, would not in any way alter the character of the Council of Europe; under the present Statute, this Organisation is of an essentially consultative character. The conclusions of the Committee of Ministers have only the value of " Recommendations ".

If our aim is the creation of a supra-national political authority, based on the Council of Europe, the first step should be to modify this purely advisory character.

The Committee considered that it was necessary first of all to bring about an increase in the powers and authority of the Committee of Ministers. It therefore suggested that its conclusions, arising out of Recommendations of the Assembly, should be binding on Member States.

This situation already exists in the case of the 0. E. E. C. The Council of the 0. E. E. C. can " take decisions to which effect shall be given by Members " (Article 13 (a) of the Convention for European Economic Co-operation). It is true that these decisions are taken by " mutual agreement " of all the Members (subject to certain provisos), but they must be put into force immediately by those Members without it being necessary for them subsequently to approve or ratify them. They are absolutely binding on Members—which is not so in the case of a " Recommendation ".

51. The vesting in the Committee of Ministers of the Council of Europe of similar powers would be a gesture of considerable importance. It would improve the efficiency of the Committee and enable it to work more quickly. It would greatly increase its prestige and that of the Assembly, and would make the Council of Europe as a whole better fitted to undertake the general task of co-ordination which we wish it to assume.

The possibility of such a development has been much studied in the preparatory Reports submitted by our colleagues, which indicates the importance that attaches to it.

Its very importance requires that a number of amendments should be made to the Statute, and that a prior solution should be found to various political problems.

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15. The text of this Resolution is given in Part Two, para. G9 (i).

It is for this reason that, rather than submit the text of a particular Amendment or series of Amendments of the Statute, the Committee suggests[16] that the Assembly recommend that the Committee of Ministers adopt a decision of principle and give instructions for the necessary studies to be undertaken as soon as possible.

It would be desirable that the Assembly should be kept regularly informed and that the necessary discussions should be held within the Joint Committee.

1.4.2.4. (d) REFERENCE BACK OF RECOMMENDATIONS

52. There was obvious dissatisfaction over the considerable delay involved before the Committee of Ministers examined the Assembly's Recommendations. The impression was created that the Committee of Ministers had in fact buried these Recommendations.

Among the suggestions put forward to obviate these delays, the Committee adopted one which the Irish Representatives had proposed for inclusion in the Agenda of the present Session of the Assembly. Tho purpose of this Proposal is to establish a " shuttle-service " between the Committee of Ministers and the appropriate Committees of the Assembly, which would make it possible for those Recommendations which had not been finally approved by the Committee of Ministers to be reconsidered[17].

It should be pointed out that a similar procedure has already been employed in certain circumstances. For instance, the Report drawn up at the meeting of Senior Officials, instructed to examine the draft Convention on Human Rights adopted by the Assembly, was transmitted to the Assembly's Legal Committee. In the same way, with regard to the cultural Recommendations, a Report adopted by the Committee of Ministers and containing various comments on those Recommendations was referred back to the Cultural Committee.

These considerations have led some members of the Committee to consider that the Resolution in question was of little value : and they therefore did not support it. It was, however, adopted by a very large majority, since the Committee considered that this procedure should be systematised, for fear less it should be rendered inoperative owing to the excessive delays involved.

1.4.3. C. Consultative Assembly

1.4.3.1. (a) REVIEW OF RECOMMENDATIONS ALREADY ADOPTED BY THE ASSEMBLY AT ITS LAST SESSION

53. Tho Committee examined the practical effect given by the Committee of Ministers to the requests for Amendment of the Statute formulated by the Assembly during its 1949 Session.

(i) It regarded as a satisfactory short-term solution the Resolution of the Committee of Ministers authorising the Assembly to appoint, on the Recommendation of the Committee of Ministers, a " Chief of Administrative Services of the Assembly " with the " rank of Deputy Secretary-General ", who should " act under the authority of the Secretary-General ".

It therefore suggests that the Assembly should adopt this decision and should not renew its previous Recommendation in this connection.

(ii) It took note that the Amendment of Article 41 (d) of the Statute requested by the Assembly (abolition of the time limit required before effect can be given to the simplified procedure for amending the Statute), would be unnecessary as far as the present Session was concerned.

(iii) On the other hand, it requested that the Assembly[18] renew its Recommendations concerning Amendments to Articles 4 and 5 of the Statute (conditions for the admission of new Members) and Article 23 (procedure for establishing the Assembly's Agenda), thus emphasising the importance attached to these two questions.

The Assembly's unfettered right to draw up its own Agenda is a question which is of fundamental importance from the point of view of its standing and prestige. Moreover, in accordance with the simplified procedure contained in Article 41 (d), Article 23 may be amended at the conclusion of this Session.

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16. The text of this Resolution is given in Part Two, para. 69 (ii).
17. The text of this Resolution is given in Part Two, pnra. 70.
18. The text of this Resolution is given in Part Two, para. 71.

It was recognised that the decision taken by the Committee of Ministers " to hear the views of the Standing Committee with regard to Proposals for the admission of new Members and of new Associate Members ", and to take " no final decision thereon until after it has heard the views of the Standing Committee ", was perhaps necessitated for reasons of urgency. It does, gowever, seem unusual to grant a Committee, however important, privileges which are not granted to the Assembly.

These various Proposals were all adopted unanimously.

1.4.3.2. (b) INTERNAL ORGANISATION OF THE ASSEMBLY

(i) Procedure for the appointment of Representatives

54. The Statute [Article 25 (a)] leaves it to Governments to determine the procedure for appointing Representatives. Information communicated by the Secretariat-General indicates that the following methods of appointment were used in 1949 :

(1) In three countries only (Belgium, Greece and Turkey), Representatives were appointed directly by the Government. This was due either to special circumstances (Belgium), or to the shortness of the period between admission to the Council and the opening of the Assembly's Session (Greece and Turkey). The choice of Representatives shows that, in general, great care was taken to ensure an equal representation of the various opinions held.

(2) In five countries (Ireland, Luxembourg, Netherlands, United Kingdom, and Denmark) official appointment was made by the Government or the Head of the State, but on the recommendation of, or after consultation with, Representatives of the various parliamentary parties.

(3) In four countries (France, Italy, Norway, Sweden) Representatives were directly elected by their respective Parliaments.

These arrangements show that Governments have given a very wide interpretation to the provisions of Article 25 («).

However, it appeared to the Committee that it was of vital importance, if the authority of the Assembly were to be reinforced, that the independence of Representatives should be guaranteed and that their appointment should depend only on their Parliaments, the manner of such appointments to vary according to the different forms of procedure traditionally employed in the respective countries.

The Committee was unanimous in proposing[19] that the Assembly adopts a Recommendation which the Committee of Ministers would be called upon to transmit to each Member. It appeared preferable to adopt this procedure rather than to request that Article 25 (a) be amended. It is in fact not impossible that one day Representatives of certain countries will be elected by universal suffrage (direct or indirect), and it would be unfortunate if such a step were to be obstructed by the fact that the Statute had been re-drafted in terms which were too restrictive.

The Assembly may consider that this is also the right moment to emphasise how desirable it would be that these elections should be held.

(ii) Frequency of Sessions

55. The 1949 Resolution on " general policy " gave clear proof of the Assembly s desire to hold two Sessions in 1950, by the expedient of convening an Extraordinary Session. Without such a Session, it was considered that it would be impossible to keep sufficiently closely in touch with developments in the European scene. The increase in the Assembly's responsibilities will make this procedure even more necessary in the future.

Various difficulties, political as well as material, led the Standing Committee to consider that it was undesirable to request the Committee of Ministers to convene such a Session. Had it done so, it would in any case have been for the Ministers to take the final decision...

The Committee unanimously considered that in this connection the President of the Assembly should have powers equal to those of the Committee of Ministers. It therefore suggests[20] that a request be made to amend Article 34 to this effect, an Amendment to which it would be possible to apply the simplified procedure under Article 41 (d).

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19. The text of this Resolution is given in Part Two, para. 72 (i).

Our Rules of Procedure could then lay down the conditions in which the President might exercise his right of convocation.

1.4.3.3. (c) FUNCTIONING OF THE ASSEMBLY : PLACING OF EXPERTS AT ITS DISPOSAL

56. On many occasions the Committee of Ministers has emphasised its wish to prevent the Council of Europe from becoming overweighted with " technical " sections, which would duplicate the work of existing Organisations— particularly of the 0. E. E. C. The Assembly (and its Committees) should therefore be able to make effective use of the services of the experts of the 0. E. E. C. and of other " technical " European Organisations when required for the studies on which it is engaged.

Consequently during its meeting in March the Committee, in support of earlier requests made by the Committee on Economic Questions, unanimously resolved that the necessary contacts should be made with the Organisations concerned.

The Committee of Ministers subsequently discussed this question, at least as far as the 0. E. E. C. experts were concerned, and preliminary agreement was reached. As has been indicated above, however (para. 24), this agreement requires the observance of such a mass of procedural formalities before any experts may be heard, that it is doubtful whether it can be maintained for very long in its present form.

The Committee has therefore reaffirmed its previous Resolution and submits it[21] as a protest against the restrictive character of the provisions adopted jointly by the Committee of Ministers and the Council of the 0. E. E. C.

1.4.3.4. (d) WRITTEN QUESTIONS TO THE COMMITTEE OF MINISTERS

57. This question has already been considered in connection with the examination of the conditions in which the Assembly might exercise its " right of supervision " over intergovernmental Organisations (para. 35). In that context the Committee considered it important that the Representatives should be entitled to exercise without hindrance in the interval between Sessions their right of submitting " written questions ".

This would no doubt require that the provisions of Article 45 of the Rules of Procedure should be developed and in particular that the conditions in which a reply might be furnished by the Committee of Ministers, should be examined in collaboration with that Committee.

This problem, which the Committee has done no more than raise (Resolution[22] adopted unanimously) will no doubt be referred to the Committee on Rules of Procedure and the Joint Committee.

1.4.4. D. General Organisation of the Council of Europe

1.4.4.1. (a) THE " JOINT COMMITTEE "

58. During its meeting in March the Committee adopted a Resolution requesting the creation of an " Executive Committee of the Council of Europe, " which was to be a joint body made up of Representatives of the Committee of Ministers and of the Consultative Assembly.

It also requested that this Resolution be considered by the Standing Committee and the Committee of Ministers at their next meeting.

The results are already known to the Assembly. A counter-proposal was put forward by Mr Bevin, and an " ad hoc " Committee, composed of four Representatives of the Committee of Ministers (MM. Bevin, Lange, Schuman and Sforza), and of five Representatives of the Standing Committee (MM. Drossos, Jacini, Sir David Maxwell Fyfe, M. Spaak, and the Rapporteur), drafted on 18th May, the text of an agreement which was approved by the Committee of Ministers on 3rd June last and is submitted elsewhere for your approval[23].

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20. The text of this Resolution is given in Part Two, para. 72 (ii).
21. The text of this Resolution is given in Part Two, para. 73.
22. The test of this Resolution is given in Part Two, para. 74.
23. By way of reminder, these are the principal provisions adopted at that meeting : I t was agreed to recommend to the Committee of Ministers and to the Consultative Assembly the creation of a " Joint Committee, " composed of at least five Representatives of the Ministers and of seven Representatives of the Assembly, which would meet under the Chairmanship of the President of the Assembly. Each of the organs of the Council would be free to choose its own method of selecting its Representatives. The Secretary-General would be entitled to take part in the discussions of the Joint Committee in an advisory capacity. The purpose of the Joint Committee would be : (a) to maintain good relations between

The Committee expressed its satisfaction at the result thus rapidly attained, which it considered to be of great importance for the future development of the Council of Europe.

The Rapporteur would like to recall that the examination of this measure was undertaken as a result of an important communication made by the Secretary-General to the Committee last January. It is difficult to express sufficient appreciation of the value of this contribution to our work, which was accompanied by various other suggestions that have proved of great benefit to the Committee.

59. It has been requested, however, that the original Resolution, which the Committee had adopted unanimously, be communicated to the Assembly, so that the latter may take'note of the powers which it was proposed to grant to the " Executive Committee ". No doubt, after a period of experiment, the powers and functions of the " Joint Committee " will have to be enlarged on the lines indicated.

The text of this Resolution is as follows :

" That, without prejudice to any future development of the organs of the Council of Europe for the purpose of creating a genuine supranational authority,

" An Executive Committee of the Council of Europe shall be established, half the members of which shall be drawn from Representatives of the Committee of Ministers, and half from Representatives of the Consultative Assembly.

" As a Co-ordinating Body :

" This Committee would be responsible for ensuring liaison between the two organs of the Council of Europe,

" As a Planning Body :

" Its tasks would be as follows :

The drawing up of provisional draft Agendas for the two oi'gans of the Council, without prejudice to their rights.

The preparation of Reports, which would facilitate the discussion of questions submitted to the Committee of Ministers and the Assembly, and the making of any investigations and studies required for the work of the two organs, of the Council.

The preparation of draft Resolutions for consideration by the two organs of the Council, with regard to matters which fall within their respective competence. The Committee would be able to make Proposals as to the most suitable form of agreement to carry out the conclusions reached by the Committee of Ministers and the Consultative Assembly.

" As an Executive Body :

" It would supervise the carrying out of Recommendations adopted by the organs of the Council of Europe. It might also be given powers to control the working of such European Public Services as may be placed under the aegis of the Council of Europe. "

1.4.4.2. (b) CREATION OF " LIAISON SECTIONS " WITHIN THE "TECHNICAL " MINISTRIES OF MEMBER STATES

60. In the course of his evidence before the Committee, M. Star Bussman, Secretary-General of the Permanent Commission of the Brussels Treaty Powers, drew the Committee's attention to the creation of " liaison sections " within the Ministries of Labour, Health, and War Pensions of the Five Powers, which had enabled direct liaison to be established between the Secretariat of the Organisa ion and these Ministries, as well as between the corresponding Ministries in the countries concerned.

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the Committee of Ministers and the Consultative Assembly and to co-ordinate their activités by means of the periodical discussion of common problems; (ft) to draw the attention of the Committee of Ministers and of the Consultative Assembly to those questions which appear to be of particular interest to the Council of Europe; and, after consideration of any Reports which might be received, to make Proposals for the draft Agendas of the Sessions of the Committee of Ministers and of the Consultative Assembly, without préjudice, however, to their respective rights; (c) and, finally, to examine and sponsor means of giving practical effect to the Recommendations adopted by the Committee of Ministers or by the Consultative Assembly. No decision would be taken in the Joint Committee, by means of a vote, and a quorum would consist of three Ministers and of five Members of the Assembly. The Committee of Ministers should be represented at Ministerial level. The Joint Committee should meet as often as was considered desirable, and was to be convened by the President of the Assembly.

The work of these " liaison sections " supplements and facilitates the work undertaken by the technical Committees and Sub-Committees. The latter meet regularly and direct personal contact is thus maintained between the officials and Government experts of the Ministries mentioned above.

A similar procedure is used for the study of cultural questions.

The Committee considered that the application of similar measures to the Council of Europe would increase its efficiency in the limited but useful field of functional progress. It would, for instance, speed up the study of Recommendations of a " technical " nature, which the Assembly might adopt on social and cultural problems, and would assist their preparation.

The text of the Resolution adopted unani-. mously on this subject is given in Part Two, para. 75. It will be noted that it is connected with that already submitted (para. 21), dealing with the transfer to the Council of Europe of the activities and of the social and cultural sections of the Brussels Treaty Organisation. The implementation of this partiular Proposal would no doubt facilitate such a transfer.

2. PART TWO - Resolutions submitted by the Committee on General Affairs to the Consultative Assembly of the Council of Europe.

2.1. Preamble

61. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly :

(i) " Solemnly declares that the purpose of a closer European union—to be achieved by strengthening its political and economic independence through the realisation of the economic, social and cultural aims of the Council of Europe—is to enable a democratic Europe to carry out its mission as a permanent factor making for peace and unity in the world ;

(ii) " Declares that the achievement of European union should not entail any weakening of the existing links between certain Member States of the Council of Europe and the overseas territories or countries. On the contrary, the active participation of these countries and territories is particularly necessary to the progress of European union ;

(iii) " Repeating its declaration of September 1949, vigorously reaffirms that it considers the aim of the Council of Europe to be the creation of a European political authority with limited functions but real powers ;

(iv) " Considers that, advancing beyond mere theoretical discussion, the pursuit of this last aim should be based on the following principles :

a. " Closer co-ordination must be established between existing European organisations. At the same time, the rules governing their operation must be made more flexible ;

b. " Effective European parliamentary supervision must be exercised over the actions of intergovernmental organisations ;

c. " Since the Council of Europe appears to be the organisation best qualified to supply the general framework within which such a policy might be put into effect, its authority must be strengthened and its organs must be enabled to assume their increased responsibilities.

" The Assembly,

" Recommends that the Committee of Ministers, on behalf of the Council of Europe, adopt the principles set out above. "

2.2. I. General Proposals for the Realisation of a closer Political Union

2.2.1. A. Closer intergovernmental co-operation

62. The Committee on General Affairs submits the following Resolutions to the Assembly :

(i) " The Assembly

" Recommends that the Committee of Ministers examine, with the Consultative Council of the Brussels Treaty Powers, the methods whereby the social and cultural organisations of the Treaty might be incorporated in the Council of Europe, and the activities of these organisations continued within the framework which the Council supplies,

" Expresses the hope that this transfer be accomplished within a reasonable period of time."

(ii) " The Assembly

" Recommends that the Committee of Ministers examine with the Council of the 0. E. E. C. the methods whereby close liaison at all levels might be established as soon as possible, and in any case before the end of the European Recovery Programme, between the 0. E. E. C. and the Council of Europe,

" Expresses the belief that this close liaison might take the form of a single " Council, " which would replace the present Council of the 0. E. E. C. and Committee of Ministers of the Council of Europe, and would assume the functions and powers of both although each of the parent Organisations would retain its own structure and personality,

" Asks to be kept informed of the development of negotiations."

(iii) " The Assembly

" Considering that it is desirable that close co-operation be continuously maintained between the democratic nations of Europe and the countries of North America,

" Considering that the only way of consolidating such co-operation is through closer union between European nations,

" Declares that to this end existing European organisations must be maintained and strengthened,

" Considers that a close liaison must also be established between these Organisations and the nations of North America,

" Recommends that the Committee of Ministers adopt this declaration on behalf of Member States,

" Requests that it be kept regularly informed of the progress made towards such co-operation with the nations of North America, and of the way in which it is being achieved.

(iv) " The Assembly

" Recommends to the Committee of Ministers that before each Session or Plenary Conference of certain international organisations whose activities are especially related to the aims of the Council of Europe,

" Preparatory Conferences be organised within the framework of the Council of Europe, with a view to holding prior discussions on questions contained in the Agenda of these meetings,

" Considers that this method of procedure should apply from now onwards to the Plenary Conferences of the U. N. E. S. C. 0., to the International Labour Conferences, and to the Annual Session of the Economic Commission for Europe."

(v) " The Assembly

" Considering that the conclusion of " partial agreements " between certain democratic European nations may represent a practical form of procedure which should be encouraged, provided that these agreements are not likely to hinder or retard the union of all European States,

" Recommends that the Committee of Ministers should consider and, if practicable, formulate proposals as to the circumstances and methods whereby such agreements as are of major importance and concern European unity may be reported to the appropriate European intergovernmental organisations, and especially to the Council of Europe, so as to enable all Members to consider the practicability of adhering to such agreements and thereby widen the area of European co-operation,

" Asks to be kept informed of the action taken on this Recommendation."

2.2.2. B First steps towards the creation of European Parliamentary Control

63. The Committee on General Affairs submits the following Resolutions to the Assembly :

(i) " The Assembly

" Recommends that the Committee of Ministers submit to it at each of its Sessions, at the same time as the Report it is required to furnish under the Statute, a Report on the steps taken towards the realisation of a closer union, between Member States within the framework of other European intergovernmental organisations, or of regional agreements concluded between certain Members,

" Recommends that the Committee of Ministers grant its present Chairman authority to transmit immediately to the organisations concerned, for their consideration, any Recommendations which the Assembly may draw up as result of examining these Reports."

(ii) " The Assembly,

"Recommends that the Committee of Ministers refer to it requests for an opinion on those items on the Agenda of international organisations which in the opinion of the Committee fall particularly within the scope of the work already undertaken by the Assembly,

" Requests that it be furnished with the appropriate supporting documents on each occasion so that its competent Committees may be in a position to give the opinion requested,

" Recommends that this procedure be applied particularly in respect of the activities of U. N. E. S. C. 0., the I, T. 0. and the Economic Commission for Europe."

2.2.3. C. Action bearing on Parliamentary and Public Opinion

64. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly,

" Anxious to hasten progress towards a closer union between the Members of the Council of Europe, in particular by strengthening the bonds between the Assembly and the Parliaments of Members,

" Convinced of the need of associating national Parliaments with the work of the Council, by keeping them regularly informed of those Resolutions which might promote action on their part in favour of such union, and the social and economic progress of the peoples of Europe,

" Recommends that the Committee of Ministers, by a majority of its members, invite Governments to submit to their Parliaments such Recommendations or draft Conventions as the Assembly may recommend for public debate and, in due course, for adoption by them."

65. " The Committee on General Affairs,

" Considering that it is highly desirable, for the efficiency of the work undertaken by the Consultative Assembly and its Committees, that the members of national parliamentary assemblies should be kept regularly informed of the activities of the Council of Europe and, should be able to associate themselves with such activities,

" Requests that the Secretary-General arrange for a Report to be drawn up on the practical method whereby such liaison could be assured, basing this Report on the observations made by members of the Committee,

" Requests that the Assembly undertake a study of the proposals contained in the Secretary- General's Report at its next Session."

66. " The Committee on General Affairs,

" Considering that it is highly desirable that Members should take practical steps to make public opinion more directly aware of the reality of European Union,

" Considering that it is urgent that the education of public opinion in each country as regards such action should be extended to include all matters relating to the realisation of a closer union between Members, and to the activities of the Council of Europe,

" Requests that the Secretary-General arrange for a Report to be drawn up on the practical steps which might be taken for this purpose, and authorises him to prepare a plan for developing the activities of the Directorate of Information of the Secretariat-General : the Directorate should carry out its task in the different Member States with the collaboration of the competent Governmental Departments,

" Requests that the Assembly, at its next Session, undertake a study of the Proposals contained in the Reports of the Secretary- General, and that it should recommend that the Committee of Ministers examine these plans and provide the Secretariat with the necessary means for their early execution."

2.3. II. Proposals for the increase of the Political Authority of the Council of Europe

2.3.1. A. Competence of the Council of Europe

67. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly

" Having regard to the fact that Article 1 (d) of the Statute excludes from its competence the study of problems of national defence,

" Considers that it is possible for it, within the framework of the present Statute, to hold General Debates on political problems of a nonmilitary character, which are linked with the need of assuring the security of Europe,

" Declares that it is highly desirable that such Debates should allow European parliamentary opinion to express itself clearly on this subject."

2.3.2. B. The Committee of Ministers

68. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly

" Submits the following Recommendation to the Committee of Ministers :

" That the Committee of Ministers recommend that each Member nominate a Minister, Secretary or Under-Secretary of State who, without prejudice to the responsibility of the Minister for Foreign Affairs, should be charged with the supervision of European Affairs.

" The special task of the holder of this post should be :

" to co-ordinate the activities of his Government in the field of European cooperation ;

" to ensure the diffusion of decisions or suggestions made by the various organs of the Council of Europe amongst members of Parliament and the public in his own country ;

" to act, if necessary, and with the same terms of reference, as Deputy to the Minister for Foreign Affairs within the Committee of Ministers of the Council Europe."

69. The Committee on General Affairs submits the following Resolutions to the Assembly :

(i) " The Assembly

" Recommends that the Committee of Ministers add the following provisions to its Rules of Procedure :

" Article 7 (a) : One or more Members may vote in principle in favour of the adoption by the Committee of Ministers of an Agreement, and at the same time reserve the right, for reasons inspired by practical difficulties, not to apply it immediately, either in whole or in part.

" In this case, Members mil apply the Agreement subject to the reservations made by each of them."

(ii) " The Assembly

" Considering that it is necessary that Article 15 of the Statute should be so amended that the conclusions of the Committee of Ministers may carry the weight of decisions reached by mutual agreement between Member States, décisions which will be implemented by Member States,

" Recommends that the Committee of Ministers take all necessary measures to this end."

70. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly

" Recommends that, in all cases where the Recommendations of the Consultative Assembly are not completely acceptable, the Committee of Ministers should refer such items back to the appropriate Assembly Committee for further consideration."

2.3.3. C. Consultative Assembly

71. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly

" Recommends once again that the Committee of Ministers consider the following proposed Amendments to the Statute of the Council of Europe, originally adopted by the Assembly during its First Session :

(i) Proposed Amendment to Article 23 :

" Substitute a new Article to read as follows :

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

(ii) Proposed Amendment to Article 4 :

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

(iii) Proposed Amendment to Article 5:

" Insert after " may " in the second line : " with the approval of the Consultative Assembly, such approval to be by a simple majority."

72. The Committee on General Affairs submits the following Resolutions to the Assembly :

(i) " The Assembly

" Submits the following Recommendation to the Committee of Ministers :

" That the Committee of Ministers recommend that each Member State take appropriate action to ensure that its Representatives to the Consultative Assembly be elected by its Parliament, or according to a procedure fixed by the latter."

(ii) " The Assembly

" Recommends to the Committee of Ministers the following Amendment to the Statute of the Council of Europe :

Proposed Amendment to Article 34 :

" Substitute a new Article to read as follows:

" The Consultative Assembly may be convened in Extraordinary Session on the initiative of the Committee of Ministers or of the President of the Assembly at such time and place as are mutually agreed."

73. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly,

" Considering that it and its Committees must be able to call on the services of experts of the European inter-governmental Organisations to help in the study of problems submitted to it,

" Recommends that the Committee of Ministers invite each of the Members to give the necessary instructions to their representatives in the European inter-governmental Organisations, so that these Organisations adopt resolutions by which the services of the experts of their Secretariats-General are placed at the disposal of the various organs of the Council of Europe."

74. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly

" Considering that no doubt should be allowed to subsist as to the right of Representatives to the Assembly to put written questions to the Committee of Ministers even between Sessions,

" And considering that this question should be submitted to the competent Committee for examination,

" Requests the Committee on Rules of Procedure and Privileges to examine whether Article 45 of the provisional Rules of Procedure should be amended, in order to dispel all doubt on this subject."

2.3.4. D. General Organisation of the Council of Europe

75. The Committee on General Affairs submits the following Resolution to the Assembly :

" The Assembly,

" Recommends that the Committee of Ministers take all necessary steps to ensure that:

" (i) each Member State appoint, in each of the Ministries concerned, a senior official who shall be entrusted with the responsibility for the preparatory work of the Council of Europe, with regard to questions which are the concern of that particular Ministerial Department ;

" (ii) regular meetings of these senior officials shall be held periodically, within the framework of the Council of Europe, to study problems of common interest."