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08 August 1950

To M. Spaak, President of the Consultative Assembly (matters referred by the Committee of Ministers to the Assembly for its opinion; supplement to the Report of the Committee of Ministers to the Assembly)

Letter

Committee of Ministers

I. Matters referred by the Committee of Ministers to the Assembly for its opinion.

II. Supplement to the Report of the Committee of Ministers to the Assembly¹

COUNCIL OF EUROPE

Committee of Ministers

The Chairman

Strasbourg, 7th. August 1950.

Sir,

1. The Committee of Ministers decided at its current Session in virtue of Article 23 (a) of the Statute of the Council of Europe, to seek the views of the Consultative Assembly on the following points :

Draft Convention for the defence of Human Rights and Fundamental Freedoms, formulated with all due regard to the previous draft submitted, to the Committee of Ministers by the Consultative Assembly after the First Session.

Consideration of the possible value, for the furtherance of the aims of the Council, of the formulation of a multilateral Convention on the reciprocal treatment of nationals (physical or juridical persons) of Member States of the Council of Europe.

Enquiry into the possibility of establishing a European agreement, or system of agreements, relating to relief from double taxation.

The documents relating to the first two of the above requests are herewith appended.

2. The Committee of Ministers was led, further, to give its opinion on the conclusions reached by the Committees of Experts which had met in Strasbourg in the previous month, to implement the recommendations of the Consultative Assembly relating to the rôle of the Council of Europe in the cultural and social spheres, as well as the proposal of the Committee of Ministers to extend to all Member States the provisions of the multilateral Convention on social security, concluded 7th November 1949 by the Brussels Treaty Powers.

1. See [Doc. 8](#).



In accordance with decisions previously taken, to which reference is made in Paragraphs 48 and 53 of the Committee's Report to the Consultative Assembly, the Committee of Ministers, in forwarding the reports drawn up by its committees, feels bound to draw to the attention of the Assembly the following resolutions relating to them.

- a. The Committee of Ministers approves the preamble of the Report drawn up by the Cultural Experts and instructs the Secretary-General to take all necessary steps for its implementation. It has no hesitation in recommending forthwith to the Governments the different measures enumerated in Point 3 of the first part of the Cultural Experts' Report. It decides to submit the other proposals to the attention of the Governments, it being understood that the Assembly be informed as soon as possible by the Committee of Ministers of the action taken.
- b. The Committee of Ministers approves the conclusions of the Social Expert's Committee, while instructing the Secretary-General to get in touch with the Secretary-General of the O. E. E. C. to ascertain whether similar measures are not already being studied by this organisation in regard to certain aspects of them.

4. The Committee of Ministers, in order to supplement the measures already decided upon to intensify the spread of economic information among a wider public which are dealt with in Paragraphs 37-40 of the Report of the Committee of Ministers to the Assembly, has adopted the following resolution :

" In view of the recommendation of the Consultative Assembly asking Governments to intensify the spread of economic information already in existence and to use every possible means to bring home to the peoples the present economic situation and the appropriate remedies ;

" And taking into account the exchanges of views undertaken on its instructions between the Secretaries-General of the Council of Europe and of O. E. E. C.;

" It recommends to the Governments of Member States the diffusion of economic information so as to enable the peoples of Europe to appreciate the economic problems with which they are faced;

" And instructs the Secretary-General to submit a detailed plan for the application of this recommendation at the next meeting of the Committee of Ministers. "

5. After studying your letter dated 7th August, 1950, in which you communicated to me the opinion expressed by the Standing Committee with regard to Articles 12 and 12 a of the Provisional Rules of Procedure of the Committee of Ministers, the latter has decided finally to adopt the text of these Articles.

6. Lastly, in deference to the wish expressed in your letter dated 7th August, 1950, the Committee of Ministers has instructed its President to be present at the Assembly Debates dealing with the Report and Message addressed to it by the Committee of Ministers and, should the occasion arise, to acquaint the Assembly with the point of view of the Committee of Ministers.

7. The Committee of Ministers has furthermore agreed that M. Robert SCHUMAN, French Minister for Foreign Affairs, should give the Consultative Assembly an account of the French Plan for a European Union for coal and steel.

I am, Sir, Your most obedient and humble servant,

Signed (see overleaf)

Signed:

Appendix

APPENDIX A

Draft Convention² of Protection of human rights and Fundamental Freedoms

ARTICLE 1

The High Contracting Parties shall secure to each person within their jurisdiction the rights and freedoms defined in Section I of this Convention.

SECTION I

ARTICLE 2

1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally, save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.
2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary :
 - a. in defence of any person from unlawful violence;
 - b. in order to effect a lawful arrest or to prevent the escape from lawful custody;
 - c. in action lawfully taken for the purpose of quelling a riot or insurrection.

ARTICLE 3

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

ARTICLE 4

3. No one shall be held in slavery or servitude.
4. No one shall be required to perform forced or compulsory labour.
5. For the purpose of this Article, the term " forced or compulsory labour " shall not include :
 - a. any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;
 - b. any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;
 - c. any service exacted in case of an emergency or calamity threatening the life or wellbeing of the community;
 - d. any work or service which forms part of normal civic obligations.

ARTICLE 5

6. Everyone has the right to liberty and security of person.

No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law :

- a. the lawful detention of a person after conviction by a competent court;
- b. the lawful arrest or detention of a person for non-compliance with the lawful order of a court, or in order to secure the fulfilment of any obligation prescribed by law;

2. Referred, on August 16th 1950, to the committee on legal and administrative questions.

- c. the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or which is reasonably considered to be necessary to prevent his committing an offence or fleeing after having done so;
 - d. the detention of minors by lawful order for the purpose of educational supervision or their lawful detention for the purpose of bringing them before the competent legal authority;
 - e. the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholic or drug addicts or vagrants;
 - f. the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom deportation or extradition proceedings are pending.
7. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.
8. Everyone arrested or detained in accordance with the provisions of para. 1 (c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial,
9. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.
10. Everyone who has been victim of arrest or deprivation of liberty in contravention of the preceding provisions shall have an enforceable right to compensation.

ARTICLE 6

11. In the determination of any criminal charge against him or of his rights and obligations in a suit at law, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the parties to proceedings concerning their domestic relationships so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
12. Everyone charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.
13. In the determination of any criminal charge against him, everyone is entitled to the following minimum guarantees :
- a. to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
 - b. to have adequate time and facilities for the preparation of his defence;
 - c. to defend himself in person or through legal assistance of his own choosing and, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
 - d. to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - e. to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

ARTICLE 7

14. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.

15. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time it was committed, was criminal according to the general principle of law recognised by civilised nations.

ARTICLE 8

16. Everyone has the right to respect for his private and family life, his home and his correspondence.

17. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the right and freedoms of others.

ARTICLE 9

18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

19. Freedom to manifest one's -religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the right and freedoms of others.

ARTICLE 10

20. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

21. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, liabilities, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity, or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 11

22. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

23. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, the police or the administration of the State.

ARTICLE 12

Men and women of full age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

ARTICLE 13

Everyone whose rights and freedoms as herein secured are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.

ARTICLE 14

The enjoyment of the rights and freedoms secured in this Convention shall be secured without discrimination on any ground such as sex, race, colour, languages, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

ARTICLE 15

24. In time of war or other public emergency threatening the life of the nation a State may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law.

25. No derogation from Article 2, except in respect of deaths resulting from lawful acts of war, or from Articles 3, 4 (para. 1) and 7 can be made under this provision.

26. Any State party hereto itself of this right of derogation shall keep the Secretary-General of the Council of Europe fully informed of the measures which it has thus enacted and the reasons therefor. It shall also inform the Secretary-General of the Council of Europe when such measures have ceased to operate and the provisions of the Convention are again being fully executed.

ARTICLE 16

Nothing in Articles 10, 11 and 14 shall be regarded as preventing the High Contracting Parties from imposing restrictions on the political activity of aliens.

ARTICLE 17

Nothing in this Convention may be interpreted as implying for any State, group or person, any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth herein or at their limitation to a greater extent than is provided for in the Convention.

ARTICLE 18

The restrictions permitted under this Convention to these rights and freedoms shall not be applied for any purpose other than those for which they have been prescribed.

SECTION II

ARTICLE 19

To ensure the observance of the engagements undertaken by the High Contracting Parties in the present Convention, there shall be set up :

1. A European Commission of Human Rights hereafter referred to as the " Commission";
2. A European Court of Human Rights, hereafter referred to as the " Court ".

SECTION III

ARTICLE 20

The Commission shall consist of a number of members equal to that of the High Contracting Parties. No two members of the Commission may be nationals of the same State.

ARTICLE 21

1. The members of the Commission shall be elected by the Committee of Ministers by an absolute majority of votes, from a list of names drawn up by the Bureau of the Consultative Assembly; each group of the Representatives of the High Contracting Parties in the Consultative Assembly shall put forward three candidates, of whom two at least shall be its nationals.

2. As far as applicable, the same procedure shall be followed in appointing as members of the Commission nationals of States which adhere to this Convention, and to filling the casual vacancies.

ARTICLE 22

3. The members of the Commission shall be elected for a period of six years. They may be re-elected. However, of the members elected at the first election, the terms of seven members shall expire at the end of three years.

4. The members whose terms are to expire at the end of the initial period of three years shall be chosen by lot by the Secretary-General of the Council of Europe immediately after the first election has been completed.

5. A member of the Commission elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

6. The members of the Commission shall hold office until replaced. After having been replaced, they shall continue to deal with such cases as they already have under consideration.

ARTICLE 23

The members of the Commission shall sit on the Commission in their individual capacity.

ARTICLE 24

Any High Contracting Party may refer to this Commission through the Secretary-General of the Council of Europe any alleged breach of the provisions of the Convention by another High Contracting Party.

ARTICLE 25

7. The Commission may receive petitions addressed to the Secretary-General of the Council of Europe from any person, non-governmental organisation or group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights secured by this Convention, provided that the High Contracting Party complained against has declared that it recognises the competence of the Commission to receive such petitions. Those of the High Contracting Parties who have made such a declaration undertake not to hinder in any way the effective exercise of this right.

8. Such declarations may be made for a specific period.

9. The declarations shall be notified to the Secretary-General of the Council of Europe who shall transmit copies thereof to the High Contracting Parties and publish them.

10. The Commission shall only exercise the powers provided for in this Article when at least six High Contracting Parties are bound by declarations made in accordance with the preceding paragraphs.

ARTICLE 26

The Commission may only deal with the matter after all domestic remedies have been exhausted according to the generally recognised rules of international law and within a period of six months from the date on which the final decision was taken.

ARTICLE 27

11. The Commission shall not deal with any petition submitted under Article 25 which :

a. is anonymous;

b. is substantially the same as the matter which has already been examined by the Commission or has already been submitted to another procedure of international investigation or settlement and if it contains no relevant new information.

12. The Commission shall consider inadmissible any petitions submitted under Article 25 which it considers incompatible with the provisions of the present Convention, manifestly ill-founded, or an abuse of the right of application.

13. The Commission shall reject any matter referred to it which it considers inadmissible under Article 26.

ARTICLE 28

In the event of the Commission accepting a matter referred to it :

- a. it shall, with a view to ascertaining the facts, undertake an examination, together with the representatives of the parties, of the matter and, if need be, an investigation, for the effective conduct of which the States concerned shall furnish all facilities after an exchange of views with the Commission;
- b. it shall place itself at the disposal of the parties concerned with a view to securing a friendly solution of the matter on the basis of respect for Human Rights as defined in this Convention.

ARTICLE 29

14. The Commission shall perform the functions set out in Article 28 by means of a Sub- Commission consisting of seven members of the Commission.

15. Each of the parties concerned may appoint as member of this Sub-Commission a person of its choice.

16. The remaining members shall be chosen by lot in accordance with arrangements prescribed in the Rules of Procedure of the Commission.

ARTICLE 30

If the Sub-Commission succeeds in effecting a settlement in accordance with Article 28, it shall draw up a Report which shall be sent to the States concerned, to the Committee of Ministers and to the Secretary-General of the Council of Europe for publication. This Report shall be confined to a brief statement of the facts and to the solution reached.

ARTICLE 31

17. If such a solution is not reached the Commission shall draw up a Report on the facts and state its opinion as to whether the facts found disclose a breach by the State concerned of its obligations under the Convention. The opinions of all the members of the Commission on this point may be stated in the Report.

18. The Report shall be transmitted to the Committee of Ministers. It shall also be transmitted to the States concerned, who shall not be at liberty to publish it.

19. In transmitting the report to the Committee of Ministers the Commission may make such proposals as it thinks fit.

ARTICLE 32

20. If the question is not referred to the Court in accordance with Article 48 of this Convention within a period of three months from the date of the transmission of the Report to the Committee of Ministers, the Committee of Ministers shall decide by a majority of two-thirds of the members entitled to sit on the Committee whether there has been a violation of the Convention.

21. In the affirmative case the Committee of Ministers shall prescribe a period during which the High Contracting Party concerned must take the measures implied in the decision of the Committee of Ministers.

22. If the High Contracting Party concerned has not taken satisfactory measures within the prescribed period, the Committee of Ministers shall decide by the majority provided for in paragraph (1) above what effect shall be given to its original decision and shall publish the Report.

23. The High Contracting Parties undertake to regard as binding on them any decision which the Committee of Ministers may take in application of the preceding paragraphs.

ARTICLE 33

The Commission shall meet in camera.

ARTICLE 34

The Commission shall take its decisions by a majority of the Members present and voting; the Sub-Commission shall take its decisions by a majority of its members.

ARTICLE 35

The Commission shall meet as the circumstances require. The meetings shall be convened by the Secretary-General of the Council of Europe.

ARTICLE 36

The Commission shall draw up its own rules of procedure.

ARTICLE 37

The Secretariat of the Commission shall be provided by the Secretary-General of the Council of Europe.

SECTION IV

ARTICLE 38

The European Court of Human Rights shall consist of a number of judges equal to that of the Members of the Council of Europe. No two of the judges may be nationals of the same State.

ARTICLE 39

1. The members of the Court shall be elected by the Consultative Assembly by a majority of the votes cast from a list of persons nominated by the Members of the Council of Europe; each Member shall nominate three candidates, of whom two at least shall be its nationals.
2. The candidates shall be of high moral character and must either possess the qualifications required for appointment to high judicial office or shall be jurisconsults of recognised competence.

ARTICLE 40

3. The members of the Court shall be elected for a period of nine years. They may be reelected. However, of the members elected at the first election the terms of four members shall expire at the end of three years, and the terms of four more members shall expire at the end of six years.
4. The members whose terms are to expire at the end of the initial periods of three and six years shall be chosen by lot by the Secretary- General immediately after the first election has been completed.
5. The members of the Court shall hold office until replaced. After having been replaced, they shall continue to deal with such cases as they already have under consideration.

ARTICLE 41

The Court shall elect its President and Vice- President for a period of three years. They may be re-elected.

ARTICLE 42

The members of the Court shall receive for each day of duty a compensation to be determined by the Committee of Ministers.

ARTICLE 43

For the consideration of each case brought before it the Court shall consist of a Chamber composed of 7 judges. There shall sit as an ex officio member of the Chamber the judge who is a national of any State party concerned, or, if there is none, a person of its choice who shall sit in the capacity of judge; the names of the other judges shall be chosen by lot by the President before the opening of the case.

ARTICLE 44

Only the High Contracting Parties and the Commission shall have the right to bring a case before the Court.

ARTICLE 45

The jurisdiction of the Court shall extend to all cases concerning the interpretation and application of the present Convention which the High Contracting Parties or the Commission shall refer to it in accordance with Article 48.

ARTICLE 46

6. Any of the High Contracting Parties may at any time declare that it recognises as compulsory ipso facto and without special agreement the jurisdiction of the Court in all matters concerning the interpretation and application of the present Convention.

7. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain other Contracting Parties or for a specified period.

8. These declarations shall be deposited with the Secretary-General of the Council of Europe who shall transmit copies thereof to the High Contracting Parties.

ARTICLE 47

The Court may only deal with a case after the Commission has acknowledged the failure of efforts at settlement and within the period of three months provided for in Article 32.

ARTICLE 48

The following may bring a case before the Court, provided that the High Contracting Party concerned, if there is only one, or the High Contracting Parties concerned, if there are more than one, are subject to the compulsory jurisdiction of the Court or, failing that, with the consent of the High Contracting Party concerned if there is only one, or of the High Contracting Parties concerned if there are more than one :

- a. the Commission;
- b. a High Contracting Party whose national is alleged to be a victim;
- c. a High Contracting Party which referred the case to the Commission;
- d. a High Contracting Party against which the complaint was made.

ARTICLE 49

In the event of dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

ARTICLE 50

If the Court finds that a decision or a measure taken by a legal authority or any authority of one of the High Contracting Parties is completely or partially opposed to the obligation arising from the present Convention, and if the internal law of the said Party only allows partial reparation to be made for the consequences of this decision or measure, the decision of the Court shall, if necessary, accord just satisfaction to the injured party.

ARTICLE 51

9. Reasons shall be given for the judgment of the Court.

10. If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

ARTICLE 52

The judgment of the Court shall be final.

ARTICLE 53

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The High Contracting Parties undertake to abide by the decision of the Court in any case to which they are parties.

ARTICLE 54

The judgment of the Court shall be transmitted to the Committee of Ministers which shall supervise its execution.

ARTICLE 55

The Court shall draw up its own rules and shall determine its own procedure.

ARTICLE 56

11. The first election of the members of the Court shall take place after the declarations by the High Contracting Parties mentioned in Article 46 have reached a total of nine.

12. No case can be brought before the Court before this election.

SECTION V

MISCELLANEOUS AND FINAL PROVISIONS

ARTICLE 57

On receipt of a request to that effect from the Secretary-General of the Council of Europe the Government of any State Party to this Convention shall supply an explanation of the manner in which the law of that State gives effect to any of the provisions in this Conventio

ARTICLE 58

The expenses of the Commission and the Court shall be borne by the Council of Europe.

ARTICLE 59

The member's of the Commission and of the Court shall be entitled, during the discharge of their functions, to the privileges and immunities provided for in Article 40 of the Statute of the Council of Europe and in the agreements made thereunder.

ARTICLE 60

Nothing in Ulis Convention shall be construed as limiting or derogating from any of the human rights and fundamental freedoms which may be ensured under the laws of any High Contracting Party or under any other agreement to which it is a Party.

ARTICLE 61

Nothing in this Convention shall prejudice the powers conferred on the Committee of Ministers by the Statute of the Council of Europe.

ARTICLE 62

The High Contracting Parties agree that, except by special agreement, they will not avail themselves of treaties, conventions or declarations in force between them for the purpose of submitting, by way of petition, a dispute arising out of the interpretation or application of this Convention to a means of settlement other than those provided for in this Convention.

ARTICLE 63

1. Any State may at the time of its ratification or accession or at any timo thereafter declare by notification addressed to the Secretary- General of the Council of Europe that the present Convention shall extend to all or any of the territories for whose international relations it is responsible.

2. The Convention shall extend to the territory or territories named in the notification as from the thirtieth day after the receipt of this notification by the Secretary-General of the Council of Europe.
3. The provisions of this Convention shall be applied in the overseas territories with due regard, however, to local requirements.
4. Any State which has made a declaration in accordance with paragraph 1 of this Article may at any time thereafter declare on behalf of one or more of those territories to which the Convention extends that it accepts the competence of the Commission to receive petitions from individuals, non-governmental organisations or groups of individuals, in accordance with Article 25 of the present Convention.

ARTICLE 64

5. Any State may when signing this Convention or when depositing its instrument of ratification or accession, make a reservation in respect of any particular provision of the Convention to the extent that any law then in force in its territory is not in conformity with the provision. Reservations of a general character shall not be permitted under this Article.
6. Any reservation made under this Article shall contain a brief statement of the law concerned.

ARTICLE 65

7. A High Contracting Party may not denounce the present Convention before the expiry of five years from the date on which it became a Party to it and after a notification addressed six months beforehand to the Secretary-General of the Council of Europe, who shall inform the other High Contracting Parties.
8. Such a denunciation shall not have the effect of releasing the High Contracting Party concerned from its obligations under this Convention in respect of any act which, being capable of constituting a violation of this Convention, shall have been performed by it before the date at which the denunciation became effective.
9. Any High Contracting Party which shall cease to be a Member of the Council of Europe shall cease to be a Party to this Convention under the same conditions.
10. The Convention may be denounced in accordance with the provisions of the preceding paragraphs in respect of any territory to which it has been declared to extend under the terms of Article 63.

ARTICLE 66

11. The Convention shall be open to the signature of the Members of the Council of Europe and submitted for ratification. Ratifications shall be deposited with the Secretary-General of the Council of Europe.
12. This Convention shall come into force after the deposit of ten instruments of ratification.
13. As regards any signatory State ratifying subsequently the Convention shall come into force at the date of the deposit of its instrument of ratification.
14. Any member of the Council of Europe may accede thereafter to this Convention by depositing its instrument of accession with the Secretary-General of the Council of Europe.
15. The Secretary-General of the Council of Europe shall notify all the High Contracting Parties of the entry into force of the Convention, the names of the High Contracting Parties who have ratified it, and the deposit of all instruments of ratification or accession which may be effected subsequently.

APPENDIX B

Italian Proposal - to include in the agenda of the Second Session of the Consultative Assembly of the Council of Europe the study of a Convention on the subject of the treatment of nationals of a Member State when on the territory of other Member

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The aim of the Council of Europe as specified in its Statute is " to achieve a greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress. " It is obvious that one of the steps in the realisation of this aim consists in easing the relations between people who make up the national communities of Member States.

It is incontestable that, even after the creation of the Council of Europe, a national of one of the Member States is still considered a foreigner when on the territory of another Member; yet there are some grounds for expecting the creation of the Council of Europe to have certain effects on the legal treatment of nationals of one Member State when on the territory of others. Public opinion in the countries of the Council of Europe would not understand the political significance of the foundation of the Council unless one of its practical effects were to make the differences of legal status between nationals and foreigners from countries within the Council less marked.

There are already in existence bilateral treaties of settlement or trade between Member States of the Council of Europe which regulate the treatment of nationals of a contracting State when on the territory of another contracting State. These treaties are to a lesser or greater extent based on the principle of granting equality of treatment with nationals as far as certain rights and activities are concerned.

On this subject it would be desirable for the Council of Europe to take the initiative and study whether a collective Convention may be drawn up which, basing itself on the principles of the Statute, regulates the question of the reciprocal treatment of nationals (individuals or legal entities) of the Member States of the Council of Europe.

At its Second Session the Consultative Assembly would pass on this draft Convention for examination by the competent Committees.

It would then be up to the Committee of Ministers to give practical effect to the wishes of the Consultative Assembly by instructing a Committee of Experts or of delegates of Governments to draw up a draft Convention, according to the procedure already adopted for the Convention on Human Rights.

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The subjects dealt with by the proposed Convention would be all those various aspects of the treatment of nationals of a Member State of the Council of Europe when on the territory of other Member States, and, in particular, would include the following :

- a. Admission and right to stay (freedom of movement and of choice of residence : possible restrictions on powers of expulsion).
- b. Private and civil rights (To be brought into line with those of nationals).
- c. Exercise of professions and trades (In principle, equal rights with nationals; recognition of the equivalence of degrees and diplomas; waiving of restrictions drawn up to protect the national labour market, with regard to persons who have resided continuously in the particular country for at least five years).
- d. Legal protection (As for nationals; exemption from *cautio judicatum solvi*).
- e. Trade companies (Recognition of their legal existence. Conditions under which commercial and industrial activities may be pursued etc.).
- f. Fiscal treatment (As for nationals; provisions designed to avoid double taxation).
- g. Benefits from public services (Admission to schools. Rights to medical and hospital services. Assistance to large families).
- h. Public rights (Granting to persons after residence in the country for a certain number of years (say, five) of the right to vote and of eligibility for certain administrative and economic organs (Chambers of commerce, agricultural and trades councils) and possibly certain public local bodies).

This list of subjects to be regulated by the proposed Convention is not restrictive.

A special Convention should be established with regard to Social Assurance.

APPENDIX C

Report to the Committee of Ministers - Submitted by the Committee of Experts on Social Security

1. At its third Session the Committee of Ministers of the Council of Europe, following a communication of the Belgian Government, considered the question of the participation of the Member States of the Council of Europe in the multilateral convention on social security, signed at Paris on 7th November 1949 by the Ministers for Foreign Affairs of the Brussels Treaty Powers.

In view of the complexity of the problems involved in the extension of the multilateral convention to other Member States, the Committee of Ministers decided to instruct the Secretary-General to convene a Committee of Experts to study this question, this Committee to consist of representatives of the thirteen Members of the Council of Europe.

2. The Committee of Experts met in Strasbourg on 15th-17th of June 1950. Iceland and Greece did not send representatives to the meeting. The other Member States were represented as follows :

Belgium : M. DUQUESNE, Head of Department in the Ministry of Labour.

Denmark : M. P. JUHL-CHRISTENSEN, Head of Department in the Ministry of Social Affairs.

France : M. P. LAROQUE, Director General of Social Security in the Ministry of Labour.

Ireland : Mr. WILLIAM MAGUIRE, Assistant Secretary in the Department of Social Welfare.

Italy : M. MAZZETTI, Deputy Director in the National Institute of Social Welfare. M. VALLE, Vice-Counsellor of Emigration in the Italian Embassy in Paris.

Luxembourg : M. Paul WILWERTZ, Counsellor of State, Commissioner of the National Office of Labour.

Netherlands : M. A. C. M. VAN DE VEN, Chief Counsellor of the Directorate of Social Security in the Ministry of Social Affairs. M. BOOT, Director in the Ministry of Social Affairs.

Norway : M. A. KRINGLEBÖTTEN, Director of Department in the Ministry of Social Affairs.

Sweden : M. Ernst BEXELIUS, Director-General of the Royal Social Board.

Turkey : M. Nureddin VERGIN, Minister Plenipotentiary in the Embassy of Turkey in Paris.

United Kingdom: Mr. C. G. DENNYS, C. B., M. C., Under Secretary of the Ministry of National Insurance.

3. The representative of France, M. P. Laroque was unanimously elected Chairman of the Committee.

4. The terms of reference of the Committee are given by the decision of the Committee of Ministers referred to above, namely to study the problems involved in an extension to the other Member States of the Council of Europe of the multilateral convention between the Brussels Treaty Powers on social security.

As such extension presupposes the conclusion of bilateral social security agreements between the States that wish to participate in the multilateral convention, the Committee considered that the problems involved in the conclusion of such bilateral treaties would also have to be studied.

5. The Committee had before it a Note, prepared by the Secretariat-General (Doc. CM/WP II (50) i) . In that document the Secretariat-General had suggested that the members of the Committee should prepare memoranda, giving information on social security agreements of a general or partial nature concluded or under negotiation between the Member States, and indicating the problems involved in concluding the necessary bilateral agreements which would form the basis for the extension of the multilateral convention in question.

Some members of the Committee had prepared such memoranda, and other members undertook to take similar action. These memoranda are attached as appendices to the present Report.

6. The Committee proceeded to a general exchange of views, partly based on the memoranda already prepared. In his statement, the representative of France made certain proposals aiming at obtaining some temporary positive results before one could hope to reach the ultimate aim.

7. After the general exchange of views the Chairman pointed out that as a result of the information given, one could see three main questions which the Committee had to discuss in particular, namely :

a. The establishment of bilateral treaties.

- b. The question of the multilateral convention.
- c. The above-mentioned French proposals.

8. Bilateral treaties.

It was unanimously agreed that a multilateral convention of the type in question presupposed bilateral social security agreements between the parties to the multilateral convention. The Committee therefore felt that it would be desirable that the Council of Europe would recommend the conclusion of such bilateral agreements. Such treaties must, however, be arrived at through detailed bilateral negotiations, and the Committee found that it could not usefully pronounce at the present time on the contents of such treaties.

The social security schemes of the Brussels Treaty Powers are similar in that they are based on contributory systems. In the Scandinavian countries on the other hand, social security is partly based on a non-contributory system. This example proves that the conclusion of social security agreements between countries whose social security systems show important differences, poses special problems.

It was pointed out that the Scandinavian countries would shortly enter into negotiations with France with a view to conclude agreements. During these negotiations the special problems involved would come into focus, and solutions might be found.

The Committee should therefore meet from time to time and be kept informed of the difficulties arising during these and other negotiations and the solutions found. The Committee would then be in a better position to pronounce on the principles underlying the contents of the agreements to be concluded. Parties to bilateral negotiations could, if they so wished, jointly request the aid of the Committee in solving technical problems arising during their negotiations.

The Committee agreed that it should recommend that the bilateral treaties to be concluded should be of a comprehensive character, but this should not preclude the conclusion of partial agreements between countries which found it impossible to arrive at comprehensive agreements.

The Committee also agreed to recommend a study, as soon as possible, of standard formulae for the wording and interpretation of the bilateral treaties.

9. In order to facilitate the future negotiations and to reinforce the collaboration between the Member States of the Council of Europe, the Committee considered that it would be very useful to establish a system by which the Member States of the Council of Europe could exchange information on their social security systems, laying particular stress on the position of citizens of foreign countries under their social security legislation.

It is recommended that such information should be transmitted to the Secretariat-General which should distribute it to the Member States.

10. Multilateral Convention :

It was pointed out that the terms of reference of the Committee of Experts, as formulated by the Committee of Ministers, were restricted to the study of the extension of the present multilateral convention between the Brussels Treaty- Powers. The rules of this convention have, however, been determined by the fundamental similarity in the demographic situation and in the social security systems of the Brussels Treaty Powers, which may not exist between the other Member States of the Council of Europe. In order to make the convention applicable to other States, it might be necessary to amend it. It might even be necessary to establish a different type of multilateral convention.

There was unanimous agreement in the Committee that there is no immediate possibility of extending the multilateral convention between the Brussels Treaty Powers to all the other Members of the Council of Europe. The necessary bilateral treaties must first be concluded, and it is of particular importance for the forming of the multilateral convention that bilateral treaties shall have been concluded, not only between countries with similar social security systems, but also between countries whose social security schemes show basic differences like those between contributory and non-contributory schemes.

Only then, at a later session, could the Committee fruitfully discuss what should be the principles of the envisaged multilateral convention. It was pointed out, however, that it would not be necessary to postpone the drafting of the multilateral convention until all bilateral agreements had been concluded. It may well be that the task of working out the multilateral convention could start when bilateral negotiations have progressed sufficiently to bring into focus the various problems involved.

The representative of Italy, referring to the provisions of Article 10 of the multilateral convention between the Brussels Treaty Powers, raised the question of the social security rights of the families of emigrants who have remained in the country of origin, and of persons (sick, invalid or unemployed) who, after having emigrated to another Member State, have been compelled to return to their country of origin.

The Committee considered that in view of the differences in principles between the different social security systems, these questions were in general related to the wider problem of economic and social unity between the Member States. The Committee felt obliged to leave it to the Committee of Ministers to deal with this question, [t does, however, not exclude the possibility that the purely technical aspects of the problem might find their solution in the framework of the Committee of Experts.

11. The suggestions of the representative of France.

These suggestions are as follows :

- a. Does it appear possible and desirable to undertake the study of a general provisional agreement establishing the equality of the subjects of all the Member Countries of the Council of Europe with the nationals of each of these countries, with respect to the laws on social security, as soon as such subjects have taken up residence in that country? If the answer is favourable, may we not request each of the experts to state the conditions under which such equality could be realised?
- b. Could it not be decided, either by a general agreement or by private agreements, to allow the subjects of all the Member Countries of the Council of Europe to benefit from the bilateral or multilateral conventions on social security which have been concluded between two or more of these countries as soon as such subjects have fulfilled the conditions required of the nationals of the countries signatory to the Conventions, so that these conventions may be applicable to them?
- c. Would it be possible and desirable to study the establishment between all the Member Countries of the Council of Europe, of a general convention of assistance, by extension of the multilateral convention of assistance concluded on the 7th November 1949, at the same time as the Multilateral Convention on Social Security, within the framework of the Brussels Pact?

The Committee realised that these questions were not covered by its terms of reference. It considered, however, that the adoption of the proposals in question would contribute to a development in the direction of what had been envisaged by the Committee of Ministers and could lead to more immediate results.

The Committee agreed to recommend that the questions mentioned under (a) and (b) above should be studied by the Committee at a latter session.

The members of the Committee should prepare individual memoranda on the problems in question for the consideration of the Committee.

There was also general agreement as to the desirability and practicability of the proposal mentioned under (c) above. The Committee recommended that a sub-committee should be set up to deal with this question when the position of the various Governments could be known.

12. Conclusions.

The Committee of Experts would submit the following recommendations to the Committee of Ministers :

- a. That bilateral negotiations, with a view to the conclusion of bilateral social security agreements, should be opened between those Member States of the Council of Europe who do not already have such agreements.
- b. That the bilateral agreements should be of a comprehensive character as far as possible.
- c. That the Committee of Experts should meet from time to time, the date of the meetings to be fixed in agreement between the Secretary- General of the Council of Europe and the Chairman of the Committee. That it should be kept informed of the progress of the bilateral negotiations, the problems encountered and the solutions found, and that it should give recommendations as to the principles of bilateral treaties and on standard formulae for their wording.
- d. That Member States should, through the medium of the Secretariat-General, exchange information relating to their social security systems, particularly with regard to the position of nationals of foreign countries.

- e. That the Committee of Experts should, when sufficient progress has been made with the bilateral negotiations, give recommendations as to the principles to be embodied in a multilateral convention on social security between the Member States of the Council of Europe. The Committee should not be bound by the contents of the present convention between the Brussels Treaty Powers.
- f. That the Committee of Experts should study the questions referred to under 11 (a) and (b) above. With this object the experts would transmit memoranda giving the views of their Governments on these questions to the Secretariat-General.
- g. That a sub-committee should be set up to study the questions mentioned under 11 (c) above.

The Committee draws the attention of the Committee of Ministers to the problems referred to in the two last sub-paragraphs of paragraph 10 above.

APPENDIX D

Report of the Committee of Cultural Experts to the Committee of Ministers

The meeting of cultural experts was held in Strasbourg from the 28th-30th June 1950.

There were present :

Belgium : M. KUYPERS, Secretary-General of the Ministry of Public Instruction. M. VANDENBORRE, Director of Administration.

Denmark : M. BODELSEN, Doctor of Philosophy, Professor of English in the University of Copenhagen.

France : M. JOXE, Councillor of State, Director-General of Cultural Relations, Ministry of Foreign Affairs. M. ABRAHAM, Inspector-General of Public Instruction. M. SEYDOUX, Deputy-Director of Cultural Relations, Ministry of Foreign Affairs. M. DEBEAUVAIS, Department of Cultural Relations, Ministry of Foreign Affairs.

Greece : Unrepresented.

Iceland : Unrepresented.

Ireland : Dr. HAYES, Director of the National Library, Dublin.

Italy : M. MAMELI, Minister Plenipotentiary, Director-General of Cultural Affairs, Ministry of Foreign Affairs. M. FRAIESE, Director-General of Cultural Affairs, Ministry of Public Instruction. M. DE CLEMENTI, First Secretary, Italian Embassy, Paris.

Luxembourg : M. MATHIAS-THINNES, Official Councillor.

Netherlands : M. R E I N I N K , Secretary-General of the Ministry of Education. M. BENDER, Head of the Department of Foreign Relations of the Ministry of Education.

Norway : M. SMITT-INGEBRETSEN, Member of the Storting, Vice-Chairman of the Committee on Cultural and Scientific Questions. M. MOHR, Professor, Member of the Norwegian Delegation to UNESCO.

Sweden : M. HAASTAD, Doctor of Literature, Professor of Political Science in the University of Stockholm.

Turkey : M. KUTSI TECER, Delegate to the Executive Council of UNESCO.

United Kingdom ;Mr. FINCH, Head of the Cultural Affairs Department, Foreign Office. Mr. MORRISON, Assistant Secretary, Ministry of Education. Mr. SEYMOUR, C. B. E., Secretary of the British Council. Mr. JOHNSTONE, C. M. G., British Council.

The Secretary General opened the meeting and invited the experts to elect a Chairman. On the proposal of the British delegation, M. JOXE (France) was unanimously elected.

The Chairman emphasised the novel character of the meeting and stated that the Agenda was in no sense intended to be restrictive. Any additional proposal connected with European cultural co-operation would be considered.

On the proposal of the Norwegian delegation, the Committee adopted the following resolution :

" Meeting under the authority of the Council of Europe, the Committee of experts designated by the Governments of the Member States of the Council of Europe to examine the Recommendations made by the Consultative Assembly in the cultural field;

" Meeting under the authority of the Council of Europe, the Committee of experts designated by the Governments of the Member States of the Council of Europe to examine the Recommendations made by the Consultative Assembly in the cultural field;

" The Committee considers it most valuable for the promotion of understanding and collaboration between the European nations that the Assembly should have paid so much attention to the cultural problems of Europe. It also considers that the Recommendation made by the Assembly drew attention to the immediate tasks to be achieved.

" To have machinery which can deal with problems without waste of time and money and avoid duplication of work in the European cultural field, the Committee thinks it necessary that a practical form of collaboration should be established between the Council of Europe and UNESCO. The Committee believes that negotiations could be opened between the Council of Europe and UNESCO with the object of taking advantage of the work of UNESCO and other international organisations in the cultural field in Europe so that immediate tasks and long-term planning may be performed in the light of common and constructive effort.

" The Committee also considers that it would be wise, in general, to avoid trying to cover too wide a field at once through the medium of general treaties or arrangements. It also considers that very valuable results have been achieved through bilateral negotiations and that this method is effective in producing positive results.

" It is in the spirit of this Resolution that the Committee turns to consider the principal part of the Agenda. "

Part I of the Agenda

Item 1

Comparative study of the teaching programmes in order that the best features of each may be available to all.

The Committee submitted the following recommendations :

1. That an exchange of documents be made on the following subjects :
 - a. the educational system.
 - b. syllabuses, time-tables and instructions to teachers.
 - c. schemes of educational reform.
2. That schemes for educational reform being undertaken at present in several countries be based on the experience gained by other countries and developed from the standpoint of Europe as a whole.
3. That a comparative study of the educational structure and teaching programmes be undertaken by a specialist organisation; for this purpose a questionnaire might be drawn up making particular mention of the following points :
 - a. analysis of the subjects taught and the amount of time devoted to each in the curricula,
 - b. distribution of these subjects in educational syllabuses.
 - c. methods of training teachers.
 - d. amount of time devoted to the idea of the interdependence of the European peoples.
4. That advantage be taken of the experience gained by UNESCO and the International Bureau of Education in this field by requesting them to undertake the above investigation and to report their conclusions to the Committee of cultural experts for examination.
5. That the exchanges of teachers and inspectors of schools and courses of instruction which have already been organised under bilateral or multilateral agreements, be continued and developed.

N. B. — In order that the material mentioned in paragraph 1 may be exchanged without delay, the Committee of experts decided that these exchanges should be completed before the 1st August 1950, the Secretariat-General to receive a copy of all documents.

Item 2

The development of the teaching of the leading European languages.

The Committee recommended that Governments be invited :

1. To send to the Secretariat-General, if possible before the 1st August 1950, all necessary information on the study of the languages of other Member States at all educational levels.
2. To ensure that all modern language teaching includes both a practical study of the foreign language and a study of the life and civilisation of the country concerned.
3. To consider the desirability of ensuring that no child should finish its schooling without having had the chance of beginning the study of at least one foreign language. Knowledge of this language should be maintained and developed later especially by extension courses.
4. To request UNESCO to arrange for specialised and professional organisations such as the International Bureau of Education and the International Federation of Modern Language Teachers, to prepare recommendations on teaching methods so as to increase the efficiency of language instruction, especially by improving methods and using audio-visual aids such as wireless, films, television and other sound-recording equipment.
5. To grant moral and financial support to the exchanges of modern language teachers and, if possible, of teachers of other subjects between Member States and to see that "lecteurs" and assistants who are nationals of the countries whose languages are taught, are appointed to universities and scholastic institutions.
6. To aid teachers and students of modern languages to attend vacation courses or pay visits to foreign countries, and to encourage students to travel abroad and correspond with students of other nationalities.

The Committee proposed that the question should not be overlooked as to whether the formation of the European community did not entail a certain balance between the Anglo- Saxon or Germanic languages and the Latin languages when foreign languages were taught.

Item 3

The conditions under which university degrees and diplomas may be recognised

The Committee submitted the following recommendations :

1. That a list be sent to the Secretariat- General and to the other Member States, of degrees and diplomas awarded by Member States which are recognised by the appropriate authorities either automatically or as the result of a special decision and, in addition, a list of all agreements made for this purpose.
2. That Governments complete, or urge the appropriate authorities to complete, or extend, the system by which foreign degrees and diplomas may be recognised in other countries, either by bilateral discussions or agreements, or on their own initiative.
3. That general rules be established wherever circumstances permit—not, however, so as to exclude the possibility of individual measures in specific cases.
4. That the easiest problems be tackled first and that while not excluding those of the equivalence of professional qualifications, or the equivalence of school or of higher educational diplomas, consideration be given first, wherever possible, to the recognition of qualifications which give entry to universities or institutions of higher education.
5. That close liaison be maintained with the International Bureau of Universities which has been instructed by UNESCO to further the examination of these problems so as to cause concerted efforts to be made on a European scale.
6. That Governments be requested to participate in a meeting of experts in 1951 to examine the results obtained and make suggestions to correlate and extend the scope of these results.

Item 4

The preparation of a series of impartial books dealing with the geography and history of European countries which bring out the links between them.

The Committee of experts considered the problem of the revision of textbooks dealing with history and geography.

It recognised the contribution which such a work could make towards bringing out the links which united the peoples of Europe. It also recalled the efforts made in this field by the various European countries, as well as the work accomplished by UNESCO.

While recognising that it would be undesirable to undertake the preparation of textbooks to be used in several countries, the Committee submitted the following recommendations :

1. That the Secretariat-General be instructed to inform UNESCO of suggestions made by the Council of Europe for the revision of educational textbooks.
2. That Governments be invited to inform the delegates taking part in the seminars which UNESCO is arranging in Montreal on geography, and in Brussels on history, of these suggestions.
3. That consideration be given to the setting up at a later date of a sub-committee of experts of the Member States of the Council of Europe, whose terms of reference would be to examine the results obtained by UNESCO and to consider the possibilities of their application on a European scale. This sub-committee might include experts who had attended these seminars.

Item 5

The arranging of university courses and lectures on European problems and organisations

The Committee submitted the following recommendations :

1. That the Secretariat-General be instructed to publish a pamphlet on the courses, seminars and conferences devoted to the subject of Europe in the different countries, as well as on the schemes at present under consideration. The documentation which each country would furnish to the Secretariat-General would serve as the basis for this pamphlet. Material collected by UNESCO would also be used for this work.
2. That consideration be given to the publication of a work of reference and a handbook indicating how the Council of Europe is organised and how it works.
3. That the Secretariat-General be instructed to maintain contact with the Rector of Strasbourg University to study the organisation of a European seminar to be held in 1951, and to invite Governments to grant a certain number of scholarships to enable students to take part either in this seminar or in other similar study groups.
4. That Member States be invited to enquire into the possibilities of organising courses in different centres and arranging for professorial chairs to be placed at the disposal of foreign professors.

Item 6

The creation of as large a number as possible of scholarships and periods of study in universities and higher teaching and research institutes abroad

The Committee took note of the large number of scholarships already in existence for students in European countries and considered it desirable, but not indispensable, that there should be a system of reciprocity regularised by formal agreements. The Committee emphasised the exceptional value of these scholarships in achieving the aims of the Council of Europe.

The Committee submitted the following recommendations :

1. That the exchange of students be developed as much as possible by means of scholarships in all fields and all other appropriate methods.
2. That Governments be invited to increase the funds which are required in order to raise the number of scholarships granted to European students.

3. That, in addition, encouragement be given to exchanges of professional and technical workers outside the university sphere. These exchanges should include not only the type of student employee already sponsored by the JAESTE but students and experts from every class of the community.

Item 7

The methods to be adopted in the interest of European unity to raise the cultural level of the population by the education of adults, university • extension lectures, : broadcasts and the cinema, exchange of records and films between nations and by art and folklore exhibitions

The Committee emphasised the part played by broadcasting in forming public opinion and recognised that the requirements of wireless audiences differed widely from country to country, a fact which rendered the immediate establishment of a European wireless station undesirable.

The Committee submitted the following recommendations :

1. That Member States be invited to encourage the greatest possible use of national broadcasting systems for the propagation of information on European problems and, in particular, to request them to devote a regular place in their information broadcasts to these problems.
2. That Governments be invited to bring to the attention of broadcasting organisations the importance of educational and other special broadcasts as a means of making young people better acquainted with the other countries of Europe.
3. That the necessary means be placed at the disposal of the Secretariat-General of the Council of Europe to enable it to provide national broadcasting services with programme material as available funds are at present insufficient.
4. That the Secretariat-General be instructed to establish contact with the European Broadcasting Union, which seems to be the appropriate organisation through which the Council of Europe could distribute programme material and to arrange, if possible, for a representative to attend the next conference of that Union due to be held in September.

N.-B. — 1. As regards the cinema, the Committee considered that this important channel of information should be used in the same way as broadcasting.

2. As regards adult education and university extension courses, the Committee refers to its recommendations under Items 1, 2 and 5 of the Agenda.

3. As regards artistic and folklore exhibitions, see Item 8.

Item 8

The collective utilisation of the artistic and, particularly, archaeological treasures, which constitute one of the fundamental elements of the common heritage of the European peoples

The Committee recognised the valuable work being done in this field by the International Museums Council and UNESCO in drawing up a list of reproductions of works of art and encouraging their publication and dissemination.

The Committee made the following recommendations :

1. That Governments be invited to encourage the exchange and loan of original works of art by bilateral arrangements taking into account the experience already gained.
2. That Governments be requested to consider the organisation of folklore exhibitions and exhibitions of a didactic and pedagogic nature, and to study the possibility of undertaking exchanges of music scores and recordings.
3. That the necessary measures be taken to make negative microfilm reproductions of the more important manuscripts and archives under government control with a view to being able to supply positive films at reasonable prices to scholars and learned institutions.

Part II of the Agenda

Item 1

Submission to the Committee of Ministers of the results achieved after consideration of Part I of the Agenda with a Recommendation as to whether or not a plenary meeting of the Ministers of Education is necessary.

The Committee considered the desirability of convening a meeting of the Ministers of Education of Member States and was of the opinion that the present state of the work did not justify it in recommending a special meeting of this nature.

Item 2

Desirability of calling a meeting of University Vice-Chancellors

The Committee considered that the present slate of its work did not justify a recommendation in favour of a meeting of University Vice-Chancellors.

Item 3

Setting-up of a European Cultural Centre

The Committee considered this proposal taking into account its financial implications and its staffing problems. Attention was also called to the administrative difficulties which would have to be faced.

The Committee was of the opinion that, in the circumstances, advantage should be taken of the efforts already made in several countries to set up centres of training and of European studies. In addition, it considered that it would be desirable to co-ordinate the work of national institutions established by some states in the territory of other Members of the Council.

It also considered the proposal of the Netherlands' delegation advocating that national institutions should be encouraged to develop along their own particular lines without, however, implying specialisation in the different spheres of culture.

The Committee decided to set up a sub-committee to consider carefully the problems which had been raised.

Part III of the Agenda

The following items were not included in the original Agenda of the Committee but were added during the course of discussion in accordance with the statement made by the Chairman in opening the meeting.

Item 1

The following proposal was presented by the Italian delegation :

" That the Member States of the Council of Europe be invited to undertake, with the assistance of the Secretariat-General, the necessary studies for the adoption of a cultural identity card similar to that already created by the Brussels Treaty Powers. "

The proposal was approved.

Item 2

The following proposal was presented by the Belgium delegation :

" The Committee of cultural experts,

" Considering that the study and application of the various measures for ensuring cultural co-operation within the Council of Europe will entail additional work and further expenditure,

" Desiring to ensure that the decisions taken are rapidly put into effect,

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" Proposes that the Consultative Assembly recommend the Governments concerned to make available to the qualified administrative bodies or institutions the financial and other means necessary to enable them successfully to fulfil the new tasks confronting them. "

The proposal was approved.

Item 3

The following proposal was submitted by the Belgian delegation :

" The Committee of cultural experts,

" Considering that to ensure propagation of the idea of European unity among the broad masses of the people, it is necessary to encourage exchanges of directors of youth movements and of institutions of popular education, in addition to social and medical helpers,

" Emphasises the importance of organising special courses for their benefit as well as of examining the equivalence of qualifications of directors of extension classes, and of social and medical helpers,

" Suggests that! there should'be an exchange of all the relevant documents on this subject and that a specialised organisation be entrusted to make a comparative study of the reports received, so as to decide how qualifications may be recognised and exchanges brought about, and what gaps remain to be bridged. "

The Committee held a short preliminary discussion and approved the suggestion of the Belgian delegation that further consideration should be deferred to a future meeting. The Belgian delegation was asked to circulate a more detailed paper before the next meeting of the Committee.

Item 4

The Committee approved the following recommendation based on a proposal submitted by the French delegation and amended at- the suggestion of the .Norwegian-Swedish-Danish delegations :

- a. " That the Secretariat-General of the Council of Europe be instructed to approach the Secretariat-General of the Permanent Commission of the Brussels Treaty Powers with the view of drawing up a list of the achievements accomplished by that Organisation that might be extended to all Member States.
- b. That the Secretariat-General approach the several secretariats of the Scandinavian Cultural Alliance with the same end in view. "

Item 5

The following proposal was presented by the French delegation :

" That Governments study as soon as possible the draft agreement on the free circulation of educational, scientific and cultural material adopted by the General Conference of UNESCO at Florence, with the view of examining the possibility of speedy accession thereto. "

The proposal was approved.