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Relations between the Council of Europe and O.E.E.C.

Report[1]
Committee on Political Affairs and Democracy
Rapporteur: Mr Etienne de la VALLEE POUSSIN, Belgium

1. 1957 - 9th Session - Second part

A. Draft Opinion presented by the Political Committe

The Assembly,

Considering that the Governments and peoples of the six-Power Communities are determined to form a powerful and closely integrated economic unit;

Considering that, in order to maintain the wider European Community, the Governments of the Six and the Nine must now demonstrate their will to work together for ever closer unity;

Considering that co-operation between the Fifteen or Seventeen will receive a new impetus if the 0. E. E. C. and the Council of Europe are combined into one, more powerful and more effective, organisation;

Considering that the amalgamation of the Council of Europe and the 0. E. E. C. ought not to await the outcome of the negotiations on the Free Trade Area, as it is justified in its own right;

Considering that the recent discussions in the 0. E. E. C./Council of Europe Liaison Committees did not deal with the more important proposals contained in the report of the Acting Secretary-General, which reflected the spirit of the decisions taken by the Committee of Ministers in Resolutions (56) 24 and (57) 10 [2];

Having been consulted by the Committee of Ministers on the Report of the Acting Secretary-General (Doc. 682),

Recommends to the Committee of Ministers

1. that they should do everything in their power to secure the amalgamation of the 0. E. E. C. and the Council of Europe at an early date, the Consultative Assembly becoming also the Assembly of 0. E. E. C.;
2. that this question should be treated as a major political issue to be considered at Government level;
3. that, after agreement has been reached among the Member States of the Council of Europe, they should approach the Portuguese and Swiss Governments, through the Secretary- General, with a view to making the necessary arrangements to safeguard the special position of those countries;
4. that the Assembly should be kept informed regularly of the progress of negotiations.

2. Resolution (56) 24: " The Committee of Ministers. . . instructs the Secretary-General to approach the Secretary-General of 0. E. E. C. with a view to preparing. . . a report on the respective competence of the Organisations mentioned, on their present working relations and on the measures which might be taken to introduce more effective collaboration between them." Resolution (57) 10: "The Committee of Ministers... decides to transmit the Report [of the Acting Secretary-General] to the Council of 0. E. E. C. with a view to undertaking, in discussion with the Council, a thorough review of the activities and structure of both organisations in order by joint effort to bring more strength to European co-operation..."

B. Explanatory Memorandum Submitted by M. de la VALLEE POUSSIN

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1. On 29th April 1957, the Committee of Ministers decided to consult the Assembly on the Report of the Acting Secretary-General concerning relations between the Council of Europe and the 0. E. E. C. (Doc. 682). This report had been prepared by the Acting Secretary- General in accordance with Resolution (56) 24 of the Committee of Ministers of 15th December 1956 which instructed him " to approach the Secretary-General of 0. E. E. C. with a view to preparing... a report on the respective competence of the organisations mentioned, on their present working relations and on measures which might be taken to introduce more effective collaboration between them. "

2. Concurrently, the ministerial organs of the Council of Europe and 0. E. E. C. instructed the Liaison Committees, which normally meet from time to time to examine matters of common interest, to study the Acting Secretary-General's report. The Rt. Hon. L. J. Edwards, M. Federspiel and M. de Menthon have attended these meetings to represent the Assembly's point of view.

3. Your Committee feel bound to draw attention to the fact that, whereas in Resolution (57) 10, the Committee of Ministers of the Council of Europe decided " to transmit the report to the Council of 0. E. E. C. with a view to undertaking, in discussion with the Council, a thorough review of activities and structure of both organisations ", the OEEC Council of Ministers, on their side, took a somewhat different view. They " felt that the time was not yet ripe to discuss proposals involving constitutional changes, but that it would be desirable to consider short-term practical improvements in the existing arrangements ". Thus, the Governments of Member States (which are the same in both organisations except for the presence of Portugal and Switzerland in the 0. E. E. C.) adopted a different policy at the outset in the two ministerial organs. It is a situation which shows how serious the position has become with the intense rate of growth of international organisations. Governments are apparently finding it difficult to speak with one voice in the various meetings where they have to be represented, and, this being so, the need for rationalisation and simplification is compelling and urgent. The Grand Design of the British Government was limited, in the main, to a reorganisation of international parliamentary assemblies. This incident demonstrates, and shows up in concrete fashion, the crucial need for streamlining and amalgamating also intergovernmental organisations. It is your Committee's firm belief that the first practical steps that can be taken without major difficulties are to combine the Council of Ministers of the 0. E. E. C. and the Committee of Ministers of the Council of Europe, and to make the Consultative Assembly the Assembly also of the 0. E. E. C.

4. The report produced by the Acting Secretary-General indicates that such a move is feasible. Accordingly, if your Committee dissents at all from the report of the Acting Secretary-General, it is only in the sense that we wish to insist on and support vigorously the more drastic and far-reaching proposals for rapid amalgamation between the two organisations. We do so because :

a. such a move would reinforce cooperation among the wider circle of European nations and would be an indication, at a time when two new six-Power Communities are being set up, of the determination of that wider circle to pursue a dynamic policy of ever closer unity;

b. it would be a major contribution to the problem of rationalisation. This is a most complex question, and, while overall plans have their obvious merits, your Committee feel that the best way is to start where a beginning can be made without major difficulties. For that reason your Committee reject the view that nothing should be done pending the formation of the Free Trade Area. In the first place, whether or not the Free Trade Area negotiations are successful, better co-ordination between the Council of Europe and 0. E. E. C. is justified in its own.right. Secondly, it is extremely desirable that, if the Free Trade Area is formed, no new international organisation is created. The way to avoid confusion and animosity in the new Europe is to try to fit into existing organisations all the activities which European States decide to pursue together. The future relations between the Council of Europe and 0. E. E. C. are one of the factors of which account will have to be taken when the administrative arrangements necessary for the setting up of a free trade area are considered;

c. the amalgamation of the 0. E. E. C. and the Council of Europe would put an end to duplication between the two organisations, whose competence overlaps not only in economic affairs (where in fact such overlapping has become only a theoretical possibility) but in a number of other questions such as the simplification of frontier formalities, the reciprocal treatment of nationals and manpower problems, housing and refugee questions.

5. The main obstacle to rationalisation is that two countries, Portugal and Switzerland, belong to 0. E. E. C. but are not member of the Council of Europe, while Canada and the United States, which are also outside the Council of Europe, are Associate Members of 0. E. E. C. and have the right to be represented on its Council and on all its plenary committees.

6. Complete amalgamation between the 0. E. E. C. and the Council of Europe cannot therefore take place unless these countries agree. It is most desirable that they should do so, and the members of the Assembly earnestly hope that their assent will be forthcoming. Your Committee consider that, after having come to an agreement among themselves, the fifteen Member States of the Council of Europe should take appropriate steps, through the diplomatic channel, to achieve complete amalgamation, a step which the Consultative Assembly has advocated again and again since 1950, as is shown by the series of resolutions and recommendations on this question.

7. The Assembly must also look into the possibility of achieving an alternative or interim solution which would lead at least to much closer co-ordination between the two institutions.

8. The Acting Secretary-General of the Council of Europe, after conferring with the Secretary-General of 0. E. E. C, has worked out a scheme (Document 682) which has met with your Committee's approval. It seems reasonable to suppose that Portugal and Switzerland will not object to these proposals. Under them Portugal and Switzerland retain all their existing rights. No change would be | made in the competence of the Council of the ! 0. E. E. C, and these two countries would not j have to undertake any new commitments, j except that they would agree to receive written | parliamentary questions, recommendations and resolutions from the Consultative Assembly direct, and they would have to reply to these. Since for many years past there has been a close relationship between 0. E. E. C. and the Council of Europe, both at Secretariat level and between committees (the 0. E. E. C. has, indeed, sent reports to the Consultative Assembly regularly) the Acting Secretary-General's proposals appear to entail no fundamental change capable of embarrassing Portugal and Switzerland. On the contrary, these proposals give Portugal and Switzerland an added possibility, of which they may or may not avail themselves, that of sending parliamentary representatives to the Consultative Assembly to take part in its debates when they are on subjects of interest to the 0. E. E. C.

9. A similar invitation would be extended to Canada and the United States.

10. Your Committee wish to emphasise that they attach great importance to strengthening the kind of direct relations established, for example, when a member of the OEEC Council of Ministers presents the report of the 0. E. E. C. in the Assembly. The transmission of resolutions and recommendations through the Committee of Ministers of the Council of Europe is a source of delays which is quite unjustified now that the Committee of Ministers has in practice ceased to deal with purely economic matters. The Assembly is therefore anxious to send its resolutions, recommendations and opinions direct to 0. E. E. C. and to receive from the latter, likewise without going through the Committee of Ministers, information on the action taken on its proposals. The Assembly also wants its members to be able to send written question to the 0. E. E. C. asking for information on the implementation of its recommendations and suggestions. This practice already exists in the Council of Europe and works satisfactorily. In economic matters, however, the system no longer operates, since the Committee of Ministers has largely relinquished its economic activities in favour of 0. E. E. C.

11. The negotiations with Portugal and Switzerland should thus enable the Secretary-General's lesser plan for closer co-operation between the two organisations, including the extension of direct relations between the Assembly and the Council of Ministers of the 0. E. E. C, to be realised.

12. The Acting Secretary-General has, however, also suggested a more drastic but more effective solution, namely the fusion of the Committee of Ministers of the Council of Europe with the Council of 0. E. E. C. The two ministerial organs would constitute a single organ discharging theministerial functions of both organisations. The representatives of Portugal and Switzerland would sit as full members when the new Council discussed questions coming within the competence of 0. E. E. C. They could, if they wished, sit as observers when the amalgamated Council discussed other questions. A similar arrangement might apply to the Canadian and United States representatives.

13. There are various ways in which this reform could be carried out. There would be no need, at any rate in the initial stage, to amend the Statutes of the Council of Europe and 0. E. E. C. The two Committees could function side by side, in accordance with the OEEC Statute in economic matters, and in accordance with the Council of Europe's Statute in political, social or cultural matters. Each country would have the same Permanent Representative in both Committees, and there might be a joint secretariat.

14. To combine the two organisations appears to be all the more necessary as it has been shown from experience that they must work together. Under present conditions the relations, though close, are confused and incoherent to a point where much of the activities of the two institutions in fact escapes all control.

15. The amalgamation alluded to by the Secretary-General of the Council of Europe would have the advantage of completing the 0. E. E. C. by endowing it officially with the parliamentary assembly which it now lacks. The Council of 0. E. E. C. would thereby have closer contacts with, and greater influence upon, European parliamentary circles.

16. In conclusion, your Committee consider that the Committee of Ministers should be recommended to negotiate with the two member countries of 0. E. E. C. which are not Members of the Council of Europe, with the object of carrying out the plan outlined by the Acting Secretary-General. It is your Committee's view that the amalgamation of the Committee of Ministers of the Council of Europe with the Council of 0. E. E. C. and the recognition of the Assembly as the Assembly also of 0. E. E. C. ought to constitute one of the main objectives of European policy " a quinze " and the prelude to vigorous efforts being made for achieving more unity in Greater Europe.

17. The draft opinion which precedes this report was unanimously adopted by your Political Committee at a meeting in Paris on 23rd/24th September 1957.