Recommendation 516 (1968)[1]

Function and future of the Council of Europe

Parliamentary Assembly

The Assembly,

1. Having been invited in Resolution (67) 9 to express its views on the Programme of Intergovernmental Work of the Council of Europe for 1967-1968 ;

2. Recalling its Resolution 331 (1966) which still holds good , on the Programme of Intergovernmental Work for 1966 ;

3. Having consulted its Committees ;

4. Considering that the attempt being made to give a new impetus to the activities of the Council of Europe should also :

define the functions of the Council in the system of European international co-operation viewed as a whole ;

adjust the structures and working methods of the Council to the requirements of the functions so defined ;

5. Being persuaded that the functions of an international organisation should be defined with reference not to itself but to the objectives of international co-operation ;

6. Being convinced that international co-operation must, if it is to achieve the political aims it has set itself, be on the level of the scientific and technological standards of the age ;

7. Recalling that the Council of Europe is a trustee of Western humanism and as such groups together democratic States recognising the human and civic rights defined in the European Convention on Human Rights;

8. Considering that the Council of Europe will be useful to the extent that it provides member countries with those services which by its nature it is better equipped to supply than any other European organisation ;

9. Considering that it would be to the advantage of the Governments to seek political backing for technical intergovernmental co-operation through genuine discussion with the Assembly,

10. Affirms that :

(a) New value of the Council of Europe lies in the fact that it is becoming a regional agency for the peaceful development of a changing society, its essential function being to prepare the Europe of tomorrow by encouraging economic, social and cultural progress ;

(b) The work of the Council of Europe should henceforth be directed firmly towards the future and that the Council of Europe should serve as an instrument for a long-term European development policy, likely to stimulate technical co-operation with non-member European countries ;

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1. Assembly Debate on 1st February 1968 (18th Sitting) (see Doc. 2273, report by Mr. Schulz, Rapporteur appointed by the Bureau on 23rd June 1967). Text adopted by the Assembly on 1st February 1968 (19th Sitting).

(c) The task before it in present circumstances is a sustained effort aimed at forecasting trends in the development of European society, thus assisting legislative bodies and national administrations in making the major choices required of them ;

(d) The Programme of Work should be :

developed and put into effect in a forward-looking spirit ;

intensified in the four spheres in which, in the context of European intergovernmental co-operation, the Council of Europe has found a field of activity peculiar to itself, that is to say :

man's cultural development and permanent education,

the adjustment of laws and administrative machinery to living conditions in industrial society,

the improvement of man's physical environment in the town and in the country,

the adaptation of social structures and public health conditions to future needs ;

(e) The Council of Europe should serve, both at the level of the Assembly and at that of the Committee of Ministers as a framework for the definition of a European science policy, the prerequisite for any European co-operation in the field of scientific research and technology ;

(f) If intergovernmental action by the Council of Europe is to be as effective as desired :

science, especially social sciences and humanities, must be brought into its service,

technical co-operation must be so organised as to secure the direct collaboration of the competent national administrations within structures in which conferences of the responsible Ministers are an integral part ;

11. Recommends the Committee of Ministers :

to instruct the Secretary General to report on the means of giving the organs of the Council of Europe the instruments for research and thought that the task of forecasting requires ;

to consider the possibility :

a. of rationalising the system of the Council of Europe for intergovernmental co-operation, by linking technical Ministerial conferences with existing executive organs, in particular :

the Conference of Ministers of Education with the CCC,

the Conference of Ministers of Justice with the CCJ, and when they are established :

the Conference of Ministers of Social Affairs with the Social Committee,

the Conference of Ministers responsible for town and country planning, with the committees for co-operation already existing in this sphere ;

b. to draw up within this framework a procedure which would enable the Secretary General to submit matters included in the Work Programme or which are the subject of an Assembly proposal directly to the competent Conference of Ministers ;

to see that the technical co-operation programmes in the various fields are submitted to the Assembly by the President of the competent Conference of Ministers ;

to follow the suggestions made in this report including those put forward by the various Committees when implementing the new Programme of Work (see Appendix) ;

to place consideration of this report on the agenda for an early meeting of the Joint Committee sitting at Ministerial level.

Appendix APPENDIX

Suggestions by the Committees on their specific fields of activity

1. Economic Committee

(a) The aims and content of the economic chapter should be revised. This should either be extended to include all activities relating to the harmonisation of national laws in the economic field (patents, trademarks, company law etc.), or be incorporated in a new chapter dealing with the effects of industrial and technical transformation on physical environment (conservation of natural resources).

(b) The safety standards governing the manufacture and use of tyres should be extended to cover all other aspects of the manufacture and use of motor vehicles.

(c) A European Highway Code (at present under consideration by the Secretariat) should be drawn up without delay in co-operation with the European Conference of Ministers of Transport.

2. Legal Committee

(a) Safeguarding human rights should occupy a prominent place in the Council of Europe's activities. One of the questions to be studied is how human rights and fundamental freedoms can be effectively safeguarded in the modern State and the modern society.

(b) The inclusion in Section V (Subjects under study in the Secretariat) of matters submitted by the Legal Committee is of little practical significance in so far as they are not concerned with intergovernmental activities properly so called.

(c) The very slow rate at which Council of Europe Conventions are ratified and the relatively limited effect some of them appear to have is a matter for anxiety.

(d) Closer co-operation and co-ordination between the activities of intergovernmental bodies, such as the European Committee on Legal Co-operation and the European Committee on Crime Problems on the one hand, and of the Legal Committee on the other, would appear to be essential.

(e) The possibility should be studied of creating a European Commission consisting of eminent independent jurists on the analogy of the Law Commission for England and Wales, whose task would be to study European Law as a whole with a view to amending, codifying and simplifying it.

3. Cultural Committee

(a) Turning the Conference of European Ministers of Education into a regular institution should provide, at intergovernmental level, the political impetus now lacking in cultural co-operation in Europe, and should co-ordinate the activities of the CCC and the technical committees.

(b) Activities relating to the general problem of planning man's environment, i.e. those of physical environment and town and country planning, in regard to which the Council of Europe should intensify its efforts, should be concentrated in an operational programme.

(c) As the European medium for cultural and educational development, the Council of Europe should concentrate its activities increasingly on permanent education and cultural advancement.

(d) Research should be undertaken to provide a basis for drawing up a European youth policy.

4. Committee on Science and Technology

The Council of Europe should make a basic change in its working methods to achieve a scientific level in all fields, since that alone will enable it to deal effectively in the framework of international co-operation with the problems facing an industrial society in our continent today.

5. Committee on Local Authorities

(a) The omission from the Programme of Work of any reference to man and his civic capacity in a municipal or a regional community, leaves a real gap.

(b) The Committee of Ministers' decision to set up a committee for co-operation on municipal and regional questions should open a new chapter in the intergovernmental activities of the Council of Europe.

(c) The creation of this committee provides further opportunities for the Council of Europe to promote regional planning.

(d) It is to be regretted that the Intergovernmental Work Programme makes no mention of the financial assistance provided by the Committee of Ministers for intermunicipal exchanges, a form of assistance which should be developed further.

6. Committee on Agriculture

The very important and urgent question of the social protection of self-employed farmers and their families should be transferred to the "New Work to be undertaken" section.

7. Committee on Population and Refugees

(a) The study of the various aspects of population development in Europe and their economic and social consequences should be included in the section devoted to "Permanent Work".

(b) The synchronisation and harmonisation of census operations in Council of Europe member countries with a view to reaching an agreement or adopting a European Convention in this field should be included in the Programme of Work.

8. Social Committee

The Programme of Work should include a clear definition of the relations between the Council of Europe and the other international organisations, and the adoption of a definite attitude on the place of the non-governmental international organisations having consultative status with the Council of Europe and the part they should play.