

# CONCLUSIONS OF THE THIRTEENTH MEETING OF THE MINISTERS' DEPUTIES

held at Strasbourg from 14th to 18th September, 1953

*There were present :*

BELGIUM .....	M. F. L. GOFFART, <i>Chairman</i> M. G. BARTHELEMY
DENMARK .....	M. PER GROOT
FRANCE .....	M. F. SEYDOUX M. Géraud JOUVE
GERMAN FEDERAL REPUBLIC .....	M. K. K. OVERBECK M. W. HARTLIEB
GREECE .....	M. N. HADJI VASSILIOU
ICELAND .....	M. H. HELGASON
IRELAND .....	Mr. W. P. FAY Mr. S. GAYNOR
ITALY .....	M. G. CITTADINI CESI M. R. PETRIGNANI
LUXEMBOURG ...	M. J. P. KREMER
NETHERLANDS ..	Baron S. G. M. van VOORST tot VOORST M. W. RENAUD
NORWAY .....	M. P. KOHT
SWEDEN .....	M. L. PETRI M. C. WOLLIN
TURKEY .....	M. A. AKÇA
UNITED KINGDOM	Mr. P. W. SCARLETT Mr. C. D. AUDLAND
SAAR .....	M. M. LORSCHIEDER M. J. HASSLACHER

The 13th Meeting of the Ministers' Deputies was opened at Strasbourg on 14th September, 1953, under the Chairmanship of M. F. L. Goffart, Deputy for the Belgian Minister for Foreign Affairs and Permanent Representative of Belgium to the Council of Europe.

At the opening of the meeting, the Chairman paid tribute to the late M. J.-C. Paris, Secretary-General of the Council of Europe, whose death had occurred in tragic circumstances during the month of July. The Deputies associated themselves with the words of the Chairman, whose speech appears in Appendix 2.

## I. Adoption of the Agenda

The draft agenda was adopted (cf. Appendix 3).

## II. Appointment of a successor to the late M. J.-C. Paris, Secretary-General

The Deputies unanimously agreed to recommend to the Consultative Assembly that M. Léon Marchal should be appointed Secretary-General of the Council of Europe as the successor of the late M. J.-C. Paris. The Chairman was instructed to bring this recommendation to the notice of the Assembly.

## III. Appointment of a successor to M. F. Caracciolo di Castagneto, Clerk to the Consultative Assembly and Deputy Secretary-General

The Deputies were informed by a communication to the Committee of Ministers from the President of the Consultative Assembly that M. Filippo Caracciolo di Castagneto had submitted his resignation as Deputy Secretary-General and Clerk to the Assembly by a letter dated 18th August, 1953. In a second letter the President of the Assembly had made it clear that M. Caracciolo had left it to the Bureau to determine the date on which his resignation should take effect, and that the Bureau had decided that he should continue in office until further notice. The Chairman was instructed by the Deputies to acknowledge receipt of this communication.

The Ministers' Deputies placed on record the unanimous agreement of their Governments to the candidature of M. Roberto Ducci as Deputy Secretary-General and Clerk to the Assembly.

Commenting on the appointment of successors to the late M. Paris and to M. Caracciolo, the Deputies of Belgium, Greece, Ireland, the Netherlands, Norway and Sweden pointed out that, in the opinion of their Governments, the appointment of officials to the Secretariat, within the system of geographical distribution en-

visaged by Article 7 of the Administrative Regulations, could not be based on any system of "hereditary national right".

**IV. Examination of the Reply of the Consultative Assembly to the Fourth Report and Message of the Committee of Ministers — Memorandum by the Secretariat-General (Doc. CM (53) 86)**

The Deputies took note of the Memorandum by the Secretariat-General, Doc. CM (53) 86, on the Reply of the Assembly to the Fourth Report and Message of the Committee of Ministers. They agreed to consider at a subsequent meeting Section 2 of the Assembly's Reply, Doc. 159.

**V. Supplementary Report of the Committee of Ministers to the Consultative Assembly — (Draft Report (CM (53) 87))**

The Deputies decided upon the terms of a Supplementary Report to the Fourth Report of the Committee of Ministers to the Assembly, the text of which appears in Assembly Document 195.

**VI. General Report of the High Authority on the activities of the European Coal and Steel Community**

(a) *Observations by the Governments (Docs. CM (53) 68, 79 and 81)*

(b) *Draft Reply of the Committee of Ministers to the High Authority (Doc. CM (53) 85)*

The Deputies decided upon the text of the Reply of the Committee of Ministers to the General Report of the High Authority, which appears in Document CM (53) 85 final (Appendix 4). The Secretary-General was instructed to transmit this Reply to the Secretariat of the High Authority.

**VII. The problem of refugees and over-population.  
Appointment of an eminent European personality (cf. Resolution (53) 22)**

The Chairman stated that it was not yet possible to report on his approaches to certain

persons with regard to their possible response, should they be invited to accept this office.

The Deputies therefore decided to reconsider this question at their next meeting. They approved the text of a paragraph on the question for insertion in the Supplementary Report of the Committee of Ministers to the Assembly.

The Netherlands Deputy stated that, in any case, the functions to be entrusted to the eminent European personality must be clearly defined.

**VIII. Recommendation 39 (1952) — Ways and means of giving publicity to the Council of Europe in European non-member States (See Doc. CM (53) 41 and CM (53) 73 Final, Chap. VI)**

The Ministers' Deputies decided, in response to Recommendation 39 (1952), to include the following text in the Supplementary Report which the Committee of Ministers would be submitting to the Assembly on the occasion of the Third Part of its Fifth Session :

"The Committee of Ministers agrees that the nations not represented should be kept informed as fully as possible of the aims, activities and achievements of the Council of Europe, but feels that the time is not yet opportune for adopting an information programme as suggested by the Consultative Assembly in Recommendation 39 (1952). The exact lines of such a programme will be considered when the general programme of work which is at present being prepared for the Council of Europe is in final form and when the results of the Round Table Conference which is to be held at Rome next October are available."

**IX. Agreement between the Council of Europe and the International Institute for the Unification of Private Law at Rome.  
Agreement between the Council of Europe and The Hague Conference on Private International Law**

The Ministers' Deputies decided :

(i) to refer to the Assembly for its opinion :

(a) The Draft Agreement with the Rome Institute as set out in Doc. CM (53) 69, with the addition of the following denunciation clause :

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

(b) The Draft Agreement with the Hague Conference on Private International Law, as set out in Doc. CM (53) 104 ;

(ii) and to request that, in view of the time already taken in negotiations with the two organisations, this opinion should, if possible, be formulated during the September session.

The representatives of Ireland and the Netherlands reserved the position of their Governments on the revised text of the draft Agreement with The Hague Conference. The Netherlands representative pointed out that, after the Assembly's opinion had been received, his Government would have to consult the Governments which are members of the Conference but not of the Council of Europe about the modifications that had been made. The Italian representative accepted the denunciation clause in the Agreement with the Rome Institute, subject to reference to his Government.

#### **X. Relations between the Council of Europe and the international trade union organizations (Doc. CM (53) 95)**

The Deputies took note of the letter addressed to Member Governments by the Secretary-General on 27th July, 1953, (Doc. CM (53) 95), in which it was stated that the European Regional Organization of the International Confederation of Free Trade Unions and the International Confederation of Christian Trade Unions agreed in principle with the proposals put forward in the Memorandum by the Secretariat-General on relations between them and the Council of Europe, but that there were at present a number of obstacles to the establishment

of joint representation of the two organizations. The Deputies therefore decided not to insist on the principle that relations should be established by the Council with a single body representing the two trade union organizations.

#### **XI. Signature of Conventions and Agreements**

The majority of the Deputies approved the proposition put forward by M. Hallstein and likewise that of M. Hoffmann (Doc. CM (53) 74). However, it was not possible to reach unanimous agreement on these proposals.

The Saar delegation consequently presented a new proposal (Doc. CM (53) 107). The representative of the German Federal Republic announced that this was now being considered by his Government and that he must therefore reserve his position. The other Deputies approved this new proposal.

The Deputies decided to retain the question on their agenda.

#### **XII. Organisation of assistance to the Greek Government for the victims of the Earthquakes**

The Deputies adopted Resolution (53) 27, the text of which will be found in Appendix 1, see page 52.

#### **XIII. Other business**

##### **(i) European Conference on Air Transport - Letter from the German Federal Government (Doc. CM (53) 93)**

The Committee instructed the Secretary-General to transmit to I.C.A.O. the letter from the German State Secretary, M. Hallstein, with the following covering note :

“ I have the honour to send you herewith a copy of a letter from M. Hallstein, State Secretary of the German Federal Republic, concerning the Conference on the co-ordination of air transport which I.C.A.O. has kindly undertaken to organize.

The Committee of Ministers has authorized me to transmit this letter to you at the request of the representative of the Federal Republic, supported by the representatives of Greece, Luxembourg and Turkey. ”

**(ii) (a) Admission of Spanish and Portuguese observers to the Committee of Experts on Patents (Doc. CM (53) 83)**

**(b) Admission of Austrian observers to the Committees of Experts on the Reciprocal Treatment of Nationals and on Extradition (Doc. CM (53) 96)**

The Committee decided to defer the discussion of Item (a) to its next meeting.

With regard to Item (b) the Ministers' Deputies approved the admission of Austrian observers to the Committee of Experts on the Reciprocal Treatment of Nationals and on Extradition. The Irish representative was unable to make a definitive pronouncement on the matter but intimated that he would inform the Secretary-General as soon as possible of his Government's views.

**(iii) Production of short films**

The Ministers' Deputies authorized the unblocking of 575,000 frs. of the credit of 1,000,000 frs. voted for the production of short films under Sub-head 39 of the 1953 Budget, for the purposes specified in the Memorandum of the Secretariat-General (CM (53) 101).

**(iv) Abolition of visas**

The Netherlands Deputy announced the intention of his Government to abolish the visas hitherto required in the case of nationals of the German Federal Republic visiting the Netherlands.

**(v) Presentation of the OEEC Report to the Consultative Assembly**

The Ministers' Deputies requested the Secretary-General to inform M. Bernard Lafay, French Secretary of State for Economic Affairs, of their hope that he would personally present to the Consultative Assembly the fifth Report of O.E.E.C. to the Council of Europe.

**(vi) Creation of a further post of Deputy Secretary-General**

The creation of a further post of Deputy Secretary-General was proposed by the representative of the German Federal Republic. In the event of this proposal being favourably received by Member Governments, the Federal Government expressed its intention of putting forward the name of one of its own nationals in order that the German element should be fairly represented in the Secretariat-General.

The representatives of France and Italy said that their Governments were prepared to give this proposal favourable consideration.

The Ministers' Deputies agreed that it should be referred to their Governments and that the question be included in the Agenda for their fifteenth meeting.

**(vii) Special Pension for Madame J.-C. Paris**

The representative of the German Federal Republic, supported by the representative of the United Kingdom, expressed the wish that provision be made for the material welfare of Mme. J.-C. Paris. The Deputies instructed the Secretary-General to submit suggestions for this purpose to their next meeting.

**(viii) Refund of expenses incurred by the Council of Europe**

The Acting Secretary-General informed the Deputies that, in accordance with the instructions given to the Secretariat-General under the terms of Resolution (53) 1, an agreement had been reached with the Secretariat of the Common Assembly and Ad Hoc Assembly concerning the refund of expenses incurred on their behalf by the Council of Europe. The details of this agreement would be communicated to the Governments shortly.

**(ix) Rates of remuneration of staff**

The Acting Secretary-General made a communication to the Deputies as follows :

Between 1949 and 1952, the remuneration of the various grades of the Secretariats-General

of the Council and O.E.E.C. was for all practical purposes identical ; it has been the general policy of the Committee of Ministers to maintain this equivalence. The attention of the Secretariat-General has lately been drawn to what seems to be substantial discrepancies between the remuneration of some comparable grades of the two organizations — discrepancies which appear to date from last year.

The Secretariat-General proposes to examine these discrepancies. If, in the light of that examination, it seems desirable to make any pro-

posals to the Committee of Ministers, they will be submitted in the first instance to the Budget Committee.

#### **XIV. Date and Agenda of the Fourteenth Meeting of the Ministers' Deputies**

The Deputies decided that their Fourteenth Meeting would open in Strasbourg on 30th September, 1953 at 10 a. m.