

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

COMMITTEE OF MINISTERS

Strasbourg, 18th January 1962

Confidential

CM (62) 16

Or. Fr.

RELATIONS WITH OECD

Memorandum by the Secretariat
(External Relations Department)

1. At their 102nd meeting, the Ministers' Deputies gave preliminary consideration to a text defining procedure for co-operation between the Council of Europe and OECD (CM (61) 160 and CM/Del/Concl (61) 102, point XIX(f)).

At the Deputies' 103rd meeting, the Chairman of the Council of Europe Liaison Committee reported on the joint meeting of the CE - OECD Liaison Committees which had taken place in Paris on 22nd November 1961 and had dealt inter alia with that text. As agreed at the joint meeting, the Secretary-General of OECD has now addressed a letter to the Secretary-General of the Council of Europe on the interpretation of the draft arrangement (Appendix I).

2. This letter meets the wishes of the Council of Europe Liaison Committee with regard to the terms of reference of the Liaison Committees (paragraphs 9 and 10 of the draft summary of procedure, cf. Appendix II) and the admission of Observers from the Council of Europe to meetings of OECD subsidiary bodies. It will be recalled that the draft summary of procedure already provided for the Council of Europe to send Observers:

To meetings of the OECD Council in certain specifically named cases (paragraph 16);

To OECD's agricultural committees (paragraph 17);

To OECD's technical committees (paragraphs 18-20)⁽¹⁾

The Council of OECD has now decided, by a Resolution dated 9th January 1962 (Appendix III), to invite the Council of Europe to send Observers to meetings of its Committee on Scientific and Technical Personnel and its Committee on Scientific Research. It also confirms that the Council of Europe may, if it so wishes, send an Observer to the meetings of the OECD Manpower Committee. Mr. Adair's letter states, moreover, that the OECD Rules of Procedure will permit relations between the two organisations to be extended in fields in which they are both concerned.⁽²⁾

(1) The technical committees concerned are those on: Oil, Tourism, Maritime Transport, Coal, Electricity, Iron and Steel, Non-Ferrous Metals, Timber, Paper and Pulp, Textiles, Chemical Products, Capital Equipment, Hides and Skins, Gas and the Working Party on Cement.

(2) The relevant passages in the OECD Rules of Procedure are as follows:

"Rule 8

(a) Where a non-member Government or an international organisation has been invited to participate in the activities of the Organisation by virtue of an Agreement or a Resolution of the Council, their representatives may attend meetings of bodies of the Organisation in accordance with the provisions of the Agreement or Resolution.

(b) The Secretary-General shall notify these representatives of the dates of the meetings of bodies of the Organisation which they may attend and shall provide them with the agenda, minutes and documents of these meetings.

Rule 9

(a) The Council may invite a non-member Government or an international organisation to be represented by an observer at meetings, or parts of meetings, of all or certain bodies of the Organisation.

(b) The Chairman of the Council may decide, where appropriate, that particular meetings of bodies of the Organisation shall be held without the attendance of observers.

(c) At a meeting attended by an observer the Chairman may, on his own initiative or upon request, invite him to make a statement on a particular subject.

(d) Subject to the provisions of paragraph (b), the Secretary-General shall notify the observers of the dates of meetings, or parts of meetings, of bodies of the Organisation which they may attend and shall provide them with the agenda, minutes and documents thereof."

Lastly, as explained by the Chairman of the Council of Europe Liaison Committee at the 103rd meeting, and as also appears from Item 3 of document CE/OCDE (61) PV 1, the OECD Committee has been able to reassure the Council of Europe as to the effects of the amendments made to paragraphs 4 and 14 of the draft summary of procedure, dealing with the transmission of OECD documents to the Council of Europe.

3. The Secretary-General will be submitting the text of Mr. Adair's letter to the Council of Europe Liaison Committee in the course of the next few days.

4. Should the Liaison Committee's reaction be favourable, there would seem to be nothing further to prevent the draft summary of procedure for co-operation between the Council of Europe and OECD, now before the Ministers' Deputies, from being approved by them. Once their approval has been given, relations between the Council of Europe and OECD will be governed by that text, which was already approved by the Council of OECD at its meeting on 9th January 1962.



A P P E N D I X I

OECD

Organisation for Economic Co-operation and Development

CA-336

Paris, 10th January 1962

Sir,

I refer to the letter Mr. Kristensen wrote to you on the 25th September 1961, sending you the Summary of the procedure for co-operation between our two Organisations with a view to its simultaneous approval by the Committee of Ministers of the Council of Europe and the Council of the OECD.

During recent discussion of the contents of this document in the Liaison Committees of the two Organisations, it appeared that the Ministers' Delegates of the Council of Europe were anxious to be assured that the few changes which had been made did not have the effect of restricting its scope.

This assurance was immediately given by the Organisation's Liaison Committee at the meeting on 22nd September last and I am now able to tell you that the Council of the Organisation, to whom the Liaison Committee reported the matter, has confirmed the Organisation's intention to apply this Summary in the same liberal spirit as in the past. This will apply in particular to the competence and functioning of the Liaison Committees of the two Organisations.

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Mr. Lodovico Benvenuti,
Secretary-General,
Council of Europe,
Strasbourg.

Moreover, in order to avoid any misunderstanding about the provisions dealing with the attendance of observers from the Council of Europe Secretariat at meetings of the subsidiary bodies of the Organisation, I think it desirable to clarify the following points:

As indicated in Mr. Kristensen's letter, the term "Technical Committees" in paragraphs 5 and 18-20 of the Summary, now means, under the OECD Rules of Procedure, the existing Committees of the Organisation for Energy and Industry only.

It is however understood that the Council of Europe will also be entitled to be represented by an observer at meetings of the Manpower Committee of the reconstituted Organisation.

While the present Summary only provides for the continuation of the arrangements which existed between the Council of Europe and the OEEC, the Rules of Procedure of the OECD provide ample flexibility for extending relations in those fields of common interest to the two Organisations, which may be determined in the future.

Thus I am pleased to inform you that the Council has acted favourably on the request of the Council of Europe to be represented by observers at meetings of the Committee for Scientific and Technical Personnel and the Committee for Scientific Research. I attach herewith a copy of the Resolution adopted by the Council to this end, at its Meeting on 9th January 1962.

Accept, Sir, the assurances of my highest consideration.

Charles W. Adair, Jr.

A P P E N D I X II

ORGANISATION FOR EUROPEAN
ECONOMIC CO-OPERATION

Paris, 25th September, 1961

PROCEDURE FOR CO-OPERATION BETWEEN
THE COUNCIL OF EUROPE AND THE OECD

(Cover Note)

At its meeting on 11th September 1961, the Preparatory Committee approved the summary of the procedure for co-operation between the Council of Europe and the OECD to be substituted for the various decisions taken by the two Organisations and to form the substance of an agreement defining co-operation between the Council of Europe and the OECD pending a decision on the creation of a parliamentary body for the OECD.

The summary is annexed.

It should be noted that paragraphs 5, 18, 19 and 20 of this document provide for the attendance of Council of Europe Observers at meetings of the Technical Committees of the Organisation. In the OECD Rules of Procedure, however, the expression "Technical Committees" refers solely to the former Vertical Committee of the OEEC.

In these circumstances, the Preparatory Committee has agreed that the Council of Europe may, on request, continue to be represented by an Observer at other committees at which it was in fact represented in the OEEC. The Council of the OECD will be kept informed by the Secretary-General.

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ANNEX

PROCEDURE FOR CO-OPERATION BETWEEN
THE COUNCIL OF EUROPE AND THE OECD

(Summary)

I. GENERAL PRINCIPLES

The principles which govern co-operation between the Organisation for Economic Co-operation and Development (OECD) and the Council of Europe are described below.

1. Co-operation between the two Organisations shall be based on reciprocity.
2. The procedure and methods of application shall be established by the two Liaison Committees set up by the two Organisations concerned. These Committees shall report to the Council of the OECD and to the Committee of Ministers of the Council of Europe and shall submit to them such proposals as may usefully contribute to closer co-operation between the two Organisations.
3. Within the framework of this co-operation, the OECD shall transmit to the Council of Europe periodic reports on economic problems which have already been studied by the Organisation or on which studies are in progress.
4. In addition to these reports, "restricted" documents of interest to the Council of Europe may be officially transmitted to the Council of Europe so that it may be kept regularly informed of the work of the OECD.

The Council of Europe, for their part also, shall transmit to the OECD such of these documents as relate to problems concerning the activities of the OECD.

5. Observers from the Council of Europe may be authorised to attend meetings of the Council and technical committees of the OECD which have a bearing on the work of the Council of Europe. The Secretariat of the OECD shall enjoy reciprocal facilities.
6. Representatives of the Parliamentary Committees of the Council of Europe concerned with economic and social questions may consult experts of the OECD. Exchanges of views may also be arranged, at the instance of the OECD, between members of these Committees and Representatives of the OECD.

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7. The Secretary-General of the OECD may, at the request of the Secretary-General of the Council of Europe, assist the latter in preparing work on economic questions undertaken by the different bodies of the Council of Europe.

II. LIAISON COMMITTEE

8. The Committees responsible for liaison between the two Organisations shall each consist of five members appointed respectively by the Council of the OECD and by the Committee of Ministers of the Council of Europe, to whom they shall report when necessary. Representatives of the Consultative Assembly of the Council of Europe may also attend these meetings.

9. At the joint sessions of the Liaison Committees of the Council of Europe and the OECD, proposals shall be made on the best procedure for co-ordinating the activities of the two Organisations. With this end in view, the Liaison Committees shall exchange information on economic proposals under study in the Consultative Assembly or its Committees or on the work of the Organisation.

10. The Liaison Committees shall hold regular meetings to examine questions of an economic nature which may arise out of the discussions of the Committee of Ministers of the Council of Europe or the Council of the OECD.

III. REPORTS TRANSMITTED BY THE OECD TO THE COUNCIL OF EUROPE

11. The OECD shall prepare reports on the occasion of the Sessions of the Consultative Assembly, or on any other occasion which may seem appropriate to the Council of the OECD(1).

12. In order to ensure that these reports are communicated in time to the Committee on Economic Questions of the Assembly, they should be transmitted to the Secretary-General of the Council of Europe three weeks before the opening of the Session of the Consultative Assembly or of that part of the Session for which they have been prepared.

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(1) It is recalled that at its Session of 20th November 1959, the Council of the OEEC agreed that this provision should apply to the periodic reports of the Ministerial Committee for Agriculture and Food. Since October 1958, the European Nuclear Energy Agency has also transmitted to the Consultative Assembly a periodic report on its activities.

13. The reports prepared by the OECD for the Consultative Assembly are presented to the latter by a Minister representing the OECD. The Representatives to the Assembly may address written questions on these reports to the OECD before they are presented by the Minister in plenary session. As a rule, the Minister presenting the Report of the OECD to the Assembly shall attend a meeting of the Economic Committee of the Assembly, assisted by his advisers and by members of the Secretariat of the OECD.

IV. DESPATCH OF DOCUMENTS FROM THE OECD TO THE COUNCIL OF EUROPE

14. In the interval between two reports, the Organisation may, on the authority of the Executive Committee or the Liaison Committee or other appropriate body, transmit to the Council of Europe certain "restricted" documents to keep it informed of the work of the OECD particularly in the fields covered by these reports.

15. Such documents are transmitted for the use of members of the Consultative Assembly.

V. INTERCHANGE OF OBSERVERS ⁽¹⁾

16. Council of the OECD

The Council of Europe shall be invited to send an Observer to meetings of the Council whenever the business relates to:

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(1) At its meeting of 4th July 1952, the Council of the OECE noted the following interpretation of the United Kingdom delegate:

"A request from the Council of Europe to send observers to technical committees in the strict sense of the word (that is, committees in which discussions are mainly or entirely on technical subjects) would, if reasonable, be likely to be considered favourable by the Liaison Committee and the Executive Committee. This would also apply to meetings of the Manpower Committee and the Overseas Territories Committee. On the other hand, requests to send observers to meetings of technical committees where discussions are more likely to be concerned with matters of policy (that is, the Economic Committee, the Trade Committee, the Joint Trade and Intra-European Payments Committee, and the Joint Trade and Economic Committee) would be subjected to careful scrutiny before being accepted."

- (i) questions submitted by the agricultural bodies or the technical committees, the discussion of which was attended by an Observer from the Council of Europe in accordance with the provisions set out in the paragraphs below; or
- (ii) recommendations of the Consultative Assembly referred to the Organisation by the Committee of Ministers of the Council of Europe.

17. Agricultural bodies of the OECD

The Council of Europe shall be invited to send an Observer to meetings of the agricultural bodies whenever their activities relate to questions concerning its work in the sector of agriculture and food.

18. Technical Committees of the OECD

When a Technical Committee of the OECD considers that the attendance of an Observer from the Council of Europe would be useful at any of its meetings, an invitation to this effect shall be transmitted by the Secretary-General of the OECD to the Secretary-General of the Council of Europe.

19. When the Council of Europe desires to be represented by an Observer at a meeting of a technical committee of the OECD, its request is submitted to the competent bodies of the OECD for decision.

20. In addition, the Council of Europe shall be invited to send an Observer to meetings of the technical committees whenever their business relates to the study of a recommendation of the Consultative Assembly referred to the OECD by the Committee of Ministers.

21. Attendance of Observers from the Secretariat of the OECD at meetings of Committees of Governmental Experts of the Council of Europe

If any economic or social question referred by the Committee of Ministers of the Council of Europe to a Committee of Governmental Experts for examination is of interest to both Organisations, the Secretary-General of the OECD should be invited to follow the proceedings of this Committee of Experts.

VI. CONSULTATION OF OECD EXPERTS BY REPRESENTATIVES OF THE
CONSULTATIVE ASSEMBLY OF THE COUNCIL OF EUROPE

22. Representatives of Committees of the Consultative Assembly may consult OECD Experts. The guiding principles which shall apply to such consultations are as follows:

(a) The term "OECD Experts" means Experts of the Secretariat of the OECD.

Nevertheless, when consultations are held on agricultural problems, the Chairman and the Vice-Chairmen of the Committee of Deputies of the Ministerial Committee for Agriculture and Food shall take part in these consultations.

(b) The subject of a consultation should come within the aim of the Organisation and, as a rule, bear upon the past, present or future activities of the OECD.

(c) Consultations shall take place at special joint meetings of the Liaison Committees.

VII. RECOMMENDATIONS ADOPTED BY THE CONSULTATIVE ASSEMBLY
AND REFERRED BY THE COMMITTEE OF MINISTERS OF THE
COUNCIL OF EUROPE TO THE OECD FOR EXAMINATION

23. (a) In order to ensure the speedy communication of texts adopted by the Consultative Assembly and relating to questions which are of interest to the OECD, the Committee of Ministers of the Council of Europe has given standing instructions to the Secretary-General of the Council of Europe to transmit these texts direct to the OECD.

(b) These texts are then examined by the Liaison Committees which should, in any case, meet after every Session of the Consultative Assembly - with a view to determining which of the two Organisations can more appropriately deal with the questions raised; it is then either for the Council of the OECD or for the Committee of Ministers of the Council of Europe (after technical advice has been given by the OECD) to reach a final decision on the substance. These two bodies shall inform one another of their decisions which the Committee of Ministers of the Council of Europe shall communicate to the Consultative Assembly (1).

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(1) At its meeting of 10th January 1958, the Council of the OEEC stated that it would be informed if the Liaison Committees encountered difficulties in the course of their examination of the Consultative Assembly's texts.

24. Whenever a recommendation of the Consultative Assembly is to be studied by the OECD, it is essential that the OECD should receive the fullest information relating to it.

With this end in view, a Representative of the Council of Europe designated by the Committee of Ministers shall be invited to attend a meeting of the appropriate body of the Organisation to give the necessary explanations and information.

The Secretary-General of the Council of Europe shall also provide the relevant organs of the OECD with any additional explanations which they might need in the course of their work.

25. In this case, arrangements may also be made for an exchange of views between OECD Experts and Representatives of the competent Committees of the Consultative Assembly, to take place in the Liaison Committees.

Such exchanges of views shall be subject mutatis mutandis to the rules of paragraph 22.

VIII. CO-OPERATION BETWEEN THE SECRETARIES-GENERAL OF THE TWO ORGANISATIONS

26. Co-operation between the Secretary-General of the OECD and the Secretary-General of the Council of Europe is governed by the provisions of the constituent texts of the two Organisations which relate to the functions of the Secretaries-General.

27. This co-operation implies a constant interchange of information between the two Secretaries-General who shall meet, whenever they feel it is necessary, to examine jointly all the questions arising out of co-operation between the two Organisations within the framework of the texts governing relations between them.

28. In some cases, co-operation between the Secretaries-General takes a special form:

(a) Joint sessions of liaison groups

29. The Secretaries-General may set up, each in his own sphere of competence, liaison groups consisting of staff of their Organisation for the purpose of exchanging views with one another on specific questions.

(b) Request of the Secretary-General of the Council of Europe for advice or for information from the Secretary-General of the OECD

30. The Secretary-General of the Council of Europe may consult the Secretary-General of the OECD in order to obtain the necessary expert advice or information to facilitate the solution of questions to be discussed by the Committee of Ministers.

31. By reason of the structure of the Council of Europe and its Statutes, the questions to be discussed by the Committee of Ministers usually emanate from the Consultative Assembly. The Secretary-General of the Council of Europe may thus call on the Secretary-General of the OECD at a time when the questions which will subsequently be submitted to the Committee of Ministers are still being studied in their preliminary stages by the Consultative Assembly or its Committees.

32. If contacts with Representatives of the Consultative Assembly should prove necessary, exchanges of views shall be arranged with them - at the request of the Liaison Committee of the OECD - during the joint sessions of the two Liaison Committees. The rules for the consultation of Experts of the OECD shall apply, where necessary, to such exchanges of views.

(c) Assistance given by members of the OECD Secretariat to Working Parties set up within the Council of Europe

33. The Secretary-General of the OECD may be invited by the Secretary-General of the Council of Europe to attend the meetings of an ad hoc Working Party set up within the Council of Europe to study a specific question.

34. If the Council of Europe's invitation is accepted by the OECD the Secretary-General of the OECD attends the meetings of the Working Party in order to supply it with the information necessary for the fulfilment of its task.

A P P E N D I X I I I

ORGANISATION FOR ECONOMIC
CO-OPERATION AND DEVELOPMENT

RESTRICTED

Paris, 9th January, 1962

OECD/C(61)18(Final)

Scale 1

COUNCIL

RESOLUTION OF THE COUNCIL

ON THE ATTENDANCE OF OBSERVERS FROM THE COUNCIL OF EUROPE
AT MEETINGS OF THE COMMITTEE FOR SCIENTIFIC AND TECHNICAL
PERSONNEL AND THE COMMITTEE FOR SCIENTIFIC RESEARCH

(Adopted by the Council at its 11th Meeting on 9th January 1962)

The Council

Having regard to Rule 9 of the Rules of Procedure of
the Organisation;

Considering that, in view of the activities undertaken
by the Council of Europe in scientific and technical matters,
it is expedient to provide for effective working relations
with that Organisation in such matters and, in particular,
to enable it to keep in touch with the carrying out of the
OECD programme of activities;

DECIDES:

1. The Council of Europe is invited to send an observer
to meetings of the Committee for Scientific and Technical
Personnel and the Committee for Scientific Research.

2. The Secretary-General shall transmit to the Council
of Europe all agendas and documents relating to the work of
these Committees.

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