

CONCLUSIONS OF THE HUNDRED AND TWENTY-FIRST MEETING
OF THE MINISTERS' DEPUTIES

held in Strasbourg, on 3rd May 1963

Present :

AUSTRIA	Mr. H. REICHMANN
BELGIUM	Mr. R. COENE
CYPRUS	
DENMARK	Mr. M. WARBERG
FRANCE	Mr. C.H. BONFILS Mr. SOUBESTE
FEDERAL REPUBLIC OF GERMANY	Mr. F. PRILL Mr. A. DRENKER
GREECE	Mr. J. COLIACOPOULOS
ICELAND	Mr. P. EGGERZ
IRELAND	Mr. B. DILLON
ITALY	Mr. M.A. MARIENI Mr. L.A. LAURIOLA
LUXEMBOURG	Mr. P. WURTH, Chairman
NETHERLANDS	Miss M.Z.N. WITTEVEEN Mr. J. W. NAARDING
NORWAY	Mr. K. FRYDENLUND
SWEDEN	Mr. H. BJÖRK
TURKEY	Mr. N. DINÇ Mr. O. LÜTEM
UNITED KINGDOM.	Mr. I. PORTER Mr. J.M. LEADBITTER

The 121st meeting of the Ministers' Deputies opened at the Council of Europe at 10 a.m. on 3rd May 1963, with Mr. P. Wurth, Deputy to the Luxembourg Foreign Minister and Permanent Representative to the Council of Europe, in the Chair.

I. Adoption of the Agenda

The agenda was adopted (Appendix 7). 1

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The Deputies authorised the communication to the Consultative Assembly of the opinions

1. See page 112.

expressed by OECD on Assembly Recommendations 317, 324, 332, 333 and 339 on:

Recommendation 317 : on the protection of private foreign investments in developing countries (Doc. CM (63) 68);

Recommendation 324 : on new industrial uses for agricultural produce (Doc. CM (63) 69);

Recommendation 332 : on assistance to newly-developing countries (Doc. CM (63) 70);

Recommendation 333 : on international commodity trade (Doc. CM (63) 71);

Recommendation 339 : on European energy problems (Doc. CM (63) 72).

II. Information Problems

(Concl. (63) 119, point IX, and Docs. CM (63) 50 and 73)

(a) Council of Europe action

(b) Budgetary questions

The Deputies resumed consideration of the Secretary-General's proposals for ensuring the efficiency of the Directorate of Information (Doc. CM (63) 59). In the light of the opinion put forward by the Budget Committee at its meeting held from 27th to 29th March (Doc. CM (63) 73), the Deputies took the following decisions :

(a) Structure and permanent staff

The Deputies approved the proposed re-organisation of the Directorate of Press and Information resulting from the proposed new

angle to be given to the Council's information policy, and fixed the Directorate's establishment as follows :

- 1 A-7,
- 2 A-5,
- 6 A-2 / A-3,
- 4 B-5,
- 3 B-4,
- 5 B-3,
- 2 B-2,
- 1 C-3.

The abolition and creation of posts implied by approval of this new establishment is as follows :

- creation of posts :
 - 1 A-2 / A-3,
 - 1 C-3;
- abolition of posts :
 - 1 B-1;
- upgradings :
 - 1 A-4 to 1 A-5,
 - 2 A-2 to 2 A-2 / A-3,
 - 2 B-4 to 2 B-5,
 - 2 B-3 to 2 B-4,
 - 2 B-2 to 2 B-3.

The above decisions will take effect on 1st June 1963.

(b) Increase in appropriations for the programme

After discussion, the Deputies approved the recommendation of the Budget Committee on the increase in appropriations under sub-head 31 (National Correspondents) and sub-head 34 (Information Programme) of the 1963 Budget. i.e.

- Sub-head 31 : Increase 21,000 F.
- Sub-head 34 : Increase 27,000 F.

Confirming the opinion expressed by the Budget Committee, the Deputies held that as from 1964 these expenses would best be paid as a lump sum.

The supplementary appropriations resulting from the above decisions will be voted by the Deputies at the 122nd meeting at the same time as other supplementary appropriations for the 1963 Budget.

III. Draft Second Protocol to the Convention on the Protection of Human Rights and Fundamental Freedoms - Report of the Committee of Experts

(Concl. (63) 119, point II (c), Resolution (60) 6, Doc. CM (63) 39 and letter D/1.445 of 22nd February 1963)

The representatives of Austria, Belgium, Denmark and Sweden said that their Governments would probably be able to sign the Protocol at the 32nd Session of the Committee of Ministers. It will be recalled that the delegations of the Federal Republic of Germany, Norway, and the United Kingdom had already declared previously that their Governments were prepared to sign the Protocol.

Bearing in mind the view expressed by the Deputy Secretary-General that it would be desirable for the Protocol to be signed by as many as possible of the Governments which had ratified the Convention, the Deputies decided that signature of the Protocol should be deferred to the 33rd Session of the Committee of Ministers in December.

IV. Committee of Ministers • Preparation of the Provisional Agenda for the 32nd Session

(DOC. CM (63) 63)

(1) Adoption of the agenda

At the suggestion of the Secretariat, the Deputies agreed to place the following questions on the agenda under point 7 (Other business) :

- (a) Human Rights - Commission - Election of a member on behalf of Cyprus (Doc. CM (63) 80);
- (b) 33rd Session of the Committee of Ministers - Date and place (Doc. CM (63) 83).

2. Accession of the Swiss Confederation to the Council of Europe - Amendment to Article 26 of the Statute

The Deputies noted that they had no further comments to make to the Ministers on this subject.

They also noted the information given by the Deputy Secretary-General on the arrangements made for receiving the authorities of the Swiss Confederation and the ceremonies planned on the occasion of that country's accession to the Council of Europe.

3. Signature by the member Governments of the Council of Europe of the :

- (a) Convention on the reduction of cases of multiple nationality and of military obligations in cases of multiple nationality (Concl. (63) 120, point II, 2 (i), and Doc. CM (63) 47 rev.)

The position of Governments on the signing of this Convention, which requires ratification or acceptance, was defined as follows :

Austria, Belgium, France, the Federal Republic of Germany, Italy, the Netherlands, Norway and the United Kingdom will sign the Convention on 6th May.

The representative of France said that at the time of signing his Government would make a declaration on point 2 of the Annex to the Convention.

The representatives of the Federal Republic of Germany and of Italy said their Governments would also make a declaration at the time of signing.

The representative of Luxembourg said his Government would sign the Convention at a later date.

The representative of Sweden said his Government was unable to sign for the time being.

The representative of Ireland confirmed that his Government did not intend to sign.

- (b) Protocol to the Convention on the Protection of Human Rights and Fundamental Freedoms conferring on the European Court of Human Rights the power to give advisory opinions (Concl. (63) 120, point II, 2 (ii) and Doc. CM (63) 2)

The position of Governments on the signing of the Protocol was defined as follows :

Denmark and the United Kingdom will sign the Protocol without reservation as to ratification or acceptance.

Austria, Belgium, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Norway, Sweden and Turkey will sign subject to ratification or acceptance.

The representative of France confirmed that his Government did not intend to sign.

- (c) Protocol to the Convention on the protection of Human Rights and Fundamental Freedoms amending Articles 29, 30 and 34 of the Convention - (Concl. (63) 120, point II, 2 (iii) and Doc. CM (63) 4)

The position of Governments on the signing of this Protocol is as follows :

Denmark and the United Kingdom will sign the Protocol without reservation as to ratification or acceptance.

Austria, Belgium, the Federal Republic of Germany, Italy, Ireland, Luxembourg, Norway and Sweden will sign subject to ratification or acceptance.

Turkey will also sign the Protocol and will state at the time of signing whether or not signature is subject to ratification or acceptance.

The representative of France confirmed that his Government did not intend to sign.

4. Third Conference of Ministers of Education - Statement by Mr. Gui, Chairman of the Conference

The Chairman said that Mr. Gui had accepted the invitation to make a statement to the Committee of Ministers on the proceedings of the 3rd Conference of Ministers of Education.

The Deputies agreed that the press communiqué would include a statement to the effect that the Council for Cultural Co-operation intended planning its 1964 programme in the light of the Resolutions of the 3rd Conference of Ministers of Education and that the Committee of Ministers intended to continue giving their utmost support to the work of Conferences of Ministers of Education.

5. European Co-operation in 1962 - Communication by the Secretary-General concerning his report to the Assembly

The Deputies noted that they had no further comments to make to the Ministers on this item.

It was nevertheless pointed out that any discussion of the Secretary-General's statement

concerning his report on the Council of Europe and the Brussels crisis could usefully be held in connection with consideration of item 6 (b) of the agenda (Discussion of the draft agenda for the Joint Meeting-Role of the Council of Europe following the adjournment of the Brussels Conference between the Six and the United Kingdom).

6. Joint Committee

(a) Appointment of Committee of Ministers representatives

The Deputies noted that they had no further comments to make to the Ministers on this item.

(b) Discussion of the draft agenda for the meeting

(i) Role of the Council of Europe following the adjournment of the Brussels Conference between the Six and the United Kingdom.

The Deputies resumed consideration of this question in the light of the comments of their Working Party, which met on 23rd April (A 79.020), and of the texts adopted by the Political Committee at its meeting of 27th April, notably the draft Recommendation and Resolution adopted by the Committee on the reports of Mr. Pierson (Doc. 1583) and of Mr. Pflimlin (Doc. 1581).

The representative of the Federal Republic of Germany said that the draft Recommendation appearing at the end of Mr. Pierson's new report (Doc. 1583) differed appreciably from that concluding the earlier report (Doc. AS/Pol (14) 97) and that, therefore, his Government wished to change the proposals it had put forward at the meeting of the Working Party.

The representative of the Federal Republic of Germany suggested that his declaration appearing in Document A 79-020 should be amended as follows :

Paragraph 1 : no change.

Paragraph 2 : to read as follows :

"The Federal Government is conscious of the important role which the Committee of Ministers and the Consultative Assembly of the Council of Europe have to play in achieving the goal of European unification, and will appreciate any initiatives likely to contribute to this end."

Paragraph 3 : no change.

The Deputy Secretary-General, recalling his statement on the work of the Political Committee, said the Assembly representatives on the Joint Committee intended suggesting that Mr. Pierson's report and the draft Recommendation unanimously adopted by the Political Committee be taken as a basis for discussion.

The Chairman said his Minister proposed to ask the Committee of Ministers to make known their exact opinion on point (a) of the draft Recommendation, worded as follows :

"Recommends that the Committee of Ministers :

(a) adopt the Council of Europe as a framework for political and economic contacts which might lead to a re-activation of negotiations between the Six, the United Kingdom and the other countries which have applied for full or associate membership of the European Economic Community."

Several delegations said that it might be difficult for the Committee of Ministers to take a position on this text, if only because of the constant evolution of the problem in question.

The Chairman stated that, if it was not possible to secure the unanimous agreement of the Committee of Ministers on the Recommendation, his Minister would ask them to approve a declaration he intended making to the Joint Committee whose broad outlines were as follows and which could perhaps be supplemented by the above-mentioned declaration of the representatives of the Federal Republic of Germany.

"1. The organisation of European political and economic relations raises a number of problems for which Governments are as anxious as the Assembly that a positive solution should be found.

2. In order to achieve such a solution, Governments will use all the resources offered by traditional diplomacy and existing European institutions. In this, the Committee of Ministers and the Consultative Assembly of the Council of Europe have an important role to play."

The Deputies then considered point (b) of the draft Recommendation, worded as follows :

"Recommends to the Committee of Ministers :

(a)

(b) decide upon measures that are necessary to make contacts between the Assembly and the Committee of Ministers more effective."

On this point the Deputies thought it might be suggested to the Ministers that they hear the proposals of the Assembly Representative on the Joint Committee, in the light, if need be, of Mr. Pflimlin's report (Doc. 1531) and that they pronounce on the question at a later date.

(ii) Organisation of parliamentary debates on OECD affairs.

The Deputies pursued consideration of this question and held that three points should be raised before the Committee of Ministers :

1. Concordance between the position taken by Governments on the Council of OECD and on the Committee of Ministers of the Council of Europe;

2. Position of the Committee of Ministers on Recommendation 336 on relations between the Assembly of the Council of Europe and OECD ;

3. Position of the Committee of Ministers on Resolution 241 on the organisation of parliamentary debates on OECD affairs.

On the subject of point 1 the Deputies, having noted that it might be desirable to stress the need for concordance between the position of Governments on the Council of OECD and on the Committee of Ministers of the Council of Europe, decided to suggest that the Ministers take a position on one of the three following proposals :

(a) Adopt a Resolution which might be worded as follows :

Draft Resolution

The Committee of Ministers,

Considering Recommendation 336 of the Consultative Assembly;

Recalling that it has already stated its opposition to any step or proposal that might

lead to the creation of a new European Assembly of a broadly European character;

Considering that the question of a parliamentary forum for OECD is being discussed simultaneously by the Committee of Ministers of the Council of Europe and the Council of OECD,

Resolves as follows :

The Governments of member countries of the Council of Europe which are Members of OECD are recommended to ensure that the instructions issued on this matter to their representatives on the Committee of Ministers of the Council of Europe and the Council of OECD, form the subject of very close co-ordination in their respective departments.

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(b) Instruct the Deputies to draw up the text of identical instructions which would be forwarded by each of the member Governments to their representatives to OECD.

(c) Reaffirm the decision already taken to oppose any step or proposal which would lead to the creation of a new parliamentary assembly.

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With regard to Recommendation 336, on which Governments have not yet made any official pronouncement, the Chairman said his Minister intended to ask the Committee of Ministers for their final opinion, in particular on point 8.

This opinion would then be transmitted to the Assembly Representatives on the Joint Committee.

With regard to Resolution 241, the Chairman said his Minister did not intend to ask the Committee of Ministers for their final opinion on the proposals embodied therein, but was planning to tell the Assembly Representatives on the Joint Committee that the Committee of Ministers would base its views on the report to be drawn up by the parliamentary delegation after its contacts with the Governments.

7. Other business

(a) Human Rights - Commission - Election of a member on behalf of Cyprus (Doc. CM (63) 80)

The Deputies were informed by the Secretariat of the request made by the Icelandic Minister for Foreign Affairs that the question of the election of a member to the European Commission of Human Rights on behalf of Iceland be placed on the agenda of the Committee of Ministers.

The Deputies decided to propose that the Ministers accede to this request and it was agreed to amend the Agenda accordingly.

(b) Time and place of the 33rd Session of the Committee of Ministers

On the proposal of the Secretariat, the Deputies decided to suggest to the Ministers that the 33rd Session of the Committee of Ministers take place on Friday 13th December, in the afternoon, and Saturday 14th December, at Paris.

As this question had not previously been placed on the Agenda the latter would be amended accordingly.

8. Press communique

The Deputies noted that they had no comments to make to the Ministers on this item.

V. Other business

(a) Special Assembly Booklets - 1963 Budget
Sub-head 53 - Doc. CM (63) 65

The Deputies authorised the Secretary-General to incur the necessary expenditure for the publication of 2,500 copies in French and

2,500 copies in English of the booklet on the "Protection of Historical and Cultural Centres" (Doc. CM (63) 65), up to an amount of 5,000 F.

The representative of the Federal Republic of Germany abstained.

(b) Road Safety - Draft European convention on the punishment of road traffic offences (Concl. (62) 115, point IV and Doc. CM (63) 66)

The Deputies decided to refer the draft European Convention on the punishment of road traffic offences, prepared by the ECCP, to the Committee of Experts together with Governments' comments.

(c) Question of the communication to the WEU Assembly, by the Secretary-General of WEU, of the report of the Committee of Ministers transmitted to the latter (Concl. (63) 119, point IV and Docs. (63)45 and 78)

Acceding to the request of the Secretary-General of WEU, the Deputies authorised the communication to the Assembly of that organisation of the report drawn up by the Secretary-General of the Council of Europe on the transfer to the CCC of the cultural activities of the Partial Agreement (Doc. CM (63) 45).

(d) Human Rights - Commission - Election of six members (Doc. CM (63) 77)

The Deputies took note of the letter from the President of the Assembly, dated 21st March, transmitting the list of candidates to the European Commission of Human Rights for the seats on behalf of Iceland, Ireland, Italy, Luxembourg, Sweden and Turkey which will become vacant on 17th May.

The Deputies adopted Resolution (63) 4, the text of which is to be found in Appendix I, page 89.