

RESOLUTION (71) 44

(Adopted by the Committee of Ministers on 16 December 1971)

ON CONFERENCES OF SPECIALISED MINISTERS

The Committee of Ministers,

Considering that the aim of the Council of Europe is to achieve greater unity among its Members;

Considering that the efforts of the Council of Europe in the pursuit of this aim can be facilitated by direct contacts, organised within the framework of Conferences of Specialised Ministers, between members of governments responsible for specific sectors of government activity;

Considering in particular that the results of discussions taking place at such conferences can produce elements which might facilitate and clarify the definition of the concrete objectives of the intergovernmental activities undertaken within the Council of Europe in the various sectors of its Work Programme;

Considering that it is advisable to clarify the circumstances in which the Council of Europe can continue to furnish assistance to such conferences while respecting their autonomy and the flexibility of their working methods,

1. Agrees on the principles set out in the Appendix to this resolution and intended to guide the governments of the member States of the Council of Europe when they, individually or collectively, have to determine their position with regard to Conferences of Specialised Ministers with which the Council is called upon to establish or to continue a special working relationship¹;

1. The Conferences with which the Council of Europe maintains special working relationships at the time of adoption of this resolution are as follows :

- (i) Conference of European Ministers of Education;
- (ii) Conference of European Ministers of Justice;
- (iii) European Conference of Ministers responsible for the preservation and rehabilitation of the cultural heritage of monuments and sites;
- (iv) European Conference of Ministers responsible for regional planning;
- (v) Ministerial Conference on Environment;
- (vi) Conference of European Ministers responsible for family affairs;
- (vii) Conference of European Ministers of Labour.

2. Affirms that the application of these principles with regard to any of the Conferences of Specialised Ministers already held in the past requires the agreement of such conference in so far as such application alters the situation or practices established by it;

3. Affirms moreover that these principles in no way affect the freedom of any government of a member State to take the initiative for a Conference of Specialised Ministers with which the Council of Europe would not be in a position to establish a special working relationship.

Appendix to Resolution (71) 44

1. Every Conference of Specialised Ministers covered by this resolution shall meet on the basis of an invitation by the government of a member State of the Council of Europe accepted by the governments of the other States participating as full members in the Conference.

2. When the government of a member State of the Council of Europe contemplates the convening of a Conference of Specialised Ministers which has never met before and with which the Council might be called upon to establish a special working relationship, having regard to the objective of such conference and to the fact that it is of such a nature as to assist the activities of the Council, that government shall so inform the representatives of the governments of the other member States of the Council in order to seek, within the Committee of Ministers, general agreement for the establishment of such a relationship.

3. In exceptional cases where no government of a member State of the Council of Europe is able to act as host, the Secretary General of the Council may, with the authorisation of the Committee of Ministers, invite the conference to meet at the headquarters of the Council of Europe.

4. The group of States whose Ministers are to participate as full members in a conference to which this resolution applies shall as a general rule coincide with that of the States participating as full members in the intergovernmental activities undertaken in the Council of Europe in the field covered by that conference. Before inviting the Minister of another State to take part in the work of such conference as an observer, the host government shall consult the representatives of the governments of the other member States of the Council in order to obtain, within the Committee of Ministers, general consent as to both the advisability and the conditions of the invitation. Such consent shall be deemed to have been given in the case of non-member States already participating as observers in the Council of Europe's activities in the field covered by such conference. Moreover, the representatives of the governments of member States shall be consulted within the Committee of Ministers if the host government considers that it is unable to invite the Minister of a State participating as a full member in the activities concerned of the Council.

5. The Secretary General of the Council of Europe shall be authorised to provide secretarial services for all the conferences with which the Council already has, or will in the future have, by virtue of paragraph 2, special working relationships.

6. The preparation of the conferences covered by this resolution shall in general be entrusted to the relevant permanent governmental committees set up under Article 17 of the Statute of the Council of Europe, whose composition might be modified where necessary, or, in the absence of such a committee, to a committee of governmental experts to be set up on the basis of the said Article 17.

7. In respect of conferences covered by this resolution, the Committee of Ministers of the Council of Europe shall, at a suitable stage and on the basis of a text drawn up by the committee responsible for the preparation of the Conference, discuss its draft agenda as well as any other aspect of its preparation, it being understood that in the last resort the Specialised Ministers retain full control over the agenda of the conference.

8. The Secretary General of the Council of Europe shall present to the Committee of Ministers a report on each of the conferences for which he provides secretarial services and, in particular, shall inform the Committee of all resolutions, decisions and other texts produced by those conferences. Resolutions and decisions are normally addressed to the Committee of Ministers which shall, as appropriate, transmit them for action to its own competent bodies or to other international organisations. It shall also refer them to the Consultative Assembly of the Council of Europe for information.