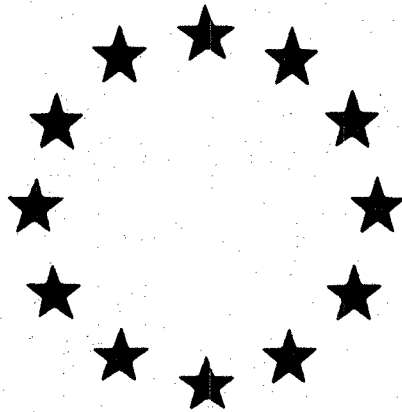


COUNCIL  
OF EUROPE



CONSEIL  
DE L'EUROPE

COMMITTEE OF MINISTERS

**RECOMMENDATIONS  
AND  
RESOLUTIONS  
1984**

THE COUNCIL OF EUROPE



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STRASBOURG  
1986



**RECOMMENDATIONS  
AND  
RESOLUTIONS  
1984**





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## **RECOMMENDATIONS**



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 1

**OF THE COMMITTEE OF MINISTERS TO MEMBER STATES**  
**ON THE PROTECTION OF PERSONS**  
**SATISFYING THE CRITERIA IN THE GENEVA CONVENTION**  
**WHO ARE NOT FORMALLY RECOGNISED AS REFUGEES**

*(Adopted by the Committee of Ministers on 25 January 1984  
at the 366th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members ;

Having regard to the Convention relating to the Status of Refugees of 28 July 1951 amended by the Protocol relating to the Status of Refugees of 31 January 1967, and particularly to Article 33 of the Convention ;

Considering that in the member states of the Council of Europe there are persons who satisfy the criteria given for definition of the term "refugee" within the meaning of Article 1 of the Convention of 28 July 1951 relating to the Status of Refugees amended by the Protocol of 31 January 1967 but who because they have not applied for refugee status or for other reasons are not formally recognised as refugees ;

Recalling the liberal and humanitarian attitude of Council of Europe member states to persons requesting asylum and, in particular, their commitment to the principle of non-refoulement as reflected in Resolution (67) 14 on asylum to persons in danger of persecution and the 1977 Declaration on territorial asylum ;

Considering that the principle of non-refoulement has been recognised as a general principle applicable to all persons ;

Bearing in mind the European Convention on Human Rights, and particularly Article 3 ;

Considering Consultative Assembly Recommendation 773 (1976) on the situation of *de facto* refugees,

Recommends that governments of member states, without prejudice to the exceptions provided for in Article 33, paragraph 2, of the Geneva Convention, ensure that the principle according to which no person should be subjected to refusal of admission at the frontier, rejection, expulsion or any other measure which would have the result of compelling him to return to, or remain in, a territory where he has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, shall be applied regardless of whether this person has been recognised as a refugee under the Convention relating to the Status of Refugees of 28 July 1951 and the Protocol of 31 January 1967.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 2

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE EUROPEAN REGIONAL/SPATIAL PLANNING CHARTER

*(Adopted by the Committee of Ministers on 25 January 1984  
at the 366th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Recognising that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress ;

Having regard to Consultative Assembly Resolution 687 (1979) on European regional planning ;

Having regard to the opinion of the Standing Conference of Local and Regional Authorities of Europe on the preparation of a European Regional Planning Charter appended to its Resolution 113 (1980) on the progress of European integration ;

Considering that regional/spatial planning is a tool which is important to the progress of European society and that closer international co-operation in this field is a valuable means of strengthening European identity ;

Convinced that in order to achieve co-operation in this field it is necessary to analyse national, regional and local conceptions of regional/spatial planning with a view to the adoption of common principles (designed, in particular, to reduce regional disparities) and hence to the achievement of a better general conception of the use and organisation of space, the distribution of activities, environmental protection and the improvement of the quality of life ;

Convinced that the radical changes which have occurred in the economic and social patterns of the European countries and in their relations with other parts of the world make it necessary to review the principles governing the organisation of space in order to ensure that they are not formulated solely on the basis of short-term economic objectives without due consideration for social, cultural and environmental factors ;

Considering that the objectives of regional/spatial planning necessitate new criteria for the choice of the direction in which technical progress is pursued and the use to which it is put, and that these criteria need to be in keeping with economic, social and environmental requirements ;

Convinced that all European citizens should have the opportunity in an appropriate institutional framework to take part in the devising and implementation of all regional/spatial planning measures,

Recommends that the governments of member states :

*a.* base their national policies on the principles and objectives set out in the European Regional/Spatial Planning Charter prepared and adopted by the European Conference of Ministers responsible for Regional Planning and appended to this recommendation ;

*b.* ensure that the Charter is distributed as widely as possible among the public and among politicians at local, regional, national and international level.

#### Appendix to Recommendation No. R (84) 2

### EUROPEAN REGIONAL/SPATIAL PLANNING CHARTER

#### **The concept of regional/spatial planning**

Regional/spatial planning gives geographical expression to the economic, social, cultural and ecological policies of society.

It is at the same time a scientific discipline, an administrative technique and a policy developed as an interdisciplinary and comprehensive approach directed towards a balanced regional development and the physical organisation of space according to an overall strategy.

##### *Its European dimension*

Regional/spatial planning contributes to a better spatial organisation in Europe and to the finding of solutions for problems which go beyond the national framework, and thus aims to create a feeling of common identity, having regard to North-South and East-West relations.

##### *Its characteristics*

Man and his well-being as well as his interaction with the environment are the central concern of regional/spatial planning, its aims being to provide each individual with an environment and quality of life conducive to the development of his personality in surroundings planned on a human scale.

Regional/spatial planning should be democratic, comprehensive, functional and orientated towards the longer term.

**Democratic :** it should be conducted in such a way as to ensure the participation of the people concerned and their political representatives,

**Comprehensive :** it should ensure the co-ordination of the various sectoral policies and integrate them in an overall approach,

**Functional :** it needs to take account of the existence of regional consciousness based on common values, culture and interests sometimes crossing administrative and territorial boundaries, while taking account of the institutional arrangements of the different countries,

**Long-term oriented :** it should analyse and take into consideration the long-term trends and developments of economic, social, cultural, ecological and environmental phenomena and interventions.

##### *Its operation*

Regional/spatial planning must take into consideration the existence of a multitude of individual and institutional decision-makers which influence the organisation of space, the uncertainty of all forecasting studies, the market pressures, the special features of administrative systems and the differing socio-economic and environmental conditions.

It must however strive to reconcile these influences in the most harmonious way possible.

#### **The fundamental objectives**

Regional/spatial planning seeks at one and the same time to achieve :

##### *— Balanced socio-economic development of the regions*

Taking into consideration the economic processes affecting Europe as a whole, the specific regional characteristics and the important role of development axes and communication networks, it should control the growth of regions which are congested or developing too fast, encourage the development of backward regions, and maintain or adapt the infrastructures that are essential to the stimulation of economic recovery in declining regions or those threatened with serious employment problems particularly through manpower migration at European level. Peripheral areas which have special requirements and structural potential for socio-economic rebalancing should be better linked with the industrial and economic centres of Europe.

— *Improvement of the quality of life*

It encourages improvement in the quality of everyday life, in respect of housing, work, culture, leisure or relationships within human communities, and the enhancement of the well-being of each individual through the creation of jobs and the provision of economic, social and cultural amenities which meet the aspirations of different sections of the population and which are sited in places where they will be used to the optimum.

— *Responsible management of natural resources and protection of the environment*

By promoting strategies to minimise conflicts between the growing demand for natural resources and the need to conserve them, it seeks to ensure responsible management of the environment, the resources of land, subsoil, air, water, energy resources, fauna and flora, paying special attention to areas of natural beauty and to the cultural and architectural heritage.

— *Rational use of land*

In pursuit of the above defined objectives, it is concerned in particular with the location, organisation and development of large urban and industrial complexes, major infrastructures, and the protection of agricultural and forestry land. Every regional/spatial planning policy must be necessarily accompanied by a land-use policy in order to make it possible to achieve objectives which are in the public interest.

**Implementation of regional/spatial planning objectives**

The achievement of regional/spatial planning objectives is essentially a political matter.

Many private and public agencies contribute by their actions to developing and changing the organisation of space. Regional/spatial planning reflects the desire for interdisciplinary integration and co-ordination and for co-operation between the authorities involved :

- *It seeks co-ordination between the various sectors*

This effort for co-ordination concerns mainly the distribution of population, economic activities, habitat, public facilities, and power supplies ; transport ; water supply and purification ; noise prevention and waste disposal ; protection of the environment and of natural, historical, cultural assets and resources.

- *It facilitates co-ordination and co-operation between the various levels of decision-making and the equalisation of financial resources*

The various authorities involved in regional/spatial planning policy need to be given the power to take and carry out decisions, as well as adequate financial means. In order to ensure optimal co-ordination between local, regional, national and European levels, also as regards transfrontier co-operation, their action must always take into account any measures introduced or planned at the level above or below their own and, consequently, they must keep one another regularly informed.

*At local level* : co-ordination of local authority development plans, having regard to the essential interests of regional and national planning ;

*At regional level* : the most appropriate level at which to pursue a regional/spatial planning policy, co-ordination between the regional authorities themselves and local and national authorities as well as between regions of neighbouring countries ;

*At national level* : co-ordination of different regional/spatial planning policies and regional aid arrangements as well as harmonisation of the national and regional objectives ;

*At European level* : co-ordination of regional/spatial planning policies in order to achieve objectives of European importance and general balanced development.

*Public participation*

Any regional/spatial planning policy, at whatever level, must be based on active citizen participation. It is essential that the citizen be informed clearly and in a comprehensive way at all stages of the planning process and in the framework of institutional structures and procedures.

**Strengthening European co-operation**

The European Conference of Ministers responsible for Regional Planning (CEMAT) constitutes the ideal political instrument for co-operation and initiative at European level.

— It will intensify relations with the bodies of the Council of Europe and the European Community, as well as with the relevant intergovernmental organisations. It will present regular progress reports on European co-operation in this field to the Parliamentary Assembly and the Standing Conference of Local and Regional Authorities of Europe.

— Besides organising and intensifying political co-operation between states, it will promote co-operation in the main technical planning fields such as long-range forecasting, regional statistics, cartography and

terminology. It must acquire the scientific, administrative, technical and financial tools essential to the pursuit of its aims, in particular by drawing up a European regional planning concept.

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The Ministers ask all institutions, administrations and organisations dealing with regional planning problems to have regard in their work to the contents of the Charter.

The Charter can be revised with a view to adapting it to the needs of European society.

The Ministers undertake to recommend to their respective governments that the principles and aims set forth in the Charter be taken into consideration and that the international co-operation be promoted with a view to achieving real European planning.

#### *Appendix to the European Regional/Spatial Planning Charter*

##### *Specific objectives*

All principles set down in the present Charter have already been developed in the work of the European Conference of Ministers responsible for Regional Planning on rural, urban, frontier, mountain and coastal areas and on islands.

*Rural areas* with a primarily agricultural function have a fundamental role to play. It is essential to create acceptable living conditions in the countryside, as regards all economic, social, cultural and ecological aspects as well as infrastructures and amenities, while distinguishing between underdeveloped and peripheral rural regions and those close to large conurbations.

In such areas the development of the urban framework, of social and economic structures and of transport must take account, in all spheres, of their specific functions and in particular of the conservation and management of the natural landscape.

*Urban areas* contribute greatly to the development of Europe and usually present the problem of controlling their growth.

A balanced urban structure requires the systematic implementation of plans for land use and the application of guidelines for the development of economic activities for the benefit of the living conditions of town dwellers.

Special attention should be paid to the improvement of living conditions, the promotion of public transport and to all measures to curb the excessive movement of population away from the town centres to the periphery.

The rehabilitation of the architectural heritage, monuments and sites must be an integral part of an overall town and country planning policy.

*Frontier areas*, more than all others, need a policy of co-ordination between states. The purpose of such a policy is to open up the frontiers and institute transfrontier consultation and co-operation and joint use of infrastructure facilities. States should facilitate direct contacts between the regions and localities concerned in accordance with the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities in order to promote increasingly close contacts between the populations concerned.

In the frontier areas, no project which could have harmful consequences for the environment of neighbouring countries should be carried out without previous consultation of those states.

*Mountain areas* : In view of the importance of these areas for the ecological, economic, social, cultural and agricultural functions they fulfil and their value as depositories of natural resources, and of the many constraints from which they suffer in these fields of activity, spatial management policy must give special and suitable consideration to the preservation and development of mountain regions.

*Regions with structural weaknesses* where living and working conditions have made little progress, particularly for historical reasons, or which could be left behind by changes in their economic base, need special assistance related to the disparities which exist between living and working conditions within the various states.

*Regions in decline* : Specific policies should be developed in favour of regions where economic activity has strongly slowed down following industrial restructuring and ageing of their infrastructure and of their

industrial equipment, very often monostructured. This situation is accelerated by the worldwide competition resulting from the new international division of labour.

*Coastal areas and islands* : The development of mass tourism and transport in Europe and the industrialisation of coastal areas, islands and the sea, demand specific policies for these regions in order to ensure their balanced development and co-ordinated urbanisation, bearing in mind the requirements of environmental conservation and regional characteristics. Regard must be given to the specific role and functions of coastal areas in the land-sea relationship and of sea-transport possibilities.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 3

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON PRINCIPLES ON TELEVISION ADVERTISING

*(Adopted by the Committee of Ministers on 23 February 1984  
at the 367th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and promoting the ideals and principles which are their common heritage ;

Bearing in mind the Convention for the Protection of Human Rights and Fundamental Freedoms ;

Recalling its commitment to the freedom of expression and the free flow of information and ideas as embodied, *inter alia*, in its Declaration of 29 April 1982 ;

Conscious that the electronic media enable a contribution of growing importance to be made towards communication and better understanding between individuals and peoples ;

Aware that the development of new technologies, particularly involving the use of satellites, has made it more urgent to arrive at common European principles in the field of advertising on television ;

Noting that member states adopt different attitudes towards advertising on television ;

Conscious of the importance which advertising may have for the financing of the media ;

Aware of the impact of television advertising on the attitudes and behaviour of the public ;

Considering the importance of the portrayal of women and men by the media, particularly in television advertisements ;

Mindful of the importance of securing the interests of the public in relation to advertising ;

Welcoming the fact that codes of ethics and good advertising practice have been adopted on a voluntary basis by advertising organisations and professionals both on a national and an international basis ;

Taking into account the independence of broadcasting organisations in matters of programming,

Recommends that the governments of member states :

*a.* satisfy themselves that the principles set out below concerning advertising on television are respected, and

*b.* to that end give these principles the widest possible circulation both to the competent bodies and to members of the public.

## *Principles*

The following principles apply to television advertising, especially when transmitted by satellite :

### *I. General principle*

1. Advertisements should be prepared with a sense of responsibility towards society, and give particular attention to the moral values which form the basis of every democratic society and are common to all member states, such as individual liberty, tolerance and respect for the dignity and equality of all human beings.

### *II. Content*

2. All advertisements should be fair, honest, truthful and decent.

3. Advertisers should comply with the law applicable in the country of transmission and, depending on the proportion of the audience which is in another country, should take due account of the law of that country.

4. Utmost attention should be given to the possible harmful consequences that might result from advertisements concerning tobacco, alcohol, pharmaceutical products and medical treatments and to the possibility of limiting or even prohibiting advertisements in these fields.

5. Advertisements addressed to or using children should avoid anything likely to harm their interests and should respect their physical, mental and moral personality.

### *III. Form and presentation*

6. Advertisements, whatever their form, should always be clearly identifiable as such.

7. Advertising should be clearly separated from programmes ; neither advertisements nor the interests of advertisers should influence programme content in any way.

8. Advertisements should preferably be grouped and scheduled in such a way as to avoid prejudice to the integrity and value of programmes or their natural continuity.

9. The amount of time allowed for advertising should neither be excessive nor detract from the function of television as a medium of information, education, social and cultural development and entertainment.

10. No subliminal advertisements should be permitted.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 4

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON PARENTAL RESPONSIBILITIES<sup>1</sup>

*(Adopted by the Committee of Ministers on 28 February 1984  
at the 367th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its member states, *inter alia*, by promoting the adoption of common rules in legal matters ;

Considering that it is possible to make improvements to the legal systems relating to parental responsibilities in order to promote the development of the personality of the child and to protect his person and his moral and material interests while guaranteeing legal equality between parents,

Recommends governments of member states to adapt, where necessary, their legislation to comply with the principles concerning parental responsibilities set out in the appendix to this recommendation.

#### Appendix to Recommendation No. R (84) 4

##### *Principle 1*

For the purposes of this recommendation :

- a. parental responsibilities are a collection of duties and powers which aim at ensuring the moral and material welfare of the child, in particular by taking care of the person of the child, by maintaining personal relationships with him and by providing for his education, his maintenance, his legal representation and the administration of his property ;
- b. the terms "father", "mother", "parents" refer to persons having a legal filiation link with the child.

##### *Principle 2*

Any decision of the competent authority concerning the attribution of parental responsibilities or the way in which these responsibilities are exercised should be based primarily on the interests of the child. However, the equality between parents should also be respected and no discrimination should be made, in particular on grounds of sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

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1. When this recommendation was adopted and in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies,

— the Representatives of Denmark, Liechtenstein, Norway and the United Kingdom reserved the right of their Governments to comply or not with the first paragraph of Principle 9 as set out in the appendix to the recommendation ;

— the Representative of the Netherlands reserved the right of his Government to comply or not with Principle 11 as set out in the appendix to the recommendation.

### *Principle 3*

When the competent authority is required to take a decision relating to the attribution or exercise of parental responsibilities and affecting the essential interests of the children, the latter should be consulted if their degree of maturity with regard to the decision so permits.

### *Principle 4*

When the persons having parental responsibilities exercise them in a way which is detrimental to the essential interests of the child, the competent authority should take, of its own motion or on application, any appropriate measures.

### *Principle 5*

Parental responsibilities for a child of their marriage should belong jointly to both parents.

### *Principle 6*

In the case of a dissolution of the marriage or of a separation of the parents, the competent authority requested to intervene should rule on the exercise of parental responsibilities. It should accordingly take any appropriate measures, for example by dividing the exercise of the responsibilities between the two parents or, where the parents consent, by providing that the responsibilities should be exercised jointly. In taking its decision, the authority should take account of any agreement concluded between the parents provided it is not contrary to the interests of the children.

### *Principle 7*

1. Where the child is born out of wedlock and a legal filiation link is established with regard to one parent only, the parental responsibilities should belong to that parent.
2. Where the child is born out of wedlock and a legal filiation link is established with regard to both parents, national law may provide that the parental responsibilities should be exercised :
  - a. subject to the provisions of Principle 8 :
    - i. by the mother alone ;
    - ii. by the father alone, when a decision has been taken by the competent authority or when an agreement has been concluded between the two parents ;
  - b. according to the division between the two parents decided by the competent authority ;
  - c. jointly by both parents if they live together or if an agreement has been concluded between them.

### *Principle 8*

In all cases both parents should be under a duty to maintain the child. The parent with whom the child does not live should have at least the possibility of maintaining personal relationships with the child unless such relationships would be seriously harmful to the interests of the child.

### *Principle 9*

1. Where the parental responsibilities are exercised jointly by both parents and one of them dies, these responsibilities should belong to the surviving parent.
2. Where the parent who exercises alone some parental responsibilities dies, his responsibilities should be exercised by the surviving parent unless the interests of the child require any other measures.
3. Where there is no longer any parent living, the competent authority should take a decision concerning the attribution of parental responsibilities. National legislation may provide that these responsibilities may be given to a member of the family or to a person designated by the last parent to die, unless the interests of the child require any other measures.

### *Principle 10*

1. Where parental responsibilities are exercised jointly by both parents, any decision affecting the interests of the child should be taken by the agreement of both.
2. Where there is a disagreement and the matter is referred to the competent authority by one of the parents, this authority should, insofar as the interests of the child so require, try to reconcile the parents, and, if this fails, take the appropriate decision.
3. With regard to third parties, the agreement of both parents should be presumed except in cases where national law, having regard to the importance of the interests at stake, requires an express agreement.

### *Principle 11*

Each parent should normally be informed of the exercise of the responsibilities which have not been given to him, to the extent desired by him and, in any event, when the essential interests of the child are affected.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 5

**OF THE COMMITTEE OF MINISTERS TO MEMBER STATES  
ON THE PRINCIPLES OF CIVIL PROCEDURE  
DESIGNED TO IMPROVE THE FUNCTIONING OF JUSTICE<sup>1</sup>**

*(Adopted by the Committee of Ministers on 28 February 1984  
at the 367th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Whereas the right to justice guaranteed by Article 6 of the European Convention on Human Rights is an essential feature of any democratic society ;

Whereas implementation of the measures and principles laid down in Committee of Ministers Resolutions (76) 5 and (78) 8 on legal aid and Recommendation No. R (81) 7 on measures facilitating access to justice would make it easier for citizens to exercise their right to justice ;

Whereas, however, some rules of civil procedure used in member states may prove an obstacle in obtaining effective justice because, first, they may no longer meet the needs of modern society and, secondly, they may sometimes be abused or be manipulated to cause delay ;

Whereas civil procedure should be simplified and made more flexible and expeditious, while at the same time maintaining the guarantees provided for litigants by the traditional rules of procedure and maintaining the high level of justice required in a democratic society ;

Whereas, in order to attain these objectives, it is necessary to make available to the parties simplified and more rapid forms of proceedings and to protect them against abusive or delaying tactics, particularly by giving powers to the court to direct the proceedings more efficiently ;

Taking into account the discussions held and the resolutions adopted by the European Ministers of Justice at their 12th Conference, held in May 1980 in Luxembourg,

Recommends that the governments of member states adopt or reinforce, as the case may be, all measures which they consider necessary to improve civil procedure, being guided by the principles set out at the appendix to this recommendation.

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1. When this recommendation was adopted, the Representatives of Belgium and the Netherlands, in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, reserved the right of their governments to comply or not with the second sentence of Principle 5 as set out in the appendix to the recommendation.

**Principles of civil procedure  
designed to improve the functioning of justice**

*Principle 1*

1. Normally, the proceedings should consist of not more than two hearings, the first of which might be a preliminary hearing of a preparatory nature and the second for taking evidence, hearing arguments and, if possible, giving judgment. The court should ensure that all steps necessary for the second hearing are taken in good time and, in principle, no adjournment should be allowed except when new facts appear or in other exceptional and important circumstances.
2. Sanctions should be imposed when a party, having perhaps received notice to proceed, does not take a procedural step within the time-limits fixed by the law or the court. Depending on the circumstances such sanctions might include declaring the procedural step barred, awarding damages, costs, imposing a fine and striking the case off the list.
3. The court should be able to summon the witnesses and appropriate sanctions (fines, damages, etc.) should be applied in cases of unjustified non-attendance of such witnesses. When a witness is absent, it is for the court to decide whether the case should continue without his evidence. To facilitate the taking of evidence, provision should be made for the use of modern technical means, such as the telephone or video, in appropriate circumstances.
4. If an expert appointed by the court fails to communicate his report or is late in communicating it without good reason, there should be appropriate sanctions. These might take the form of reduction of fees, payment of costs or damages, as well as disciplinary measures taken by the court or by a professional organisation, as the case may be.

*Principle 2*

1. When a party brings manifestly ill-founded proceedings, the court should be empowered to decide the case in a summary way and, where appropriate, to impose a fine on this party or to award damages to the other party.
2. When a party fails to observe the duty of fairness in its conduct of the proceedings and clearly misuses procedure for the manifest purpose of delaying the proceedings, the court should be empowered either to decide immediately on the merits or to impose sanctions such as fines, damages or declaring the procedure barred ; in special cases it should be possible to require the lawyer to pay the cost of the proceedings.
3. Professional associations of lawyers should be invited to make provision for disciplinary sanctions in cases where one of their members has acted in the manner described in the foregoing paragraphs.

*Principle 3*

The court should, at least during the preliminary hearing but if possible throughout the proceedings, play an active role in ensuring the rapid progress of the proceedings, while respecting the rights of the parties, including the right to equal treatment. In particular, it should have *proprio motu* powers to order the parties to provide such clarifications as are necessary ; to order the parties to appear in person ; to raise questions of law ; to call for evidence, at least in those cases where there are interests other than those of the parties at stake ; to control the taking of evidence ; to exclude witnesses whose possible testimony would be irrelevant to the case ; to limit the number of witnesses on a particular fact where such a number would be excessive. These powers should be exercised without going beyond the object of the proceedings.

*Principle 4*

The court should, at least at first instance, be empowered to decide, having regard to the nature of the case, whether written or oral proceedings, or a combination of the two, should be used except in cases expressly prescribed by law.

#### *Principle 5*

Except where the law prescribes otherwise, the parties' claims, limitations or defences and in principle their evidence, should be presented at the earliest possible stage of the proceedings and in any event before the end of the preliminary stage, if there is one. On appeal, the court should not normally admit facts which were not presented at first instance unless :

- a.* they were not known at first instance ;
- b.* the person presenting them was not a party to the proceedings at first instance ;
- c.* there is some special reason for admitting them.

#### *Principle 6*

Judgment should be given at the conclusion of the proceedings or as soon as possible thereafter. The judgment should be as concise as possible. It may invoke any rule of law but it should with certainty resolve, expressly or implicitly, all claims raised by the parties.

#### *Principle 7*

Steps should be taken to deter the abuse of post-judgment legal remedies.

#### *Principle 8*

1. Moreover, particular rules or sets of rules should be instituted in order to expedite the settlement of disputes :

- a.* in urgent cases ;
- b.* in cases relating to an undisputed right or an established liquidated claim and in cases involving small claims ;
- c.* in the field of road accidents, labour disputes, landlord and tenant issues and certain questions of family law, in particular the fixing and reassessment of maintenance.

2. To this end, one or more of the following measures could be utilised : simplified methods of commencing litigation ; no hearing or the convening of only one hearing or, as the occasion may require, of a preliminary preparatory hearing ; exclusively written or oral proceedings, as the case may be ; prohibition or restriction of certain exceptions and defences ; more flexible rules of evidence ; no adjournments or only brief adjournments ; the appointment of a court expert, either *ex officio* or on application of the parties, if possible at the commencement of the proceedings ; an active role for the court in conducting the case and in calling for and taking evidence.

3. These particular rules or set of rules might, according to the circumstances, be compulsory, available on the application of any of the parties or be subject to the consent of all parties.

#### *Principle 9*

The most modern technical means should be made available to the judicial authorities so as to enable them to give justice in the best possible conditions of efficiency, in particular by facilitating access to the various sources of law and speeding up the administration of justice.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 6

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE PREVENTION OF THE TRANSMISSION OF MALARIA BY BLOOD TRANSFUSION

*(Adopted by the Committee of Ministers on 28 February 1984  
at the 367th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members and that this aim may be pursued, *inter alia*, by the adoption of common regulations in the health field ;

Having regard to the Protocol to the European Agreement on the exchange of therapeutic substances of human origin, Part II, by which "the blood shall not be obtained from a human subject (...) who is not, as far as can be ascertained after medical examination and the study of his antecedents, free from disease transmissible by blood transfusion" ;

Recalling its Resolution (78) 29 on harmonisation of legislations of member states relating to the removal, grafting and transplantation of human substances ;

Recalling also its Recommendations No. R (80) 5 concerning blood products for the treatment of haemophiliacs and No. R (81) 14 on preventing the transmission of infectious diseases in the international transfer of blood, its components and derivatives ;

Conscious of the fact that an increasing number of people travel to areas where malaria is endemic, with the consequent risk of contracting this disease ;

Conscious of the need to ensure the best possible protection of both donors and recipients, and of the necessity to promote a policy of optimal use of blood and blood products ;

Considering that appropriate serological techniques are available for the detection of latent malaria,

Recommends to governments of member states that they introduce the following regulations and adopt the following measures for preventing the transmission of malaria by blood transfusion or, if appropriate, invite the relevant blood transfusion centres to do so :

i. Individuals born or brought up in endemic malarious areas can be accepted as blood donors three years after their last visit to an endemic malarious area if the results of an approved immunological test are negative after cessation of the quarantine period ; individuals with a history of malaria can be accepted three years after becoming asymptomatic and cessation of antimalarial therapy if the result of an approved immunological test is negative after the quarantine period.

ii. All other persons who have visited an area where malaria is endemic can be accepted as blood donors six months after returning, if they have had no febrile episodes during or after their stay in the malarious area ; individuals having had such febrile episodes can be accepted if the result of an approved immunological test is negative six months after becoming asymptomatic and cessation of therapy.

iii. The quarantine periods and immunological tests mentioned above may be omitted for donors whose red cells are discarded and whose plasma is used exclusively for fractionation into blood products, thus rendering it safe from the transmission of malaria ; it should be remembered that liquid or frozen untreated plasma and frozen cryoprecipitates cannot be regarded as wholly devoid of the cellular elements of blood and, therefore, of viable malarial parasites.

iv. Since questioning of the donor as to the country (or countries) in which he was born or brought up or has visited is essential for effective detection, every transfusion service should have a map of the endemic zones and an alphabetical list of the countries concerned.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 7

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE MAINTENANCE OF MIGRANTS' CULTURAL LINKS WITH THEIR COUNTRIES OF ORIGIN AND LEISURE FACILITIES <sup>1</sup>

*(Adopted by the Committee of Ministers on 28 February 1984  
at the 367th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Aware that the cultures of countries of origin and receiving countries are a source of mutual enrichment to the extent that they contribute to the growth of interculturalism in society ;
2. Emphasising the importance of maintaining cultural links with the countries of origin for the integration of migrants in receiving countries ;
3. Convinced that the environment contributes to everyone's education and that the presence of migrants' culture in the various fields of social life (leisure, the media, community life, school, sport, religion) can be conducive to intercultural education ;
4. Convinced that migrants will settle more easily in receiving countries if their own cultural values are appreciated by the local population ;
5. Being of the opinion that migrants should be made conscious of the importance of learning the language of the receiving country and becoming familiar with its culture ;
6. Convinced that it is mainly by improving migrants' economic and social status that it is possible to enhance the image of the cultures of their countries of origin and ensure that they are recognised by society ;
7. Stressing the importance of maintaining migrants' links with the culture of their country of origin, not only to facilitate their resettlement in the event of their voluntary return, but above all to ensure the full development of their personalities ;
8. Emphasising that close co-operation between receiving countries and countries of origin constitutes the most favourable basis for implementing the measures advocated in this recommendation in the framework, amongst other things, of bilateral agreements ;
9. Reaffirming the principles stated in its Resolution (70) 35 on the school education of migrant workers' children,

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1. When this recommendation was adopted, the Representative of the Federal Republic of Germany, in application of Article 10.2.c of the Rules of Procedure for meetings of the Ministers' Deputies, reserved the right of his Government to comply or not with paragraph 5.2 of the recommendation.

10. Recommends, as regards the matters referred to below, that the governments of member states, bearing in mind their respective resources and circumstances, both legislative and educational or socio-cultural :

1. *Education*

1.1. promote for migrant children the presence of the languages and cultures of their countries of origin from the beginning of their school education onwards, while furthering the integration of these children into the educational system and society of the receiving country, incorporating as far as possible the teaching of the languages and cultures of countries of origin in the regular school timetable and encouraging the co-ordination of such instruction with ordinary education ;

1.2. to this end, encourage the appropriate authorities of receiving countries to provide premises for such instruction in similar material conditions as for compulsory instruction at the same level and encourage the authorities of countries of origin to provide the appropriate teaching materials, in close co-operation with the receiving countries ;

1.3. having regard to national conditions, give the children of migrants the opportunity at secondary school level of choosing their mother tongue instead of a foreign language ;

1.4. encourage school authorities and those responsible for education in receiving countries to incorporate in their curricula some information about the history, geography, economy, literature and arts of pupils' countries of origin and promote the multicultural dimension in their various activities ;

1.5. encourage as far as possible school exchanges between receiving countries and countries of origin, either for pupils or for teachers ;

1.6. encourage the publication of books on the cultures of countries of origin for school-age children, written in the languages of emigration countries or in those of receiving countries, and promote the production of educational material with a multicultural dimension ;

1.7. prepare teachers during their training for educating migrants' children and make all educational personnel aware of the pluricultural dimension of contemporary societies and its educational consequences, as well as of the causes and effects of international migration ;

1.8. encourage the authorities concerned, acting in co-operation with those of the country of origin, to call upon the following for the purposes of teaching the languages and cultures of countries of origin :

— teachers from the countries of origin possessing qualifications recognised as equivalent to those of teachers in receiving countries, or

— migrants already settled in receiving countries who have a level of training equivalent to that of other teachers in those countries and a good knowledge of the languages and cultures of countries of origin ;

1.9. encourage links between families and schools and a general awareness within the education service of the multicultural nature of present-day society ;

2. *Adult education in receiving countries*

2.1. promote education for adult migrants, as far as possible, especially for women, so as to enable them to maintain their cultural links with their countries of origin ; and to this purpose, organise suitable educational activities ;

3. *Migrants' participation in associations*

3.1. acknowledge migrants' associations as equally concerned by cultural and educational matters and allow them to promote cultural, educational and social activities ;

3.2. further the development of migrants' associations by eliminating obstacles to the creation of such associations ;

3.3. encourage migrants' associations to co-operate with the host society in creating a better understanding of their culture among the population of the receiving country ;

3.4. foster exchanges :

- between migrants' associations and associations in migrants' countries of origin,
- among migrants' associations (of the same or different nationalities) ;

4. *Religion*

4.1. help migrants to practise their religion in accordance with the requirements of freedom of conscience ;

5. *Media and information*

5.1. facilitate the launching and publication of migrants' newspapers and periodicals and encourage radio and TV organisations to provide regular and fuller coverage of news in receiving countries and countries of origin ;

5.2. facilitate the reception by migrants as well as by nationals of the radio and TV programmes of countries of origin by means, for example, of the latest communication systems, and encourage the broadcasting of programmes for migrants by the radio and TV companies of receiving countries, paying particular attention to the production of multicultural programmes ;

5.3. facilitate the distribution of newspapers and periodicals from countries of origin ;

5.4. provide vehicles of practical information about existing socio-cultural, educational and sports facilities in receiving countries ;

5.5. take the necessary steps to promote exchanges of information on the cultures of receiving and sending countries between migrants and nationals ;

6. *Cultural and leisure activities*

6.1. promote the organisation in receiving countries of cultural events concerning countries of origin ;

6.2. facilitate the distribution of books from countries of origin and promote the availability of material representative of the cultures of countries of origin in libraries and resource centres, including those in schools ;

6.3. facilitate the creation of cultural centres promoted by the authorities of countries of origin in co-operation with the authorities of receiving countries, whose activities should be aimed not only at migrants but also at nationals, such centres being excellent places for the meeting of the various cultures ;

6.4. encourage the participation of migrant children in leisure activities in their countries of origin ;

6.5. encourage the practice of sport by migrants and draw the attention of education authorities and sports organisations to the need to treat the practice of sport as a potential source of mutual understanding ;

7. *Implementation of the recommendation*

7.1. develop co-operation and promote research between countries of origin and receiving countries in the fields covered by this recommendation.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 8

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

#### ON THE REDUCTION OF SPECTATOR VIOLENCE AT SPORTING EVENTS AND IN PARTICULAR AT FOOTBALL MATCHES

*(Adopted by the Committee of Ministers on 19 March 1984  
at the 368th meeting of the Ministers' Deputies)*

1. The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,
2. Recalling its Resolution (76) 41 on the "Principles for a policy of Sport for All" ;
3. Bearing in mind the Resolution adopted by the European Ministers responsible for Sport on "violence associated with sport" at their 2nd Conference (London, 1978), and their Declaration on spectator violence at football matches and other sports events, adopted at their 10th informal meeting in Rotterdam, in 1983 ;
4. Having regard to Recommendation 963 (1983) of the Parliamentary Assembly on cultural and educational means of reducing violence ;
5. Respecting the established independence of sports federations, including the international football authorities and the national football authorities in member states ;
6. Emphasising the important contribution made by sport and, especially, because of their frequency, football matches between national and club teams from member states, to international understanding and European co-operation ;
7. Supporting the principle of fair play in sport and recognising the value of a thorough appreciation of this sporting ideal among spectators ;
8. Considering that, in order to reduce violence in society generally, action must be taken against all forms of violence ;
9. Concerned by the growth of violence associated with sport, and in particular by misbehaviour and violence among spectators at football matches, which damages sport by tarnishing its public image, by deterring spectators and which may also discourage participation at the level of the sports so affected ;
10. Concerned that violence and misbehaviour impose greater social and economic costs on the communities of member states, including those arising from injury to third parties, policing and damage to property ;
11. Considering that the governments of member states and the sports organisations have separate but complementary responsibilities in combating spectator violence and that the two should work together to this end ;
12. Commending the actions already taken by member states and by the responsible national and international football authorities to reduce or contain this problem ;

13. Convinced that member states of the Council of Europe should take a lead in seeking solutions to the problem, and that their first priority should be the implementation by governments and by football authorities of practical measures which will have an immediate impact,

I. Recommends that the governments of member states :

A. Should, as far as football matches are concerned, and within applicable constitutional limits :

1. acknowledge their responsibility, complementing that of regional and local government and of other public agencies, and that of the football authorities, to curb violence amongst spectators ;

2. co-ordinate at national level the policies and actions of government departments and other public agencies against spectator violence, and foster similar co-operation to this end at other levels ;

3. attach immediate priority to the formulation and implementation of practical measures designed to reduce spectator violence in the short term, including :

a. appropriate steps to provide that adequate police resources are available to counter anticipated outbreaks of violence, both within the immediate vicinity of and inside the stadiums and along the transit routes used by spectators and also to encourage co-operation including the exchange of information between the police forces of the different localities involved ;

b. the consistent employment of, or where such does not exist the consideration of the adoption of, appropriate legislation, with a view to ensuring that those found guilty of offences related to spectator violence receive appropriate penalties, taking into account the serious nature of violent offences, which penalties may also deter others from similar acts ;

B. That they co-operate fully with and take all possible steps to encourage their national football associations to :

4. ensure that effective measures are taken at and within stadiums to reduce spectator violence at football matches and in particular :

a. to ensure that the design and physical fabric of football stadiums provide for the safety of spectators, do not readily facilitate violence between spectators, allow effective crowd control by police and contain appropriate barriers or fencing so as to protect the playing field and to control the movement of spectators around it ;

b. to segregate rival supporters, with one or more terraces reserved for visiting supporters only ;

c. to ensure this segregation by controlling the sale of tickets for matches, and to avoid the casual sale of tickets that might undermine such segregation ;

d. to ensure insofar as it is legally possible the exclusion of known trouble-makers ;

e. to ensure the provision of an effective public address system and that full use is made of this, of the match programme brochure and of other publicity outlets to encourage good behaviour by spectators ;

f. to restrict, if not ban, the sale of alcoholic drinks, including beer, and, if the sale of such beverages is permitted, to ensure that they are not available in potentially dangerous containers ;

g. to take all practicable steps to ensure that spectators do not bring in any objects that might be used in acts of violence ;

h. to consider appointing liaison officers to discuss before matches arrangements for crowd control with all appropriate public authorities so as to ensure that any relevant rules are enforced through concerted action ;

i. to encourage the establishment of official supporters' clubs and the appointment of stewards from within their membership to help manage and inform spectators at matches and to accompany parties of supporters travelling to away fixtures ;

5. ensure that the rules and guidelines of the Union des associations européennes de football (UEFA) for the avoidance of crowd disturbances are implemented as a minimum standard at all

relevant matches and to consider adapting and extending them as appropriate to national circumstances so as to have a clear set of rules applicable to domestic matches ;

C. That they work closely with their respective national football authorities to :

6. seek arrangements to assist with the financing of alterations to the physical fabric of stadiums or other measures necessary to improve safety and to curb spectator violence ;

7. consider the possibility of introducing a system of stadium licensing to promote the safety and orderly behaviour of spectators especially for those stadiums used for matches likely to attract large or unruly crowds ;

8. invite the media—whilst supporting their editorial independence and recognising their responsibility to report acts of violence—to highlight examples of fair play and sporting behaviour by participants or spectators, in order to give publicity to the authors of such acts and encourage their peers to emulate them ;

9. foster co-operation among relevant public authorities, football clubs and stadium owners to ensure good spectator access to stadiums (including bus and car parking facilities), unnecessary obstacles to spectator access being a possible stimulus to aggression among spectators ;

10. consider the introduction of procedures and studies to monitor the impact of measures to alleviate violence and misbehaviour by football spectators ;

D. That, in addition, on the occasion of international club and representative matches or tournaments they should :

11. co-operate closely and encourage similar close bilateral and multilateral co-operation as appropriate both among the relevant national football authorities involved and among the respective national public authorities (for example, police forces) including those of countries which may be crossed by visiting spectators ;

12. seek to ensure, bearing in mind each member state's legal procedures and the independence of the judiciary, that visiting spectators apprehended in connection with acts of spectator violence are tried under procedures which are in accordance with the principles set out in paragraph A.3.b above, or, where appropriate, take advantage of the possibility of transferring proceedings against such persons to the country of residence ;

E. That, as far as other sports events are concerned where violence and misbehaviour among spectators may be a problem, they apply the same principles and ideas as are embodied in this Recommendation, with respect both to governmental action and to action in co-operation with the national sports organisations concerned ;

F. That, so far as the general causes of violence amongst players and spectators are concerned, they take additional long-term measures to prevent the growth of violence in sport by promoting the sporting ideal through educational and other campaigns and by giving support to the notion of fair play, especially among young people, so as to enhance friendship among sports players and spectators ;

II. Instructs the Secretary General to transmit this Recommendation to the governments of those states party to the European Cultural Convention which are not members of the Council of Europe.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 9

### OF THE COMMITTEE OF MINISTERS TO THE MEMBER STATES ON SECOND-GENERATION MIGRANTS<sup>1</sup>

*(Adopted by the Committee of Ministers on 20 March 1984  
at the 368th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Considering that the aim of the Council of Europe is the achievement of greater unity between its members with a view to promoting, *inter alia*, their economic and social development ;
2. Noting that for the purpose of this recommendation second-generation migrants are considered to be children born in the host country of immigrant foreign parents, who have accompanied them or who have joined them under family reunion and who have accomplished there a part of their education or vocational training ;
3. Noting that second-generation migrants in host countries are in a particular situation, which differs from that of the other migrants of foreign origin, by reason of numerous links they have with them, the lengthy period they may have lived there, their possible familiarity with the habits, customs and culture of the countries in question and the extent to which they may have become integrated in the society there ;
4. Noting that at the same time they may retain close links with their countries of origin ;
5. Noting that second-generation migrants account for almost half the total immigrant population in certain countries ;
6. Considering that a great number of them belong to the working population and that, in certain countries, they represent a large proportion of those seeking employment among the foreign population and in the numbers attending establishments dispensing elementary education

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1. When this recommendation was adopted, the Representatives of Liechtenstein, Switzerland and the United Kingdom, in application of Article 10.2.c of the Rules of Procedure for meetings of the Ministers' Deputies, reserved the right of their governments to comply with it or not.

The Representative of Austria, in application of Article 10.2.c of the Rules of Procedure for meetings of the Ministers' Deputies, reserved the right of his government to apply the provisions of it only to minors of foreign nationality who were born in Austria, or who had accompanied their parents to Austria, or who had joined them and who had accomplished the major part of their compulsory education in Austria and completed it there. As far as minors who had accompanied their parents to Austria or who have joined them there are concerned, they should have entered Austria before 1 September 1982. Furthermore, he reserved the right of his government to comply or not with paragraphs I.a-c, II (3rd sub-paragraph) and III.b of the recommendation.

The Representative of the Federal Republic of Germany, in application of Article 10.2.c of the Rules of Procedure for meetings of the Ministers' Deputies, reserved the right of his government to comply or not with paragraphs I.a, I.b, II (1st and 3rd sub-paragraphs) and IV.h of the recommendation.

The Representative of Norway, in application of Article 10.2.c of the Rules of Procedure for meetings of the Ministers' Deputies, reserved the right of his government to comply or not with the last sentence of paragraph I.b.

7. Stressing the importance of the contribution by migrants to the economic, social, cultural and, in most cases, demographic development of host countries ;
8. Considering that further action is required to encourage respect for the cultural identity of migrants in general and second-generation migrants in particular and to develop schemes designed to make the public more aware and informed of the culture, economy and society of the countries of origin of second-generation migrants ;
9. Realising the value of progressively harmonising European administrative standards and regulations concerning the residence and employment of young foreigners and having regard, in this connection, to the provisions on residence and employment in the European Social Charter and the European Convention on the Legal Status of Migrant Workers ;
10. Aware of the need for young second-generation migrants to receive assistance with occupational and social reintegration in the country of origin in the event of voluntary return ;
11. Considering that the special situation of second-generation migrants may necessitate specific measures concerning their education and cultural development ;
12. Noting the necessity and importance of close co-operation between host countries and countries of origin of the parents of second-generation migrants in these matters ;
13. Having regard to Assembly Recommendation 841 on second-generation migrants,  
Recommends that the governments of member states :

**I. As regards residence :**

*a.* lay down provisions guaranteeing residential stability for second-generation migrants and their spouses not possessing the nationality of the host country ;

*b.* ensure that expulsion orders against second-generation migrants who have lived for a considerable time in the host country are issued only on account of offences punished by law courts or in exceptional cases relating in particular to national security and public policy. In this connection, consideration should be given to the occupational and family situation of the person concerned as well as his having been born in the host country and the fact that his family live and work there. A second-generation migrant against whom an expulsion order has been issued should have, in principle, the opportunity of lodging an appeal having suspensive effect with the judicial authorities ;

*c.* guarantee, in accordance with the relevant regulations, that, in cases of temporary absence from the host country, second-generation migrants' rights acquired or being acquired through their birth, schooling or occupational activity shall be maintained when they return to that country ;

**II. As regards employment :**

— guarantee to second-generation migrants vocational training which is incorporated in a general educational system offering real social advancement ;

— endeavour to ensure that, to this end, action relating to information, vocational guidance, training and retraining as well as international co-operation, as outlined in Resolution (76) 11 concerning migrant workers, is taken ;

— take measures assuring equal treatment between young nationals and young second-generation migrants as regards access to employment and genuine social and professional advancement, and to grant work permits if necessary ;

***a. Information***

Develop and adapt to second-generation migrants' needs facilities dispensing information on employment, vocational training and educational opportunities ;

***b. Guidance***

Organise, adapt or develop, if they already exist, vocational guidance schemes consisting of courses and interviews which take account of the specific aptitudes and needs of second-generation migrants and enable them to take advantage of the job opportunities offered to them ;

**c. *Pre-vocational training***

Consider the appropriateness of providing pre-vocational training—whenever possible in the languages of the countries of origin—beyond the compulsory school-leaving age for the following categories :

1. second-generation migrants with insufficient command of the spoken and written language of the host country who, despite attending beginners' or remedial classes, are unable to enter the vocational training system,
2. young people who have failed to obtain any school-leaving qualifications.

This pre-vocational training should enable those concerned to receive suitable vocational training ;

**d. *Vocational training***

Foster, in the same conditions as for nationals, access by second-generation migrants to vocational training centres and institutions providing preparation for employment, in the light of their capacities and aspirations; arrangements for teaching the language of the host country, which is necessary for the social and occupational integration of such migrants, should be provided or improved in this connection ;

**e. *Equivalence of qualifications***

Try to ensure that countries of origin and host countries recognise the equivalence of educational and vocational certificates and qualifications, at least within the framework of bilateral agreements ;

**f. *International co-operation***

Promote co-operation between countries of origin and host countries to enable second-generation migrants to maintain links with the parents' country of origin and find appropriate employment if they return there ;

Envisage where possible, following the conclusion of bilateral agreements, the organisation of visits or courses in parents' countries of origin, so that second-generation migrants can take free and fully-informed decisions on whether to return to the parents' country of origin or remain in the host country ;

**III. As regards acquisition of the nationality of the host country or resumption of the nationality of origin**

a. provide all the information needed by parents and second-generation migrants on the conditions in which nationality may be acquired and lost, and also on the consequences thereof, as well as reinstatement of nationality of origin and the procedures to be followed ;

b. do everything that is necessary and possible to ensure that procedures for acquisition of nationality or reinstatement of nationality of origin are as simple and speedy as possible, and charges are as limited as possible, and do not exceed administrative costs ;

c. ensure, within the framework of international agreements, that young migrants holding the nationalities of two or more member states are subject to national service or military service obligations in only one state ;

**IV. Recommendations on education and culture**

a. promote, as far as possible, the education and cultural development of second-generation migrants, acting when appropriate in bilateral co-operation ;

b. recognise the importance of intercultural education<sup>1</sup> in education ;

c. develop appropriate measures for pupils from different cultural backgrounds, when assessing their abilities and knowledge ;

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1. Interculturalism advocates the integration of migrants into the receiving society and the defence and respect of the value of their languages and cultures as well as supplying the means for attaining these objectives.

d. encourage the co-ordination of educational objectives and, as far as possible, the mutual recognition of study and training undertaken in other countries to facilitate mobility ;

e. promote the development of coherent policies in the educational, social and cultural fields according to second-generation migrants' needs, while obtaining the support and participation of host communities ;

f. foster the integration of migrant girls and women in education and vocational training, in order to enable them to be fully involved in the life of the community ;

*In the receiving country :*

g. promote the socio-occupational integration of young migrants through the educational system ;

h. give full value to the culture of the parents' country of origin by integrating, possibly in co-operation with the country of origin, the teaching of the language and culture of the country of origin into ordinary school curricula ;

i. promote the intercultural training of indigenous teachers, teachers from countries of origin, education officials and adult educators, and encourage the production of suitable teaching aids, in co-operation, where possible, with countries of origin ;

j. promote the development of cultural activities, mainly through associations, to enable second-generation migrants to express their own cultural identity and to establish friendly contacts with the local population, and participate in local cultural life ;

*In the country of origin :*

k. promote, with a view to the training of teachers and information of the population, knowledge of the living conditions and of the culture in the host countries ;

l. consider means and take appropriate measures to help young returning migrants or their families to reintegrate and participate in local cultural life in such a way that they can make the best use of the cultural, linguistic and social experience acquired abroad.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 10

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE CRIMINAL RECORD AND REHABILITATION OF CONVICTED PERSONS

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that a crime policy aimed at crime prevention and the social reintegration of offenders should be pursued and developed in the member states of the Council of Europe ;

Considering that criminal records are principally intended to provide the authorities responsible for the criminal justice system with information on the antecedents of the person on trial, in order to assist them in making a decision appropriate to that individual ;

Considering that any other use of criminal records may jeopardise the convicted person's chances of social reintegration, and should therefore be restricted to the utmost ;

Considering the need to promote close co-operation between Council of Europe member states on the basis of common principles for crime policy in this area ;

Having regard to the European Convention on Mutual Assistance in Criminal Matters and to the work done by the European Committee on Crime Problems on the treatment of offenders,

Recommends that the governments of member states review their legislation and their practice relating to criminal records with a view to introducing the following measures where necessary :

- I. *With regard to authorities or persons entitled to receive extracts from criminal records*
  1. to provide that the information mentioned on the criminal record will be communicated only in the form of extracts whose content will be strictly limited to the legitimate interest of the recipients ;
  2. to ensure that only the authorities responsible for the criminal justice system and those exceptionally authorised under the legislation on criminal records may receive the full list of entries on the criminal records ; other public bodies or the person concerned receiving only partial extracts ;
  3. wherever possible, to enable any person proving his identity to inspect his entire criminal record ; unless necessary for overriding reasons provided for in the legislation, to avoid written communication of the record, in order to prevent any risk of misuse ;
  4. to consider the possibility of enabling the judicial authorities to order that certain entries should appear only on criminal records issued for their use ;
  5. to restrict to the utmost the communication of decisions relating to minors ;

II. *With regard to criminal proceedings*

6. to avoid, wherever possible, unnecessary public disclosure of criminal records during criminal proceedings, so as not to stigmatise the person concerned ;
7. to encourage close co-operation between the judicial authorities and the press, so that the latter may be made aware of the risk which references to an accused person's criminal record may pose to his social reintegration ;

III. *With regard to the protection of information in criminal records*

8. to take appropriate steps to protect information contained in criminal records, particularly when the latter are computerised ;
9. to provide appropriate sanctions for breach of the confidentiality of information contained in criminal records ;

IV. *With regard to rehabilitation*

10. to provide for an automatic rehabilitation after a reasonably short period of time and, if appropriate, in addition a possibility of rehabilitation at an earlier moment at the request of the person concerned ;
11. to take steps enabling the persons concerned to be informed :
  - of the conditions for automatic rehabilitation ;
  - of the procedure for applying for rehabilitation ;
12. to provide that enquiries in connection with rehabilitation proceedings be conducted discreetly in order to avoid harm to the person concerned ;
13. to provide that rehabilitation implies prohibition of any reference to the convictions of a rehabilitated person except on compelling grounds provided for in national law ;

V. *With regard to social reintegration*

14. to organise, within penal institutions, activities aimed at strengthening the convicted person's links with the community in order to promote his social reintegration ;

Recommends that governments of member states review their legislation and their practice concerning the issue of certificates of good conduct for the purpose of restricting their use and of ensuring, in any case, that they cover only criminal records and do not refer to the private life or morals of the person concerned ;

Recommends that the governments of member states encourage research on the questions mentioned above, taking account of the findings when revising legislation or practice ;

Invites the governments of member states :

- to ratify, as soon as possible, the European Convention on Mutual Assistance in Criminal Matters, with a view to promoting international co-operation in this area ;
- to give full practical effect to their obligations under Articles 13 and 22 of the convention within the limits of the commitments accepted by signatory parties ;
- to study the possibility of withdrawing reservations relating to Articles 13 and 22 of the aforementioned convention ;

Recommends that the governments of member states ensure that the report of the European Committee on Crime Problems on the criminal record and the rehabilitation of convicted persons is widely distributed to the authorities concerned.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 11

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES CONCERNING INFORMATION ABOUT THE CONVENTION ON THE TRANSFER OF SENTENCED PERSONS

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Having regard to the Convention on the Transfer of Sentenced Persons of 21 March 1983 ;

Desirous of assisting Contracting States to fulfil their obligation, under Article 4.1 of the convention, to furnish sentenced persons to whom the convention may apply with information on its substance ;

Considering it essential that this information is provided in a language which the sentenced person understands ;

Convinced that a standard text to be used for conveying information on the substance of the convention to potential transferees will assist Contracting States in arranging for the necessary translations,

- I. Recommends the governments of member states to provide an authoritative translation of the standard text annexed to this recommendation into their official language or languages, taking into account any reservations or declarations to the convention of which the potential transferees would need to be aware, and deposit the translation with the Secretary General of the Council of Europe at the time of ratification, acceptance or approval of the convention ;
- II. Instructs the Secretary General of the Council of Europe to forward copies of the translations so received to each of the Contracting States for use by their prison authorities ;
- III. Instructs the Secretary General of the Council of Europe to transmit this recommendation to the governments of the non-member states which have participated in the elaboration of the convention and to the governments of states invited to accede to the convention.

## APPENDIX

### Standard text providing information about the Convention on the Transfer of Sentenced Persons

The Convention on the Transfer of Sentenced Persons enables, under certain conditions, persons who have received a custodial sentence in a country other than their own to be transferred to their home country to serve the sentence there. A brief explanation of these conditions is given below. This document does not constitute an exhaustive description of the convention. If, therefore, you wish to enquire into the possibility of being transferred to serve your sentence in (administering State), you should ask the prison authority, or the appropriate authority in (administering State), for more detailed information, for example, to arrange for you to receive a copy of the convention and for both States to consider the possibility of your transfer. You may also address any request for information to a consular representative of (administering State).

#### *Who has to agree to the transfer?*

A transfer requires :

- a. the consent of the person concerned or, where requisite, that of his legal representative ;
- b. the consent of the State where he was sentenced ; and
- c. the consent of the State to which transfer is requested.

#### *Who may benefit from a transfer to (administering State)?*

You may be eligible for transfer to (administering State) if the following conditions are fulfilled :

- a. if you are considered a national of (administering State) ;
- b. if the judgment by which your sentence was imposed is final ;
- c. if, as a general rule, at least six months of your sentence remain to be served, though in exceptional circumstances this period may be less ; and
- d. if the offence for which you were tried is a criminal offence under the law of (administering State).

#### *What sentence would need to be served following transfer?*

— (States using the “continued enforcement” procedure :)

The maximum sentence to be served following transfer would be the amount of the original sentence which remained after deduction of any remission earned in (sentencing State) up to the date of transfer. If the sentence imposed in (sentencing State) was longer or of a different nature than the sentence which could be imposed for the same offence in (administering State), it would be adapted to the nearest equivalent sentence which was available under the law of (administering State) without being longer or more severe than the original sentence.

— (States using the “conversion of sentence” procedure :)

It would not be possible to confirm before transfer the precise nature and length of the sentence to be served in (administering State), because the original sentence would need to be converted by (a court) (the competent authorities) in (administering State) following transfer to a sentence which could have been imposed if the offence had been committed in (administering State). You would be given some idea, however, of the nature and length of the sentence to which the original sentence might be converted in (administering State), to help you to decide whether to seek a transfer. Under the terms of the convention a sentence converted in this way will not be more severe nor longer than the original sentence, will not be subject to any minimum which the law of (administering State) may provide for the offence, and will take account of the full period spent in custody before transfer.

If you are transferred, your sentence will be enforced in accordance with the law and regulations which apply in (administering State).



#### *Prosecution for other offences*

Please note that in the event of your transfer the authorities of (administering State) are entitled to prosecute, sentence or detain you for any offence other than that for which your current sentence was imposed.

#### *Pardon, amnesty, commutation*

Your transfer would not prevent you from benefiting from any pardon, amnesty or commutation of sentence which might be granted by either (sentencing State) or (administering State).

#### *Review of original judgment*

If new information came to light after your transfer which you considered grounds for a review of the original judgment passed in (sentencing State), it would be for (sentencing State) alone to decide on any application for review.

#### *Termination of enforcement*

If for any reason whatsoever the sentence originally imposed in (sentencing State) ceased to be enforceable in (sentencing State), the (administering State) authorities, as soon as they were informed of this, would release you from the sentence being served. Similarly, when the sentence being served in (administering State) ceased to be enforceable there, you could no longer be required to serve the original sentence imposed in (sentencing State) if you should return there.

#### *Some information on the procedure*

You may express your interest in being transferred to the authorities of either (sentencing State) or (administering State).

If the (sentencing State) authorities are prepared to consider your transfer, they will provide the (administering State) authorities with information about you, about the facts relating to your conviction and sentence and about the nature and length of your sentence. If the (administering State) authorities are prepared to consider your transfer, they will respond by providing (information about the nature and duration of the sentence you would need to serve after transfer)<sup>1</sup>, (an indication as to how your sentence might be converted following your transfer)<sup>2</sup>, together with information about the arrangements for remission, conditional release, etc. in (administering State).

Provided both States are content to agree to your transfer, you will be asked whether, having received and considered the information provided by (administering State), you consent to being transferred under the convention.

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1. Applies to states using the "continued enforcement" procedure.

2. Applies to states using the "conversion of sentence" procedure.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 12

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES CONCERNING FOREIGN PRISONERS

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering the large number of foreign prisoners detained in the penitentiary establishments of member states ;

Recognising the difficulties which these prisoners may face on account of such factors as different language, culture, customs and religion ;

Desirous of alleviating any possible isolation of foreign prisoners and of facilitating their treatment with a view to their social resettlement ;

Considering that such treatment should take into account the special needs of foreign prisoners and ensure that it provides them with opportunities equal to those accorded to other prisoners ;

Considering it desirable to establish certain standards at European level ;

Having regard to Resolution (73) 5 on standard minimum rules for the treatment of prisoners and Resolution (75) 3 on the legal and administrative aspects of criminality among migrant workers,

Recommends the governments of member states to be guided in their law and practice by the principles annexed to this recommendation.

## APPENDIX

The following principles are designed to apply to foreign prisoners, that is to say to prisoners of different nationality who on account of such factors as language, customs, cultural background or religion may face specific problems. As far as prisoners awaiting trial or extradition are concerned, these principles should, however, be applied only to the extent that their implementation does not impair the purpose of the detention.

In implementing these principles, account should be taken of the requirements of the prison administration, including prison security, and the availability of resources.

The principles should be applied so as to ensure that the treatment of foreign prisoners is conducive to their social resettlement. This might require adopting particular measures in relation to particular categories of foreign prisoners, taking into account such factors as nationality, language, religious precepts and customs, cultural background, length of sentence, and liability to expulsion. Every reasonable effort should be made to ensure that the treatment of foreign prisoners does not lead to their being disadvantaged.

### **I. Allocation to prison establishments**

1. The allocation of a foreign prisoner to a prison establishment should not be effected on the grounds of his nationality alone. If his allocation to a prison establishment is likely to alleviate his situation of isolation and to facilitate his treatment it may be effected according to his specific needs, particularly with regard to his communications with persons of the same nationality, language, religion or culture. This possibility should be envisaged in particular where the national penitentiary system takes account of the wishes of prisoners when allocating them to prison establishments.

### **II. Treatment in prison**

#### *a. Measures to reduce isolation and promote social resettlement*

2. To alleviate his feeling of isolation, a foreign prisoner's communications with other persons of the same nationality, language, religion or culture should be facilitated, for instance by permitting them to work, spend their leisure time or take exercise together.

3. Every effort should be made to give foreign prisoners access to reading material in their language. To that end, prisons might seek the assistance of consular services and appropriate private organisations.

4. Where a foreign prisoner is likely to be able to remain in the country of detention and wishes to be assimilated into the culture of that country, the prison authority should assist him in doing so.

5. Foreign prisoners should have the same access as national prisoners to education and vocational training.

In order that foreign prisoners may have access to courses designed to improve educational and professional qualifications, consideration should be given to the possibility of providing them with necessary special facilities.

6. Visits and other contacts with the outside world should be so arranged as to meet the foreign prisoner's special needs.

7. Ordinarily foreign prisoners should be eligible for prison leave and other authorised exits from prison according to the same principles as nationals. The assessment of the risk that a foreign prisoner may leave the country and escape punishment should always be made on the merits of the individual case.

#### *b. Measures to reduce language barriers*

8. Foreign prisoners should be informed promptly after reception into a prison, in a language which they understand, of the main features of prison routine, of available training and study facilities, and of possibilities, if any, for requesting the assistance of an interpreter. This information should be supplied in writing or, where this is not possible, orally.

9. A foreign prisoner who has no command of the language of the country in which he is detained should be provided with translation or interpretation concerning sentence, any right of appeal, and any judicial decision taken in the course of his detention.

10. To enable foreign prisoners to learn the language spoken in the prison, appropriate opportunities for language training should be provided for them.

*c. Measures to meet special requirements*

11. The religious precepts and customs of foreign prisoners should be respected. So far as practicable, foreign prisoners should be allowed to comply with them.

12. Account should also be taken of problems which might arise from differences in culture.

*d. Measures to ease conditions of detention*

13. Foreign prisoners, who in practice do not enjoy all the facilities accorded to nationals and whose conditions of detention are generally more difficult, should be treated in such a manner as to counter-balance, so far as may be possible, these disadvantages.

**III. Assistance by consular authorities**

14. Foreign prisoners should be informed without delay of their right to request contacts with their consular authorities, the possibilities of assistance which might be accorded by these authorities and any action concerning them which is to be taken by the competent authorities having regard to existing consular treaties. If a foreign prisoner wishes to receive assistance from a diplomatic or consular authority, including action for his social resettlement in case of expulsion, the latter should be informed promptly of his wish.

15. Consular authorities should, at the earliest possible stage, assist their detained nationals, particularly by regularly visiting them.

16. In the course of their duties, consular authorities should offer any assistance possible to further the social resettlement of foreign prisoners, in accordance with the relevant regulations and arrangements of the country of detention. In particular, they should offer their assistance concerning the prisoner's family relations by facilitating visits from and contacts with members of his family.

17. Consular authorities should make every effort to provide, in accordance with existing prison regulations, literature and other reading material to help foreign prisoners maintain contacts with their home countries.

18. Consular authorities should consider the production of information leaflets for their detained nationals. These leaflets should indicate the location and telephone number of the nearest consulate and inform the prisoner of the possibilities of assistance which may be granted by consulates, such as visiting the prisoner, providing information as regards his defence, supplying literature and reading material, and suggesting possibilities of repatriation, particularly as regards the prisoner's transfer in application of existing international agreements. These leaflets should be made available to the prisoner at the earliest possible stage of his detention.

**IV. Assistance by community agencies**

19. Prison authorities and community agencies working in the field of aid and resettlement of prisoners should, in collaboration, pay particular attention to foreign prisoners and their specific problems. Community agencies in the prisoner's home country should act in collaboration with the consular authorities of that country.

20. Community agencies should be encouraged to promote information for foreign prisoners about assistance which may be offered to them. Prison authorities should ensure that this information is easily accessible to foreign prisoners.

21. Contacts of foreign prisoners with community agencies should be facilitated.

22. With a view to according adequate assistance to foreign prisoners, prison authorities should grant community agencies all necessary opportunities for visits and correspondence, provided that the prisoner consents to these contacts. Where only a limited number of visits can be made, consideration should be given in appropriate cases to extending the visiting time and to making restrictions on sending or receiving letters more flexible.

23. With a view to facilitating contacts between community agencies and foreign prisoners, the competent authorities in each country should appoint a national contact bureau for community agencies which have responsibility for the social resettlement of prisoners and operate in its territory. The address of the national contact bureau as well as that of any diplomatic or consular authority should be communicated by the prison authority to any foreign prisoner at the moment of reception into the prison.

24. The organisation of assistance by volunteers likely to be able to assist foreign prisoners should be promoted and furthered. These volunteers should act under the responsibility of either the prison authorities or the consular authorities or the community agencies. As far as possible, these volunteers should be accorded the same opportunities as those referred to in paragraph 22.

## **V. Training and use of prison staff**

25. Training for prison officers and other categories of staff to support their work with foreign prisoners should be encouraged and incorporated in the normal training programmes. In general, such training should seek to improve understanding of the difficulties and cultural backgrounds of foreign prisoners so as to prevent prejudiced attitudes from arising.

26. Consideration should be given to having certain staff available for more intensive work with foreign prisoners and enhancing their ability to do so through the provision of more specialised training focusing, for instance, upon the learning of a language or particular difficulties occurring in relation to particular groups of foreign prisoners.

## **VI. Collection of statistics**

27. Consideration should be given to the collection of routine statistics which allow foreign nationals to be classified with reference to factors of importance for practical administration. In this context it should be borne in mind that it is desirable to be able to subdivide the foreign prisoner population with regard to nationality, length of sentence, main offence, residence in the country and liability to expulsion. So far as possible, the statistics should cover the numbers received during the course of a year as well as a daily average.

28. Consideration should also be given to conducting occasional surveys on matters which do not easily lend themselves to analysis by routine statistics.

## **VII. Expulsion and repatriation**

29. In order to allow for the most adequate prison treatment, decisions concerning expulsion should be taken as soon as possible, without prejudice to the prisoner's right to appeal against the decision, taking into account the foreign prisoner's personal ties and the effects on his social resettlement.

30. In view of the advantages to the prisoner's social resettlement, the competent authorities of the country of detention should, regardless of any decision on expulsion, consider the desirability of repatriating the prisoner, in accordance with existing international arrangements.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 13

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES CONCERNING THE SITUATION OF FOREIGN STUDENTS <sup>1</sup>

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Considering that the aim of the Council of Europe is to achieve a greater unity between its members, and that this aim can be pursued notably by common action in cultural matters ;
2. Having regard to the European Cultural Convention ;
3. Having regard to the European Convention on the equivalence of diplomas leading to admission to universities ;
4. Having regard to the European Convention on the equivalence of periods of university study ;
5. Having regard to the European Convention on the academic recognition of university qualifications ;
6. Having regard to the European Agreement on continued payment of scholarships to students studying abroad ;
7. Considering that the Council of Europe has always encouraged academic mobility without any form of racial, religious, political or sexual discrimination ;
8. Considering that the political, economic, social, cultural, educational and scientific interdependence between the States Parties to the European Cultural Convention, and between those States and others, is getting closer and more intensive ;
9. Considering that the practice of study in a country other than a student's home country is likely to contribute to a student's cultural and academic enrichment ;
10. Considering that for the purpose of this recommendation the term "university" shall be understood in its broadest sense, that is to say implying :
  - i. universities ; and
  - ii. those other institutions of higher education and research not having the title of university but regarded as undertaking work of a generally equal nature by the competent authorities of the state in whose territory they are situated,

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1. When this recommendation was adopted, and in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, the Representatives of Austria and Belgium reserved the right of their governments to comply or not with paragraph 12 of the appendix to the recommendation, and the Representative of the United Kingdom reserved the right of her government to comply or not with paragraphs 12 and 13 of the said appendix.

I. Recommends the governments of member states :

a. to take account, in the establishment of their policies affecting universities, of the principles set out in the appendix hereto or to draw them to the attention of the competent bodies concerned, so that they can be considered and, where practicable and appropriate, taken into account ;

b. to ensure that this recommendation is distributed as widely as possible among all persons and bodies concerned with the situation of foreign students ;

II. Instructs the Secretary General of the Council of Europe to transmit this recommendation to the governments of those contracting Parties to the European Cultural Convention which are not members of the Council of Europe.

Appendix to Recommendation No. R (84) 13

**Principles for the formulation of policies  
regarding the situation of foreign students**

**I. Study abroad : basic principles**

*A. Preference for periods of study*

1. In general, students should be encouraged to spend limited periods of study abroad, one or two years, depending upon the course of study.
2. In the interest of the students themselves, studies should normally be begun and carried on in the country of origin for about two years, allowing the students to acquire the necessary grasp of their field of study, unless the very nature of the study requires that the courses be started abroad.
3. Special encouragement should be given to any study abroad being planned and agreed by the institutions concerned as part of an integrated course or joint study programme.

*B. Students from developing countries*

4. A special admission policy for students from developing countries favouring the needs of these countries should be encouraged.
5. Students from developing countries should in general first complete university studies in their own country before embarking on professional specialisation by means of complementary intensification and research studies in foreign countries. Such further education should be recognised in their own countries.
6. Where students from developing countries, because of the particular situation in their countries of origin, have reasons for pursuing full degree courses abroad, these courses should, if possible, take account of the problems and needs of the developing countries. The design of such courses necessitates a dialogue between the competent authorities in the countries of origin and in the states where such courses are held.

*C. Political refugees*

7. Foreign nationals who have been granted the status of refugees under the Convention relating to the Status of Refugees (Geneva 1951) in a state, should be treated as a national of that state as far as access to universities is concerned, and, where necessary, special help should be given to acquire an adequate command of the language and to reach the required academic level.

**II. Access of foreign students to universities**

8. In principle, the host state and/or its academic institutions should not accept a candidate who would not be entitled to go on to universities in his own country, but without taking possible admission limitations into consideration.

9. If they so wish, a state and/or its academic institutions may institute more liberal measures ; but their own requisite academic qualifications should in no case be altered.



10. It is of paramount importance that the responsible body in the host country checks that the candidates' command of the language is sufficient to enable them to understand the various courses they wish to follow before a place is offered in a university.

11. A special admission policy should be adopted for students coming from states with no universities, or without complete study courses.

12. As far as possible, where fees (registration, etc.) are payable, foreign students should not be required to pay higher fees than those applied to national students.

### **III. Return and reintegration**

13. In admitting foreign students to university studies, the host countries proceed on the assumption that the foreign students, especially those who have been accepted for a full course of study, will return to their home country upon completing their courses of study and that they will on their own responsibility undertake every effort to secure their social and professional reintegration. Where necessary, measures to facilitate return and reintegration of foreign students should be introduced and/or improved.

### **IV. Information on studies abroad**

14. Updated information on studies abroad should be furnished by the competent authorities of each state; it shall be distributed and where necessary supplemented by specialised departments in each university. The Council of Europe network of national mobility information centres should be put in a position to play an important role and exploited accordingly by all those concerned.

### **V. Financing and scholarships**

15. Where appropriate, every effort should be made to establish or increase financial support for students wishing to study abroad in order to promote mobility.

16. Foreign students should be advised not to anticipate paid employment to meet their living costs, and before their arrival they should be requested to make provision for the financial means needed to complete their studies.

17. Each state, or university institution of such, should endeavour to set up, if such services are not provided for by other institutions, a University Solidarity Fund to assist students in temporary financial difficulties not due to their own fault (such as late payment of grants or scholarships).

### **VI. Reception services**

18. To overcome the obstacles and the problems facing foreign students in their daily life, reception services (public or private, university or university-attached) should be set up, for effective reception, assistance, accommodation and guidance. Specialist staff should be trained for this type of work.

19. The administrative departments, both in the universities and in other responsible bodies, should simplify the various formalities that govern the personal situation of foreign students, notably the obtaining of residence permits and accommodation.

### **VII. Review, consultation and agreements between states**

20. While respecting the responsibility of the individual states and institutions to determine their own policies on the admission of foreign students, states should be willing to undertake regular reviews of their own policies both by themselves and in consultation with other states, in order to monitor the effects of their own policies on student mobility.

### **VIII. Statistics and surveys**

21. Statistics regarding foreign students should be improved, harmonised and continually updated, in particular regarding the various main groups (students spending only a part of their period of study abroad, students completing a full course of study abroad).



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 14

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES CONCERNING THE INTRODUCTION OF NON-NATIVE SPECIES

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members ;

Having regard to the resolutions of the European Ministerial Conferences on the Environment ;

Having regard to the Convention on the Conservation of European Wildlife and Natural Habitats of 19 September 1979 and in particular to Article 11.2.b thereof which enjoins strict control of the introduction of non-native species ;

Defining "introduction" as the release of a non-native species into the natural environment, from which it was hitherto absent ;

Considering that non-native species are introduced into the natural environment *inter alia* for economic reasons, for hunting and fishing, ornament and attractiveness, biological pest control or accidentally ;

Noting that a diversity of indigenous wildlife is essential to the maintenance of the biological balance of ecosystems ;

Believing that many introductions have aggravated natural imbalances, especially in island systems, and that non-native species may sooner or later cause the destruction of natural ecosystems, indigenous animal and plant species and even the economy ;

Considering that the risks and consequences of introducing a non-native species are frequently incalculable and unforeseeable, even if meticulous research has been carried out, since the species introduced :

- displays in many instances great environmental adaptability and may therefore spread from the biotope to which it was hoped to confine it ;

- may spread rapidly because limiting factors (predators, competition, etc.) are often absent or very few in number ; it may thus become an ecological and economic pest capable of causing the disappearance of one or more local species or of an entire ecosystem, including all the intermediate levels ;

- may transmit diseases to indigenous populations ;

- may alter the genetic make-up of populations of a species and give rise to hybridisation ;

Convinced therefore of the need to control and regulate the introduction of non-native species in Europe,

Recommends that the governments of the member states :

1. prohibit the introduction of non-native species into the natural environment ;
2. authorise certain exceptions to the prohibition on condition that they :
  - have a study carried out—preferably by a research establishment responsible for nature conservation—to evaluate the probable consequences of such introduction for wildlife and ecosystems ;
  - submit such studies for an opinion to the European Committee for the Conservation of Nature and Natural Resources, the final decision resting with the governments concerned ;
3. take the necessary steps to prevent as far as possible the accidental introduction of non-native species ;
4. inform governments of neighbouring countries concerned of introduction schemes or accidental introductions.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 15

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES RELATING TO PUBLIC LIABILITY <sup>1</sup>

*(Adopted by the Committee of Ministers on 18 September 1984  
at the 375th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members ;

Considering that public authorities intervene in an increasing number of fields, that their activities may affect the rights, liberties and interests of persons and may, sometimes, cause damage ;

Considering that, since public authorities are serving the community, the latter should ensure reparation for such damage when it would be inappropriate for the persons concerned to bear it ;

Recalling the general principles governing the protection of the individual in relation to the acts of administrative authorities as set out in Resolution (77) 31 and the principles concerning the exercise of discretionary powers by administrative authorities set out in Recommendation No. R (80) 2 ;

Considering that it is desirable to protect persons in the field of public liability,

Recommends the governments of member states :

- a. to be guided in their law and practice by the principles annexed to this recommendation ;
- b. to examine the advisability of setting up in their internal order, where necessary, appropriate machinery for preventing obligations of public authorities in the field of public liability from being unsatisfied through lack of funds.

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1. When this recommendation was adopted, and in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, the Representative of Sweden reserved the right of his Government to comply with it or not and the Representatives of Denmark and Norway reserved the right of their Governments to comply or not with Principle II thereof.

### **Scope and definitions**

1. This recommendation applies to public liability, that is to say the obligation of public authorities to make good the damage caused by their acts, either by compensation or by any other appropriate means (hereinafter referred to as "reparation").
2. The term "public authority" means :
  - a. any entity of public law of any kind or at any level (including state ; region; province ; municipality ; independent public entity) ; and
  - b. any private person,when exercising prerogatives of official authority.
3. The term "act" means any action or omission which is of such a nature as to affect directly the rights, liberties or interests of persons.
4. The acts covered by this recommendation are the following :
  - a. normative acts in the exercise of regulatory authority ;
  - b. administrative acts which are not regulatory ;
  - c. physical acts.
5. Amongst the acts covered by paragraph 4 are included those acts carried out in the administration of justice which are not performed in the exercise of a judicial function.
6. The term "victim" means the injured person or any other person entitled to claim reparation.

### **Principles**

#### **I**

Reparation should be ensured for damage caused by an act due to a failure of a public authority to conduct itself in a way which can reasonably be expected from it in law in relation to the injured person. Such a failure is presumed in case of transgression of an established legal rule.

#### **II**

1. Even if the conditions stated in Principle I are not met, reparation should be ensured if it would be manifestly unjust to allow the injured person alone to bear the damage, having regard to the following circumstances: the act is in the general interest, only one person or a limited number of persons have suffered the damage and the act was exceptional or the damage was an exceptional result of the act.
2. The application of this principle may be limited to certain categories of acts only.

#### **III**

If the victim has, by his own fault or by his failure to use legal remedies, contributed to the damage, the reparation of the damage may be reduced accordingly or disallowed.

The same should apply if a person, for whom the victim is responsible under national law, has contributed to the damage.

#### **IV**

The right to bring an action against a public authority should not be subject to the obligation to act first against its agent.

If there is an administrative conciliation system prior to judicial proceedings, recourse to such system should not jeopardise access to judicial proceedings.

## V

Reparation under Principle I should be made in full, it being understood that the determination of the heads of damage, of the nature and of the form of reparation falls within the competence of national law.

Reparation under Principle II may be made only in part, on the basis of equitable principles.

## VI

Decisions granting reparation should be implemented as quickly as possible. This should be ensured by appropriate budgetary or other measures.

If, under domestic law, a system for a special implementation procedure is provided for, it should be easily accessible and expeditious.

## VII

Rules concerning time limits relating to public liability actions and their starting points should not jeopardise the effective exercise of the right of action.

## VIII

The nationality of the victim should not give rise to any discrimination in the field of public liability.

### **Final provisions**

This recommendation should not be interpreted as :

- a. limiting the possibility for a member state to apply the principles above to categories of acts other than those covered by the recommendation or to adopt provisions granting a wider measure of protection to victims ;
- b. affecting any special system of liability laid down by international treaties ;
- c. affecting special national systems of liability in the fields of postal and telecommunications services and of transportation as well as special systems of liability which are internal to the armed forces, provided that adequate reparation is granted to victims having regard to all the circumstances ;
- d. affecting special national systems of liability which apply equally to public authorities and private persons.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 16

**OF THE COMMITTEE OF MINISTERS TO MEMBER STATES  
CONCERNING NOTIFICATION OF WORK  
INVOLVING RECOMBINANT DEOXYRIBONUCLEIC ACID (DNA)**

*(Adopted by the Committee of Ministers on 25 September 1984  
at the 375th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members by common action in economic, social, cultural, scientific, legal and administrative matters, in particular through harmonisation of laws on matters of common interest ;

Having regard to the Consultative Assembly Recommendation 934 (1982) on Genetic Engineering ;

Considering and welcoming the great progress realised in recent years as to the safety in recombinant DNA work ;

Being informed that not all member states possess legislation or regulations concerning safety in DNA work ;

Considering that the European Communities Council Recommendation of 30 June 1982 (82/472/EEC) concerning the registration of work involving recombinant deoxyribonucleic acid, which is applicable only to the ten member states of the European Communities, is a good basis for the harmonisation of the rules on notification and registration of recombinant DNA work ;

Convinced that this result should be extended to all the member states of the Council of Europe,

Recommends that the governments of the member states, if they have not yet done so :

*a.* adopt, by the means they consider appropriate, a system of notification in accordance with the principles contained in the appendix to the present recommendation ;

*b.* provide, in order to safeguard scientific and industrial secrecy and to protect intellectual property, that each notification, its contents and accompanying documents shall be kept confidential unless the notifying laboratory agrees otherwise.

## **Appendix**

The following principles apply to work involving recombinant DNA which may present a biohazard of a category which will be determined by each state. The use of recombinant DNA techniques for transfer into human subjects shall be dealt with by specific provisions.

### **I**

Any laboratory wishing to undertake, in the territory of a member state, work involving recombinant DNA notifies the competent national or regional authority.

### **II**

Such notification is given, for each of the research projects envisaged, before the date on which it is begun or, where the competent authorities so decide and in the case of work falling within a category of very low risk potential, if possible within six months and not later than twelve months after the date on which the project is begun.

### **III**

Such notification is accompanied, for each of the projects which is subject to prior notification, by the following documents :

- the portion of the experimental protocol which is required for the evaluation of safety at the site where the proposed activities are to be carried out,
- a list of the protective and supervisory measures to be applied throughout the duration of the experimental work,
- a description of the general education in recombinant DNA research and of the training received by the members of the team which will participate in the proposed activities or will be responsible for supervision, monitoring or safety.

### **IV**

Each notification and the accompanying documents are classified and stored by the national authorities or regional authorities for safety and health protection to which they have been submitted.

### **V**

Each notification and its accompanying documents may be consulted by national experts authorised to that effect by the national authorities.

### **VI**

Work involving recombinant DNA is defined as the formation of new combinations of genetic material by the insertion of nucleic acid molecules produced by whatever means outside the cell, into any virus, bacterial plasmid or other vector system so as to allow their incorporation into a host organism in which they do not naturally occur but in which they are capable of continued propagation.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 17

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON EQUALITY BETWEEN WOMEN AND MEN IN THE MEDIA

*(Adopted by the Committee of Ministers on 25 September 1984  
at the 375th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage ;

Noting that these ideals and principles include equality between women and men ;

Being aware that, as emphasised in the United Nations Convention on the elimination of all forms of discrimination against women, the promotion of equality between women and men necessarily presupposes a change in "the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women" (Article 5) ;

Recognising that the media play an important part in forming social attitudes and values and offer immense potential as instruments of social change ;

Referring to the work and the results of the Seminar on "the Contribution of the Media to the Promotion of Equality between Women and Men" organised by the Council of Europe in Strasbourg from 21 to 23 June 1983 ;

Bearing in mind the Convention for the Protection of Human Rights and Fundamental Freedoms ;

Recalling its commitment to the principles of freedom of expression and the free flow of information as embodied, *inter alia*, in its Declaration of 29 April 1982, which enable men and women to understand political, social, economic and cultural questions better and discuss them more freely ;

Emphasising the principle prevailing in member states whereby media organisations are self-governing and independent of governments as regards particularly the content of programmes ;

Recalling its Recommendation No. R (81) 17 on adult education policy and Recommendation No. R (84) 3 on the principles on television advertising,

Recommends that the governments of member states contribute to the promotion of equality between women and men in the electronic and printed media by taking appropriate steps with a view to implementing the following measures :

1. providing those responsible for the media with documentation and information on measures and/or initiatives taken by national authorities and, if possible, by any intergovernmental organisations to promote equality between women and men ;

2. stimulating and, as far as possible, co-ordinating national research on public preferences and satisfaction in the matter of news and non-fiction programmes, with a breakdown according to sex, age, educational level, etc. ;
3. stimulating evaluation by national research of the impact and influence of entertainment programmes where sex stereotyping and prejudices are concerned ;
4. encouraging research on the selection, perception and understanding of messages, and on the appropriate use of affective and rational forms of language ;
5. promoting the development, possibly in co-operation with organisations such as the European Broadcasting Union (EBU), of adult education programmes to be broadcast through the media, particularly for sections of the population that are isolated from the major currents of public life, for example women in rural areas and women migrants. Programmes for these two and other target groups could be seen as part of the objectives of the "European Declaration on Cultural Objectives"<sup>1</sup> ;
6. encouraging adoption by the media organisations of positive action programmes to improve the situation of women, particularly at decision-making levels and in technical services ;
7. developing channels of education and training facilities for women in the new media technology ;
8. ensuring application of the principle of equal treatment between women and men as a result of rules laid down for the recruitment, training, remuneration, promotion and any other conditions of employment of persons employed in the media ;
9. encouraging the presence of women in an equitable proportion in media supervisory and management bodies ;
10. encouraging wider participation by women in talks and discussions broadcast by the media ;
11. ensuring that in publicity campaigns sponsored in the media by the public authorities, the dignity of women is safeguarded and a positive image of them is projected and also that the factual reality of relationships between women and men based on partnership is reflected without any sexual stereotyping, and that any exploitation of the bodies of women and men to draw attention to goods or services is barred ;
12. encouraging awareness in the media and among the general public of the problems of equality between women and men in the media, in particular by the nationwide organisation of meetings and seminars on this question.

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1. Adopted at the 4th Conference of European Ministers responsible for Cultural Affairs (Berlin, 23-25 May 1984).

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 18

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

#### ON THE TRAINING OF TEACHERS IN EDUCATION FOR INTERCULTURAL UNDERSTANDING, NOTABLY IN A CONTEXT OF MIGRATION<sup>1</sup>

*(Adopted by the Committee of Ministers on 25 September 1984  
at the 375th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Having regard to the European Cultural Convention,
2. Recalling :
  - its Resolution (70) 35 on "School education for the children of migrant workers",
  - its Declaration regarding "Intolerance—a threat to democracy" (14 May 1981) ;
3. Bearing in mind Resolution No. 1 (1983) of the Standing Conference of European Ministers of Education, on "Migrants' education" ;
4. Noting Recommendation 786 (1976) of the Consultative Assembly of the Council of Europe on the education and cultural development of migrants ;
5. Considering that the societies with multicultural features created in Europe by the population movements of recent decades are an irreversible and generally positive development, in that they may help to further closer links between the peoples of Europe as well as between Europe and other parts of the world ;
6. Considering that flourishing relations in all fields require a fuller understanding of the cultures and ways of life of other peoples, as well as, in the event, of their common cultural heritage ;
7. Considering that the presence in schools in Europe of millions of children from foreign cultural communities constitutes a source of enrichment and a major medium- and long-term asset, provided that education policies are geared to fostering open-mindedness and an understanding of cultural differences ;
8. Considering the essential role of teachers in helping such pupils to integrate into school and society, as well as in developing mutual understanding ;
9. Considering it is necessary to prepare teachers for this important task ;

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1. When this recommendation was adopted, the Representative of the United Kingdom, in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, reserved the right of her Government to comply with it or not.

10. Considering that, in order to fulfil this task, the training given to teachers should equip them to adopt an intercultural approach and be based on an awareness of the enrichment constituted by intercultural understanding and of the value and originality of each culture ;

11. Considering that this intercultural approach should be adopted by all teachers in host countries and countries of origin alike, because it concerns all children ;

12. Considering, too, that teachers issuing from migrant populations are particularly suited to creating with their pupils an educational process which takes account of the interaction of the features of their cultures of origin and of their host *milieu*,

I. Recommends :

A. *that the governments of member states* (within the context of their educational and legislative systems and their policies and available resources)

1. make the intercultural dimension and the understanding between different communities a feature of initial and in-service teacher-training, and in particular :

1.1. train teachers in such a way that they :

— become aware of the various forms of cultural expression present in their own national cultures, and in migrant communities ;

— recognise that ethnocentric attitudes and stereotyping can damage individuals and, therefore, attempt to counteract their influence ;

— realise that they too should become agents of a process of cultural exchange and develop and use strategies for approaching, understanding and giving due consideration to other cultures as well as educating their pupils to give due consideration to them ;

— become aware of social exchanges existing between the country of origin and the host country not only in the cultural field but also in their historical dimension ;

— become conscious of the economic, social, political and historical causes and effects of migration ;

— become conscious too of the fact that the active participation of migrant children in two cultures and their access to intercultural understanding depend, to a great extent, on conditions of stay, work and education in the host country ;

1.2. put at the disposal of student teachers and teachers all useful information on the cultures of countries of origin (for host countries) and of the host countries (for countries of origin) ;

1.3. make teachers and pupils more receptive to different cultures by, *inter alia*, incorporating into teacher-training the use of authentic materials<sup>1</sup> and artefacts in the classroom, thus enabling them to see their own culture in a new light ;

1.4. help student teachers and teachers to understand and appreciate educational approaches other than those in their own countries ;

1.5. make student teachers and teachers aware of the importance of direct contacts between school and parents (especially migrants) and train them to establish and maintain such contacts ;

2. encourage the development and use of appropriate materials to support the intercultural approach in the training of teachers and in school in order to give a “truer” image of the different cultures of their pupils ;

3. as far as possible, encourage the setting up of “intercultural resource centres” in which documents, information and various teaching aids relating to the different cultures concerned would be available, or encourage existing resource centres to act as such ;

4. where appropriate, encourage the holding of national and international seminars and courses on the intercultural approach to education for teachers, teacher trainers, administrators and other persons involved in teacher-training, including welfare and labour officers who have close professional relations with migrant families ;

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1. Any objects or documents which are in common use.

5. encourage the setting up of common in-service teacher-training courses for both host country and country of origin teachers as well as the training of teachers from the migrant community itself ;
6. where appropriate, foster exchanges of student teachers, teachers and teacher trainers in order to promote better knowledge and understanding of different cultures and education systems ;
7. promote the circulation of the material on intercultural education and training developed under the auspices of the Council of Europe ;

*B. that the governments of countries of origin*

1. provide teachers, before they leave to teach abroad, with sufficient knowledge of the language, culture and way of life of the host society ;
2. prepare these teachers to take account of the fact that teaching their mother tongue to migrants' children in host countries requires an appropriate methodology and to act accordingly ;
3. prepare these teachers to act also as intermediaries between school and parents in host countries ;
4. pay attention, in teacher-training, to the educational problems, including linguistic ones, that can face migrant pupils should they return to the country of origin during their schooling ;

*C. that the governments of host countries*

1. include, in teacher-training, appropriate preparation for teaching the host language in a more effective way to children of other linguistic backgrounds and for better understanding the behaviour of pupils from countries where the culture and way of life differ from the host society ;
2. where appropriate, endeavour to promote suitable opportunities for student teachers and teachers to acquire a basic knowledge of one of the languages of the countries of origin and to reflect upon this learning process, in order to open their minds to another culture and give them a better understanding of the difficulties experienced by migrant children ;
3. where appropriate, give attention to the status of teachers from countries of origin, in accordance with national legislation, and to their role in the school community ;
4. offer country of origin teachers training opportunities that will enhance their knowledge and understanding of the language, culture, way of life and education system of the host country ;
5. encourage, concurrently, the recruitment of teachers from the migrant community to develop, in school curricula, a pedagogy which integrates cultural and linguistic elements of the country of origin in relation to the history of immigration and the culture of the host society ;

II. Instructs the Secretary General to transmit this recommendation to the governments of those states party to the European Cultural Convention which are not members of the Council of Europe.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 19

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE "EUROPEAN ANTI-DOPING CHARTER FOR SPORT"

*(Adopted by the Committee of Ministers on 25 September 1984  
at the 375th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Recalling its Resolution (67) 12 on the "Doping of Athletes" and Recommendation No. R (79) 8 on "Doping in Sport" ;

Bearing in mind the Resolution on "Doping and Health" adopted at the 2nd Conference of European Ministers responsible for Sport, in London in 1978 ;

Emphasising that the use of doping agents is both unhealthy and contrary to the ethical values of sport and thus undermines the main purposes for which sport is supported financially by public authorities ;

Concerned that the use of doping agents is becoming more common and spreading to more forms of sport and that ever-younger sportsmen and sportswomen use them ;

Considering that governments have a general responsibility to counter the use of doping in sport ;

Considering that doping in sport is a part of the problem of drug abuse in society ;

Stressing that the elimination of this problem will require common action by public authorities and sports organisations, each acting within the sphere of its own responsibilities ;

Esteeming that a statement of principles on the roles of each partner will make a timely contribution to further endeavours in the anti-doping campaign, and that the text adopted by the European Ministers responsible for Sport at their 4th Conference, in Malta in 1984, under the title of the "European Anti-Doping Charter for Sport" is such a statement of principles,

I. Recommends the governments of member states :

1. to take the action set out in Part A of the appendix to this recommendation ;
2. to take, in co-operation with the sports organisations, the action set out in Part B of the appendix to this recommendation ;
3. to distribute this recommendation and its explanatory memorandum widely amongst all sports organisations and other interested parties ;

II. Instructs the Secretary General to transmit this recommendation to the governments of states party to the European Cultural Convention who are not member states of the Council of Europe ;

III. Instructs the Secretary General to transmit this recommendation to international sports organisations.

**European Anti-Doping Charter for Sport**

*Part A : The governments of member states should :*

1. Take all appropriate steps falling within their competence to eradicate doping in sport and in particular :
  - 1.1. to ensure that effective anti-doping regulations are implemented : for example, by applying the provisions of appropriate legislation in member states where it exists or by obliging sports organisations which have not yet done so to adopt and apply effective anti-doping regulations, for example by making it a condition for receiving public subsidies ;
  - 1.2. to co-operate at international level :
    - a. in measures designed to reduce the availability of doping agents ;
    - b. in facilitating the carrying out of official doping controls decided on by international sports federations ;
2. Set up and run, either individually or collectively, doping control laboratories of a high technical standard.

The creation and operation of high-class doping control laboratories should include provision for the training and retraining of qualified staff and for an appropriate research programme.

These laboratories should be of such a standard that they can be recognised, accredited and verified at regular intervals by the competent international organisations, especially insofar as such laboratories may be used for doping controls at international sports events held on the territory of the member state.
3. Encourage and promote research in doping control laboratories into analytical chemistry and biochemistry, and subsequently help with the publication of the results of research in order to disseminate such knowledge ; and make suitable arrangements for the adoption of techniques, standards and policies as research shows to be necessary.
4. Devise and implement educational programmes and campaigns from school-age onwards drawing attention to the dangers and unfairness of doping and promoting the proper ethical and physical values of sport ; and support the design of properly constructed physiological and psychological training programmes which would encourage the continual search for improved performances without using artificial aids or harming the participant's organism.
5. Assist with the financing of doping controls.

*Part B : The governments of member states should offer their co-operation to the sports organisations, so that the latter take all measures falling within their competence to eradicate doping*

6. Sports organisations should be encouraged :
  - 6.1. to harmonise their anti-doping regulations and procedures, based on those of the International Olympic Committee and the International Amateur Athletic Federation, and ensure that these regulations provide for an adequate protection of the rights of sports participants accused of contravening the anti-doping regulations, including the right to a fair examination in the proceedings which may lead to penalties being imposed ;
  - 6.2. to harmonise their lists of banned substances, based on those of the International Olympic Committee, and making appropriate provision for the specific anti-doping requirements of each sport ;
  - 6.3. to make full and efficient use of the facilities available for doping controls ;
  - 6.4. to include a clause in their regulations whereby, in order to be considered to be eligible to take part in any official event of that sports organisation or federation, an athlete would agree to submit at any time to any doping control decided on by an official properly and duly authorised by that federation or its superior federation ;
  - 6.5. to agree on similar and substantial penalties for sportsmen or women caught using doping substances and for any other person providing, administering or facilitating the use of doping substances ;
  - 6.6. to recognise that unduly high performance levels required in some events might result in the temptation to use drugs.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 20

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE PREVENTION OF HOSPITAL INFECTIONS

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members and this aim can be furthered by the adoption of common measures in the health field ;

Calling to mind Resolution (72) 31 on Hospital Hygiene whose technical principles have lost none of their force ;

Recalling Resolutions (68) 26 on the Protection of Foodstuffs at their Preparation, Handling and Distribution Stages, (76) 7 on Different Types of Hospitals and Hospital Groups, and Recommendation No. R (80) 15 concerning a Better Distribution of Medical Care Inside and Outside Hospitals ;

Aware on the one hand of the need to determine rapidly the source, nature and mode of transmission of hospital infections so that the required steps may be taken promptly and considering, on the other hand, that to this end the adoption of a common definition of such infections and common procedures for reporting them is to be encouraged ;

Stressing the value of establishing effective and efficient co-operation between clinical medicine, microbiology, hygiene and pharmaceutical departments, at the same time not overlooking the administrative departments and technical services ;

Believing in the importance of setting up and developing Infection Control Committees, and in particular infection control teams, in hospitals ;

Recalling the role of the Infection Control Committee in the selection of antimicrobial agents, with an eye to confining antibiotic preventive measures to cases where they are strictly necessary ;

Mindful of the importance of protecting the health of hospital personnel and aware of the professional risks to which they are exposed and the possible consequences for patients ;

Realising that blood transfusions and the use of plasma derivatives may be responsible for transmitting viruses, bacteria and parasites ;

Calling to mind the hygienic measures to guarantee the cleanliness of water, air and, in particular, sanitary installations in the hospitals ;

Believing in the need to regulate the use of cleaning materials, disinfectants and antiseptics on the basis of proper scientific data supplied by the competent national bodies and/or of a list approved by the Infection Control Committee ;

Pointing to the role which the Infection Control Committee should play in the matter of hospital building and structural changes in hospitals and considering the advantages of introducing pre-admission and pre-discharge departments or else of providing hostel accommodation as a means of freeing specialised beds ;

Considering the importance of a coherent policy for waste disposal designed to avoid harmful effects on the hygiene of the hospital and the environment ;

Emphasising once again the importance of effective control of harmful animals and insects in hospital precincts ;

Considering the need for all hospital personnel—whether engaged in caring for patients or not—to be properly trained ;

Convinced that in addition to the suffering caused to patients and the risks to which they are exposed, hospital infections have serious consequences which impede recovery and burden the community with considerable extra direct and indirect expenditure which needs to be kept in check ;

Calling to mind the results of the pilot experiments carried out in Council of Europe member states,

Recommends that the governments of member states, in pursuing their efforts to give full effect to Resolution (72) 31, promote by all means the application of the strategy described in the appendix to this recommendation and work together within the Council of Europe to give support to member states which request it, including the organisation of periodical courses in hospital hygiene for all relevant categories of staff.

#### Appendix to Recommendation No. R (84) 20

### STRATEGY FOR THE PREVENTION OF HOSPITAL INFECTIONS

#### Definitions

a. *Hospital infection* : any illness contracted in hospital, due to clinically and/or microbiologically<sup>1</sup> recognisable micro-organisms which affect either patients, as a result of admission to hospital or of treatment received there, whether as in-patients or as patients in ambulatory care, or hospital staff as a result of their work, whether or not the symptoms of the illness show themselves while the person concerned is in the hospital.

b. *Infection* : multiplication of micro-organisms with :

- *locally* : invasion of healthy tissues immediately or progressively ;
- *regionally* : presence of lymphangitis and adenopathy ;
- *generally* : existence of bacteraemia or septicaemia with or without septic metastases.

To avoid any linguistic ambiguity, the following definitions are adopted :

c. *Contamination* : process resulting in the presence of pathogenic or potentially harmful micro-organisms on equipment or on the person.

d. *Inoculation* : introduction of micro-organisms capable of multiplying in the tissues—a microbiological concept, not a clinical one.

e. *Colonisation* : localised multiplication of germs which may derive from contamination or inoculation without any tissue reaction, and which become part of the subject's flora.

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1. Microbiologically is to be understood in the widest sense of the term, as including serological data, for example.

**The following activities should be undertaken**

**I. Surveillance, awareness and prevention of infections acquired in hospitals**

**a. *Monitoring hospital infections***

Keep as full a record as possible of each infection as defined above, using, for instance, a notification form (models 1a, medical septic complication or 1b, surgical septic complication, as appended) to identify the portals of entry of the infection, the probable mode of transmission and the analysis and assessment of its consequences for the individual, the department and the institution.

Failing that :

— keep a routine record of all infections on a simplified form (models 2a and b appended), and resort to keeping a full record (models 1a and b appended) in departments where serious problems have arisen, or else use the detailed record (models 1a and b appended) for sampling purposes in high-risk departments or for specific infections in order to obtain a clearer view of the situation ;

— promote double-checking of the data recorded with full co-operation between the laboratory and the clinical departments.

**b. *Infection Control Committees***

The setting up of Infection Control Committees should be continued and further developed, as advocated in Resolution (72) 31, and they should be rendered more effective by the appointment of *infection control teams* to carry out daily duties in accordance with the rules laid down by the said committees and in close co-operation with them.

**c. *Rational use of anti-microbial agents in the prevention of infections***

Check periodically the consumption in the different departments of anti-microbial agents, to which the following rules should apply :

i. base their use on the sensitivity of the germs isolated and adjust it to the clinical terrain of each patient ;

ii. avoid general recourse to antibiotics for systematic prevention purposes ;

iii. where controlled antibiotic therapy is required for prevention purposes abide by the directives issued by the Infection Control Committee or similar body and in particular by the following basic criteria :

- lowest possible toxicity,
- excellent pharmacokinetics,
- least possible modification of normal endogenous flora,
- very short course of administration,
- lowest possible cost.

Have the Infection Control Committee draw up a selective list of antibiotics for therapeutic use in the hospital and make the introduction of any new antibiotics depend on compliance with sound criteria concerning spectrum of activity, pharmacokinetics, toxicity, duration of administration and cost.

**II. Prevention of transmission of micro-organisms**

**a. *From person to person***

i. Impose cleanliness and standards of dress and behaviour on personnel at all levels.

ii. In order to obviate the risk of transmission of micro-organisms, lay down guidelines concerning treatment methods and techniques so framed that they can be adopted and added to in each hospital, depending on the staff available and the equipment used.

iii. Have the Infection Control Committee :

— draw up a list of conditions which, where staff are microbial or parasitic carriers, would require their transfer to other duties within the hospital or even their suspension from work ; to this end take appropriate measures within the institution in agreement with the social security authorities to ensure that personnel so affected do not suffer any direct or indirect loss of salary and hence be tempted to conceal their condition ;

— formulate preventive policy aimed at avoiding the transmission of micro-organisms by “carriers” (circumstances in which it is to be applied and choice of tests) ;

— introduce a clear and simple system of signposting to direct movements of persons inside the hospital, identifying in each hospital the areas to which access is restricted ;

iv. Control and conserve whole blood, its components and derivatives and use them rationally in accordance with Council of Europe Recommendations Nos. R (80) 5 concerning Blood Products for the Treatment of Haemophiliacs ; R (81) 5 concerning Antenatal Administration of Anti-D Immunoglobulin ; R (81) 14 on Preventing the Transmission of Infectious Diseases in the International Transfer of Blood, its Components and Derivatives ; and R (83) 8 on Preventing the Possible Transmission of Acquired Immune Deficiency Syndrome (AIDS) from Affected Blood Donors to Patients receiving Blood or Blood Products.

**b. *By equipment***

- i. Require all equipment used in hospitals to be selected with reference not only to the uses to be made of it and its reliability, but also to the microbial risks attaching to it and to the ease with which it can be decontaminated or sterilised and ensure that the Infection Control Committee is consulted in this matter.
- ii. Take all necessary steps to ensure that in each hospital sterilisation by ethylene oxide is restricted to central sterilisation services and carried out in suitable premises by qualified staff required to undergo periodical examinations.
- iii. Pay attention to the quality of the packaging material of sterilised articles since this determines how long they can be kept and make sure that the date of sterilisation and the expiry date for all sterile articles is shown on all packages.
- iv. Employ adequate antiseptics, disinfectants and cleaning materials, to which end each hospital must :
  - know the chemical composition of the products proposed and the activity and toxicity tests used ;
  - have the Infection Control Committee make a selection of these products for a specified period, so as to allow for alterations in micro-organisms over a certain time and avoid using ineffective products ;
  - have the Infection Control Committee specify the conditions governing the use of disinfectants and decontaminants.

**III. Improvement in the salubrity of the hospital environment**

- i. In addition to the measures advocated in the relevant paragraphs of Resolution (72) 31 on Hospital Hygiene and Resolution (76) 7 on Different Types of Hospitals and Hospital Groups, take the following steps :
  - when a hospital is built, see that the purpose and functions of premises are specifically suited to the requirements of the different departments, and that a meticulous building programme and very detailed specifications are drawn up, in close association with the hospital staff ;
  - when converting old buildings, make sure that top priority is given to considerations of hospital infection prevention in the alterations ;
  - in order to prevent patients' occupying specialised treatment beds for too long, encourage the provision of premises to accommodate incoming and outgoing patients before admission to hospital and prior to discharge, or else arrange for hostel accommodation to be provided, subject to prior authorisation by the hospital.
- ii. Introduce or extend measures designed to improve hospital living conditions with a view to keeping the hospital in touch with the outside world, while making sure that the fundamental rules of hygiene are constantly respected, especially with regard to people's movements inside the hospital and the separation (wherever possible) of in-patient departments from departments for patients in ambulatory care, and of these from entrance halls, cafeterias and other commercial premises.

**IV. Intensive care units**

Pay special attention to intensive care units and, in particular :

- i. avoid large intensive care units and give preference to small, well-designed more specialised units with good hand-washing facilities (wash-basins with dismountable taps, no overflow, etc.) ;
- ii. be very strict about the rules of general hygiene : cleanliness, cleaning, general disinfection, especially of surfaces, asepsis of the skin, asepsis of techniques (particularly catheterisation) as well as about the choice of the antibiotics used.

**V. Pest control**

Take all necessary steps to eliminate pests which are vectors of parasitic and bacterial diseases by eliminating their haunts and opportunities to find food.

## **VI. Identification, handling and transport of hospital waste**

Take measures recommended by the World Health Organisation into consideration in the hospital waste disposal policy to be formulated by the Infection Control Committee, as follows :

- i. separation by type of hospital waste from the point of origin until final disposal, by means of different-coloured sacks ;
- ii. design of a complete waste disposal circuit ;
- iii. waste management under the responsibility of a person working in co-operation with the medical hygiene officer ;
- iv. rapid removal of waste from hospital departments and transport in frequently cleaned and disinfected trollies, lorries or containers ;
- v. crushing of soiled items (needles, syringes) or their treatment in sealed receptacles in order to render them totally harmless ;
- vi. storage of waste in closed rooms, easy to clean and disinfect, before removal for final disposal ;
- vii. steam pressure autoclaving of materials used by the clinical pathology laboratory and provision for the incineration of all non-salvageable waste ;
- viii. treatment of sewage where appropriate before its discharge into local collectors ;
- ix. ban on disposal of non-wrapped waste (particularly via chutes) ;
- x. adoption of a policy of recovering certain unsoiled wastes in the interests both of reducing pollution and of saving money.

## **VII. Training and education of staff and of "non-patients"**

- i. Give instruction in hospital hygiene in the first part of the medical course, of the nursing course and of courses for other auxiliary staff, especially before these students begin their practical work in clinical departments on the basis of a programme worked out in agreement with the Infection Control Committee and designed to rely as much as possible on audio-visual aids.
- ii. Make sure that the management staff and other administrative staff of hospitals receive instruction in hospital hygiene covering more than strictly financial considerations.
- iii. Arrange training courses in such a way as to accustom staff to team-work from the beginning of their hospital experience, so as to foster a multidisciplinary approach to the question and prepare them for co-operation with the Infection Control Committee.
- iv. Take steps to see that staff are offered in-service training enabling them to keep pace with changes in techniques and progress made in prevention of the transmission of infection in all its forms, having regard to the nature of the institution and to the policy advocated by the Infection Control Committee.
- v. Supply suitable information to hospital patients and visitors so that they will be ready to contribute to infection prevention by their behaviour and in particular by complying with the rules of hygiene laid down by the Infection Control Committee.

## **VIII. Medical surveillance of staff**

- i. Require permanent and temporary staff of all categories working in the hospital to undergo a medical examination on recruitment ; special measures should apply to staff working in high-risk sectors and to those handling food.
- ii. Recommend a vaccination schedule for staff, having regard to their duties and to any risks to which they may be exposed or, failing this, administer prophylactic treatment based on specific immunoglobulins wherever there is a serious risk of infection due to contamination.





# MEDICAL REPORT

## OF A SEPTIC COMPLICATION (Model 1a)

Treatment of complication	Course of complication	Extension of stay	Optional epidemiological report
<div data-bbox="381 2603 551 2629">Local <input type="checkbox"/></div> <div data-bbox="342 2641 551 2667">General <input type="checkbox"/></div> <div data-bbox="323 2676 702 2702">Antibiotics used : <input type="checkbox"/></div>	<div data-bbox="855 2603 1026 2629">Cure <input type="checkbox"/></div> <div data-bbox="817 2641 1026 2667">Sequelae <input type="checkbox"/></div> <div data-bbox="855 2676 1026 2702">Death <input type="checkbox"/></div>	<div data-bbox="1215 2609 1539 2641">Estimated at <input type="text"/> days</div>	<div data-bbox="1709 2609 1880 2641">To be freely drafted</div>



## COUNCIL OF EUROPE

**SURGICAL REPORT  
OF A SEPTIC COMPLICATION (Model 1b)**

Name of patient		Dept.	Disease  Onset of complication	Days after admission  Days after start of treatment
File No.	Date of birth	Date of entry		
			WHO Code	

Patient's predisposition	Pre-operation stage	Micro-organism	Nature/ Origin of sample
Chronic <input type="checkbox"/>	Skin infection in vicinity <input type="checkbox"/>	M 1	
Congenital <input type="checkbox"/>	Remote focus of infection <input type="checkbox"/>	M 2	
Type <input type="text"/>	Presence of a micro-organism without septic symptoms <input type="checkbox"/>	M 3	
Preparation of skin	Open focus of infection <input type="checkbox"/>	M 4	
Day before <input type="checkbox"/>			
Same day <input type="checkbox"/>			

**Antibiogram** (Insert the usual name of the antibiotics used in the hospital in the boxes below)

Put R for Resistant or S for Sensitive.

M 1	<div></div>
M 2	<div></div>
M 3	<div></div>
M 4	<div></div>

Use of antibiotics	Nature	Dose	Duration	Days	Nature	Dose	Duration	Days

**Operation** (the operation report may be attached)

Nature of the operation		Block No.	Disinfection before operation
Date		Dirty	
Time		Clean	
Duration	hrs. min.	Clean-Contaminated	
Emergency			
During operation		Drainage	
Accident		ESC	
Transfusion			
Sample taken during operation			
Antibiotics		In situ	Nature



**MEDICAL REPORT**  
**OF A SEPTIC COMPLICATION (Model 2a)**  
*(Simplified version)*

**Nature :**

COMPLICATION			
Urinary	Broncho-pulmonary	Septic	Other

**Germes :**

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[illegible]

Indicate especially  
suspected portals  
of entry



# COUNCIL OF EUROPE

## SURGICAL REPORT OF A SEPTIC COMPLICATION (Model 2b)

(Simplified version)

Name of patient		Dept.	Disease  _ _ _
File No.	Date of birth	Date of entry	
			WHO Code

### I. Preoperative phase

Type of skin preparation :

Same day

☐

Previous day

☐

Use of antibiotics :

Type




Duration

### II. Operation

Nature

WHO code

Clean

Contaminated clean

Not clean

Type of anaesthesia

Local

Regional

General

Transfusion

Drainage

Antibiotic therapy

Nature of the antibiotic




Duration

### III. Post-operative phase

### Septic complication

**Nature :**

### Broncho-pulmonary

### Local symptoms

### Location

Type

## Urinary

## Septicaemia

### Septic metastases

### Location

### Bacteriological evidence

**Germ** :

**Antibiogram** (Insert the usual name of the antibiotics used in the hospital in the boxes below)

Put R for Resistant or S for Sensitive.

[illegible]

## Treatment

Local

## General

Use of antibiotics  
(Type)

## IV. Evolution

## Cure

## Sequela

## Death

### Further operation

Extension of stay (in days)

## Epidemiological report



# **Nomenclature and codes to be used for medical and surgical reports of septic complications**

## *Nomenclature : bacteria and yeasts*

This nomenclature covers the micro-organisms most frequently encountered ; any others are to be stated :

ACINETOBACTER (incl. MORAXELLA GROUP I)	ACIN
BACTERIODS	BACT
CITROBACTER	CITR
CLOSTRIDIUM	CLOS
ENTEROBACTER AEROGENES	ENAE
ENTEROBACTER CLOACAE	ENCL
ENTEROBACTER HAFNIAE	ENHA
ESCHERICHIA COLI	ESCH
KLEBSIELLA	KLEB
PROTEUS MIRABILIS	PRMI
PROTEUS MORGANII	PRMO
PROTEUS RETTGERI	PRRE
PROTEUS VULGARIS	PRVU
PROVIDENCIA	PROV
PSEUDOMONAS AERUGINOSA	PSAE
PSEUDOMONAS (OTHERS)	PSAU
SALMONELLA	SALM
SERRATIA	SERR
STAPHYLOCOCCUS AURES	STAA
STAPHYLOCOCCUS EPIDERMIDIS	STEP
STREPTOCOCCUS (GROUP A)	STRA
STREPTOCOCCUS (GROUP B)	STRB
STREPTOCOCCUS (GROUP D) (incl. FAECALIS)	STRD
STREPTOCOCCUS (OTHER)	STAU
YEASTS	LEVU
OTHERS	AUTR

<i>Probable portals of entry</i>	<i>Origin/nature of samples</i>	<i>Site</i>
01 Natural cavity	01 Wound	10 Head
02 Surgical operation	02 Pleural suction drain	11 Neck
03 IM injection	03 Ventricular drain	12 Thorax
04 IV injection	04 Other drains	13 Abdomen
05 IA injection	05 Perfusion catheter	14 Thigh
06 Perfusion catheter	06 Peritoneal catheter	15 Lower leg
07 Peritoneal catheter	07 Impacted material	16 Ankle
08 Monitoring catheter	08 Tracheal	17 Foot
09 Tracheotomy	09 Urinary catheter	18 Hand
10 Intubation	10 Ureteral catheter	19 Forearm
11 Urinary catheter	11 Nephrostomal catheter	20 Arm
12 Ureteral catheter	12 Shunt	21 Fontanelle
13 Nephrostomal catheter	13 Fistula	22 Femoral artery
14 Redon's drain	14 Nose	23 Subclavian artery
15 Pleural suction drain	15 Throat	24 Jugular artery
16 Ventricular drain	16 Ear	25 Crook of the arm
17 Other drains	17 Vagina/uterus	
18 Shunt	18 Expectoration	
19 Fistula	19 Urine without catheter	
20 Burn	20 Urine through indwelling catheter	
21 Open wound	21 Blood culture	
22 Closed wound	22 Peritoneal fluid, ascites	
23 Other	23 Pustule	
	24 Cerebrospinal fluid	
	25 Pleural fluid	
	26 Bile	
	27 Other	



# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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**RECOMMENDATION No. R (84) 21**

### **OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE ACQUISITION BY REFUGEES OF THE NATIONALITY OF THE HOST COUNTRY**

*(Adopted by the Committee of Ministers on 14 November 1984  
at the 377th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members ;

Recalling its Resolution (70) 2 of 26 January 1970 on the acquisition by refugees of the nationality of their country of residence, whereby it forwarded to the governments of member states Recommendation 564 (1969) of the Consultative Assembly, inviting them to take such action upon it as they were able ;

Remaining convinced that the acquisition of the nationality of the host country by refugees who wish to do so and by their children constitutes the most effective means of ensuring their integration in that country ;

Recognising that considerations pertaining to the reduction of cases of multiple nationality should not be an obstacle to the acquisition by refugees of the nationality of the host country ;

Considering the provisions of Articles 25 and 34 of the Geneva Convention of 28 July 1951 on the status of refugees,

Recommends that the governments of member states :

i. Consider the fact of being a refugee as a favourable element for the purposes of the procedure for granting nationality, and make use in the case of refugees of the possibilities afforded by their legislation, for example for reducing the required period of residence, reducing charges arising out of the procedure for the granting of nationality or the duration thereof, and of any other means of facilitating refugees' acquisition of their nationality ;

ii. Take steps to ensure that :

— for the children of refugees, whether born in the host country without acquiring the nationality of that country at birth, or born elsewhere, if they have been habitually resident in that country for a considerable length of time, the acquisition of the nationality of the country of their residence upon coming of age be facilitated ;

— if a refugee parent acquires the nationality of the host country, his or her minor dependent children present in that country are able to acquire simultaneously that nationality ;

iii. If they have not yet done so, consider the possibility of ratifying the New York Convention of 30 August 1961 on the reduction of statelessness and the Berne Convention of 13 September 1973 aiming at the reduction of the number of cases of statelessness.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 22

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

### ON THE USE OF SATELLITE CAPACITY FOR TELEVISION AND SOUND RADIO <sup>1</sup>

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is the achievement of greater unity between its members for the purpose of safeguarding and realising the ideals which are their common heritage ;

Bearing in mind the Convention for the Protection of Human Rights and Fundamental Freedoms ;

Recalling its commitment to the freedom of expression and the free flow of information and ideas as embodied *inter alia* in its Declaration of 29 April 1982 ;

Recalling the principles on television advertising, especially for satellite television, set out in its Recommendation No. R (84) 3 of 23 February 1984 ;

Recalling its Resolution (74) 26 of 2 July 1974 on the right of reply ;

Recalling its Recommendation No. R (84) 17 of 25 September 1984 on equality between women and men in the media ;

Taking into account the independence of service providers in matters of programme content and the freedom of artistic expression of programme makers ;

Bearing in mind the desire expressed by the European Ministers of Culture in Berlin in May 1984 to promote the production of programmes in European countries to supply material for the broadcasting time offered by the new networks ;

Considering that the increase of satellite capacity available for television and sound radio makes the adoption of common European principles for the fair use of that capacity highly desirable ;

Anxious to promote the harmonisation of the laws which the member states will adopt on the use of satellite capacity ;

Considering that the Council of Europe is particularly suited to establish common principles in this field,

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1. When this recommendation was adopted, the Representative of Ireland, in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, reserved the right of his Government to comply with it or not.

Recommends that the governments of member states :

- a. respect the following principles on the use of satellite capacity for television and sound radio as regards matters falling within their competence, and
- b. take all necessary steps to ensure that those principles are known and respected by the persons and bodies concerned.

### *Principles*

#### **Definition and scope**

The following principles apply to the use of the capacity of direct broadcasting satellites (DBS) or fixed service satellites (FSS) for the purpose of transmitting programme-carrying signals meant for direct reception by the public, or for the distribution by broadcasting, cable or any other means accessible to members of the public.

For the purposes of this recommendation, the term “service provider” means any public or private broadcasting organisation, any consortium of broadcasting organisations, or any other entity responsible for television and sound radio programmes provided via satellite for reception by members of the public.

This recommendation does not concern problems of copyright and neighbouring rights.

#### **Principle 1 : Applicable law**

1.1. The state whose competent authority or body makes satellite capacity available to a service provider shall satisfy itself that the programmes to be transmitted comply with its relevant legislation and that its supervisory and judicial bodies have jurisdiction over the service provider.

1.2. Where one member state of the Council of Europe makes satellite capacity available to another member state for use by service providers, the states in question shall reach agreement as to the applicable law.

#### **Principle 2 : Programme standards**

2.1. Apart from the provisions of the law which is applicable according to Principle 1, service providers shall in general comply with the following basic requirements concerning programme content :

- a. news shall not be presented inaccurately or in a partial manner ;
- b. programmes shall not be indecent and in particular not contain pornography ;
- c. programmes shall not infringe the right to respect for privacy and family life ; they shall respect the views of others ;
- d. programmes shall not give undue prominence to violence or incite to race hatred ;
- e. programmes shall respect the sensitivity and the physical, mental and moral personality of children and young persons especially when large numbers of them are likely to watch.

2.2. All efforts shall be made to avoid that the acquisition by one service provider of exclusive rights for an event of high public interest will result in depriving a large part of the public of the opportunity to follow that event on television or radio. In particular, the special conditions of sound radio reports shall be taken into account.

#### **Principle 3 : Responsibility**

Licences granted by public authorities or contracts concluded with them relating to the use of satellite capacity shall specify the responsibilities of the service provider and of any of the latter's sub-contractors.

#### **Principle 4 : Right of reply**

Every natural or legal person regardless of nationality or place of residence shall have the opportunity to exercise the right of reply or similar remedies, relating to programmes referred to in this recommendation.

To that effect the name of the person or body responsible for the programme shall be provided with it.

**Principle 5 : Provision of information**

5.1. The fullest possible information about service providers shall be made available upon request by the competent national authority. Such information shall include, depending upon the case, the name, seat, legal status of the service provider, the purpose of the use of satellite capacity, the nature of the programmes, the way of financing and the public for which the programmes are intended.

5.2. Every state shall indicate which authorities or bodies are competent to regulate and license the use of satellite capacity by service providers.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 23

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE HARMONISATION OF NATIONAL LEGISLATIONS RELATING TO FIREARMS<sup>1</sup>

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Recalling that the aim of the Council of Europe is the achievement of greater unity between its members ;

Considering the increase in most member states of crime involving the use of firearms and of crime which is internationally instigated or has international ramifications ;

Considering that this increase, which is one of the major social problems in present-day society, calls for intensified efforts to arrive at uniform legal rules ;

Having regard to the provisions of the European Convention on the Control of the Acquisition and Possession of Firearms by Individuals,

Recommends that Governments of member states :

1. Give urgent attention to methods of improving and harmonising police and judicial statistics on the carrying and the use of firearms in connection with the commission of a crime as well as on the source of firearms so used ;

2. Adopt in their national law and practice regarding firearms, a classification establishing criteria for listing arms prohibited to private persons, arms subject to authorisation and arms subject to declaration, it being understood that the following shall be included as a minimum :

a. *in the list of prohibited arms :*

1. firearms normally used as war weapons,
2. automatic firearms including those which are not war weapons,
3. civilian firearms which resemble automatic war arms,
4. firearms disguised as another object,
5. smooth-bore barrel firearms used to fire lead shot with a barrel of a length less than 50 cm except ancient firearms and reproductions,
6. ammunition with perforating, explosive or incendiary projectiles and the projectiles for such ammunition,

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1. When this recommendation was adopted, the Representative of Norway, in application of Article 10.2.c of the Rules of Procedure for the meetings of the Ministers' Deputies, reserved the right of his Government to comply or not with Articles 8, 9 and 10 of the recommendation.

7. ammunition for pistols and revolvers comprising dum-dum or hollow points projectiles and these projectiles,

8. grenades, bombs or any other devices containing explosive or incendiary substances, however, in particular cases authorisation may be given for these arms if there is no danger to public safety ;

b. *in the list of arms subject to authorisation unless prohibited :*

short firearms, that is, all arms with a barrel not exceeding 30 cm in length or with a total length not exceeding 60 cm ;

c. *in the list of arms subject to declaration unless prohibited or subject to authorisation :*

long firearms with rifled barrel ;

and apply to the firearms listed in the categories *a*, *b* and *c* above Articles 3 to 16 that follow ;

3. Apply to the locking device, chamber, cylinder or barrel of firearms the same rules *mutatis mutandis* as are applicable to the object of which they form part or are designated to form part ;

4. Take steps to control by all appropriate means the manufacture and sale of imitations of firearms which may easily be converted into real firearms ;

5. Take into account in penal legislation the use of imitation firearms in the commission of serious crimes ;

6. Apply the following principles to the issue of licences to private persons subject to the procedural safeguards provided in domestic law :

a. A licence to acquire, possess or carry a firearm shall be granted to a person only :

i. if he or she has attained 18 years of age, save in exceptional cases,

ii. if he or she is not being and has not been subject to treatment for any disease of the mind or other mental disorder which renders him or her unfit to acquire, possess or carry such a firearm,

iii. if he or she has not been found guilty of a crime which indicates that he or she is a danger to public safety or security,

iv. if acquiring, possessing or carrying the firearm is not contrary to public safety or security,

v. if he or she is able to demonstrate that he or she has a good reason to acquire, possess or carry the firearm ;

b. An effective system shall be instituted to permit, *inter alia* by periodical review of all licences, the withdrawal of all licences granted to any person who either no longer satisfies the qualifications for the grant of a licence or no longer has a good reason to possess a firearm, or fails to observe any condition attached thereto or misuses the firearm ;

c. The holder of a firearm licence shall not be permitted to alter the nature of the firearm unless he has first obtained a new or revised licence applicable to the firearm so modified ;

7. Provide in their legislation rules concerning :

a. the safe custody of a firearm ;

b. the producing of the firearm to the authorities on demand ;

c. the reporting to the authorities of the sale, disposal, loss, destruction or theft of the firearm,

and prescribe, if necessary, appropriate sanctions, for instance in the form of a withdrawal of the licence, for any failure to observe these rules ;

8. Take adequate steps, adapted to the different lists of firearms, to ensure the suitability and, if appropriate, technical knowledge of persons or firms applying for a licence to manufacture, repair or deal in firearms, including persons and firms acting as professional intermediaries in the arms trade ;

9. Provide in their legislation concerning manufacturers, dealers and repairers of firearms, either persons or firms :

*a.* adequate measures for the safe custody and transport of firearms ;

*b.* an obligation to maintain full and accurate records of all transactions effected by them and to supply the competent authorities, on request, with any information required to be entered in such records ;

*c.* control of their premises to ensure that these conditions are being complied with.

Failure to comply with any of the conditions mentioned may result in withdrawal of the licence or any other appropriate sanction by the competent authorities ;

10. *a.* Ensure that, with a view to facilitating identification, all firearms shall be permanently numbered and bear the mark of the manufacturers, and that steps shall be taken to prohibit the importation and the sale of arms which are not properly numbered and marked ;

*b.* Prescribe methods of numbering and marking firearms which make it technically difficult or impossible to erase or to change the number or mark ;

*c.* Ensure that the number and mark of a firearm shall be inscribed on the licence granted to its holder ;

*d.* Promote methods of registering firearms which will permit their origin and various owners to be speedily traced ;

*e.* Study the possibility of setting up at a national level a register of firearms which have been lost, stolen or confiscated and a register of the known characteristics of firearms which have been used to commit a crime ;

11. Prohibit or at least bring under regulation (except for use closely supervised by a licence holder or on the premises of authorised shooting ranges) the transfer of possession of firearms to any private person, other than a licensed dealer, who does not hold the licence requisite for the possession of the type of firearm in question, and provide sanctions applicable to all parties to a transaction contravening this prohibition ;

12. Invest the police or other competent authorities with adequate powers of control and investigation to ensure the enforcement of the firearms legislation, subject to the safeguards provided in domestic law ;

13. Ensure that breaches of laws or regulations concerning firearms shall incur appropriate sanctions and bear in mind in this connection the efficacy as a sanction of the withdrawal of licences and of the confiscation of firearms ;

14. Subject to regulation and control purchases by correspondence of firearms by private persons other than licensed dealers from manufacturers or dealers residing abroad ;

15. Ensure, with a view to preventing thefts, maximum security at military, police and other depots of firearms ;

16. Adopt the necessary measures to ensure that firearms officially held by the police and armed forces and any other state authority or which are destined for them are given adequate security and that any weapon that is lost or stolen can be traced ; however, the provisions of this recommendation other than Article 10 do not apply to such firearms ;

17. Include in one of the lists mentioned in Article 2 all other categories of firearms commonly used for criminal purposes.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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RECOMMENDATION No. R (84) 24

### OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

### ON THE CONTRIBUTION OF SOCIAL SECURITY TO PREVENTIVE MEASURES

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

1. Considering that the aim of the Council of Europe is to achieve a greater unity between its members, notably for the purpose of facilitating their social progress ;
2. Considering that the development and improvement of preventive measures will facilitate social progress in Europe ;
3. Recalling the rights and principles regarding prevention set forth in the European Social Charter, especially in Articles 3, 7, 11, 14, 15 and 17 of Part II ;
4. Having regard to the standards of social security protection laid down in the European Code of Social Security and the Protocol thereto and, in particular, the preventive measures prescribed in these instruments in the fields of medical care, occupational hazards and unemployment ;
5. Convinced that prevention is vitally important not only to individual health, well-being and fulfilment but also to community welfare ;
6. Convinced that, in view of the humanitarian, social and financial implications of the risks inherent in modern living and working conditions, social security should make a greater contribution to preventive measures, particularly by developing fundamental and applied research in this field, where such measures are not the responsibility of other institutions or bodies ;
7. Considering that the development of preventive measures is, by reducing such risks or lessening their impact, likely to reduce social security expenditure ;
8. Being of the opinion that, even in those fields where preventive measures do not substantially reduce expenditure, they are justified on humanitarian and social grounds ;
9. Considering it desirable, lastly, that the right to preventive measures be recognised as part of the right to social security,

Recommends that the governments of member states :

— create conditions to encourage the development of preventive measures in the framework of social security, where such measures are not the responsibility of other institutions ;

— to this end, put into practice the principles and measures set out in Parts A and B respectively of the appendix to this recommendation.

## Appendix to Recommendation No. R (84) 24

For the purpose of this recommendation :

— the term “prevention” applies to any measure aimed at preventing the occurrence of a contingency covered by social security ;

— the expression “controlling the consequences” applies to any measure aimed at preventing an aggravation of the condition or situation of the person concerned resulting from the occurrence of such a contingency ;

— the expression “rehabilitation and compensation” applies to any measure which will alleviate the social and financial consequences of the occurrence of such a contingency, particularly rehabilitation.

### A. General policy principles

1. Social security should have sufficient resources to develop preventive measures in all fields within its responsibility. The possibility of earmarking special financial resources for preventive measures to be taken by social security should also be studied.
2. For the various contingencies it covers, social security should be concerned not only to remedy and compensate but also to meet the cost of appropriate preventive measures.
3. Easier access to health care facilities and improvement in the procedure for the award of social security benefits should be encouraged in order to facilitate the development of measures in all fields to prevent and control the consequences of contingencies that have arisen and rehabilitate and compensate the persons concerned.
4. Preventive measures should be systematically reviewed in order better to assess their cost-effectiveness.
5. Social security should help to promote medical and social research into preventive measures so as to be in possession of material of a nature to facilitate informed decisions regarding prevention. In particular, it is necessary to compile and keep up to date statistics for all branches of social security and to harmonise them in order to facilitate comparison between member states.
6. Informing and educating the public, especially by means of consciousness-raising campaigns, should be among the priority activities of social security. Information services could be set up within social security institutions.
7. Social security could also offer its support—financial in particular—to other bodies involved in prevention.
8. Lastly, the preventive work of social security institutions should be fully co-ordinated with that of the public authorities, local government and other bodies.

### B. Specific measures

9. In the fields named below the following measures could be promoted :

#### *Health*

10. Paying particular attention to promoting health, in particular through health education programmes (at school, at work and in the community) because of the positive influence of such education on the contingencies covered by social security. Health education may allow each individual to become aware of the possibilities he has of improving his health or preventing certain diseases and hence of directly influencing his living and working conditions.
11. Encouraging members of the public to comply with the preventive measures recommended by the national health authorities, by offering appropriate facilities.
12. Studying the possibility of introducing preventive health measures involving incentives, for example the granting of financial advantages to people who voluntarily undergo preventive examinations.
13. Ensuring that preventive examinations are geared more specifically to sections of the populations which are at risk.
14. Encouraging the development of preventive measures as part of ordinary, and in particular preventive, health care.
15. Reinforcing medical examinations during pregnancy and improving health and social aid for expectant mothers and mothers on their own.

16. Facilitating access to health care facilities by reducing or abolishing the proportion of the costs borne by the protected persons, subject to the funds available, notably in the case of serious illness, by developing the third-party-payment system or by promoting prevention-oriented health centres and their satisfactory geographical distribution.

17. Giving priority to functional and occupational rehabilitation measures for the sick, accident victims and invalids.

#### *Occupational hazards*

18. Promoting the prevention of occupational injuries and diseases, in particular by informing and advising firms, alerting and training workers and visiting firms.

19. Encouraging firms to develop and perfect their job safety measures, for instance by financial action (advances to employers), by means of a rating system (adjustment of contribution rates or insurance premiums according to the number of accidents in the firm and to the effort it has made at prevention) or by means of consciousness-raising campaigns.

20. Assisting with the organisation of occupational health services, with particular reference to Resolution (72) 5 on the harmonisation of measures to protect the health of workers in places of employment.

21. Promoting occupational redeployment for workers particularly exposed to occupational injuries and diseases and, where appropriate, fostering the occupational rehabilitation of victims of work accidents or occupational diseases and compensating for loss of earnings arising from the occurrence of such contingencies.

22. Co-ordinating these preventive measures with those of other bodies in charge of prevention in this sphere (in particular labour inspectorates).

#### *Unemployment*

23. Developing measures to prevent and control the consequences of unemployment and to rehabilitate and compensate the persons concerned, in accordance with the principles and guidelines set out in Recommendation No. R (82) 8 on employment policy and the protection of workers against the effects of unemployment.

#### *Old age*

24. Contributing to the development of measures to prevent and control the consequences of old age and to rehabilitate and compensate the persons concerned, such measures to be based on the aims and measures set out in Resolution (70) 16 on social and medico-social policy for old age.

25. Adjusting pension scheme arrangements to meet the needs of people who wish either to stop work gradually, or to stop work completely before reaching pensionable age, or to continue working after pensionable age when the economic and social situation permits, having regard to the provisions of Resolution (76) 32 on social security measures to be taken in favour of pensioners and persons remaining in activity after pensionable age.

26. Promoting preparation-for-retirement measures so as to prevent social, psychological and physiological problems resulting from a sudden transition from working life to retirement, having regard to Resolution (77) 34 on preparation for retirement.

27. Encouraging appropriate preventive examinations with a view to ensuring that old people remain as active as possible, both physically and mentally.

28. Promoting a policy of allowing old people to continue to live in their own homes and integrating them into society, with a view to forestalling deterioration in their usual way of life and admission to hospital, by means of welfare measures for the benefit of old people (home helps, home medical care, home visiting services, meals-on-wheels).

29. Helping to organise residential facilities for old people, who, for financial, social or medical reasons, cannot remain in their usual surroundings.

#### *Family welfare*

30. Paying particular attention to the specific needs of certain categories (for instance, large and single-parent families) by increasing where necessary the benefits awarded to them or by setting up special services.

31. Considering the possibility of making the working hours of people bearing direct family responsibilities more flexible, without thereby adversely affecting the social security benefits to which they would be entitled (more part-time work, parental or family leave, shortening of the working week).

32. Investigating the possibility of conferring direct social security rights on persons looking after children at home, where they do not already enjoy such rights, taking into account Resolution (75) 28 on social security for women at home.
33. Promoting social services to assist families (family aid services, crèches, child-minding centres, social centres).
34. Considering, where appropriate, arranging for maintenance obligations to be met by social security institutions in cases where the principal person liable defaults, subject to the possible subrogation of the said institutions in respect of the rights of the persons concerned.



## **RESOLUTIONS**



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 1

#### **ON THE CONTINUATION OF THE FINANCIAL SUPPORT FOR THE EUROPEAN BANK OF FROZEN BLOOD OF RARE GROUPS, IN AMSTERDAM**

*(Adopted by the Committee of Ministers on 28 February 1984  
at the 367th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Considering that the Central Laboratory of the Netherlands Red Cross Blood Transfusion Centre established a European Bank of Frozen Blood of Rare Groups in Amsterdam in 1969 ;

Considering that, in accordance with Resolution (68) 32, an annual subsidy was granted by the Council of Europe towards the running and maintenance costs of the said European Bank for a period of five years, namely 1969 to 1973 ;

Considering that, in accordance with Resolutions (73) 26, (78) 45 and (81) 7, the Council of Europe renewed the annual subsidy of 11 000 guilders for a further period of eleven years, namely from 1974 to 1984 ;

Considering that, in accordance with Resolution (75) 5, the Council of Europe increased the said subsidy to 14 300 guilders from 1975 onwards ;

Considering that at the 207th meeting of the Ministers' Deputies, in February 1972, the Committee of Ministers decided that the Council of Europe should pay the costs incurred by each contributor sending blood to the bank, up to a total of 5 000 guilders per year ;

Noting that national blood banks of a similar type which have already been established cannot take over all the functions of the European Bank for a number of years, as it would still be impossible for them to collect a sufficient number of units of blood from the different kinds of very rare donors,

Resolves :

i. to continue to grant an annual subsidy of 14 300 guilders towards the running and maintenance costs of the European Bank of Frozen Blood of Rare Groups plus 5 000 guilders for postal expenses for a new period of three years, namely 1985, 1986, 1987, to be provided for in the budgets for the said years and to be paid to the Central Laboratory of the Netherlands Red Cross Blood Transfusion Centre in Amsterdam ;

ii. to invite Finland to share in the above-mentioned expenses on the same basis as for the period 1974-1984.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 2

#### ON REVISION OF THE REGULATIONS GOVERNING STAFF SALARIES AND ALLOWANCES

*(Adopted by the Committee of Ministers on 19 March 1984  
at the 368th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Resolution (81) 18 on the Regulations governing staff salaries and allowances, and to Resolution (81) 20 on the Council of Europe's Staff Regulations incorporating the Regulations concerning salaries and allowances at Appendix IV ;

Having regard to the 196th report of the Co-ordinating Committee of Government Budget Experts, approved by the Committee of Ministers at the 368th meeting of the Ministers' Deputies (14-20 March 1984) ;

Whereas, as a result of that approval, the Regulations governing salaries and allowances of Council of Europe staff need to be revised ;

At the proposal of the Secretary General,

Resolves as follows :

*Single article* : Tables I and II appended to the Regulations governing staff salaries and allowances, setting out the basic salary scales and other elements of remuneration, are replaced by Tables I and II appended hereto, with effect from 1 July 1983.

TABLE I

MONTHLY BASIC SALARY SCALE FOR GRADES A, L, B AND C STAFF SERVING IN FRANCE <sup>1,2</sup>

French francs

Category and grade	Steps												Increment per step of :		
	1	2	3	4	5	6	7	8	9	10	11	12	12 mth.	18 mth.	24 mth.
A 7	27 451	28 371	29 291	30 211	31 591	32 971							920		1 380
A 6	25 076	25 768	26 460	27 152	28 190	29 228	30 266	31 304					692		1 038
A 5	22 179	22 799	23 419	24 039	24 659	25 279	26 209	27 139	28 069	28 999	29 929		620		930
A 4	19 149	19 647	20 145	20 643	21 141	21 639	22 386	23 133	23 880	24 627	25 374		498		747
A 3	16 672	17 142	17 612	18 082	18 552	19 022	19 727	20 432	21 137	21 842	22 547		470		705
A 2	13 513	13 877	14 241	14 605	14 969	15 333	15 879	16 425	16 971	17 517	18 063		364		546
A 1	10 577	10 896											319		0
L 5	20 244	21 054	21 864	22 674	23 484	24 294	25 104	25 914	26 724	27 534				810	
L 4	17 803	18 515	19 227	19 939	20 651	21 363	22 075	22 787	23 499	24 211	24 923	25 635		712	
L 3	17 086	17 769	18 452	19 135	19 818	20 501	21 184	21 867	22 550	23 233				683	
L 2	13 735	14 284	14 833	15 382	15 931	16 480	17 029	17 578	18 127	18 676				549	
L 1	11 185	11 632												447	
Category and grade	Steps												Increment per step of :		
	1	2	3	4	5	6	7	8	9	10	11		12 or 24 months		
B 6	12 840	13 264	13 688	14 112	14 536	14 960	15 384	15 808	16 232	16 656	17 080		424		
B 5	11 210	11 580	11 950	12 320	12 690	13 060	13 430	13 800	14 170	14 540	14 910		370		
B 4	9 760	10 082	10 404	10 726	11 048	11 370	11 692	12 014	12 336	12 658	12 980		322		
B 3	8 480	8 760	9 040	9 320	9 600	9 880	10 160	10 440	10 720	11 000	11 280		280		
B 2	7 360	7 603	7 846	8 089	8 332	8 575	8 818	9 061	9 304	9 547	9 790		243		
B 1	6 390	6 601	6 812	7 023	7 234	7 445	7 656	7 867	8 078	8 289	8 500		211		
C 6	9 700	9 991	10 282	10 573	10 864	11 155	11 446	11 737	12 028	12 319	12 610		291		
C 5	8 780	9 043	9 306	9 569	9 832	10 095	10 358	10 621	10 884	11 147	11 410		263		
C 4	7 950	8 189	8 428	8 667	8 906	9 145	9 384	9 623	9 862	10 101	10 340		239		
C 3	7 210	7 426	7 642	7 858	8 074	8 290	8 506	8 722	8 938	9 154	9 370		216		
C 2	6 550	6 747	6 944	7 141	7 338	7 535	7 732	7 929	8 126	8 323	8 520		197		
C 1	5 990	6 170	6 350	6 530	6 710	6 890	7 070	7 250	7 430	7 610	7 790		180		

1. Scale applicable as from 1 July 1983.

2. Basic salaries of staff of categories A and L are subject to a temporary levy of 1.5% with effect from 1 July 1983 (decisions taken by the Committee of Ministers at the 357th (March 1983) and 368th (March 1984) meetings of the Ministers' Deputies).

# MONTHLY BASIC SALARY SCALE FOR GRADES A, L, B AND C STAFF SERVING IN BELGIUM <sup>1,2</sup>

Belgian francs

Category and grade	Steps												Increment per step of :		
	1	2	3	4	5	6	7	8	9	10	11	12	12 mth.	18 mth.	24 mth.
A 7	170 770	176 489	182 208	187 927	196 506	205 085							5 719		8 579
A 6	155 980	160 295	164 610	168 925	175 398	181 871	188 344	194 817					4 315		6 473
A 5	137 950	141 811	145 672	149 533	153 394	157 255	163 047	168 839	174 631	180 423	186 215		3 861		5 792
A 4	119 120	122 221	125 322	128 423	131 524	134 625	139 277	143 929	148 581	153 233	157 885		3 101		4 652
A 3	103 730	106 652	109 574	112 496	115 418	118 340	122 723	127 106	131 489	135 872	140 255		2 922		4 383
A 2	84 070	86 325	88 580	90 835	93 090	95 345	98 728	102 111	105 494	108 877	112 260		2 255		3 383
A 1	65 800	67 780											1 980		0
L 5	125 960	130 998	136 036	141 074	146 112	151 150	156 188	161 226	166 264	171 302				5 038	
L 4	110 760	115 190	119 620	124 050	128 480	132 910	137 340	141 770	146 200	150 630	155 060	159 490		4 430	
L 3	106 290	110 542	114 794	119 046	123 298	127 550	131 802	136 054	140 306	144 558				4 252	
L 2	85 440	88 858	92 276	95 694	99 112	102 530	105 948	109 366	112 784	116 202				3 418	
L 1	69 610	72 394												2 784	
Category and grade	Steps												Increment per step of :		
	1	2	3	4	5	6	7	8	9	10	11		12 or 24 months		
B 6	80 823	83 490	86 157	88 824	91 492	94 159	96 826	99 493	102 161	104 828	107 495		2 667		
B 5	70 732	73 066	75 400	77 734	80 068	82 402	84 736	87 070	89 404	91 738	94 072		2 333		
B 4	62 500	64 563	66 626	68 689	70 752	72 815	74 878	76 941	79 004	81 067	83 130		2 063		
B 3	55 343	57 169	58 995	60 822	62 648	64 475	66 301	68 127	69 954	71 780	73 607		1 826		
B 2	48 820	50 431	52 042	53 654	55 265	56 876	58 488	60 099	61 711	63 322	64 933		1 611		
B 1	44 700	46 175	47 650	49 125	50 600	52 075	53 550	55 025	56 500	57 975	59 450		1 475		
C 6	59 700	61 491	63 282	65 073	66 864	68 655	70 446	72 237	74 028	75 819	77 610		1 791		
C 5	53 900	55 517	57 134	58 751	60 368	61 985	63 602	65 219	66 836	68 453	70 070		1 617		
C 4	50 200	51 706	53 212	54 718	56 224	57 730	59 236	60 742	62 248	63 754	65 260		1 506		
C 3	46 900	48 307	49 714	51 121	52 528	53 935	55 342	56 749	58 156	59 563	60 970		1 407		
C 2	44 300	45 629	46 958	48 287	49 616	50 945	52 274	53 603	54 932	56 261	57 590		1 329		
C 1	42 300	43 569	44 838	46 107	47 376	48 645	49 914	51 183	52 452	53 721	54 990		1 269		

1. Scale applicable as from 1 July 1983.

2. Basic salaries of staff of categories A and L are subject to a temporary levy of 1.5% with effect from 1 July 1983 (decisions taken by the Committee of Ministers at the 357th (March 1983) and 368th (March 1984) meetings of the Ministers' Deputies).

TABLE II<sup>1</sup>

Scale of allowances for dependent children and other dependants		
Staff members serving in France	Staff members serving in Belgium	
824.90 FF per month	5 130 BF per month	
Expatriation allowance		
<i>Scale of the additional fixed part applicable to category B staff members serving in France (monthly amount)</i>		
Grades	Recipient of the household allowance	Other staff
B1, B2, B3	60 FF	30 FF
<i>Scale of the fixed monthly allowance paid for each dependent child</i>		
Staff members serving in France	Staff members serving in Belgium	
231.40 FF	1 440 BF	

1. Scales applicable as from 1 July 1983.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 3

#### ON THE REMUNERATION OF SPECIALLY APPOINTED OFFICIALS

*(Adopted by the Committee of Ministers on 19 March 1984  
at the 368th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Resolution (71) 8 on the remuneration of specially appointed officials of the Council of Europe, as last amended by Resolution (83) 3 ;

Having regard to the decision reached at the 368th meeting of the Ministers' Deputies approving the 196th report of the Co-ordinating Committee of Government Budget Experts on the new salary scales for members of the permanent staff with effect from 1 July 1983 ;

Whereas, as a result of that decision, and in accordance with Article 2 of Resolution (71) 8 referred to above, new basic salary scales for the specially appointed officials of the Council of Europe need to be established,

Resolves as follows :

*Single article* : The basic annual salaries laid down in Article 1, paragraph *a*, of Resolution (71) 8, as last amended by Resolution (83) 3, shall be adjusted as follows with effect from 1 July 1983 :

— Secretary General .....	443 130 FF
— Deputy Secretary General and Clerk of the Assembly having the rank of Deputy Secretary General .....	419 391 FF



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 4

#### ON THE APPOINTMENT TO THE POST OF SECRETARY GENERAL

*(Adopted by the Committee of Ministers on 18 April 1984  
at the 370th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 36.b of the Statute of the Council of Europe,

Having regard to the Rules of Procedure for appointment to the posts of Secretary General, Deputy Secretary General and Clerk of the Assembly having the rank of Deputy Secretary General ;

Having examined the three candidatures presented by the Governments of Norway, Denmark, Iceland and Sweden, by the Government of Austria and by the Government of Spain ;

Having interviewed the three candidates ;

Having consulted the Representatives of the Assembly in the Joint Committee,

Decides to transmit to the Assembly, for consideration for appointment to the post of Secretary General from 1 October 1984, the following candidatures, listed in alphabetical order, with the names of the sponsoring governments in brackets :

MM. Ole Ålgård (Norway, Denmark, Iceland and Sweden),  
Franz Karasek (Austria),  
Marcelino Oreja Aguirre (Spain).



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 5

#### AMENDING ARTICLE 6 OF THE FINANCIAL REGULATIONS

*(Adopted by the Committee of Ministers on 14 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 6 of the Financial Regulations ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 97 ;

Having regard to the opinions of the Board of Auditors and the Budget Committee (Doc. P-VER (84) 1 and Doc. CM (84) 96),

Resolves as follows :

#### *Article 1*

Paragraph 4 of Article 6 of the Financial Regulations is amended as follows :

“Appropriations relating to expenditure incurred before 31 December in respect of goods delivered, services rendered and liabilities arising before that date shall remain available for payment purposes for a complementary period of one month ending on 31 January of the following year.”

#### *Article 2*

The above arrangements shall apply as from the financial year 1984.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 6

#### **ON THE RENEWAL OF THE EUROPEAN DIPLOMA AWARDED TO THE MINSMERE NATURE RESERVE (UNITED KINGDOM)**

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma ;

Having regard to Resolution (79) 13 awarding the European Diploma to the Minsmere Nature Reserve ;

Having regard to the proposals of the European Committee for the Conservation of Nature and Natural Resources (CDSN),

Renews the European Diploma awarded to the Minsmere Nature Reserve in Category A until 13 September 1989 ;

Makes the following recommendations to the managers of the area :

1. Strictly limit the use of herbicides. Where possible, replace their use by mechanical methods or grazing. Undertake research to determine the effects of the herbicides used in the reserve on terrestrial and aquatic flora and fauna and on the ecosystem in general ;
2. Continue work on the establishment of an inventory of flora and fauna ; rare species should be identified and management measures worked out to protect and encourage them ;
3. Examine the possibility of studying the reasons for the loss over the years of a number of species nesting in the reserve ;
4. Co-operate more closely with the authorities responsible for the areas around Minsmere Nature Reserve, with a view to proper co-ordination of conservation policies for the region as a whole.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 7

#### ON THE AWARD OF THE EUROPEAN DIPLOMA TO THE PURBECK HERITAGE COAST (UNITED KINGDOM)

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 15.a of the Statute of the Council of Europe,

Having regard to Resolution (65) 6 instituting the European Diploma ;

Having regard to the proposals of the European Committee for the Conservation of Nature and Natural Resources (CDSN) ;

Having recorded the agreement of the Government of the United Kingdom ;

After deliberation,

Solemnly awards the European Diploma, Category C, in accordance with the regulations for the European Diploma, to the Purbeck Heritage Coast (United Kingdom) ;

Places the aforesaid coast under the patronage of the Council of Europe until 20 June 1989 ;

Attaches to the award the following conditions, failure to comply with which will result in withdrawal of the Diploma :

1. Oil exploration and extraction must be prohibited in the national nature reserves and in the RSPB reserve at Arne ;
2. The discharge of drilling waste which might damage the natural environment of the Heritage Coast must be forbidden ;
3. Stringent measures must be taken to eliminate the risk of accidental pollution. Outside the reserves, the impact of oil installations, including pipelines and access roads, on the landscape and natural environment must be kept to a minimum ;

Invites the authorities responsible for the area to implement the following recommendations :

1. The inventory of natural areas meriting protection should be completed by the Heritage Coast staff and efforts should be made to reach agreement with the owners of these biotopes in order to safeguard them against agricultural development.
2. Agreements should be negotiated with the Army and the National Trust whereby they ensure that their own tenant farmers do not damage or destroy important natural environments.
3. Greater account should be taken of the ecological aspects, in the management of the area ; in this connection, an ecologist should be recruited whose job it would be to liaise with the Nature Conservancy Council and co-operate closely with landowners in updating the inventories of natural environments, examine ecological management methods for them, continuously monitor their state of conservation and advise owners on the best ways of conserving them.

4. Except where absolutely necessary for reasons of road safety, roadside verges should be left unmown in spring in order to preserve the rare species found in them and the diversity of their flora.
5. The old stone workings and the old buildings in which bats nest should be protected, if necessary by fencing.
6. The protection of the voluntary marine reserve should be improved and the possibility examined of transforming it into an official reserve, governed by binding regulations and managed by the Nature Conservancy Council. The area of the present reserve should be increased in length and out to sea, so as to include the area most frequented by sub-aqua divers.
7. The Studland Heath dunes, which are at risk from walkers, should be protected by fencing.
8. Pollution in Poole Harbour and the resultant danger of eutrophication should be monitored. Ways of reducing pollution should already be under consideration.
9. The process water discharged at Kimmeridge by the nuclear power station should be analysed and its effect, especially on flora, carefully monitored. If the proliferation of *Ulva lactuca* is indeed caused by the effluent, consideration should be given to resiting the outfall or else treating the effluent first.
10. Greater attention should be paid to the style of permitted buildings, to ensure that they do not detract from the harmony of the landscape.
11. The large caravan site between Durdle Door and West Lulworth should be reduced in size and better integrated into the landscape.
12. The parking area at Lulworth Cove should be camouflaged by a screen of trees.
13. The bathing huts on Studland beach should be removed.
14. Steps should be taken to protect the stands of the wild variety of the cultivated cabbage (*Brassica oleracea*) in view of the importance of this vanishing genetic resource.

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 8**

#### **ON ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE COUNCIL OF EUROPE ORDINARY BUDGET AND PENSIONS BUDGET WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 19 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe,

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 90 ;

Considering that, in consequence, the scale of contributions by member states to the ordinary budget and the pensions budget for the period 1985-86 needs to be adjusted with effect from 1 January 1985,

Resolves as follows :

The scale of contributions by member states to the ordinary budget and the pensions budget as appended to this resolution is adopted with effect from 1 January 1985 for the financial years 1985 and 1986.

**Appendix to Resolution (84) 8**

**Contributions to the ordinary budget  
and the pensions budget**

**Scale of contributions applicable  
with effect from 1 January 1985**

<b>Member states</b>	<b>% contribution</b>
Iceland .....	0.12
Liechtenstein .....	0.12
Malta .....	0.12
Cyprus .....	0.12
Luxembourg .....	0.12
Ireland .....	0.84
Norway .....	1.49
Portugal .....	1.66
Greece .....	1.90
Denmark .....	2.05
Austria .....	2.29
Switzerland .....	2.69
Belgium .....	2.78
Sweden .....	3.15
Netherlands .....	3.50
Turkey .....	3.76
Spain .....	6.37
France .....	16.73
United Kingdom .....	16.73
Italy .....	16.73
Federal Republic of Germany .....	16.73
	100.00

**Floor : 0.12%**

**Ceiling : 18.00%**

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 9**

#### **ON ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE BUDGET OF THE PARTIAL AGREEMENT IN THE SOCIAL AND PUBLIC HEALTH FIELD WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 19 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe and with membership restricted to the Representatives of the states parties to the Partial Agreement in the Social and Public Health Field,<sup>1</sup>

Having regard to Resolution (59) 23 of 16 November 1959 establishing a Partial Agreement in the Social and Public Health Field ;

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 90 ;

Considering that, in consequence, the scale of contributions by member states to the budget of the Partial Agreement in the Social and Public Health Field for the period 1985-86 needs to be adjusted with effect from 1 January 1985,

Resolves as follows :

The scale of contributions by member states to the budget of the Partial Agreement in the Social and Public Health Field as appended to this resolution is adopted with effect from 1 January 1985 for the financial years 1985 and 1986.

---

1. Belgium, France, Federal Republic of Germany, Italy, Luxembourg, Netherlands and United Kingdom.

Appendix to Resolution (84) 9

**Contributions to the budget of the Partial Agreement  
in the Social and Public Health Field**

Scale of contributions applicable with effect  
from 1 January 1985

Member states	% contribution
Luxembourg .....	0.20
Belgium .....	4.35
Netherlands .....	5.49
France .....	22.49
United Kingdom .....	22.49
Italy .....	22.49
Federal Republic of Germany .....	22.49
	100.00

Floor : 0.20%

Ceiling : 23.00%

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 10

#### **ON ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE BUDGET OF THE EUROPEAN PHARMACOPOEIA WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 19 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe and with membership restricted to the Representatives of the states parties to the Convention on the Elaboration of a European Pharmacopoeia,<sup>1</sup>

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 90 and addendum ;

Considering that, in consequence, the scale of contributions by member states to the budget of the European Pharmacopoeia for the period 1985-86 needs to be adjusted with effect from 1 January 1985,

Resolves as follows :

The scale of contributions by member states to the budget of the European Pharmacopoeia as appended to this resolution is adopted with effect from 1 January 1985 for the financial years 1985 and 1986.

---

1. Austria, Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland and United Kingdom.

Appendix to Resolution (84) 10

**Contributions to the budget of the European Pharmacopoeia**

Scale of contributions applicable  
with effect from 1 January 1985

States	% contribution
<i>Member states of the Council of Europe</i>	
Iceland.....	0.20
Luxembourg .....	0.20
Cyprus .....	0.20
Ireland.....	0.97
Norway.....	1.76
Denmark.....	2.26
Greece .....	2.28
Austria.....	2.52
Switzerland.....	2.97
Belgium.....	3.19
Sweden.....	3.61
Netherlands.....	4.11
France .....	18.53
United Kingdom .....	18.53
Italy .....	18.53
Federal Republic of Germany .....	18.53
	98.39
<i>Non-member state of the Council of Europe</i>	
Finland .....	1.61
Total.....	100.00

Floor : 0.20%

Ceiling : 22.00%



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 11

#### **ON ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE BUDGET OF THE PARTIAL AGREEMENT ON THE RESETTLEMENT FUND WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 19 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe and with membership restricted to the Representatives of the Council of Europe states which are members of the Resettlement Fund,<sup>1</sup>

Having regard to Resolution (56) 9 of 16 April 1956 concerning adoption of the Articles of Agreement of the Council of Europe Resettlement Fund for National Refugees and Overpopulation in Europe ;

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 90 ;

Considering that, in consequence, the scale of contributions by member states to the budget of the Partial Agreement on the Resettlement Fund for the period 1985-86 needs to be adjusted with effect from 1 January 1985,

Resolves as follows :

The scale of contributions by member states to the budget of the Partial Agreement on the Resettlement Fund as appended to this resolution is adopted with effect from 1 January 1985 for the financial years 1985 and 1986.

---

1. Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and Turkey.

Appendix to Resolution (84) 11

**Contributions to the budget of the Partial Agreement  
on the Resettlement Fund**

Scale of contributions applicable  
with effect from 1 January 1985

States	% contribution
<i>Member states of the Council of Europe</i>	
Liechtenstein.....	0.25
Iceland.....	0.25
Luxembourg.....	0.25
Malta.....	0.25
Cyprus.....	0.25
Portugal.....	2.03
Norway.....	2.05
Greece.....	2.33
Denmark.....	2.56
Switzerland.....	3.33
Belgium.....	3.35
Sweden.....	3.86
Netherlands.....	4.29
Turkey.....	4.59
Spain.....	7.75
France.....	20.87
Italy.....	20.87
Federal Republic of Germany.....	20.87
	100.00
<i>Non-member state of the Council of Europe</i>	
Holy See ..... (\$50)	—
	100.00

Floor : 0.25%

Ceiling : 25.00%

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 12**

#### **ON THE ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE BUDGET OF THE PARTIAL AGREEMENT ON THE CO-OPERATION GROUP TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING IN DRUGS (POMPIDOU GROUP) WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 19 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe and with membership restricted to the Representatives of the states parties to the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group),<sup>1</sup>

Having regard to Resolution (80) 2 of 27 March 1980 setting up a Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group) ;

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 90 and Addendum II ;

Considering that, in consequence, the scale of contributions by member states to the budget of the Partial Agreement for the period 1985-86 needs to be adjusted with effect from 1 January 1985,

Resolves as follows :

The scale of contributions by member states to the budget of the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group), as appended to this resolution, is adopted with effect from 1 January 1985 for the financial years 1985 and 1986.

---

1. Belgium, Denmark, France, Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Spain, Sweden, Turkey and United Kingdom.

Appendix to Resolution (84) 12

**Contributions to the budget of the Partial Agreement  
on the Co-operation Group to combat drug abuse  
and illicit trafficking in drugs (Pompidou Group)**

Scale of contributions applicable  
with effect from 1 January 1985

Member states	% contribution
Luxembourg .....	0.20
Ireland .....	0.78
Norway .....	1.65
Denmark .....	1.95
Greece .....	2.20
Belgium .....	3.08
Sweden .....	3.49
Netherlands .....	3.99
Turkey .....	4.05
Spain .....	6.85
France .....	17.94
United Kingdom .....	17.94
Italy .....	17.94
Federal Republic of Germany .....	17.94
	100.00

Floor : 0.20%

Ceiling : 22.00%

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 13**

#### **ON ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE SPECIAL ACCOUNT FOR FINANCING THE CONVENTION RELATING TO STOPS ON BEARER SECURITIES IN INTERNATIONAL CIRCULATION WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 19 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe and with membership restricted to the Representatives of the states parties to the Convention relating to Stops on Bearer Securities in International Circulation,<sup>1</sup>

Having regard to the decision taken by the Committee of Ministers at their 297th meeting, Item XXX, on the procedure for financing the above-mentioned special account ;

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the Secretariat's proposals set out in Doc. CM (84) 90 ;

Considering that, in consequence, the scale of contributions to the above-mentioned special account needs to be adjusted with effect from 1 January 1985 for the period 1985-86,

Resolves as follows :

The scale of contributions to the special account for financing the Convention relating to Stops on Bearer Securities in International Circulation, as appended to this resolution, is adopted with effect from 1 January 1985 for the financial years 1985 and 1986.

---

1. Austria, Belgium, France and Luxembourg.

Appendix to Resolution (84) 13

**Contributions to the special account for financing  
the Convention relating to Stops on Bearer Securities  
in International Circulation**

Scale of contributions applicable  
with effect from 1 January 1985

Member states	% contribution
Luxembourg .....	0,52
Austria .....	9,80
Belgium .....	12,36
France .....	77,32
	100,00

As only a small number of member states are involved, no rule regarding floor and ceiling rates is applied.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 14

#### CONCERNING THE GENERAL ACCOUNTS OF THE COUNCIL OF EUROPE FOR 1983

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 79 of the Financial Regulations ;

Having regard to the report of the Board of Auditors dated 27 June 1984 (Doc. CM (84) 42) ;

Having regard to the general accounts of the Council of Europe for the financial year 1983 as presented by the Secretary General, namely :

- a. the budgetary management accounts ;
- b. the balance-sheet at 31 December 1983 ;
- c. the Treasurer's management account,

Resolves as follows :

1. The Council of Europe accounts for 1983, as presented by the Secretary General, are approved.
2. The following unexpended balances of the budget appropriations for the financial year 1983, as shown in the statement presented by the Secretary General, are cancelled :

— ordinary budget.....	7 028 415.96 FF
— budget of the European Youth Centre.....	171 317.02 FF
— extraordinary budget .....	336.15 FF
— pensions budget.....	542 534.28 FF
3. The Secretary General is discharged from his financial responsibilities for the year 1983.
4. Approval is given to apportioning among the member states, in accordance with Tables I, II and III appended to this resolution, the final credit balances for the financial year 1983, namely :

— final balance of the ordinary budget .....	13 271 860.92 FF
— final balance of the extraordinary budget.....	217 823.15 FF
— final balance of the pensions budget .....	6 700.75 FF
5. The share due to each state from the final balance of the ordinary, extraordinary and pensions budgets will be applied to meet any additional contributions for which that state may be liable as a result of supplementary appropriations made in the 1984 budgets, any part of the said share that remains being considered as an advance on its contributions for 1985.

I

Ordinary budget

Apportionment among member states of the credit balance of the budget  
for the financial year 1983

Member states	Percentages adopted for the financial year 1983 (Resolution (82) 7)	Credit balance of the member states
		FF
Iceland .....	0.12	15 926.23
Liechtenstein .....	0.12	15 926.23
Malta .....	0.12	15 926.23
Cyprus .....	0.12	15 926.23
Luxembourg .....	0.13	17 253.42
Ireland .....	0.77	102 193.33
Norway .....	1.36	180 497.31
Portugal .....	1.66	220 312.89
Greece .....	1.89	250 838.17
Denmark .....	2.05	272 073.15
Austria .....	2.20	291 980.94
Switzerland .....	2.49	330 469.34
Belgium .....	3.08	408 773.32
Sweden .....	3.31	439 298.60
Turkey .....	3.54	469 823.88
Netherlands .....	3.62	480 441.37
Spain .....	6.30	836 127.24
France .....	16.78	2 227 018.26
Italy .....	16.78	2 227 018.26
United Kingdom .....	16.78	2 227 018.26
Federal Republic of Germany .....	16.78	2 227 018.26
	100.00	13 271 860.92



## II

### Extraordinary budget

#### Apportionment among member states of the credit balance of the budget concerning the repayment of the new building loan for the financial year 1983

Member states	Percentages adopted for the financial year 1983 (Resolution (78) 51)	Credit balance of the member states
		FF
Iceland .....	0.08	174.26
Liechtenstein .....	0.05	108.91
Luxembourg .....	0.08	174.26
Malta .....	0.06	130.69
Cyprus .....	0.08	174.26
Ireland .....	1.07	2 330.71
Norway .....	1.39	3 027.74
Denmark .....	1.39	3 027.74
Switzerland .....	3.55	7 732.72
Austria .....	1.39	3 027.74
Portugal .....	1.39	3 027.74
Sweden .....	3.83	8 342.63
Greece .....	1.39	3 027.74
Belgium .....	3.67	7 994.10
Netherlands .....	3.83	8 342.63
Turkey .....	1.32	2 875.27
Spain .....	3.83	8 342.63
France .....	20.53	44 719.09
Italy .....	15.67	34 132.89
United Kingdom .....	17.70	38 554.70
Federal Republic of Germany .....	17.70	38 554.70
	100.00	217 823.15

### III

#### Pensions budget

#### Apportionment among member states of the credit balance of the budget for the financial year 1983

Member states	Percentages adopted for the financial year 1983 (Resolution (82) 7)	Credit balance of the member states
		FF
Iceland .....	0.12	8.04
Liechtenstein .....	0.12	8.04
Malta .....	0.12	8.04
Cyprus .....	0.12	8.04
Luxembourg .....	0.13	8.71
Ireland .....	0.77	51.60
Norway .....	1.36	91.13
Portugal .....	1.66	111.23
Greece .....	1.89	126.64
Denmark .....	2.05	137.37
Austria .....	2.20	147.42
Switzerland .....	2.49	166.85
Belgium .....	3.08	206.38
Sweden .....	3.31	221.78
Turkey .....	3.54	237.20
Netherlands .....	3.62	242.57
Spain .....	6.30	422.15
France .....	16.78	1 124.39
Italy .....	16.78	1 124.39
United Kingdom .....	16.78	1 124.39
Federal Republic of Germany .....	16.78	1 124.39
	100.00	6 700.75

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 15**

#### **CONCERNING THE PARTIAL AGREEMENT IN THE SOCIAL AND PUBLIC HEALTH FIELD ACCOUNTS FOR THE FINANCIAL YEAR 1983**

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe and with membership restricted to the Representatives of the States Parties to the Partial Agreement in the Social and Public Health Field,<sup>1</sup>

Having regard to the accounts of the Partial Agreement in the Social and Public Health Field for the financial year 1983 as submitted by the Secretary General, comprising :

- a. the budget management account ;
- b. the balance-sheet at 31 December 1983 ;

Having regard to the Secretariat memorandum presenting the accounts ;

Having regard to the Auditors' report of 27 June 1984 (Doc. CM (84) 42),

Resolves as follows :

1. The accounts for 1983, as set out in the tables submitted by the Secretary General, are approved.
2. The unexpended balances of the appropriations for 1983, amounting to 293 478.42 FF as shown in the statement submitted by the Secretary General, are cancelled.
3. The Secretary General is hereby discharged from his financial responsibility in respect of the financial year 1983.
4. Approval is hereby given to the manner shown in the appended table of apportioning the credit balance of 369 949.17 FF for the financial year 1983 among the member states.
5. This amount will be treated as an advance payment on member states' contributions to the Partial Agreement for 1985.

---

1. Belgium, France, Federal Republic of Germany, Italy, Luxembourg, Netherlands and United Kingdom.

**Apportionment of the credit balance for 1983 among the States Parties  
to the Partial Agreement in the Social and Public Health Field**

States	Percentages adopted for the financial year 1983 (Resolution (82) 8)	Credit balance of the States Parties
Luxembourg.....	0.20	FF 739.90
Belgium.....	4.83	17 868.55
Netherlands .....	5.69	21 050.12
France.....	22.32	82 572.65
Italy.....	22.32	82 572.65
United Kingdom .....	22.32	82 572.65
Federal Republic of Germany.....	22.32	82 572.65
	100.00	369 949.17

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 16

#### CONCERNING THE EUROPEAN PHARMACOPOEIA ACCOUNTS FOR THE FINANCIAL YEAR 1983

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the States Parties in 1983 to the Convention on the Elaboration of a European Pharmacopoeia,<sup>1</sup>

Having regard to the accounts of the Pharmacopoeia for the financial year 1983, as submitted by the Secretary General, comprising :

- a. the budget management account ;
- b. the balance-sheet at 31 December 1983 ;

Having regard to the Secretariat memorandum presenting the accounts ;

Having regard to the Auditors' report of 27 June 1984 (Doc. CM (84) 42),

Resolves as follows :

1. The accounts for 1983, as set out in the tables submitted by the Secretary General, are approved.
2. The unexpended balances of the appropriations for 1983, amounting to 121 320.42 FF as shown in the statement submitted by the Secretary General, are cancelled.
3. The Secretary General is hereby discharged from his financial responsibility in respect of the financial year 1983.
4. Approval is hereby given to the manner shown in the appended table of apportioning the credit balance of 138 894.31 FF for the financial year 1983 among the member states.
5. The share due to each state from the final balance of the European Pharmacopoeia budget will be applied to meet any additional contributions for which that state may be liable as a result of supplementary appropriations made in the 1984 budget, any part of the said share that remains being considered as an advance on its contributions for 1985.

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1. Austria, Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland and United Kingdom.

# European Pharmacopoeia

## Apportionment of the 1983 credit balance among the states signatory to the convention

States	Percentages adopted for the financial year 1983 (Resolution (82) 9)	Credit balance of the States Parties
<i>Member states</i>		FF
Iceland .....	0.20	277.79
Luxembourg .....	0.20	277.79
Cyprus .....	0.20	277.79
Ireland .....	0.89	1 236.16
Norway .....	1.60	2 222.30
Denmark .....	2.30	3 194.57
Austria .....	2.47	3 430.69
Switzerland .....	2.80	3 889.04
Belgium .....	3.84	5 333.54
Sweden .....	4.01	5 569.66
Netherlands .....	4.66	6 472.47
France .....	18.84	26 167.69
Italy .....	18.84	26 167.69
United Kingdom .....	18.84	26 167.69
Federal Republic of Germany .....	18.84	26 167.69
	98.53	136 852.56
<i>Non-member state</i>		
Finland .....	1.47	2 041.75
	100.00	138 894.31

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 17

#### CONCERNING THE PARTIAL AGREEMENT ON THE RESETTLEMENT FUND ACCOUNTS FOR THE FINANCIAL YEAR 1983

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the states of the Council of Europe which are members of the Resettlement Fund,<sup>1</sup>

Having regard to the accounts of the Partial Agreement on the Resettlement Fund for 1983, as submitted by the Secretary General, namely :

- a. the budget management account ;
- b. the balance-sheet at 31 December 1983 ;

Having regard to the Secretariat memorandum presenting the accounts ;

Having regard to the Auditors' report of 27 June 1984 (Doc. CM (84) 42),

Resolves as follows :

1. The accounts for 1983, as set out in the tables submitted by the Secretary General, are approved.
2. The unexpended balances of the appropriations for 1983, amounting to 109 845.85 FF as shown in the statement submitted by the Secretary General, are cancelled.
3. The Secretary General is hereby discharged from his financial responsibility in respect of the financial year 1983.
4. Approval is hereby given to the manner shown in the appended table of apportioning the credit balance of 110 859.93 FF for the financial year 1983 among the states which are members of the Resettlement Fund.
5. This amount will be treated as an advance payment on member states' contributions to the Partial Agreement budget for 1985.

---

1. Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and Turkey.

**Apportionment of the credit balance for 1983  
among the States Parties to the Partial Agreement on the Resettlement Fund**

States	Percentages adopted for the financial year 1983 (Resolution (82) 10)	Credit balance of the States Parties
		FF
Liechtenstein .....	0.25	277.15
Iceland .....	0.25	277.15
Luxembourg .....	0.25	277.15
Malta .....	0.25	277.15
Cyprus .....	0.25	277.15
Norway .....	1.87	2 073.08
Portugal .....	2.01	2 228.28
Greece .....	2.28	2 527.61
Denmark .....	2.47	2 738.24
Switzerland .....	3.04	3 370.14
Belgium .....	3.71	4 112.90
Sweden .....	4.00	4 434.40
Turkey .....	4.27	4 733.72
Netherlands .....	4.39	4 866.76
Spain .....	7.62	8 447.53
France .....	21.03	23 313.84
Italy .....	21.03	23 313.84
Federal Republic of Germany .....	21.03	23 313.84
	100.00	110 859.93



# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 18**

#### **CONCERNING THE ACCOUNTS OF THE PARTIAL AGREEMENT ON THE CO-OPERATION GROUP TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING IN DRUGS (POMPIDOU GROUP) FOR THE FINANCIAL YEAR 1983**

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the states of the Council of Europe which were members in 1983 of the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group),<sup>1</sup>

Having regard to the accounts of the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs for the financial year 1983 as submitted by the Secretary General, comprising :

- a. the budget management account ;
- b. the balance-sheet at 31 December 1983 ;

Having regard to the Secretariat memorandum presenting the accounts ;

Having regard to the Auditors' report of 27 June 1984 (Doc. CM (84) 42),

Resolves as follows ;

1. The accounts for 1983, as set out in the tables submitted by the Secretary General, are approved.
2. The unexpended balances of the appropriations for 1983, amounting to 100 004.77 FF as shown in the statement submitted by the Secretary General, are cancelled.
3. The Secretary General is hereby discharged from his financial responsibility in respect of the financial year 1983.
4. Approval is hereby given to the manner shown in the appended table of apportioning the credit balance of 106 621.51 FF for the financial year 1983 among the member states.
5. This amount will be treated as an advance payment on member states' contributions to the Partial Agreement for 1985.

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1. Belgium, Denmark, France, Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, Turkey and United Kingdom.

**Apportionment of the credit balance for 1983 among the States Parties  
to the Partial Agreement Co-operation Group to combat drug abuse  
and illicit trafficking in drugs  
(Pompidou Group)**

States <sup>1</sup>	Percentages adopted for the financial year 1983 (Resolution (82) 11)	Credit balance of the States Parties
		FF
Luxembourg.....	0.20	213.24
Ireland .....	0.66	703.70
Denmark.....	2.21	2 356.34
Greece.....	2.40	2 558.92
Belgium.....	3.77	4 019.62
Turkey.....	3.79	4 040.96
Sweden .....	3.99	4 254.20
Netherlands .....	4.50	4 797.97
France.....	19.62	20 919.14
Italy.....	19.62	20 919.14
United Kingdom .....	19.62	20 919.14
Federal Republic of Germany .....	19.62	20 919.14
	100.00	106 621.51

1. Norway was not a member at 1 January 1983 and therefore does not participate in this apportionment.

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 19**

#### **CONCERNING THE ACCOUNTS OF THE CULTURAL FUND FOR THE FINANCIAL YEAR 1983**

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article VI, paragraph 4.c, of the Statute of the Cultural Fund ;

Having regard to the accounts of the Cultural Fund for the financial year 1983 ;

Having regard to the report of the Board of Auditors (Doc. CM (84) 42) ;

Having regard to Resolution No. 20 (1984) of the Council for Cultural Co-operation,

Resolves as follows :

*Single article :*

The Secretary General is hereby discharged from his responsibilities in respect of his financial management of the Cultural Fund for the period 1 January to 31 December 1983.



# **COUNCIL OF EUROPE COMMITTEE OF MINISTERS**

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## **RESOLUTION (84) 20**

### **CONCERNING THE SPORTS FUND ACCOUNTS FOR THE FINANCIAL YEAR 1983**

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article VI, paragraph 4.c, of the Statute of the Sports Fund ;

Having regard to the accounts of the Sports Fund for the financial year 1983 ;

Having regard to the report of the Board of Auditors (Doc. CM (84) 42) ;

Having regard to Resolution CDDS (84) 1 of the Committee for the Development of Sport,

Resolves as follows :

*Single article :*

The Secretary General is hereby discharged from his responsibilities in respect of his financial management of the Sports Fund for the period 1 January to 31 December 1983.



# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 21**

#### **ON COUNCIL OF EUROPE ACTION IN THE POLITICAL FIELD**

*(Adopted by the Committee of Ministers on 21 November 1984  
at its 75th Session)*

The Committee of Ministers,

1. Considering recent developments in European co-operation and the various initiatives to give it new impetus ;
2. Having examined the report on the role of the Council of Europe in the process of European unification prepared by a working party of the Ministers' Deputies, following the report presented by Dr W. Pahr, Austrian Minister for Foreign Affairs, in pursuance of his exploratory mission concerning the future role of the Council of Europe ;
3. Having taken into consideration Assembly Resolution 805 of 1 October 1983 on European co-operation in the 1980s and its Recommendation 994 of 3 October 1984 on the future of European co-operation ;
4. Recalling its Resolution (74) 4 of 24 January 1974 on the future role of the Council of Europe ;
5. Bearing in mind the challenges which, in a changing European society, could jeopardise the common ideals enshrined in the Statute of the Council of Europe ;
6. Convinced that increased cohesion and solidarity among the member states of the Council of Europe, in the spirit of its Statute, will help to meet these challenges and accordingly that greater use must be made of the Council of Europe's political potential in all its spheres of activity ;
7. Stressing the need both to give more political direction to the intergovernmental activities of the Council of Europe and to intensify and expand its action in the political field as such,

#### **I**

Expresses its determination to develop and increase the scope of political dialogue, in particular exchanges of views at Committee of Ministers' sessions, informal meetings of Ministers, meetings of the Ministers' Deputies and meetings of Political Directors, with the aim of promoting cohesion of all the member states, that is, drawing them ever closer together in pursuance of the objectives of the Council of Europe's Statute ;

#### **II**

Is of the opinion that political dialogue should have the following objectives :

- a. to consider the political aspects of European co-operation with a view to harmonising positions between all member states on the aims and means of this co-operation and its follow-up in the fields where the Council of Europe has acquired special experience or which are of interest to all member states ;

- b.* to consult together on international problems of common concern and, if possible, to provide member states with pointers for the development of their foreign policies ;
- c.* to discuss events which uphold or flagrantly violate the principles and ideals on which the organisation is based, in particular human rights, with a view to taking, if possible, a common stand on such events ;
- d.* to facilitate the taking of practical measures to help deal with major issues facing European society and with threats to democratic ideals and European cohesion ;
- e.* to contribute, as far as possible and in agreement with the parties concerned, to the solution of problems existing between member states ;

### III

Agrees to strengthen the organisation of the political dialogue so as to ensure its continuity and to increase its practical usefulness and impact. The choice of themes is particularly important and should include, *inter alia*, specific aspects of European co-operation. The positive consequences of the dialogue should be fully exploited for the benefit of Europe and the promotion of justice and peace in the world. To these ends, a special role is to be played by the Chairman of the Committee of Ministers, with the participation of the Secretary General ;

### IV

Declares itself ready to promote more thorough exchanges of views between representatives of the Parliamentary Assembly and the Committee of Ministers, at Ministerial and Deputy level, on political issues of mutual interest.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 22

#### ON THE ORDINARY BUDGET 1984

*(Adopted by the Committee of Ministers on 27 November 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 38.b and c of the Statute of the Council of Europe ;

Having regard to Articles 3, 5, 6, 8, 9, 10, 19, 20, 23, 26, 28 and 31 of the Financial Regulations ;

Having regard to Resolution (74) 25 of 28 June 1974 fixing the scale of member states' contributions to the ordinary budget, as amended by Resolution (82) 7 of 11 October 1982 ;

Having regard to Resolution (83) 21 of 9 December 1983 approving the ordinary budget for 1984 ;

Having regard to the amendments to the ordinary budget for 1984 submitted by the Secretary General (Doc. CM (84) 175) ;

Having regard to the Budget Committee's report of 24 October 1984 (Doc. CM (84) 218, paragraphs 4-19) ;

Considering that the appropriations and receipts entered in the ordinary budget for 1984 call for amendment,

Resolves as follows :

#### Article 1

The appropriations voted for the ordinary budget for 1984 are increased by 3 350 000 FF, broken down as follows :

#### Vote I — Common expenditure

##### Head I — Staff

Sub-head 5 - Remuneration and accessory charges for temporary staff ..... + 140 000 FF

Sub-head 12 - Provision for cost-of-living allowance and other adjustments  
to remuneration ..... + 2 614 000 FF

#### Vote III — Expenditure of the Consultative Assembly

Sub-head 84 - Remuneration and accessory charges of temporary conference  
staff ..... + 305 000 FF

Sub-head 85 - Provision for cost-of-living allowance and other adjustments to  
remuneration ..... + 291 000 FF

## Article 2

The estimates of receipts entered in the ordinary budget for 1984 under Sub-head 8—Member states' contributions—are increased by 3 350 000 FF.

## Article 3

Having regard to the initial appropriations and the amendments introduced by this resolution, the ordinary budget (expenditure and receipts) is increased from 313 046 900 FF to 316 396 900 FF.

## Article 4

The apportionment between member states of the additional contributions for the financial year 1984, amounting to 3 350 000 FF, as set out in the table appended to this resolution, is approved.

The above-mentioned contributions shall be deducted from the shares due to states of the credit balance shown by the 1983 ordinary budget.

### Apportionment between member states of additional contributions to the ordinary budget for the financial year 1984

Member states	Contributions	
	%	Amount
		FF
Iceland .....	0.12	4 020.00
Liechtenstein .....	0.12	4 020.00
Malta.....	0.12	4 020.00
Cyprus.....	0.12	4 020.00
Luxembourg.....	0.13	4 355.00
Ireland .....	0.77	25 795.00
Norway .....	1.36	45 560.00
Portugal .....	1.66	55 610.00
Greece.....	1.89	63 315.00
Denmark.....	2.05	68 675.00
Austria .....	2.20	73 700.00
Switzerland.....	2.49	83 415.00
Belgium.....	3.08	103 180.00
Sweden .....	3.31	110 885.00
Turkey.....	3.54	118 590.00
Netherlands .....	3.62	121 270.00
Spain.....	6.30	211 050.00
France.....	16.78	562 130.00
Italy.....	16.78	562 130.00
United Kingdom .....	16.78	562 130.00
Federal Republic of Germany .....	16.78	562 130.00
	100.00	3 350 000.00

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 23

#### CONCERNING THE PENSIONS BUDGET 1984

*(Adopted by the Committee of Ministers on 27 November 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 38.b and c of the said Statute ;

Having regard to Article 26 of the Financial Regulations ;

Having regard to Resolution (77) 11 of 20 April 1977 approving the Pension Scheme Rules applicable to permanent staff of the Council of Europe ;

Having regard to Resolution (74) 25 of 28 June 1974 establishing new scales for contribution by member states to the budgets of the Council of Europe, as amended by Resolution (82) 7 of 11 October 1982 ;

Having regard to Resolution (83) 23 of 9 December 1983 approving the pensions budget for 1984 ;

Having regard to the amendments to the pensions budget submitted by the Secretary General for 1984 (Doc. CM (84) 175) ;

Having regard to the report of the Budget Committee, dated 24 October 1984 (Doc. CM (84) 218, paragraph 20),

Resolves as follows :

#### Article 1

The appropriations granted under the pensions budget for 1984 shall be modified as follows :

##### *Head II — Leaving allowances*

Sub-head 6 - Severance grants..... + 1 560 000 FF

Sub-head 7 - Refund of personal contributions ..... + 730 000 FF

##### *Head IV — Tax indemnities*

Sub-head 9 - Tax indemnities ..... + 130 000 FF

#### Article 2

Estimated receipts under Sub-head 4—Contribution by states—shall be increased by 2 420 000 FF.

### Article 3

On the basis of the initial appropriations and of the modifications resulting from the present resolution, the pensions budget of expenditure and receipts shows an increase of 2 420 000 FF and shall be raised from 24 570 000 FF to 26 990 000 FF.

### Article 4

The apportionment between member states of the additional contributions for the financial year 1984 amounting to 2 420 000 FF as set out in the table attached to this resolution is approved.

The above-mentioned contributions shall be deducted from the amounts due to member states in respect of the credit balance from the 1983 ordinary budget.

#### Pensions budget for 1984

##### Apportionment between member states of additional contributions

Member states	Contributions			
	Financing of Part I of the budget		Part II of the budget Tax indemnities	Total
	%	Amount	Amount	
		FF	FF	FF
Iceland	0.12	2 748	—	2 748
Liechtenstein	0.12	2 748	—	2 748
Malta	0.12	2 748	—	2 748
Cyprus	0.12	2 748	—	2 748
Luxembourg	0.13	2 977	—	2 977
Ireland	0.77	17 633	—	17 633
Norway	1.36	31 144	—	31 144
Portugal	1.66	38 014	—	38 014
Greece	1.89	43 281	—	43 281
Denmark	2.05	46 945	—	46 945
Austria	2.20	50 380	—	50 380
Switzerland	2.49	57 021	—	57 021
Belgium	3.08	70 532	25 000	95 532
Sweden	3.31	75 799	—	75 799
Turkey	3.54	81 066	—	81 066
Netherlands	3.62	82 898	—	82 898
Spain	6.30	144 270	—	144 270
France	16.78	384 262	15 000	399 262
Italy	16.78	384 262	90 000	474 262
United Kingdom	16.78	384 262	—	384 262
Fed. Rep. of Germany	16.78	384 262	—	384 262
	100.00	2 290 000	130 000	2 420 000

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 24

#### CONCERNING THE EUROPEAN PHARMACOPOEIA 1984 BUDGET

*(Adopted by the Committee of Ministers on 27 November 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the States Parties to the Convention on the Elaboration of a European Pharmacopoeia,<sup>1</sup>

Having regard to Articles 19, 21, 26 and 28 of the Financial Regulations ;

Having regard to Resolution (74) 25 of 28 June 1974, as last amended by Resolution (82) 9 of 11 October 1982 fixing the scale of states' contributions to the budget of the European Pharmacopoeia ;

Having regard to Resolution (83) 25 of 9 December 1983 approving the budget of the European Pharmacopoeia ;

Having regard to the amendments to the budget of the European Pharmacopoeia submitted by the Secretary General for 1984 (Doc. CM (84) 175) ;

Having regard to the report of the Budget Committee dated 24 October 1984 (Doc. CM (84) 218, paragraph 21),

Resolves as follows :

#### Article 1

The appropriation voted under Sub-head 4—Provision for cost-of-living increase and other adjustments to remuneration—of the European Pharmacopoeia budget for 1984 is increased by 107 000 FF.

#### Article 2

The estimate of receipts entered in the European Pharmacopoeia budget under Sub-head 5—Contribution from states—is increased by 107 000 FF.

#### Article 3

Having regard to the initial appropriations and the amendments introduced by this resolution, the budget of the European Pharmacopoeia (expenditure and receipts) is increased from 8 413 000 FF to 8 520 000 FF.

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1. States concerned : Austria, Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland and United Kingdom.

#### Article 4

The apportionment between member states of the additional contributions for the financial year 1984 amounting to 107 000 FF as set out in the table attached to this resolution is approved.

The above-mentioned contributions shall be deducted from the shares due to states of the credit balance shown by the 1983 budget of the European Pharmacopoeia.

#### Budget of the European Pharmacopoeia for 1984 Supplementary contributions of states

States	Share percentage	Amount payable
		FF
<i>Member states of the Council of Europe</i>		
Iceland .....	0.20	214.00
Luxembourg .....	0.20	214.00
Cyprus .....	0.20	214.00
Ireland .....	0.89	952.30
Norway .....	1.60	1 712.00
Denmark .....	2.30	2 461.00
Austria .....	2.47	2 642.90
Switzerland .....	2.80	2 996.00
Belgium .....	3.84	4 108.80
Sweden .....	4.01	4 290.70
Netherlands .....	4.66	4 986.20
France .....	18.84	20 158.80
Italy .....	18.84	20 158.80
United Kingdom .....	18.84	20 158.80
Federal Republic of Germany .....	18.84	20 158.80
	98.53	105 427.10
<i>Non-member state of the Council of Europe</i>		
Finland .....	1.47	1 572.90
	100.00	107 000.00

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 25**

#### **ON THE ADJUSTMENT OF THE SCALE OF CONTRIBUTIONS TO THE BUDGET OF THE PARTIAL AGREEMENT ON THE CO-OPERATION GROUP TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING IN DRUGS (POMPIDOU GROUP) WITH EFFECT FROM 1 JANUARY 1985**

*(Adopted by the Committee of Ministers on 30 November 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 38 of the Statute of the Council of Europe and with membership restricted to the Representatives of the states which will be parties to the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group) on 1 January 1985,<sup>1</sup>

Having regard to Resolution (80) 2 of 27 March 1980 setting up a Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group) ;

Having regard to Resolution (74) 25 as amended by Resolutions (78) 50 and (78) 72 ;

Having regard to the accession of Portugal to the Partial Agreement with effect from 1 January 1985 and the Secretariat's subsequent proposals set out in Doc. CM (84) 245 ;

Considering that, in consequence, the scale of contributions by member states to the budget of the Partial Agreement for the period 1985-86 as adopted by Resolution (84) 12 needs to be adjusted with effect from 1 January 1985,

Resolves as follows :

The scale of contributions by member states to the budget of the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group), as appended to this resolution, is adopted with effect from 1 January 1985 for the financial years 1985 and 1986 and replaces the scale previously approved by Resolution (84) 12.

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1. Belgium, Denmark, France, Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Turkey and United Kingdom.

Appendix to Resolution (84) 25

**Contributions to the budget of the Partial Agreement  
on the Co-operation Group to combat drug abuse  
and illicit trafficking in drugs (Pompidou Group)**

(Scale of contributions applicable with effect from 1 January 1985)

Member states	% contribution
Luxembourg.....	0.20
Ireland.....	0.78
Norway.....	1.62
Portugal.....	1.76
Denmark.....	1.93
Greece.....	2.02
Belgium.....	2.90
Sweden.....	3.34
Netherlands.....	3.72
Turkey.....	3.99
Spain.....	6.74
France.....	17.75
United Kingdom.....	17.75
Italy.....	17.75
Federal Republic of Germany.....	17.75
	100.00

Floor : 0.20%

Ceiling : 22.00%



# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION (84) 26**

#### **APPROVING THE INTERGOVERNMENTAL PROGRAMME OF ACTIVITIES FOR 1985**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

Having regard to Resolution (74) 33 of 20 November 1974 on the planning and programming of the intergovernmental activities of the Council of Europe ;

Having regard to the draft ordinary budget and to the draft subsidiary budget for the European Youth Centre for 1985 presented by the Secretary General (Doc. CM (84) 176) ;

Having regard to the draft Annual Programme of Activities for 1985, presented by the Secretary General (Doc. CM (84) 176 addendum),

1. Approves the Annual Programme of Activities for 1985 as appended hereto ;
2. Instructs the Secretary General to implement it within the appropriations voted for that purpose in the general budget for 1985.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 27

#### CONCERNING THE ORDINARY BUDGET FOR 1985

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 38.b and c of the said Statute ;

Having regard to Articles 3, 6, 8, 9, 10, 20, 22, 23 and 28 of the Financial Regulations ;

Having regard to Resolution (74) 25 of 28 June 1974 fixing the scale of contributions of member states to the ordinary budget, as last amended by Resolution (84) 8 of 19 October 1984 ;

Having regard to the Consultative Assembly Opinion No. 120 (1984) on the programme-budget for the operational expenditure of the Assembly in 1985, and Opinion No. 119 (1984) on the Council of Europe budgets for the years 1982, 1984 and 1985 ;

Having regard to the draft ordinary budget and draft subsidiary budget of the European Youth Centre for 1985 as submitted by the Secretary General (Doc. CM (84) 176, Part 1) ;

Having regard to the report of the Budget Committee dated 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The ordinary budget of expenditure for 1985, totalling 344 065 100 FF divided into votes, heads and sub-heads according to Table A appended hereto and the ordinary budget of receipts, totalling 344 065 100 FF according to Table B appended hereto, are hereby approved.
2. The amount to be paid by member states by way of their contributions for 1985 comes to 323 674 100 FF. This amount shall be apportioned among member states according to Table C appended hereto.
3. Approval is hereby given within the framework of the ordinary budget, according to Table D appended hereto, to the authorisations of expenditure and receipts totalling 14 117 300 FF which constitute the subsidiary budget of the European Youth Centre for 1985.

## ORDINARY BUDGET

Financial year 1985

### A. BUDGET OF EXPENDITURE

#### *Budgetary table*

Details	Appropriation
	FF
<b>Vote I</b> — Common expenditure .....	247 545 500
<b>Vote II</b> — Expenditure pertaining to intergovernmental activities programmes .....	48 533 900
<b>Vote III</b> — Expenditure of the Consultative Assembly .....	30 299 200
<b>Vote IV</b> — Operational expenditure of the European Court and Commission of Human Rights .....	8 712 500
<b>Vote V</b> — Expenditure of the Standing Conference of Local and Regional Authorities of Europe .....	3 722 500
<b>Vote VI</b> — Sundry institutional expenditure .....	1 520 000
<b>Vote VII</b> — Administrative expenditure of the European Youth Foundation .....	1 958 000
<b>Vote VIII</b> — Exceptional expenditure .....	1 773 500
<b>Total for the financial year 1985</b> .....	344 065 100

Details	Appropriation
<b>VOTE I — COMMON EXPENDITURE</b>	FF
<i>HEAD I — Staff</i>	
Sub-heads	
1 - Salary, allowances and social charges of the Secretary General and Deputy Secretary General .....	1 821 000
2 - Temporary allowances to former Secretaries General .....	260 000
3 - Remuneration, allowances and social charges of permanent staff .....	174 429 500
4 - Remuneration and accessory charges for temporary staff engaged to fill vacant posts .....	7 000 000
5 - Remuneration and accessory charges for temporary staff .....	7 920 000
5bis - Expenditure relating to trainees .....	361 000
6 - Expenses on arrival and departure—home leave .....	1 844 000
7 - Overtime, allowances for extra duties and other special allowances .....	350 000
8 - Medical services, social welfare and other staff expenditure .....	190 000
9 - Staff training .....	291 000
10 - Operational expenditure of the Staff Committee .....	60 000
11 - Council of Europe's contribution towards the financing of the OECD Joint Administration Sections .....	1 390 000
12 - Provision for cost-of-living allowance and other adjustments to remuneration .....	9 750 000 <sup>1</sup>
<b>TOTAL HEAD I</b> .....	205 666 500

1. Amount frozen pending a decision by the Committee of Ministers on a pay adjustment.

Details	Appropriation
	FF
<b>HEAD II — Expenditure on buildings, equipment, supplies and communications</b>	
13 - Expenditure on buildings .....	18 000 000
14 - Expenditure on furniture, equipment, supplies and vehicles .....	4 325 000
15 - Stationery, office supplies and work done to order .....	3 200 000
16 - Communications .....	8 100 000 <sup>1</sup>
<b>TOTAL HEAD II .....</b>	<b>33 625 000</b>
<b>HEAD III — Other administrative expenditure</b>	
17 - Official journeys .....	1 650 000
18 - Library .....	414 500
19 - Entertainment (common fund) .....	330 000
20 - Travelling and subsistence expenses and allowances of advisory and jurisdictional bodies .....	272 000
21 - Travelling and subsistence expenses of the Chairman of the Ministers' Deputies or other Deputies and entertainment expenses by the Chairman of the Ministers' Deputies .....	80 000
22 - Consultants and commissioned work .....	139 000
23 - Administrative assistance in connection with events of European interest and sundry expenditure .....	16 000
<b>TOTAL HEAD III .....</b>	<b>2 901 500</b>
<b>HEAD IV — Publications</b>	
24 - Expenditure connected with the editing and technical preparation of certain publications .....	48 500
25 - Printing, publications and publicity .....	630 000
<b>TOTAL HEAD IV .....</b>	<b>678 500</b>
<b>HEAD V — Information</b>	
26 - Newspapers and press agencies .....	400 000
27 - Specialised periodicals and bulletins .....	1 374 000
28 - Information programme .....	2 900 000
<b>TOTAL HEAD V .....</b>	<b>4 674 000</b>
<b>Total Vote I .....</b>	<b>247 545 500</b>
<b>VOTE II — EXPENDITURE PERTAINING TO INTERGOVERNMENTAL ACTIVITIES PROGRAMMES</b>	
Field I - Protection and development of human rights and fundamental freedoms	
<b>HEAD VI — Human rights</b>	
29 - Travelling expenses and subsistence allowances for government experts ..	1 498 500
30 - Fees and travelling expenses for consultants and conferences .....	317 500
31 - Human rights fellowships .....	237 500
32 - Grants .....	206 000
33 - Documentation centre for human rights .....	408 000
<b>TOTAL HEAD VI .....</b>	<b>2 667 500</b>

1. Including a frozen amount of 156 000 FF to provide for adjustment of postal and telephone charges in 1985.

Details	Appropriation
<b>HEAD VII — Mass media</b>	FF
Sub-heads	
34 - Travelling expenses and subsistence allowances for government experts .	833 500
35 - Fees and travelling expenses for consultants .....	t.e.
<b>TOTAL HEAD VII .....</b>	833 500
<b>TOTAL FIELD I .....</b>	3 501 000
Field II - Social and socio-economic problems such as those concerning migrant workers	
<b>HEAD VIII — Social security</b>	
36 - Travelling expenses and subsistence allowances for government experts .	493 500
37 - Fees and travelling expenses for consultants .....	71 500
<b>TOTAL HEAD VIII .....</b>	565 000
<b>HEAD IX — Working life and social welfare</b>	
38 - Travelling expenses and subsistence allowances for government experts .	703 000
39 - Fees and travelling expenses for consultants and conferences .....	36 000
40 - Social fellowships .....	832 500
<b>TOTAL HEAD IX .....</b>	1 571 500
<b>HEAD X — Migration and migrant workers</b>	
41 - Travelling expenses and subsistence allowances for government experts .	662 500
42 - Fees and travelling expenses for consultants and conferences .....	78 000
43 - Vocational training grants and teaching of languages and education of migrant workers' children .....	3 094 500
43 bis - Implementation of conventions .....	42 000
<b>TOTAL HEAD X .....</b>	3 877 000
<b>HEAD XI — Population studies</b>	
44 - Travelling expenses and subsistence allowances for government experts .	335 000
45 - Fees and travelling expenses for consultants and conferences .....	22 500
<b>TOTAL HEAD XI .....</b>	357 500
<b>HEAD XII — Consumer protection and miscellaneous</b>	
46 - Travelling expenses and subsistence allowances for government experts .	—
47 - Fees and travelling expenses for consultants .....	—
48 - Grants .....	140 000
<b>TOTAL HEAD XII .....</b>	140 000
<b>TOTAL FIELD II .....</b>	6 511 000

Details	Appropriation
Field III - Education, culture and sport	FF
<i>HEAD XIII — Education and culture</i>	
Sub-heads	
49 - Travelling expenses and subsistence allowances for government experts .	913 500
50 - Grant to the Cultural Fund .....	8 362 500
51 - Documentation Centre for Education in Europe .....	320 000
51bis - European Music Year .....	400 000
<i>TOTAL HEAD XIII .....</i>	9 996 000
<i>HEAD XIV — Sport</i>	
52 - Travelling expenses and subsistence allowances for government experts .	500 000
53 - Grant to the Sports Fund .....	1 147 000
<i>TOTAL HEAD XIV .....</i>	1 647 000
<i>TOTAL FIELD III .....</i>	11 643 000
Field IV - Youth questions	
<i>HEAD XV — Co-operation with young people</i>	
54 - Financing of the European Youth Centre .....	13 658 300
55 - Travelling expenses and subsistence allowances for government experts .	171 500
56 - Fees and travelling expenses for consultants .....	11 500
<i>TOTAL HEAD XV/FIELD IV .....</i>	13 841 300
Field V - Protection and promotion of public health	
<i>HEAD XVI — Health policy and health services</i>	
57 - Travelling expenses and subsistence allowances for government experts .	715 500
58 - Fees and travelling expenses for consultants and conferences .....	300 000
59 - Medical fellowships .....	1 388 500
60 - Grants .....	51 000
<i>TOTAL HEAD XVI/FIELD V .....</i>	2 455 000
Field VI - Regional planning, the man-made environment, the protection of nature and management of natural resources	
<i>HEAD XVII — Regional planning</i>	
61 - Travelling expenses and subsistence allowances for government experts .	23 000
62 - Fees and travelling expenses for consultants and conferences .....	132 000
<i>TOTAL HEAD XVII .....</i>	155 000
<i>HEAD XVIII — Urban policies and the architectural heritage</i>	
63 - Travelling expenses and subsistence allowances for government experts .	611 500
64 - Fees and travelling expenses for consultants and conferences .....	330 500
65 - Grants .....	136 000
66 - Information and documentation .....	216 800
<i>TOTAL HEAD XVIII .....</i>	1 294 800

Details	Appropriation
<b>HEAD XIX — Nature conservation</b>	FF
Sub-heads	
67 - Travelling expenses and subsistence allowances for government experts ..	481 500
68 - Fees and travelling expenses for consultants and conferences .....	493 000
69 - Information and Documentation Centre .....	721 500
69bis - Implementation of conventions .....	20 500
<b>TOTAL HEAD XIX .....</b>	<b>1 716 500</b>
<b>TOTAL FIELD VI .....</b>	<b>3 166 300</b>
Field VII - Local authorities : matters relating to regional and municipal co-operation	
<b>HEAD XX — Local and regional authorities</b>	
70 - Travelling expenses and subsistence allowances for government experts .	577 000
71 - Fees and travelling expenses for consultants and conferences .....	82 500
72 - Information and documentation .....	66 000
<b>TOTAL HEAD XX/FIELD VII .....</b>	<b>725 500</b>
Field VIII - Legal co-operation	
<b>HEAD XXI — Civil and public law</b>	
73 - Travelling expenses and subsistence allowances for government experts .	3 384 000
74 - Fees and travelling expenses for consultants and conferences .....	470 000
75 - Legal fellowships and study visits abroad by lawyers .....	294 500
75bis - Implementation of conventions .....	246 000
<b>TOTAL HEAD XXI .....</b>	<b>4 394 500</b>
<b>HEAD XXII — Crime problems</b>	
76 - Travelling expenses and subsistence allowances for government experts .	1 258 000
77 - Fees and travelling expenses for consultants and conferences .....	741 300
78 - Criminological fellowships and exchange of prison officers .....	297 000
<b>TOTAL HEAD XXII .....</b>	<b>2 296 300</b>
<b>TOTAL FIELD VIII .....</b>	<b>6 690 800</b>
<b>Total Vote II .....</b>	<b>48 533 900</b>
<b>VOTE III — EXPENDITURE OF THE CONSULTATIVE ASSEMBLY</b>	
<b>HEAD XXIII — Staff</b>	
79 - Salary, allowances and social charges of the Clerk of the Consultative Assembly .....	668 200
80 - Remuneration of permanent staff .....	14 027 000
81 - Staff recruited to fill vacant permanent posts on a temporary basis ....	60 000
82 - Expenses on arrival and departure - home leave .....	135 000
83 - Overtime - allowances for exceptional duties .....	71 000
84 - Remuneration and accessory charges of temporary conference staff ....	9 264 000
85 - Provision for cost-of-living allowance and other adjustments to remuneration .....	1 240 000 <sup>1</sup>
<b>TOTAL HEAD XXIII .....</b>	<b>25 465 200</b>

1. Amount frozen pending a decision by the Committee of Ministers on a pay adjustment.



Details	Appropriation
<b>HEAD XXIV — Special secretariat expenses and other expenses</b>	FF
Sub-heads	
86 - Special secretariat expenses and other expenses .....	734 000
<b>TOTAL HEAD XXIV .....</b>	<b>734 000</b>
<b>HEAD XXV — Supplies, services and other operational expenditure</b>	
87 - Publishing and printing .....	1 420 000
88 - Representational, travelling and subsistence expenses of the President of the Consultative Assembly .....	250 000
89 - Expenditure pertaining to the Private Office of the President of the Consultative Assembly .....	143 000
90 - Representational expenditure, other official expenditure and travelling expenses of members of the Consultative Assembly .....	280 000
91 - Official journeys .....	720 000
92 - Consultation of experts .....	610 000
93 - Organisation of <i>ad hoc</i> conferences .....	520 000
94 - Other expenditure not specifically provided for in this vote .....	62 000
95 - Europe Prizes .....	95 000
<b>TOTAL HEAD XXV .....</b> (budgetary package)	<b>4 100 000<sup>1</sup></b>
<b>Total Vote III .....</b>	<b>30 299 200</b>
<b>VOTE IV — OPERATIONAL EXPENDITURE OF THE EUROPEAN COURT AND COMMISSION OF HUMAN RIGHTS</b>	
<b>HEAD XXVI — Expenses of the Court</b>	
96 - Travel expenses and daily allowances of judges .....	3 058 000
97 - Official, representational and miscellaneous expenses .....	120 000
98 - Legal expenses and legal aid .....	63 000
99 - Publications .....	364 500
100 - Official journeys .....	72 000
101 - Temporary staff and other session expenditure .....	510 000
<b>TOTAL HEAD XXVI .....</b>	<b>4 187 500</b>
<b>HEAD XXVII — Expenses of the Commission</b>	
102 - Travel expenses and allowances .....	3 347 000
103 - Official and representational expenses .....	100 000
104 - Legal expenses .....	80 000
105 - Legal aid .....	253 000
106 - Official journeys .....	95 000
107 - Temporary staff and other expenditure .....	650 000
<b>TOTAL HEAD XXVII .....</b>	<b>4 525 000</b>
<b>Total Vote IV .....</b>	<b>8 712 500</b>

1. Provisional allocation subject to the approval of the Commission of the Budget and the Intergovernmental Work Programme and of the Bureau of the Assembly.

Details	Appropriation
<b>VOTE V — EXPENDITURE OF THE STANDING CONFERENCE OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE</b>	FF
<i>HEAD XXVIII — Travel and subsistence for members of the Standing Conference of Local and Regional Authorities of Europe</i>	
Sub-heads	
108 - Travelling and subsistence expenses of members of the Standing Conference .....	996 000
109 - Meeting and liaison costs of members of committees and the Bureau ...	1 400 000
110 - Representational and travelling expenses of the President of the Standing Conference .....	40 000
<b>TOTAL HEAD XXVIII .....</b>	<b>2 436 000</b>
<i>HEAD XXIX — Other expenditure</i>	
111 - Temporary staff .....	1 000 000
112 - Fees and incidental charges of consultants .....	51 000
113 - Official journeys .....	106 000
114 - Printing .....	37 000
115 - Grant for intermunicipal exchanges .....	t.e.
116 - Symposia .....	92 500
117 - Sundry expenditure .....	t.e.
<b>TOTAL HEAD XXIX .....</b>	<b>1 286 500</b>
<b>Total Vote V .....</b>	<b>3 722 500</b>
<b>VOTE VI — SUNDRY INSTITUTIONAL EXPENDITURE</b>	
<i>HEAD XXX — Social Charter</i>	
118 - Travelling expenses and subsistence allowances for government representatives - Fees and travelling expenses for independent experts on the Social Charter .....	779 500
119 - Temporary staff .....	225 500
<b>TOTAL HEAD XXX .....</b>	<b>1 005 000</b>
<i>HEAD XXXI — European Convention, Code and Protocol on Social Security</i>	
120 - Committee of Experts on Social Security and Working Party .....	242 500
121 - Fees to ILO and other consultants .....	272 500
122 - Temporary staff .....	—
<b>TOTAL HEAD XXXI .....</b>	<b>515 000</b>
<b>Total Vote VI .....</b>	<b>1 520 000</b>

Details	Appropriation
<b>VOTE VII — ADMINISTRATIVE EXPENDITURE OF THE EUROPEAN YOUTH FOUNDATION</b>	FF
<i>HEAD XXXII — European Youth Foundation</i>	
Sub-heads	
123 - Remuneration of permanent staff .....	1 342 000
124 - Remuneration and ancillary charges in respect of temporary staff .....	170 500
125 - Travelling and subsistence expenses of members of the controlling bodies .....	296 500
126 - Expenditure on equipment and supplies, communications and publications .....	80 000
127 - Official journeys .....	60 000
128 - Official and representational expenses of the Chairman of the Governing Board .....	9 000
<b>TOTAL HEAD XXXII/Vote VII .....</b>	<b>1 958 000</b>
<b>VOTE VIII — EXCEPTIONAL EXPENDITURE</b>	
129 - Exceptional expenditure .....	1 773 500
<b>Total Vote VIII .....</b>	<b>1 773 500</b>

## B. BUDGET OF RECEIPTS

Details	Estimates
Sub-heads	FF
1 - French Social Security reimbursements .....	1 000 000
2 - Sale of used furniture and equipment .....	20 000
3 - Sale of publications and copyright .....	440 000
4 - Bank interest .....	11 500 000
5 - Recoveries .....	6 281 000
6 - Sundry receipts .....	50 000
7 - Proceeds of the exceptional levy on staff salaries .....	1 100 000
8 - Member states' contributions .....	323 674 100
<b>Total .....</b>	<b>344 065 100</b>

## C. EUROPEAN YOUTH CENTRE

### i. Budget of expenditure

Details	Appropriation
	<b>FF</b>
<i>HEAD I — Operational expenditure</i>	
Sub-heads	
1 - Remuneration of permanent staff assigned to the Centre's Secretariat . . . .	5 355 000
2 - Temporary staff . . . . .	81 000
3 - Equipment and supplies, upkeep of buildings, communications . . . . .	1 298 000
4 - Official journeys . . . . .	87 500
5 - Sundry and unforeseen expenditure . . . . .	17 500
<i>TOTAL HEAD I . . . . .</i>	<i>6 839 000</i>
<i>HEAD II — Programme expenditure</i>	
6 - Meetings . . . . .	479 000
7 - Fees and travelling expenses for consultants . . . . .	37 800
8 - Temporary teaching staff and interpretation . . . . .	2 237 500
9 - Students' expenses . . . . .	4 050 500
10 - Publications and documentation . . . . .	146 000
11 - Hire of educational equipment . . . . .	141 000
12 - Entertainment . . . . .	18 500
13 - Contributions to language courses . . . . .	78 000
<i>TOTAL HEAD II . . . . .</i>	<i>7 188 300</i>
<i>HEAD III — Other programme expenditure</i>	
14 - Refundable expenditure (board, lodging and general expenses) . . . . .	90 000
<i>TOTAL HEAD III . . . . .</i>	<i>90 000</i>
<i>TOTAL . . . . .</i>	<i>14 117 300</i>

### ii. Budget of receipts

Details	Estimates
Sub-heads	<b>FF</b>
1 - Registration fees . . . . .	242 000
2 - Income specially earmarked . . . . .	15 000
3 - Board and lodging . . . . .	152 000
4 - Other receipts . . . . .	50 000
5 - Contribution from the general budget . . . . .	13 658 300
<i>TOTAL . . . . .</i>	<i>14 117 300</i>

**D. APPORTIONMENT OF CONTRIBUTIONS AMONG MEMBER STATES**  
**FOR THE FINANCIAL YEAR 1985**  
**FOR THE ORDINARY BUDGET**

Member states	Contributions	
	%	Amount
		FF
Iceland .....	0.12	388 408,92
Liechtenstein .....	0.12	388 408.92
Malta .....	0.12	388 408.92
Cyprus.....	0.12	388 408.92
Luxembourg.....	0.12	388 408.92
Ireland .....	0.84	2 718 862.44
Norway .....	1.49	4 822 744.09
Portugal .....	1.66	5 372 990.06
Greece.....	1.90	6 149 807.90
Denmark .....	2.05	6 635 319.05
Austria .....	2.29	7 412 136.89
Switzerland.....	2.69	8 706 833.29
Belgium .....	2.78	8 998 139.98
Sweden .....	3.15	10 195 734.15
Netherlands .....	3.50	11 328 593.50
Turkey .....	3.76	12 170 146.16
Spain.....	6.37	20 618 040.17
France.....	16.73	54 150 676.93
United Kingdom.....	16.73	54 150 676.93
Italy.....	16.73	54 150 676.93
Federal Republic of Germany.....	16.73	54 150 676.93
	100.00	323 674 100.00



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 28

#### **CONCERNING THE EXTRAORDINARY BUDGET FOR 1985 FOR ANNUAL REPAYMENTS ON LOANS CONTRACTED FOR THE CONSTRUCTION OF THE NEW BUILDING**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 38.b and c of the Statute of the Council of Europe ;

Having regard to Articles 3, 6, 8, 9, 10, 20, 23 and 28 of the Financial Regulations ;

Having regard to Resolution (71) 1 of 20 January 1971 specifying the apportionment of repayment charges among member states in respect of the loan for the construction of the new building, as modified by Resolutions (74) 42 of 12 December 1974, (76) 45 of 12 November 1976, (77) 48 of 12 December 1977 and (78) 51 of 16 November 1978 ;

Having regard to the draft extraordinary budget submitted by the Secretary General for 1985 (Doc. CM (84) 176, Part 2) ;

Having regard to the Budget Committee's report of 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The extraordinary budget for 1985, with expenditure and receipts totalling 26 379 500 FF as shown in the appended Tables A and B, is hereby approved.
2. The apportionment among states, as shown in the appended Table C, of the sum of 23 847 500 FF representing the contributions to be paid by member states for 1985 is hereby approved.

**EXTRAORDINARY BUDGET**  
**FOR ANNUAL REPAYMENTS ON LOANS CONTRACTED**  
**FOR CONSTRUCTING THE NEW BUILDING**

Financial year 1985

**SUMMARY TABLES**

**A. Budget of expenditure**

Details	Appropriation
	FF
Sub-head 1 - Annual repayment of loans .....	26 379 500
Total.....	26 379 500

**B. Budget of receipts**

Details	Estimates
	FF
Sub-head 1 - Contributions by member states .....	23 847 500
Sub-head 2 - Rent of premises and equipment .....	2 532 000
Total.....	26 379 500



### C. Contributions of member states

Member states	Share percentage	Amount payable
		FF
Iceland.....	0.08	19 078.00
Liechtenstein.....	0.05	11 923.75
Luxembourg.....	0.08	19 078.00
Malta.....	0.06	14 308.50
Cyprus.....	0.08	19 078.00
Ireland.....	1.07	255 168.25
Norway.....	1.39	331 480.25
Denmark.....	1.39	331 480.25
Switzerland.....	3.55	846 586.25
Austria.....	1.39	331 480.25
Portugal.....	1.39	331 480.25
Sweden.....	3.83	913 359.25
Greece.....	1.39	331 480.25
Belgium.....	3.67	875 203.25
Netherlands.....	3.83	913 359.25
Turkey.....	1.32	314 787.00
Spain.....	3.83	913 359.25
France.....	20.53	4 895 891.75
Italy.....	15.67	3 736 903.25
United Kingdom.....	17.70	4 221 007.50
Federal Republic of Germany.....	17.70	4 221 007.50
Total.....	100.00	23 847 500.00



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 29

#### ON THE PENSIONS BUDGET FOR 1985

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Article 38.b and c of the said Statute ;

Having regard to Articles 3, 6, 8, 9, 10, 19, 20, 23 and 28 of the Financial Regulations ;

Having regard to Resolution (77) 11 of 20 April 1977 approving the Pensions Scheme rules applicable to permanent staff of the Council of Europe ;

Having regard to Resolution (74) 25 of 28 June 1974 fixing the scale of contributions of member states to the general budget of the Council of Europe, last modified by Resolution (84) 8 of 19 October 1984 ;

Having regard to the draft pensions budget for 1985 submitted by the Secretary General (Doc. CM (84) 176, Part 3) ;

Having regard to the Budget Committee's report of 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The pensions budget for 1985 with expenditure and receipts totalling 29 053 000 FF divided into heads and sub-heads according to Tables A and B appended hereto, is hereby approved.
2. The amount to be paid by member states by way of their contributions for 1985 comes to 18 333 000 FF. This amount shall be apportioned among member states according to Table C appended hereto.

## PENSIONS BUDGET

Financial year 1985

### A. Budget of expenditure

Sub-head	Details	Amount
	<b>Part I</b>	<b>FF</b>
	<i>Head I - Pensions</i>	
1	Retirement pensions .....	13 412 000
2	Invalidity pensions .....	4 251 000
3	Survivors' pensions .....	3 830 000
4	Orphans or dependants' pensions .....	457 000
5	Family allowances .....	954 000
	Total Head I .....	22 904 000
	<i>Head II - Leaving allowances</i>	
6	Severance grants .....	1 850 000
7	Refund of personal contributions .....	850 000
	Total Head II .....	2 700 000
	<i>Head III - Provisions</i>	
8	Adjustment of benefits .....	1 140 000 <sup>1</sup>
	Total Part I .....	26 744 000
	<b>Part II</b>	
9	<i>Head IV - Tax indemnities</i> .....	2 309 000
	Total Part II .....	2 309 000
	<b>TOTAL</b> .....	<b>29 053 000</b>

### B. Budget of receipts

Sub-head	Details	Estimates
		<b>FF</b>
1	Staff members' contributions to the pension scheme .....	10 650 000
2	Contributions to make previous service reckonable for benefits	50 000
3	Sundry receipts .....	20 000
4	Contribution by states .....	18 333 000
	<b>TOTAL</b> .....	<b>29 053 000</b>

1. Amount frozen pending a decision by the Committee of Ministers on a benefits adjustment.

### C. Contributions of member states

Member states	Contributions			
	Financing of Part I of the budget		Financing of Part II of the budget	Total
	Percentage	Amount	Amount	
		FF	FF	FF
Iceland	0.12	19 228.80	—	19 228.80
Liechtenstein	0.12	19 228.80	—	19 228.80
Malta	0.12	19 228.80	—	19 228.80
Cyprus	0.12	19 228.80	—	19 228.80
Luxembourg	0.12	19 228.80	—	19 228.80
Ireland	0.84	134 601.60	—	134 601.60
Norway	1.49	238 757.60	—	238 757.60
Portugal	1.66	265 998.40	—	265 998.40
Greece	1.90	304 456.00	—	304 456.00
Denmark	2.05	328 492.00	—	328 492.00
Austria	2.29	366 949.60	—	366 949.60
Switzerland	2.69	431 045.60	—	431 045.60
Belgium	2.78	445 467.20	101 000	546 467.20
Sweden	3.15	504 756.00	—	504 756.00
Netherlands	3.50	560 840.00	—	560 840.00
Turkey	3.76	602 502.40	—	602 502.40
Spain	6.37	1 020 728.80	—	1 020 728.80
France	16.73	2 680 815.20	1 694 000	4 374 815.20
Italy	16.73	2 680 815.20	197 000	2 877 815.20
United Kingdom	16.73	2 680 815.20	161 000	2 841 815.20
Fed. Rep. of Germany	16.73	2 680 815.20	156 000	2 836 815.20
Total	100,00	16 024 000.00	2 309 000	18 333 000.00



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 30

#### CONCERNING THE PARTIAL AGREEMENT IN THE SOCIAL AND PUBLIC HEALTH FIELD 1985 BUDGET

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the states parties to the Partial Agreement in the Social and Public Health Field,<sup>1</sup>

Having regard to Resolution (59) 23 of 16 November 1959 establishing a Partial Agreement in the Social and Public Health Field ;

Having regard to Articles 19, 21 and 28 of the Financial Regulations ;

Having regard to Resolution (74) 25 of 28 June 1974 fixing the scale of contributions of member states to the budget of the Partial Agreement in the Social and Public Health Field, as amended by Resolution (84) 9 of 19 October 1984 ;

Having regard to the draft budget for 1985 submitted by the Secretary General (Doc. CM (84) 176, Part 4) ;

Having regard to the report of the Budget Committee dated 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The budget of expenditure for 1985, totalling 4 856 000 FF and divided into heads and sub-heads according to Table A appended hereto and the budget of receipts totalling 4 856 000 FF according to Table B appended hereto are hereby approved.
2. Approval is hereby given to the apportionment, among the states which are parties to the Partial Agreement in the Social and Public Health Field, of the contributions for 1985, totalling 4 660 000 FF as shown in Table C appended hereto.

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1. Concerns the following states : Belgium, France, Federal Republic of Germany, Italy, Luxembourg, Netherlands and United Kingdom.

**BUDGET OF THE PARTIAL AGREEMENT IN THE SOCIAL  
AND PUBLIC HEALTH FIELD**

Financial year 1985

**A. Budget of expenditure**

Sub-head	Details	Appropriation
		FF
	<i>Head I - Staff</i>	
1	Salary, allowances and social charges in respect of permanent staff ...	2 632 000
2	Non-periodical reimbursements and allowances to permanent staff ....	35 000
3	Remuneration and accessory charges in respect of temporary staff ....	900 000
4	Cost-of-living allowances and other adjustments to remuneration .....	180 000 <sup>1</sup>
	Total Head I .....	3 747 000
	<i>Head II - Other expenditure</i>	
5	Official journeys .....	148 500
6	Printing .....	72 000
7	Consultants' travel and subsistence expenses and fees .....	12 000
8	Sundry expenditure .....	—
	Total Head II .....	232 500
	<i>Head III - Refund to the general budget</i>	
9	Fixed contribution .....	876 500
	Total .....	4 856 000

**B. Budget of receipts**

Sub-head	Details	Estimates
		FF
1	Sale of publications and copyright .....	40 000
2	Sundry receipts .....	5 000
3	Proceeds of the exceptional levy on staff salaries .....	19 000
4	Participation of non-member states in Partial Agreement activities .....	132 000
5	Contribution from states .....	4 660 000
	Total .....	4 856 000

1. Amount frozen pending a decision by the Committee of Ministers on a pay adjustment.



**C. Contributions of participating states**

Participating states	Share percentage	Amount payable
		FF
Luxembourg.....	0.20	9 320.00
Belgium.....	4.35	202 710.00
Netherlands .....	5.49	255 834.00
France.....	22.49	1 048 034.00
Italy.....	22.49	1 048 034.00
United Kingdom .....	22.49	1 048 034.00
Federal Republic of Germany .....	22.49	1 048 034.00
Total.....	100.00	4 660 000.00



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 31

#### CONCERNING THE EUROPEAN PHARMACOPOEIA 1985 BUDGET

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the states parties to the Convention on the Elaboration of a European Pharmacopoeia,<sup>1</sup>

Having regard to Articles 19, 21 and 28 of the Financial Regulations ;

Having regard to Resolution (74) 25 of 28 June 1974, as last amended by Resolution (84) 10 of 19 October 1984 fixing the scale of states' contributions to the budget of the European Pharmacopoeia ;

Having regard to the draft budget for 1985 submitted by the Secretary General (Doc. CM (84) 176, Part 5) ;

Having regard to the report of the Budget Committee dated 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The budget of expenditure for 1985, totalling 9 325 500 FF and divided into heads and sub-heads according to Table A appended hereto, and the budget of receipts totalling 9 325 500 FF according to Table B appended hereto are hereby approved.
2. Approval is hereby given to the apportionment, among the states signatory to the Convention, of the contributions for 1985 totalling 8 505 500 FF according to Table C appended hereto.

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1. States concerned : Austria, Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland and United Kingdom.

# BUDGET OF THE EUROPEAN PHARMACOPOEIA

Financial year 1985

## A. Budget of expenditure

Sub-head	Details	Appropriation
		FF
	<i>Head I - Staff</i>	
1	Salary, allowances and social charges in respect of permanent staff ...	5 567 000
2	Non-periodical reimbursements and allowances to permanent staff....	61 000
3	Remuneration and accessory charges in respect of temporary staff ....	690 000
4	Provision for cost-of-living increase and other adjustments to remuneration.....	312 000 <sup>1</sup>
	Total Head I.....	6 630 000
	<i>Head II - Other expenditure</i>	
5	Official journeys.....	45 000
6	Equipment and supplies .....	670 000
7	Analyses expenses.....	t.e.
8	Travelling, subsistence and representational expenses of the Chairman of the Commission .....	29 000
9	Publications.....	t.e.
10	Sundry expenditure .....	4 000
	Total Head II .....	748 000
	<i>Head III - Refund to the general budget</i>	
11	Fixed contribution .....	1 947 500
	Total.....	9 325 500

## B. Budget of receipts

Sub-head	Details	Estimates
		FF
1	Sale of publications and copyright .....	175 000
2	Proceeds from the sale of reference substances .....	600 000
3	Sundry receipts .....	10 000
4	Proceeds of the exceptional levy on staff salaries .....	35 000
5	Contribution from states .....	8 505 500
	Total.....	9 325 500

1. Amount frozen pending a decision by the Committee of Ministers on a pay adjustment.

### C. Contributions of states

States	Share percentage	Amount payable
		FF
<i>Member states of the Council of Europe</i>		
Iceland .....	0.20	17 011.00
Luxembourg.....	0.20	17 011.00
Cyprus .....	0.20	17 011.00
Ireland .....	0.97	82 503.35
Norway .....	1.76	149 696.80
Denmark .....	2.26	192 224.30
Greece.....	2.28	193 925.40
Austria .....	2.52	214 338.60
Switzerland .....	2.97	252 613.35
Belgium .....	3.19	271 325.45
Sweden .....	3.61	307 048.55
Netherlands .....	4.11	349 576.05
France.....	18.53	1 576 069.15
United Kingdom.....	18.53	1 576 069.15
Italy.....	18.53	1 576 069.15
Federal Republic of Germany.....	18.53	1 576 069.15
	98.39	8 368 561.45
<i>Non-member state of the Council of Europe</i>		
Finland .....	1.61	136 938.55
	100.00	8 505 500.00



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 32

#### CONCERNING THE PARTIAL AGREEMENT ON THE RESETTLEMENT FUND 1985 BUDGET

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the states of the Council of Europe which are members of the Resettlement Fund,<sup>1</sup>

Having regard to Resolution (56) 9 on the adoption of the Statute of the Council of Europe Resettlement Fund for National Refugees and Over-Population in Europe ;

Having regard to Articles 19, 21 and 28 of the Financial Regulations ;

Having regard to Resolution (74) 25 of 28 June 1974 fixing the scale of contributions of member states to the Partial Agreement on the Resettlement Fund budget, as last amended by Resolution (84) 11 of 19 October 1984 ;

Having regard to the draft budget for 1985 submitted by the Secretary General (Doc. CM (84) 176, Part 6) ;

Having regard to the report of the Budget Committee dated 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The budget of expenditure for 1985, totalling 1 990 500 FF and divided into heads and sub-heads according to Table A appended hereto, and the budget of receipts totalling 1 990 500 FF according to Table B appended hereto are hereby approved.
2. Approval is hereby given to the apportionment, among the states which are members of the Partial Agreement on the Resettlement Fund, of the contributions for 1985 totalling 1 984 000 FF according to Table C appended hereto.

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1. States concerned : Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and Turkey.

**BUDGET OF THE PARTIAL AGREEMENT  
ON THE RESETTLEMENT FUND**

Financial year 1985

**A. Budget of expenditure**

Sub-head	Details	Appropriation
		FF
	<i>Head I - Staff</i>	
1	Salary, allowances and social charges in respect of permanent staff .....	1 069 000
2	Non-periodical reimbursements and allowances to permanent staff....	7 000
3	Remuneration and accessory charges in respect of temporary staff ....	355 000
4	Provision for cost-of-living and other adjustments to remuneration ....	70 000 <sup>1</sup>
	Total Head I .....	1 501 000
	<i>Head II - Other expenditure</i>	
5	Official journeys .....	100 000
6	Printing .....	t.e.
7	Sundry expenditure .....	t.e.
	Total Head II .....	100 000
	<i>Head III - Refund to general budget</i>	
8	Fixed contribution .....	389 500
	Total .....	1 990 500

**B. Budget of receipts**

Sub-head	Details	Estimates
		FF
1	Sundry receipts .....	t.e.
2	Proceeds of the exceptional levy on staff salaries .....	6 500
3	Contribution from participating states .....	1 984 000
	Total .....	1 990 500

1. Amount frozen pending a decision by the Committee of Ministers on a pay adjustment.



### C. Contributions of participating states

Participating states	Share percentage	Amount payable
		FF
<i>Member states of the Council of Europe</i>		
Liechtenstein .....	0.25	4 958.94
Iceland .....	0.25	4 958.94
Luxembourg .....	0.25	4 958.94
Malta .....	0.25	4 958.94
Cyprus .....	0.25	4 958.94
Portugal .....	2.03	40 266.57
Norway .....	2.05	40 663.29
Greece .....	2.33	46 217.30
Denmark .....	2.56	50 779.52
Switzerland .....	3.33	66 053.05
Belgium .....	3.35	66 449.76
Sweden .....	3.86	76 565.99
Netherlands .....	4.29	85 095.37
Turkey .....	4.59	91 046.09
Spain .....	7.75	153 727.06
France .....	20.87	413 972.10
Italy .....	20.87	413 972.10
Federal Republic of Germany .....	20.87	413 972.10
	100.00	1 983 575.00
<i>Non-member state of the Council of Europe</i>		
Holy See .....	— (\$50)	425.00
	100.00	1 984 000.00



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION (84) 33

#### CONCERNING THE PARTIAL AGREEMENT ON THE CO-OPERATION GROUP TO COMBAT DRUG ABUSE AND ILLICIT TRAFFICKING IN DRUGS (POMPIDOU GROUP) 1985 BUDGET

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe, and with membership restricted to the Representatives of the states of the Council of Europe which will be members of the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group) on 1 January 1985,<sup>1</sup>

Having regard to Resolution (80) 2 of 27 March 1980 setting up a Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group) ;

Having regard to Articles 19, 21 and 28 of the Financial Regulations ;

Having regard to Resolution (80) 12 of 17 September 1980 fixing the scale of contributions of member states to the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group) as amended by Resolution (84) 25 of 30 November 1984 ;

Having regard to the draft budget for 1985 submitted by the Secretary General (Doc. CM (84) 176, Part 7) ;

Having regard to the report of the Budget Committee dated 24 October 1984 (Doc. CM (84) 218),

Resolves as follows :

1. The budget of expenditure for 1985 totalling 1 697 000 FF and divided into heads and sub-heads according to Table A appended hereto, and the budget of receipts totalling 1 697 000 FF according to Table B appended hereto, are hereby approved.
2. Approval is hereby given to the apportionment, among the states which are members of the Partial Agreement on the Co-operation Group to combat drug abuse and illicit trafficking in drugs (Pompidou Group), of the contributions for 1985 totalling 1 691 500 FF according to Table C appended hereto.

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1. States concerned : Belgium, Denmark, France, Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Turkey and United Kingdom.

**BUDGET OF THE PARTIAL AGREEMENT  
ON THE CO-OPERATION GROUP TO COMBAT DRUG ABUSE  
AND ILLICIT TRAFFICKING IN DRUGS  
(POMPIDOU GROUP)**

Financial year 1985

**A. Budget of expenditure**

Sub-head	Details	Appropriation
		FF
	<i>Head I - Staff</i>	
1	Salary, allowances and social charges in respect of permanent staff .....	1 002 000
2	Non-periodical reimbursements and allowances to permanent staff ....	17 000
3	Remuneration and accessory charges in respect of temporary staff ....	208 000
4	Provision for cost-of-living and other adjustments to remuneration ....	58 000 <sup>1</sup>
	Total Head I .....	1 285 000
	<i>Head II - Other expenditure</i>	
5	Official journeys .....	61 000
6	Consultants .....	13 500
7	Fellowships .....	45 500
8	Printing .....	t.e.
9	Sundry expenditure .....	t.e.
	Total Head II .....	120 000
	<i>Head III - Refund to general budget</i>	
10	Fixed contribution .....	292 000
	Total .....	1 697 000

**B. Budget of receipts**

Sub-head	Details	Estimates
		FF
1	Sundry receipts .....	t.e.
2	Proceeds of the exceptional levy on staff salaries .....	5 500
3	Contributions from participating states .....	1 691 500
	Total .....	1 697 000

1. Amount frozen pending a decision by the Committee of Ministers on a pay adjustment.

### C. Contributions of participating states

Participating states	Share percentage	Amount payable
		FF
Luxembourg .....	0.20	3 383.00
Ireland .....	0.78	13 193.70
Norway .....	1.62	27 402.30
Portugal .....	1.76	29 770.40
Denmark .....	1.93	32 645.95
Greece .....	2.02	34 168.30
Belgium .....	2.90	49 053.50
Sweden .....	3.34	56 496.10
Netherlands .....	3.72	62 923.80
Turkey .....	3.99	67 490.85
Spain .....	6.74	114 007.10
France .....	17.75	300 241.25
United Kingdom .....	17.75	300 241.25
Italy .....	17.75	300 241.25
Federal Republic of Germany .....	17.75	300 241.25
Total .....	100.00	1 691 500.00



# **HUMAN RIGHTS RESOLUTIONS**

## **(DH)**





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION DH (84) 1

#### CONCERNING THE JUDGMENT OF THE EUROPEAN COURT OF HUMAN RIGHTS OF 25 APRIL 1983 IN THE PAKELLI CASE

*(Adopted by the Committee of Ministers on 26 January 1984  
at the 366th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 54 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the Convention"),

Having regard to the judgment of the European Court of Human Rights in the Pakelli case, delivered on 25 April 1983 and transmitted the same day to the Committee of Ministers ;

Recalling that this case had its origin in an application against the Federal Republic of Germany, lodged on 5 October 1978 with the European Commission of Human Rights under Article 25 of the Convention, by a Turkish national, Mr Lütfü Pakelli, claiming to be the victim of a violation of Article 6, paragraphs 1 and 3.c of the Convention, alleging that he had lacked the means to pay for a defence counsel of his own choosing and that the interests of justice required that a lawyer should have been appointed to represent him at the hearing before the Federal Court ;

Recalling that this case had been brought before the Court by the European Commission of Human Rights and by the Government of the Federal Republic of Germany ;

Whereas in its judgment of 25 April 1983, the Court unanimously :

- Holds that there has been a violation of paragraph 3.c of Article 6 of the Convention ;
- Holds that it is not necessary also to examine the case under paragraph 1 of Article 6 ;
- Holds that the respondent state is to pay to the applicant, in respect of legal costs and expenses, the sum of six hundred and sixty-eight German marks and ninety-six pfennigs (668,96 DM) and rejects the remainder of the claim for just satisfaction ;

Having regard to the "Rules concerning the application of Article 54 of the Convention" ;

Having invited the Government of the Federal Republic of Germany to inform it of the measures which had been taken in consequence of the judgment, having regard to its obligations under Article 53 of the Convention to abide by the judgment ;

Whereas, during the examination of this case by the Committee of Ministers, the Government of the Federal Republic of Germany informed the Committee of the measures taken in consequence of the judgment of 25 April 1983, this information being summarised in the appendix to this resolution ;

Having satisfied itself that the Government of the Federal Republic of Germany has paid to the applicant the just satisfaction granted by the Court in its judgment of 25 April 1983,

Declares, having taken note of the information supplied by the Government of the Federal Republic of Germany, that it has exercised its functions under Article 54 of the Convention in this case.

**Appendix to Resolution DH (84) 1**

**Information provided by the Government of the  
Federal Republic of Germany during the examination of the  
Pakelli case by the Committee of Ministers**

Following the judgment delivered by the European Court of Human Rights on 25 April 1983, the Government of the Federal Republic of Germany has paid to the applicant the amount of compensation assessed in respect of legal costs and expenses. With the consent of the applicant the amount of 668,96 DM was paid to him in Turkish currency, namely 56 995 Turkish Lira, on 3 June 1983, by the Consulate General of the Federal Republic of Germany in Istanbul.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION DH (84) 2

#### **ELECTION OF MEMBERS OF THE EUROPEAN COMMISSION OF HUMAN RIGHTS**

*(Adopted by the Committee of Ministers on 17 May 1984  
at the 372nd meeting of the Ministers' Deputies)*

The Committee of Ministers,

Having regard to Articles 19, 20, 21 and 22 of the Convention for the Protection of Human Rights and Fundamental Freedoms ;

Considering that the terms of office of the members of the European Commission of Human Rights elected in respect of Austria, Belgium, Denmark, the Federal Republic of Germany, the Netherlands, Norway, Portugal, Spain and the United Kingdom expire on 17 May 1984 ;

Having regard to the list of candidates for vacant seats drawn up by the Bureau of the Consultative Assembly, in accordance with Article 21, paragraph 1, of the convention, on the proposal of the Representatives to the Assembly of Austria, Belgium, Denmark, the Federal Republic of Germany, the Netherlands, Norway, Portugal, Spain and the United Kingdom, and transmitted to the Chairman of the Committee of Ministers by the President of the Assembly ;

Having voted by secret ballot,

Declares the following candidates elected or re-elected as members of the European Commission of Human Rights with effect from 18 May 1984 for a term of office which will expire on 17 May 1990 :

- Mr Felix Ermacora (in respect of Austria),
- Mr Hugo Vandenberghe (in respect of Belgium),
- Mr Carl Aage Nørgaard (in respect of Denmark),
- Mr Jochen Frowein (in respect of the Federal Republic of Germany),
- Mr Henricus Schermers (in respect of the Netherlands),
- Mrs Gro Hillestad Thune (in respect of Norway),
- Mr Jorge Campinos (in respect of Portugal),
- Mr Juan Antonio Carillo Salcedo (in respect of Spain),
- Mr Alexander Anton (in respect of the United Kingdom).



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION DH (84) 3

#### CONCERNING THE JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS OF 10 DECEMBER 1982 AND 21 NOVEMBER 1983 IN THE CASE OF "FOTI AND OTHERS"

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 54 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the Convention"),

Having regard to the judgments of the European Court of Human Rights in the case of "Foti and Others", delivered on 10 December 1982 and 21 November 1983, and transmitted the same days to the Committee of Ministers ;

Recalling that the case had its origins in four applications against Italy lodged with the European Commission of Human Rights under Article 25 of the Convention by four Italian citizens, MM. Benito Foti, Felice Lentini, Demetrio Cenerini and Giovanni Gulli, the first three applicants alleging the violation of Article 6, paragraph 1, of the Convention because of the transfer of their trial to the Potenza Regional Court, Mr Cenerini the violation of Articles 2, 3, 4 and 5 of the Convention because of ill-treatment he allegedly suffered at the hands of the police and because of his detention in the police station, and Mr Gulli the violation of Article 4, paragraph 1, and Article 6, paragraphs 1 and 2, because of the refusal to authorise his appointment as a guard and because a "reasonable time" had been exceeded ;

Recalling that the case had been brought before the Court by the European Commission of Human Rights ;

Whereas in its judgment of 10 December 1982 the Court :

— Rejects by six votes to one the objection based by the Government on the "*ex officio*" examination of the issue of "reasonable time" within the meaning of Article 6, paragraph 1, in the case of Mr Foti, Mr Lentini and Mr Cenerini ;

— Declares unanimously that the Government is stopped from relying on the rule of exhaustion of domestic remedies ;

— Holds unanimously that there has been a breach of Article 6, paragraph 1, in respect of the four applicants ;

— Holds unanimously that it is not necessary also to examine the case under Article 13 ;

— Holds unanimously that the question of the application of Article 50 is not yet ready for decision and invites the Commission to notify the Court of any settlement at which the Government and the applicants might have arrived ;

Whereas in its judgment of 21 November 1983 the Court unanimously :

- Having taken note of the settlement with regard to Mr Foti and Mr Lentini, decides to strike the case off its list as regards those applicants ;
- Takes formal note of the results obtained in the case of Mr Gulli ;
- Holds that the Italian Republic is to pay :
  - a. to Mr Gulli, in respect of lawyer's fees and expenses, the sum of one million (1 000 000) Lire ;
  - b. to Mr Cenerini, for damage suffered, the sum of ten million (10 000 000) Lire ;
- Rejects the remainder of Mr Gulli's and Mr Cenerini's claims ;

Having regard to the "Rules concerning the application of Article 54 of the Convention" ;

Having invited the Government of Italy to inform it of the measures which had been taken in consequence of the judgments, regarding its obligations under Article 53 of the Convention to abide by the judgments ;

Whereas, during the examination of this case by the Committee of Ministers, the Government of Italy informed the Committee of Ministers of the measures taken in consequence of the judgments ;

Having satisfied itself that the Government of Italy has paid to the applicants the sums in relation to Article 50 of the Convention provided for in the judgment of the Court of 21 November 1983,

Declares, after taking note of the information supplied by the Government of Italy, that it has exercised its function under Article 54 of the Convention in this case.

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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**RESOLUTION DH (84) 4**

**HUMAN RIGHTS**

**APPLICATIONS Nos. 8588/79 AND 8589/79**

**LARS BRAMELID AND ANNE MARIE MALMSTRÖM AGAINST SWEDEN**

*(Adopted by the Committee of Ministers on 25 October 1984  
at the 376th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 32 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the Convention"),

Having regard to the report drawn up by the European Commission of Human Rights in accordance with Article 31 of the Convention relating to the applications lodged by Mr Lars Bramelid and Mrs Anne Marie Malmström against Sweden (Applications Nos. 8588/79 and 8589/79) ;

Whereas on 3 February 1984 the Commission transmitted the said report to the Committee of Ministers and whereas the period of three months provided for in Article 32, paragraph 1, of the Convention has elapsed without the case having been brought before the European Court of Human Rights in pursuance of Article 48 of the Convention ;

Whereas in their applications introduced on 26 February 1979 the applicants complained that they had been compelled to surrender their shares for a price below their real value alleging a breach of Article 1 of the First Protocol to the Convention, that the arbitrators to whom their dispute was referred did not constitute a "tribunal" within the meaning of Article 6, paragraph 1, of the Convention and that they were not afforded an effective remedy before a national authority alleging a breach of Article 13 of the Convention ;

Whereas the Commission, after having declared the applications partly admissible, in its report adopted on 12 December 1983, examined whether the applicants' right under Article 6, paragraph 1, of the Convention to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law was respected, and whether the applicants had an effective remedy before a national authority, as required by Article 13 of the Convention, against the violations of the Convention that they allege ;

Whereas in its report the Commission unanimously expressed the opinion that there had been a violation of Article 6, paragraph 1, of the Convention in so far as the applicants' case was not heard publicly by an independent and impartial tribunal and that it was not necessary to examine the applications under Article 13 of the Convention ;

Agreeing with the opinion expressed by the Commission in accordance with Article 31, paragraph 1, of the Convention ;

Whereas during the examination of this case, the Government of Sweden informed the Committee of Ministers that it accepted the report of the Commission in this case and that the

Swedish Parliament had adopted an amendment to the legislation which had come into force on 1 July 1984 according to which a party not satisfied with a decision of the arbitrators could start a procedure before an ordinary court ;

Noting with satisfaction that Sweden has already amended its legislation in this sense ;

Voting in accordance with the provisions of Article 32, paragraph 1, of the Convention,

*a.* Decides that in this case there has been a violation of Article 6, paragraph 1, of the Convention ;

*b.* Decides, having regard to the information supplied by the Government of Sweden, that no further action is called for in this case.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION DH (84) 5

#### CONCERNING THE JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS OF 15 JULY 1982 AND OF 21 JUNE 1983 IN THE ECKLE CASE

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 54 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the convention"),

Having regard to the judgments of the European Court of Human Rights in the Eckle case, delivered on 15 July 1982 and 21 June 1983 and transmitted the same days to the Committee of Ministers ;

Recalling that the case had its origin in an application against the Federal Republic of Germany lodged with the European Commission of Human Rights under Article 25 of the convention by two German nationals, Mr Hans Eckle and his wife Marianne, in which they claimed that the length of the proceedings brought in Trier, Saarbrücken and Cologne gave rise to a breach of Article 6, paragraph 1, of the convention, Mr Eckle relying on Article 5, paragraph 3, complaining in addition of his detention on remand and both applicants alleging violation of Article 6, paragraph 2, on account of the refusal to reimburse their expenses in the Cologne proceedings ;

Whereas on 10 May 1979 the Commission declared the application admissible as far as the alleged failure to observe the "reasonable time" in the Trier and Cologne cases was concerned and declared the other complaints inadmissible either as being out of time or for non-exhaustion of domestic remedies and whereas in its report adopted on 11 December 1980, the Commission expressed the unanimous opinion that there had been a breach of Article 6, paragraph 1, of the convention ;

Recalling that the case had been brought before the Court by the European Commission of Human Rights ;

Whereas in its judgment of 15 July 1982, the Court unanimously :

— joins to the merits the preliminary plea raised by the Government, but rejects it after an examination on the merits ;

— holds that there has been a breach of Article 6, paragraph 1, of the convention ;

— holds that the question of the application of Article 50 is not ready for decision ;

Whereas in its judgment of 21 June 1983, the Court unanimously :

— holds that the respondent State is to pay to each of the applicants nine thousand, six hundred and forty-one marks and ten pfennigs (9 641,10 DM) in respect of costs and expenses and rejects the remainder of the claims for just satisfaction ;

Having regard to the "Rules concerning the application of Article 54 of the convention" ;

Having invited the Government of the Federal Republic of Germany to inform it of the measures taken in consequence of the judgments, having regard to its obligations under Article 53 of the convention to abide by the judgments ;

Whereas, during the examination of this case by the Committee of Ministers, the Government of the Federal Republic of Germany informed the Committee of Ministers of the measures taken in consequence of the judgments, which information is summarised in the appendix to this resolution,

Declares, after having taken note of the information supplied by the Government of the Federal Republic of Germany, that it has exercised its function under Article 54 of the convention in this case.

Appendix to Resolution DH (84) 5

**Information provided by the Government of the Federal Republic of Germany  
during the examination of the Eckle case before the Committee of Ministers**

In view of the cost claims of the German courts which were determined with final and binding effect, the authorities of the Federal Republic of Germany have levied execution and transferred for execution the sum of 9 641,10 DM awarded to each of the applicants by the judgment of the Court of 21 June 1983, with the effect that the outstanding claims against the applicants are reduced by the amount of the confiscated sums.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION DH (84) 6

#### **CONCERNING THE JUDGMENT OF THE EUROPEAN COURT OF HUMAN RIGHTS OF 9 APRIL 1984 IN THE GODDI CASE**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 54 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the convention"),

Having regard to the judgment of the European Court of Human Rights in the Goddi case, delivered on 9 April 1984 and transmitted the same day to the Committee of Ministers ;

Recalling that the case had its origin in an application against Italy lodged with the European Commission of Human Rights under Article 25 of the convention by an Italian citizen Mr Francesco Goddi, alleging that he had not received a fair hearing because he had not had legal assistance of his own choosing in violation of Article 6, paragraphs 1 and 3.c, of the convention ;

Recalling that this case had been brought before the Court by the European Commission of Human Rights ;

Whereas in its judgment of 9 April 1984 the Court unanimously ;

— holds that there has been a violation of Article 6, paragraph 3.c, of the convention ;

— holds that the respondent State is to pay to the applicant, under Article 50, the sum of five million (5 000 000) Lire ;

Having regard to the "Rules concerning the application of Article 54 of the convention" ;

Having invited the Government of Italy to inform it of the measures which had been taken in consequence of the judgment, having regard to its obligations under Article 53 of the convention to abide by the judgment ;

Whereas, during the examination of this case by the Committee of Ministers, the Government of Italy informed the Committee of the measures taken in consequence of the judgment ;

Having satisfied itself that the Government of Italy has paid to the applicant the sum under Article 50 of the convention provided for in the judgment of the Court of 9 April 1984,

Declares that it has exercised its function under Article 54 of the convention in this case.



# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION DH (84) 7**

#### **CONCERNING THE JUDGMENT OF THE EUROPEAN COURT OF HUMAN RIGHTS OF 22 MAY 1984 IN THE CASE OF "DE JONG, BALJET AND VAN DEN BRINK"**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 54 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the convention"),

Having regard to the judgment of the European Court of Human Rights in the case of "de Jong, Baljet and van den Brink", delivered on 22 May 1984 and transmitted the same day to the Committee of Ministers ;

Recalling that this case had its origin in three applications against the Netherlands lodged in 1979 and in 1980 with the European Commission of Human Rights under Article 25 of the convention by three Dutch nationals, Mr Tjeerd de Jong, Mr Jan Harmen Henricus Baljet and Mr Gerrit van den Brink alleging violation of Article 5, paragraphs 1, 3 and 4, of Article 13, of Article 14 in conjunction with Article 5 and of Article 18 on its own or in conjunction with Article 5 of the convention ;

Recalling that this case had been brought before the Court by the European Commission of Human Rights ;

Whereas in its judgment of 22 May 1984 the Court unanimously :

— Declares that the Government is estopped from relying on the rule of exhaustion of domestic remedies :

- a. in respect of Mr van den Brink ;
- b. in respect of Mr de Jong and Mr Baljet to the extent specified in paragraphs 36 and 37 of the judgment ;

— Rejects the remainder of the objection pleading non-exhaustion of domestic remedies ;

— Rejects the objection that Mr van den Brink could not be regarded as a victim within the meaning of Article 25 ;

— Holds that there has been no breach of paragraph 1 of Article 5 in respect of any of the applicants ;

— Holds that each applicant has been the victim of a breach of paragraphs 3 and 4 of Article 5 ;

— Holds that there has been no breach of Article 14 taken in conjunction with Article 5 ;

— Holds that it is not necessary also to examine the case under Article 13 or Article 18 ;

— Holds that the respondent state is to pay each applicant the sum of three hundred (300) Dutch Guilders under Article 50 ;

Having regard to the "Rules concerning the application of Article 54 of the convention" ;

Having invited the Government of the Netherlands to inform it of the measures which had been taken in consequence of the judgment having regard to its obligation under Article 53 of the convention to abide by the judgment ;

Whereas, during the examination of this case by the Committee of Ministers, the Government of the Netherlands informed the Committee of Ministers of the measures taken in consequence of the judgment, which information appears at the appendix to this resolution ;

Having taken note of this information and having satisfied itself that the Government of the Netherlands has paid to the applicants the sum awarded by the Court under Article 50 of the convention,

Declares that it has exercised its functions under Article 54 of the convention in this case.

#### Appendix to Resolution DH (84) 7

*Information provided by the Government of the Netherlands  
during the examination of the case of "de Jong, Baljet and van den Brink"  
by the Committee of Ministers*

As a consequence of, *inter alia*, the complaints lodged by the above-mentioned applicants, the Netherlands Government has taken the following measures with respect to Article 5, paragraphs 3 and 4, of the convention :

A. In March 1983 the following regulations came into force having been incorporated in the rules governing the application of military penal and disciplinary law as laid down by ministerial order.

The following rules shall apply to military suspects remanded in custody, such as the conscientious objectors in question :

a. The commanding officer may order a serviceman to be remanded or kept in custody only if two conditions are fulfilled :

1. a remand in custody must be admissible in the case in question,
2. there must be grounds for a remand in the case in question.

b. As soon as the grounds on which the remand in custody was ordered or ordered to be continued cease to be applicable, the commanding officer shall order the release of the defendant.

c. If the commanding officer orders the suspect to be taken into or kept in custody, where possible subsequent to having interviewed the suspect or having arranged for the suspect to be interviewed on his behalf, he shall ensure that the military prosecutor is informed of the case by telephone as soon as possible and in any event no later than two days after the warrant of arrest is executed.

d. If the suspect is to appear before the military prosecutor, the commanding officer shall ensure, in consultation with the military prosecutor, that the time and place of the hearing are such that, within four days of the execution of the warrant of arrest :

1. the military prosecutor is able to submit his recommendations to the authority to which the case is to be referred ;

2. the authority to which the case is to be referred may issue a referral order (which shall include a ruling in respect of the arrest) ;

3. the defendant may be heard by the examining officer ;

4. the defendant may appear before a court martial which shall rule at the request of the military prosecutor whether or not to uphold the order of arrest.

B. Bills for the revision of the administration of military justice are currently under consideration by the Lower House of Parliament. One of the proposals is that the provisions governing remands in custody in the Dutch criminal code should also apply to military servicemen.

C. The Government of the Netherlands has paid to the applicants the sum awarded by the European Court of Human Rights under Article 50 of the convention.

# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

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### **RESOLUTION DH (84) 8**

#### **CONCERNING THE JUDGMENT OF THE EUROPEAN COURT OF HUMAN RIGHTS OF 22 MAY 1984 IN THE CASE OF "DUINHOF AND DUIJF"**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 54 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereinafter referred to as "the convention"),

Having regard to the judgment of the European Court of Human Rights in the Duinhof and Duijf case, delivered on 22 May 1984 and transmitted the same day to the Committee of Ministers ;

Recalling that this case had its origin in two applications against the Netherlands lodged in December 1981 and February 1982 with the European Commission of Human Rights under Article 25 of the convention by two Dutch nationals, Mr Bernard Joost Duinhof and Mr Robert Duijf, alleging violation of Article 5, paragraph 3, of the convention ;

Recalling that this case had been brought before the Court by the European Commission of Human Rights and by the Government of the Netherlands ;

Whereas in its judgment of 22 May 1984, the Court unanimously :

— Holds that there has been a violation of Article 5, paragraph 3, in respect of each applicant ;

— Holds that the respondent state is to pay to each applicant the sum of three hundred (300) Dutch Guilders under Article 50 ;

Having regard to the "Rules concerning the application of Article 54 of the convention" ;

Having invited the Government of the Netherlands to inform it of the measures which had been taken in consequence of the judgment having regard to its obligation under Article 53 of the convention to abide by the judgment ;

Whereas, during the examination of this case by the Committee of Ministers, the Government of the Netherlands informed the Committee of the measures taken in consequence of the judgment, which information appears at the appendix to this resolution ;

Having taken note of this information and having satisfied itself that the Government of the Netherlands has paid to the applicants the sum awarded by the Court under Article 50 of the convention,

Declares that it has exercised its functions under Article 54 of the convention in this case.

Appendix to Resolution DH (84) 8

*Information provided by the Government of the Netherlands  
during the examination of the case of "Duinhof and Duijf"  
by the Committee of Ministers*

As a consequence of, *inter alia*, the complaints lodged by the above-mentioned applicants, the Netherlands Government has taken the following measures with respect to Article 5, paragraph 3, of the convention :

A. In March 1983, the following regulations came into force having been incorporated in the rules governing the application of military penal and disciplinary law as laid down by ministerial order.

The following rules shall apply to military suspects remanded in custody, such as the conscientious objectors in question :

a. The commanding officer may order a serviceman to be remanded or kept in custody only if two conditions are fulfilled :

1. a remand in custody must be admissible in the case in question,
2. there must be grounds for a remand in the case in question.

b. As soon as the grounds on which the remand in custody was ordered or ordered to be continued cease to be applicable, the commanding officer shall order the release of the defendant.

c. If the commanding officer orders the suspect to be taken into or kept in custody, where possible subsequent to having interviewed the suspect or having arranged for the suspect to be interviewed on his behalf, he shall ensure that the military prosecutor is informed of the case by telephone as soon as possible and in any event no later than two days after the warrant of arrest is executed.

d. If the suspect is to appear before the military prosecutor, the commanding officer shall ensure, in consultation with the military prosecutor, that the time and place of the hearing are such that, within four days of the execution of the warrant of arrest :

1. the military prosecutor is able to submit his recommendations to the authority to which the case is to be referred ;
2. the authority to which the case is to be referred may issue a referral order (which shall include a ruling in respect of the arrest) ;
3. the defendant may be heard by the examining officer ;
4. the defendant may appear before a court martial which shall rule at the request of the military prosecutor whether or not to uphold the order of arrest.

B. Bills for the revision of the administration of military justice are currently under consideration by the Lower House of Parliament. One of the proposals is that the provisions governing remands in custody in the Dutch criminal code should also apply to military servicemen.

C. The Government of the Netherlands has paid to the applicants the sum awarded by the European Court of Human Rights under Article 50 of the convention.



**PARTIAL AGREEMENT  
RESOLUTIONS  
CONTAINING  
RECOMMENDATIONS  
TO  
GOVERNMENTS  
(AP)**



# **COUNCIL OF EUROPE**

## **COMMITTEE OF MINISTERS**

(PARTIAL AGREEMENT IN THE SOCIAL AND PUBLIC HEALTH FIELD)

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### **RESOLUTION AP (84) 1**

#### **ON ANTIBIOTICS THAT COULD BE INCLUDED IN ANIMAL FEEDSTUFFS TO STIMULATE GROWTH AND ANTIBIOTICS THAT SHOULD ONLY BE USED FOR THERAPEUTIC PURPOSES**

*(Adopted by the Committee of Ministers on 25 January 1984  
at the 366th meeting of the Ministers' Deputies)  
(superseding Resolution AP (77) 2)*

The Representatives on the Committee of Ministers of Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, these states being parties to the Partial Agreement in the social and public health field, and the Representatives of Austria, Denmark, Ireland and Switzerland, states which have participated in the public health activities carried out within the above-mentioned Partial Agreement since 1 October 1974, 2 April 1968, 23 September 1969 and 5 May 1964 respectively,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members, and that this aim may be pursued, amongst others, by common action in the social and public health fields ;

Having regard to the provisions of the Brussels Treaty, signed on 17 March 1948, by virtue of which Belgium, France, Luxembourg, the Netherlands and the United Kingdom of Great Britain and Northern Ireland declared themselves resolved to strengthen the social ties by which they were already united ;

Having regard to the protocol modifying and completing the Brussels Treaty, signed on 23 October 1954 by the signatory states of the Brussels Treaty, on the one hand, and the Federal Republic of Germany and Italy, on the other hand ;

Observing that the seven states parties to the Partial Agreement, which have resumed, within the Council of Europe, the social work hitherto undertaken by the Brussels Treaty Organisation and then by Western European Union, which derived from the Brussels Treaty as modified by the protocol mentioned in the fourth paragraph above, as well as Austria, Denmark, Ireland and Switzerland, who participate in Partial Agreement activities in the field of public health, have always endeavoured to be in the forefront of progress in social matters and also in the associated field of public health, and have for many years undertaken action towards harmonisation of their legislation ;

Having regard to the recommendations on antibiotics that could be included in animal feedstuffs to stimulate growth and antibiotics that should only be used for therapeutic purposes, adopted by the Partial Agreement Public Health Committee on 8 October 1976 and 6 October 1983 ;

Having regard to the fact that the addition of certain antibiotics to animal feedstuffs is useful for stimulating animal growth ;

Considering the dangers which these antibiotics may present to public health if they are not used with the necessary precautions ;

Taking into account the fact that the maximum daily dose allowed in animal feedstuffs varies considerably between the member states ;

Taking the view that each member state which is faced with the need to introduce regulations governing the matter would find it beneficial to harmonise such regulations at European level,

Recommend that the Governments of the seven states parties to the Partial Agreement, as well as the Governments of Austria, Denmark, Ireland and Switzerland :

- a. bring their legislation into conformity with the general principles set out hereafter ;
- b. restrict the use of antibiotics which are added to animal feedstuffs.

#### **General principles**

1. Therapeutic and nutritive uses of antibiotics may cause bacterial resistance, and R-factors in particular. Where this happens there is a danger of rendering antibiotics far less effective in human and animal therapy. The phenomenon of resistance may also be transferred by plasmides from generally saprophytic bacteria to pathogenic bacteria. Therefore :

- a. only those antibiotics which are not absorbed from the intestinal tract should be used ;
- b. antibiotics which can cause a resistance phenomenon in bacteria should not be used in animal feedstuffs for growth promotion purposes ;
- c. studies on transferable resistance in bacteria should be continued ;
- d. research should be recommended and pursued on non-antibiotic growth factors, and studies performed on the possibility of resistance factors transmitted by germs which are sensitive to these products, in particular when they have a well-defined bacteriostatic or bactericidal action.

2. When an antibiotic is administered to animals in doses sufficiently high to be considered to have :

- a. a therapeutic action—the dose levels should be restricted to prescription and administered by or under the control of a veterinarian ;
- b. a prophylactic action—the dose levels should either be restricted to prescription and administered by or under the control of a veterinarian or supplied and administered in accordance with such requirements as may be prescribed by the competent authority.

3. Antibiotics used for human and animal therapy should not be added to animal feedstuffs for growth promotion purposes.

4. Following the administration of antibiotics for both therapeutic and growth promotion purposes, it is necessary to ensure that unacceptable residues of the antibiotic do not persist in food products of animal origin (meat, eggs, milk, etc.). For this purpose, there should be established a maximum dose, and a waiting period after the cessation of therapy or feeding with a growth promotion antibiotic, before the animal's carcass meat, milk or eggs can be considered safe for human consumption.

5. The feedstuffs containing antibiotics for growth promotion purposes should show on their label the nature and concentration of the antibiotic as well as the waiting period after the cessation of feeding with the antibiotic before the carcass meat, milk or eggs can be considered safe for human consumption.

6. The competent authorities should take steps to see that users and veterinarians are instructed on the discriminate use of antibiotics and encourage research on the residues of antibiotics in food products of animal origin at the industrial and retail level.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

(PARTIAL AGREEMENT IN THE SOCIAL AND PUBLIC HEALTH FIELD)

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RESOLUTION AP (84) 2

**ON THE INCLUSION OF PACKAGING LEAFLETS  
IN PHARMACEUTICAL SPECIALITIES AND THE NATURE  
OF THE INFORMATION SHOWN ON SUCH LEAFLETS  
(superseding Resolution AP (74) 7)**

*(Adopted by the Committee of Ministers on 21 June 1984  
at the 374th meeting of the Ministers' Deputies)*

The Representatives on the Committee of Ministers of Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, these states being parties to the Partial Agreement in the social and public health field, and the Representatives of Austria, Denmark, Ireland and Switzerland, states which have participated in the public health activities pursued within the above-mentioned Partial Agreement since 1 October 1974, 2 April 1968, 23 September 1969 and 5 May 1964, respectively,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members and that this aim may be pursued by common action in the social and public health field ;

Having regard to the provisions of the Brussels Treaty, signed on 17 March 1948, by virtue of which Belgium, France, Luxembourg, the Netherlands and the United Kingdom of Great Britain and Northern Ireland declared themselves resolved to strengthen the social ties by which they were already united ;

Having regard to the Protocol modifying and completing the Brussels Treaty, signed on 23 October 1954 by the signatory states of the Brussels Treaty, on the one hand, and the Federal Republic of Germany and Italy, on the other hand ;

Observing that the seven states parties to the Partial Agreement which have continued, within the Council of Europe, the social work hitherto undertaken by the Brussels Treaty Organisation and then by Western European Union, which derived from the Brussels Treaty as modified by the Protocol mentioned in the fourth paragraph above, as well as Austria, Denmark, Ireland and Switzerland, who participate in Partial Agreement activities in the field of public health, have always endeavoured to be in the forefront of progress in social matters and also in the associated field of public health, and have for many years undertaken action towards the harmonisation of their legislation ;

Being aware of the danger to public health deriving from the misuse of medicines in general ;

Having regard to the need, in the interest of public health, to supply users with clear and comprehensive information on the mode of administration, dosage and storage of medicaments placed on the market ;

Taking the view that each member state faced with the need to introduce regulations governing this matter would find it beneficial to harmonise such regulations at European level,

Recommend that the governments of the seven states parties to the Partial Agreement, as well as the Governments of Austria, Denmark, Ireland and Switzerland, bring their national laws into conformity with the provisions set out hereafter :

**Provisions governing the inclusion of packaging leaflets in pharmaceutical specialities  
and the nature of the information shown on such leaflets**

*I. General provisions*

1. Where a packaging leaflet, hereafter referred to as "leaflet", is included with a preparation, its purpose should be to provide information to the user on the mode of administration, the dosage and any necessary precautions concerning the storage of the preparation.
2. Information intended for the prescriber or the pharmacist should not be included as leaflets for the public. However, in those countries where leaflets for the prescriber and the pharmacist may be included in the packaging, precautions should be taken to ensure that such leaflets are not made available to the public.
3. A distinction should be made between the information supplied with medicines available only on a medical prescription and that supplied with medicines which can be sold without a medical prescription.
4. The text of the leaflets should be in accordance with the authorisation to market the product and should be reviewed as necessary by the authority which authorises the sale of the product.
5. The text of the leaflets should apply to the product in question only and reference to any other product should be prohibited unless such reference is necessary to explain the contra-indications, side effects and interactions or the required concurrent use of two preparations makes such reference necessary.

*II. Type of information*

*1. Medicines supplied only on medical prescription*

Leaflets accompanying medicines available only on medical prescription should contain the following information :

- the name of the preparation ;
- the name(s) of the active ingredient(s) expressed as the International Non-Proprietary Name (INN) where such exists ;
- the quantity of active ingredient(s) in each dose or, where necessary, as the percentage in the preparation ;
- the normal recommended dose and mode of administration, together with a statement that the dose may be modified at the discretion of the prescriber ;
- the principal therapeutic indications, when such inclusion is authorised by the competent authorities ;
- any commonly experienced contra-indications, side effects, interactions and essential precautions in use to be taken, when such inclusion is authorised by the competent authority ;
- advice to report any side-reactions to the prescriber or the pharmacist who supplied the medicine, when such inclusion is authorised by the competent authority ;
- any special storage conditions, if necessary ;
- a warning to keep medicines out of the reach of children ;
- the name and address of the holder of the marketing authorisation.

*2. Medicines supplied without medical prescription*

The information on the leaflets accompanying medicines which are available without medical prescription should comply with the regulations concerning the advertising of medicines to the public (Resolution AP (69) 3) and should include the following :

- the name of the preparation ;

- the name(s) of the active ingredient(s) expressed as the International Non-Proprietary Name (INN) where such exists ;

- the quantity of active ingredient(s) in each unit dose or, where appropriate, as a percentage of the preparation ;

- the mode of administration ;

- the usual dosage including, where appropriate, the dosage for children according to age ;

- the appropriate therapeutic indications, but none other than those approved in the authorisation to market the product ;

- any commonly experienced contra-indications, side effects, interactions and the essential precautions in use to be taken ;

- any special storage conditions, if necessary ;

- a warning to keep medicines out of the reach of children ;

- the name and address of the holder of the marketing authorisation ;

- instructions on the duration of treatment without consulting a physician, where necessary.

3. *Medicines supplied on or without a medical prescription*

The following should be prohibited :

- information enabling the patient to draw conclusions as to the nature or seriousness of his illness ;

- the inclusion of X-ray pictures or clinical photographs ;

- statements appealing to fear or tending to arouse fear of serious disease ;

- recommendations and testimonials, especially those purporting to emanate from persons holding qualifications in the medical field ;

- references to or quotations from articles published in texts or journals, medical, scientific or otherwise.





# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

(PARTIAL AGREEMENT IN THE SOCIAL AND PUBLIC HEALTH FIELD)

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### RESOLUTION AP (84) 3

#### ON A COHERENT POLICY FOR THE REHABILITATION OF DISABLED PEOPLE

*(Adopted by the Committee of Ministers on 17 September 1984  
at the 375th meeting of the Ministers' Deputies)*

The Representatives on the Committee of Ministers of Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, the United Kingdom of Great Britain and Northern Ireland, these states being parties to the Partial Agreement in the social and public health field, and the Representatives of Austria, Norway, Switzerland, Spain and Portugal, these states having participated in the activities of the Committee on the Rehabilitation and Resettlement of the Disabled of the above-mentioned Partial Agreement since 11 September 1962, 6 June 1974, 1 January 1975, 15 May 1979 and 2 October 1981 respectively,

Considering that under the terms of its Statute, the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress ;

Having regard to the provisions of the Brussels Treaty, signed on 17 March 1948, by virtue of which Belgium, France, Luxembourg, the Netherlands and the United Kingdom of Great Britain and Northern Ireland declared themselves resolved to strengthen the social ties by which they were already united ;

Having regard to the Protocol modifying and completing the Brussels Treaty, signed on 23 October 1954 by the signatory states of the Brussels Treaty, on the one hand, and the Federal Republic of Germany and Italy, on the other hand ;

Observing that the seven States Parties to the Partial Agreement, which have resumed, within the Council of Europe, the social work hitherto undertaken by the Brussels Treaty Organisation and then by the Western European Union, which derived from the Brussels Treaty as modified by the Protocol mentioned in the fourth paragraph above, as well as Austria, Norway, Switzerland, Spain and Portugal which participate in the activities of the Committee on the Rehabilitation and Resettlement of the Disabled, have always endeavoured to be in the forefront of progress in social matters and also in the field of public health and have for many years undertaken action towards harmonisation of their legislation ;

Considering that in the States Parties to the Partial Agreement as well as in Austria, Norway, Switzerland, Spain and Portugal, legislative authorities and public and private enterprise have agreed to intensify their efforts to achieve the social integration of disabled people ;

Considering that more than 500 million people in the world are disabled as a consequence of physical, mental or sensory impairment ;

Recognising that the rehabilitation of disabled people as a means of securing their integration in working life and society is the duty of the community and a guarantee of respect for human dignity and should be included in their priority objectives in social policy ;

Recalling the principles stated in Article 15 of the European Social Charter : "The right of physically or mentally disabled persons to vocational training, rehabilitation and social resettlement" ;

Considering that failure to protect the rights of and foster opportunities for disabled citizens is an insult to human dignity and represents a heavy financial burden, and owing to this attitude :

- many people are allowed to become unnecessarily dependent and incapable of activity that is economically and socially productive ;

- the remedies to this dependence seem often only financial, whereas, in fact, compensatory benefits for the disability are but one aspect of a policy in favour of disabled people ;

Considering that it is important to ensure an early start to the continuous and comprehensive process of rehabilitation carried out by qualified personnel within a coherent, co-ordinated framework ;

Feeling the need to consolidate all past resolutions of the Brussels Treaty Organisation, of the Western European Union and of the Council of Europe in the field of rehabilitation and resettlement of disabled people,

Recommend that the Governments of the States Parties to the Partial Agreement as well as the Governments of Austria, Norway, Switzerland, Spain and Portugal :

- follow the principles and take into account the measures set out in the appendix to this resolution when drawing up their rehabilitation programmes ;

- ensure a wide distribution of this resolution in public and private circles dealing with the rehabilitation of disabled people ;

Resolve that this resolution replaces the following recommendations and resolutions :

- adopted under the aegis of the Brussels Treaty Organisation : the Recommendation on the policy on the rehabilitation of the disabled, adopted in May 1950 and revised in November 1958 ; the Recommendation on the training of personnel concerned with rehabilitation, adopted in May 1950 and revised in April 1959 ; the Recommendation on the rehabilitation and training of physically disabled children and young persons in relation to their placing in employment, adopted in April 1951 and revised in October 1957 ; the Recommendation on the rehabilitation of the tuberculous, adopted in November 1951 ; the Recommendation on general education, training and employment of the blind, adopted in November 1951 and revised in October 1957 ; the Recommendation on education and training of deaf children, adopted in May 1953 ; the Recommendation on rehabilitation of those suffering from the paralytic sequelae of poliomyelitis, adopted in April 1954 ; the Recommendation on rehabilitation of patients affected by cardiac rheumatism, adopted in October 1954 ; the Recommendation on conditions to be complied with by disabled persons for obtaining driving licences, adopted in October 1954 ; the Recommendation on statistics, adopted in October 1954 ; the Recommendation on the supply and manufacture of artificial limbs, adopted in May 1953 ; the Recommendation on sheltered employment, adopted in April 1955 ; the Recommendation on educational aspects of rehabilitation, adopted in April 1955 ; the Recommendation on the publicity measures designed to facilitate the rehabilitation and resettlement of the disabled, adopted in April 1955 ; the Recommendation on the rehabilitation and resettlement of epileptics, adopted in April 1955 and revised in October 1957 ;

- adopted under the aegis of the Western European Union : the Recommendation on the rehabilitation of the mentally disordered, adopted in September 1955 and revised in May 1960 ; the Recommendation on specialised transport for amputees and paraplegics, adopted in September 1955 ; the Recommendation on placing services for the disabled, adopted in April 1957 ; the Recommendation on means of locating disabled persons who, although in need of rehabilitation, have not so far had access to modern methods of treatment and training, adopted in May 1958 ; the Recommendation on the planning and equipment of public buildings with a view to making them more easily accessible to the physically handicapped, adopted in April 1959 ; the Recommendation on the rehabilitation of those suffering from brain injuries, adopted in May 1960 ;

- adopted under the aegis of the Council of Europe : Resolutions AP (60) 2, AP (63) 1, AP (63) 2, AP (65) 1, AP (66) 1, AP (66) 3, AP (66) 4, AP (66) 5, AP (67) 1, AP (67) 2, AP (69) 4, AP (70) 2, AP (71) 2, AP (72) 2, AP (72) 3, AP (72) 4, AP (72) 5, AP (73) 1, AP (74) 8, AP (76) 2, AP (76) 3, AP (76) 4, AP (77) 7, AP (77) 8, AP (81) 7, AP (81) 8 ;

Instruct the Secretary General to transmit this resolution to the Secretary General of the Western European Union.

## I. GENERAL POLICY

### 1. Principles

Member states<sup>1</sup> should intensify preventive action to :

- eliminate impairments, disabilities and handicaps ;
- put into operation a comprehensive and co-ordinated rehabilitation policy ;
- promote the full participation of disabled people in their rehabilitation and in community life.

### 2. General directives

#### 2.1. *Goal and purpose of rehabilitation*

2.1.1. Rehabilitation concerns all areas of community life and is particularly directed towards the following aspects which should be smoothly co-ordinated and developed with the full participation of disabled people :

- prevention, identification and diagnosis of impairments, disabilities and handicaps ;
- treatment, fitting of appliances and functional or medical rehabilitation ;
- pupil and vocational guidance ;
- schooling ;
- vocational training and rehabilitation ;
- employment, sheltered employment, job assessment and placement ;
- technical and social aids, access to buildings, housing, communication, transport, leisure, sport and holidays ;
- training of staff involved in rehabilitation ;
- health education, information and research ;
- social counselling ;
- co-ordination of activities.

2.1.2. The principles underlying rehabilitation and the aims it pursues are as follows :

- to establish disabled people's right to integration and society's duty to achieve it ;
- to eliminate physical and psychological obstacles in society and enable disabled people to participate fully ;
- to recognise the need for early action in rehabilitation ;
- to see the value of rehabilitating as completely as possible disabled people with a view to their integration or resettlement, preferably in their social environment, should such be the case in their previous job or in suitable employment in their previous working environment ;
- to devise rehabilitation programmes which form a comprehensive, continuous, personalised process providing services from the onset of the impairment and moving on through successive stages until integration into working life and in society has been achieved ;
- to ensure close and early co-operation between the staff and institutions involved in rehabilitation, and to establish liaison between the agencies and authorities concerned with the rehabilitation and employment of disabled people.

2.1.3. The rehabilitation programme should include all measures to :

- prevent the appearance and aggravation of impairments, disabilities and handicaps and to eliminate or reduce their effects ;

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1. For the purposes of this resolution, the expression "member states" means the States Parties to the Partial Agreement (Belgium, France, Federal Republic of Germany, Italy, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland) as well as Austria, Norway, Switzerland, Spain and Portugal.

— prepare a disabled person to take up or resume a normal place in the community, particularly at work or in his ordinary social environment.

2.1.4. Rehabilitation should be viewed in general, collective and individual terms, and should be regarded as a comprehensive, continuous process, providing services aimed at social and work integration. The active and continuous co-operation of the disabled person himself is essential. It is of the utmost importance to combine, as early as possible, medical treatment and the various stages of medical and occupational rehabilitation in order to eliminate or reduce the impairment, the disability and handicap.

2.1.5. To this end, it is essential that rehabilitation should be viewed as a *coherent* process.

2.1.6. At the individual level, rehabilitation is a continuous process designed to avoid an impending disablement, to maintain, increase or restore the individual's capacity to engage in a normal activity.

In the context of a rehabilitation programme this process includes a variety of individual, complementary measures, applied simultaneously or successively :

- medical and physical measures,
- psychological measures,
- educational and vocational measures,
- social measures,
- rehabilitation into work.

## 2.2. *Impairment, disability and handicap*

In the context of health experience :

— an *impairment* is any loss or abnormality of psychological, physiological or anatomical structure or function ;

— a *disability* is any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being ;

— a *handicap* is a disadvantage, for a given individual, resulting from an impairment or a disability, that limits or prevents the fulfilment of a role that is normal (depending on age, sex and social and cultural factors) for that individual<sup>1</sup>.

## 2.3. *Methods to be adopted for the introduction and pursuit of the rehabilitation policy*

2.3.1. The advice and help needed by a disabled person before, during and after rehabilitation should be given in a co-ordinated manner. This co-ordination, which is indispensable, may take various forms according to national circumstances.

Methods should be adopted, in this regard, to enable each case to be followed and to ensure that there are no gaps in the provision of rehabilitation services, that the chosen occupation continues to be mentally, physically and professionally satisfactory to the person concerned, that he adapts to it progressively and that it leads to his social integration.

2.3.2. In the interests of effectiveness, it should be ensured, as far as possible, that optimal use is made of rehabilitation methods in establishments provided for the general public. If the need arises, specialised facilities and services should be set up in conjunction with public authorities, welfare associations and other organisations.

2.3.3. There should be consultations with experts and technical committees specialising in the various aspects of rehabilitation, and with advisory boards or organisations of, or for, disabled people.

2.3.4. As rehabilitation covers many fields, it is essential to encourage close co-operation between health, education, vocational training, employment, social welfare and all other relevant agencies and authorities.

2.3.5. Public and private agencies active in one or more of these fields should co-operate in implementing the programme.

2.3.6. To give the general rehabilitation programme unity of approach, purpose and action, each country should set up a *co-ordinating* procedure in order to establish the closest possible co-operation between the various agencies concerned with rehabilitation and employment, such as government departments, regional and local authorities, families, voluntary organisations of and for disabled people, and also between the various groups of staff directly involved in the work. Co-operation should be encouraged at national, regional and local levels.

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1. The term "disabled person" ("personne handicapée" in French) is used in the general context of this resolution. The differentiation between "impairment", "disability" and "handicap" is useful to highlight the real impact of its provisions.

## **II. PREVENTION — IDENTIFICATION — DIAGNOSIS**

### **1. Prevention**

1.1. The most important measures for prevention should be put into effect as early as possible. These measures should include in particular :

- better nutritional practices, improved health services, early detection and diagnosis, pre-natal, perinatal and post-natal care, medical care for new-born infants, schoolchildren and workers ;
- proper instruction in health care and health programmes, education in healthy lifestyles, and on environmental hazards, family planning ; and
- the fostering of better informed and strengthened families and communities.

1.2. On account of the changing social and economic trends a new strategy should be devised to allow the introduction of measures to prevent occupational, traffic and domestic accidents and to promote early identification of a wide range of physical and mental disorders in order to reduce their severity or after-effects.

### **2. Identification**

2.1. Particular attention should be paid to the need for early detection of :

- certain kinds of malformation (by means of national records) in order to determine their origin and eliminate them as soon as possible ;
- congenital and acquired disorders, in order to attenuate their effects or consequences as soon as possible by medical or surgical treatment, appliances and/or a rehabilitation programme involving the provision of appropriate personalised and continuous services ;
- failings due to advancing age, so that action may be taken to prevent their appearance or deterioration and enable old people to remain self-sufficient as long as possible in favourable material and psychological conditions.

2.2. Such detection, which should comprise means of identification through recourse to compulsory or voluntary reporting of cases, should be carried out in the interests of disabled people and requires the assistance of :

- the authorities and departments responsible for the provision of services and benefits ;
- the services responsible for the detection of impairments,

and, depending on the circumstances in each country, should be carried out on the occasion of periodic medical examinations before and after birth, during infancy, at school, before marriage, before and during employment or at other stages in life.

### **3. Diagnosis**

3.1. The purpose of detection measures should be to permit an accurate and detailed diagnosis of the disorder or impairment observed in order to draw up a rehabilitation programme as soon as possible. Preventive medicine centres and medico-social services should help to establish a precise, accurate and early diagnosis.

3.2. Diagnosis should be based on investigations into the origin, nature, and extent of the disorder or impairment, in the light, in particular, of the family medical history.

## **III. ASSESSMENT OF APTITUDES — TREATMENT — FUNCTIONAL OR MEDICAL REHABILITATION — TECHNICAL AIDS — TRANSPORT**

### **1. Assessment of aptitudes**

1.1. It is essential to assess at the earliest possible stage, on the basis of the diagnosis, medical evidence and relevant expert opinion, the extent of the remaining mental and physical faculties or those which can be restored through rehabilitation, in order to reach the best possible prognosis of the person's occupational and social resettlement. At the time of making this prognosis and at all stages of the process, account should be taken of personal considerations as well as of the individual's educational and occupational history and social and family background. This requires a multidisciplinary approach and efficient co-ordination between the various professional disciplines involved.

1.2. The assessment of aptitudes and their probable evolution should be made :

— at the medical level by doctors specialising in rehabilitation, by other specialists with expertise in rehabilitation according to their speciality, or by doctors with special knowledge of particular disabilities ;

— in the field of vocational guidance, vocational training and employment, by specialists in this matter who are particularly knowledgeable regarding disabilities and their evolution, with a view to providing the most adequate prognosis.

1.3. The assessment of aptitudes should be regularly reviewed at all stages of rehabilitation, as well as when the individual takes up employment.

1.4. To make sure that services are effective, they should be provided free of charge.

1.5. There should be a sufficient range and number of centres or departments specialising in the assessment of physical and mental aptitudes to meet all needs and they should be equipped to use the most up-to-date investigation techniques.

1.6. The effectiveness of these measures and the coherence of the rehabilitation process demand co-ordinated action by the centres or departments responsible for detection, diagnosis and the assessment of aptitudes, and by other rehabilitation institutions.

## 2. Treatment

2.1. The combination of medication, diet, care and surgery in the form of an early, active and continuous programme based on modern technology and therapy should enable disabled people to benefit from all the resources available for rehabilitation.

2.2. To this end, attention should be drawn to the following points :

a. the crucial importance of making early stimulation and treatment available to children suffering from an actual impairment or who risk becoming handicapped, to ensure the full development of their natural capabilities and to limit as far as possible the impact of the impairment. Special attention should be paid to promoting the participation of the family in carrying out early stimulation and treatment ;

b. the need to advise a person on the best treatment for his impairment and on the possibilities of leading an independent life. Account should be taken of advances in medical and surgical treatment suited to the nature and severity of the impairment or disability ;

c. the importance of having sufficient numbers of specialists and/or hospitals equipped to provide treatment or services. If necessary, experienced foreign specialists and establishments should be consulted ;

d. the obligation to link rehabilitation requirements to the health programme in order to determine the criteria for recognising specialists and establishments for the treatment of disabled people and the rules according to which the latter must function ;

e. the advisability of providing for, and developing, possibilities of out-patient or home care where the disability permits it, or of keeping disabled people in their family and social environment, in order to enable them to live, as far as possible, an independent life ;

f. the need to set up specialised treatment centres for the optimum rehabilitation of people suffering from disabilities of specific types providing—in addition to medical treatment and technical aids—psychological assistance, occupational therapy, recreational activities and so on.

## 3. Medical rehabilitation

### 3.1. Definition

*Medical rehabilitation* is the whole range of specialised treatment and retraining designed to reduce the after-effects of the injury, disease or disability, restore physical or mental functions and develop or restore, even if only partially, the individual's capacity to pursue normal activity.

It includes :

— *functional rehabilitation* : the various multidisciplinary techniques likely to improve the functional prognosis of disabling local and/or general pathological conditions.

The last stage of functional rehabilitation, where appropriate, should include pre-vocational training or retraining for exertion.

— *medical and educational processes* : medical rehabilitation for children with all types of disabilities involves the use of special medical and educational processes.

3.2. With the introduction, growth and widespread adoption of medical rehabilitation it has become clear that, as a follow-up to actual medical treatment, it facilitates the integration of the disabled person in working life and society.

Early rehabilitation should allow, depending on the case :

3.2.1. *Children*

— to be educated, as a first preference, in an ordinary school and/or to attend a specialised day school to permit them to remain within the family circle ; or

— if they require residential care in a medical and educational institution—which should have a family atmosphere—to be spared hospitalisation wherever possible.

Where institutional care is unavoidable, the necessary help should be given to the disabled child's family to maintain contact with the child.

3.2.2. *Adults or old people*

— to avoid hospitalisation or to leave hospital sooner and to escape some of the disadvantages of a long stay in hospital. To this end, measures should be taken :

- to provide sufficient out-patient departments, specialised centres and day clinics providing out-patient treatment ;
- to facilitate transport to and from such establishments in order to enable them to benefit from this treatment. To enable the integration of disabled people into working life and society, services should as far as possible be provided at home or in out-patient clinics, and facilities should be set up accordingly. Where institutional care is unavoidable, arrangements should be made for the patient to return home at regular intervals. Developing facilities for moving about and modes of transport adapted to the specific circumstances and disabilities of the people concerned and their availability in sufficient numbers, is one way of introducing and promoting this approach to rehabilitation ;
- to arrange for people who find such visits difficult or impossible to receive home treatment from the team of specialists required to ensure their complete rehabilitation.

3.3. Prolonged hospital treatment can be avoided by the following measures :

3.3.1. *During the stay in hospital :*

— appropriate social action by the institutions themselves and by public or voluntary agencies to prepare and facilitate discharge from hospital, especially by establishing contact :

- i. with the family, to ensure that they continue to take an interest in the disabled person ;
- ii. with the employer, when work can be resumed ;
- iii. with the landlord, to avoid loss of accommodation ;
- iv. if need be, with a service concerned with making accommodation accessible.

— appropriate action to protect the patient's property during his stay in hospital and make sure that he retains his accommodation.

3.3.2. *After discharge from hospital :*

— devising all measures to assist the family to take (or take back) the disabled person to live with them on discharge from hospital ;

— securing the disabled adult's resettlement at work as soon as possible ;

— securing the disabled person's resettlement in society and the continuation of treatment.

3.4. To be fully effective, medical rehabilitation institutions, besides offering specialised care for specific types of treatment should provide :

- training or retraining for exertion ;
- psychotherapy ;
- standard occupational therapy and, for adults, occupational therapy prior to employment ;
- help for a person to adjust to his limitations with a view to overcoming his handicap.

In order that this phase may be fully effective, medical rehabilitation needs to be complemented by the availability of social counselling services.

3.5. Residential medical rehabilitation and medico-educational institutions should include among their general services leisure activities giving patients opportunities for contact with the outside world. Insofar as the care provided by all these institutions is concerned, they should be equipped with a maximum of technical rehabilitation facilities and staff or be able to call on a medical and paramedical team. For specialised care and treatment, they should make arrangements with specialised hospitals.

3.6. Employers, employers' organisations, occupational accident insurance agencies and similar bodies should be encouraged, to the extent required by national conditions, to set up medical and physical



rehabilitation centres or assist in setting up rehabilitation centres providing mostly medical treatment, occupational therapy and similar services to help employees to regain working fitness.

#### **4. Technical aids**

##### **4.1. General provisions**

4.1.1. The "medical rehabilitation" stage should also comprise all the steps taken to choose and fit the appropriate prosthetic or technical aids. Ensuring that the right appliance is acquired as speedily as possible ; its adjustment, maintenance and renewal are thus part of the individual's rehabilitation programme.

4.1.2. To this end, the necessary medical, technical and administrative arrangements should be made to enable all those who need them to be speedily fitted with suitable modern appliances.

##### **4.2. Specific provisions**

4.2.1. Close co-ordination should be established on a national level between the various authorities responsible for directing the manufacture and supply of artificial limbs and other technical aids. This could be achieved by the creation of a national commission on artificial limbs, made up of representatives of the ministries and other interested parties.

4.2.2. It must be realised that the fitting of suitable appliances allows many disabled children to attend an ordinary school, assists occupational resettlement and helps towards the social integration of disabled people.

4.2.3. Fitting an appliance is an integral part of medical rehabilitation and should be done by a specialised medical rehabilitation institution or, at its instigation and with its co-operation, on the prescription of a medical specialist.

4.2.4. It is extremely important to ensure that the specialist, either alone or in consultation with the specialised institution's rehabilitation team, decides on the type of appliance and the model best suited to the recipient, ascertains the latter's ability to adapt to it and specifies what special devices are needed in his particular case.

It should be remembered that the correction of the impairment or disability at the earliest possible stage, or the choice of the most suitable compensation for it, allows the disabled person to develop his personality more freely.

4.2.5. Technical and administrative measures should be taken to co-ordinate, for the benefit of all persons concerned, the principles of modern appliance-fitting, objective information and uniform decision-making on technical matters and prices.

4.2.6. Traditional technical aids as well as the whole range of medical appliances and individual or collective communication aids or compensatory appliances (for example pacemaker, wheelchair, specially fitted car) should be made available.

### **IV. PUPIL AND VOCATIONAL GUIDANCE**

#### **1. Definition**

The purpose of vocational guidance is to determine the occupations suitable for the disabled person, taking into account his previous occupation, his personal aptitude and wishes, the special requirements of the occupations considered and the possibilities of the labour market. Vocational guidance concerns also those who are temporarily unable to work.

#### **2. Purpose**

Educational, occupational or social difficulties arising from a disability may require early and continuous rehabilitation measures to be preceded, accompanied or followed by pupil or vocational guidance in the direction which offers a person the best long or short-term opportunities for satisfactory resettlement.

General or special vocational guidance centres or services should be set up to provide a suitable vocational guidance system enabling disabled people to acquire a reasonable level of general education and choose an occupation in keeping with their knowledge, aptitudes and abilities.



### **3. Need for, and advisability of, specialised vocational guidance**

#### **3.1. Specialised vocational guidance is needed because :**

- a.* equipment adapted to disabilities must be available ;
- b.* the staff must be trained in special assessment techniques and know about disabilities and their evolution.

3.2. Special vocational guidance centres or special facilities in general centres could be set up to advise disabled people on training for a suitable occupation.

3.3. With certain types of disability, the special centre or service should intervene in the course of medical rehabilitation after a sufficient period of observation and after stabilisation of the treatment under continuous medical supervision. A network of rehabilitation facilities could be created in accordance with need.

### **4. Nature of assessments**

4.1. The decision whether to carry out special assessments and, if so, the choice of methods, depend on a person's age and educational and/or occupational status.

4.2. Each country should accordingly have enough general or specialised vocational guidance centres or services to meet its needs.

### **5. Staff**

5.1. The vocational guidance team should include a guidance officer, a doctor and a social worker. Depending on its degree of specialisation and the purpose of the centre or service, it could be supplemented by other specialists such as a psychologist, a physiotherapist or a technical instructor.

5.2. The parents and/or the disabled person or his/her representatives should be associated with the process.

### **6. Co-ordination of rehabilitation measures**

6.1. Where the educational or medical rehabilitation institution does not itself offer its pupils or patients vocational guidance, it must co-operate with the appropriate centre or service.

6.2. The collaboration of the vocational guidance centre or service is required for everyone admitted to a course of vocational training and rehabilitation.

## **V. SCHOOLING**

### **1. Conditions**

1.1. Compulsory education at public expense should enable disabled people as far as they can to achieve economic independence and contribute to their country's social development.

1.2. Education should be provided wherever possible in an ordinary school. To meet their specific needs, disabled children should be supplied with special therapeutic and educational aids.

Where education in a special school is necessary, provision should be made for close co-operation with the ordinary school and contacts with non-disabled children of the same age.

1.3. The aptitudes of disabled children of school age should be assessed before actual vocational guidance is considered.

1.4. As contacts between the special school and the child's family are essential, the family's interest in the work of the school or special centre should be stimulated.

### **2. Aim**

2.1. The aim of schooling is to encourage the acquisition of the best possible level of general education and the development of appropriate vocational guidance and training with a view to better integration into society.

2.2. Care should be taken to bring about an adequate and effective improvement in the instruction and general education of disabled young people.

2.3. Pupils who are unable to attend school because of illness or disability should receive tuition at home or in special centres.

2.4. All disabled people who can benefit from it, should be given the opportunity of continuing their education.

### **3. Ordinary education**

3.1. A proper assessment of the possibilities and aptitudes of disabled children, functional rehabilitation through non-hospital medico-therapeutic services and special educational support should enable the largest possible number of children to attend an ordinary school.

In nursery schools the education of disabled children side by side with other children should be based on tried and established models of integration.

3.2. Teaching in ordinary nursery schools and wherever possible in special nursery schools, likewise, should foster integration.

### **4. Special teaching**

4.1. Children too seriously disabled to attend an ordinary nursery school should receive special tuition at an early age, either at home or at a special centre, such as a special nursery school.

4.2. A sufficient number of special schools and vocational training schools should be set up and staffed by teachers with adequate special teaching qualifications.

4.3. Day schools are preferable because they allow the child to remain in the family circle ; only where attendance at such schools is impracticable because of the nature or seriousness of the disability or for other valid reasons should children be placed in boarding schools.

4.4. Day and boarding schools should specialise as far as possible so as to give children an education suited to their particular disability.

4.5. Where residential care for children is essential, it should be provided in a family atmosphere. Children in boarding establishments must be able to see their families regularly.

To avoid prolonged absence of the child it may be desirable to place children in foster families. Contacts between them and their parents should be regular wherever practicable.

4.6. The appearance of psychological, emotional and behavioural disorders in disabled children can often be prevented by suitable educational and medico-therapeutic support, proper parent guidance and regular contact with able-bodied children.

4.7. Special schools for deaf and blind children should be equipped with collective aids and other mechanical devices.

4.8. Disabled children should be able to have special teaching either in groups or individually.

4.9. Special teaching should continue for as long as the disabled person profits by it.

### **5. Education and rehabilitation**

5.1. Links should be established during schooling between education, occupational training and future employment by arranging for appropriate ordinary or specialised vocational guidance assessments.

Vocational guidance should be provided for ordinary school pupils as well as for pupils of medico-educational institutions.

5.2. While at school, children must have access to the various medical or functional rehabilitation resources.

5.3. Young people with disabilities and especially those who are retarded, should receive special educational support during their course.

5.4. Educational establishments should be easily accessible and structurally adapted to the needs of disabled children.

## **VI. VOCATIONAL TRAINING AND REHABILITATION**

1. The rehabilitation programme should endeavour to set out and develop the concepts in the ILO Convention 159 and Recommendation 168 on vocational training and rehabilitation in order to further the integration of disabled people.

### **1.1. Aim**

Vocational training and rehabilitation comprise the measures designed to enable disabled people, by means of appropriate training, to take up or return to an occupation thereby facilitating their social integration (appropriate because it is, or is not adapted, according to the case).

## **1.2. *Level and sectors of vocational training***

1.2.1. Vocational training should encourage the acquisition, particularly by young people, of the best possible level of general education, all-round training and technical or scientific skills.

1.2.2. Disabled people with suitable aptitudes should be given every opportunity to benefit from higher education.

1.2.3. Vocational training and rehabilitation should cover the widest possible range of economic, administrative and social sectors to give those who have been rehabilitated a better choice of occupation.

## **1.3. *Financial responsibility for vocational training and rehabilitation***

The cost of initial vocational training on account of disability and employment resettlement should be borne by public funds insofar as the funds are not supplied by employers.

The ways of financing decided upon should take account of the particular responsibilities laid upon employers concerning the training of their staff.

## **1.4. *Vocational training and rehabilitation instructors and institutions***

1.4.1. Ordinary training and rehabilitation courses should be available to those who are not too severely disabled to attend them.

1.4.2. Those with certain types of disability, or those whose residual aptitudes have proved during rehabilitation, especially at the vocational guidance stage, to be extremely limited, may require special vocational training and rehabilitation courses in special schools, medico-educational institutions or vocational training and rehabilitation centres for disabled people, or else special on-the-job training or rehabilitation.

## **1.5. *Disabled people's adjustment to vocational training and rehabilitation***

1.5.1. Vocational training and rehabilitation should accompany medical supervision of the disabled person in co-operation, if possible, with the centre or institution which provides functional or medical rehabilitation.

1.5.2. In each case periodical training or rehabilitation assessments should be made in co-operation with, or by, the vocational guidance centre.

1.5.3. Vocational training and rehabilitation should aim at helping the person in question to adapt to his disability.

# **VII. EMPLOYMENT, SHELTERED EMPLOYMENT AND ACTIVITIES AIMED AT RESETTLEMENT AT WORK**

## **1. General policy on work and occupational activity**

1.1. The general objectives of this policy should permit the fullest possible vocational and social integration of disabled people. This policy should promote their fulfilment, whatever the origin, nature and degree of their disability.

1.2. In application of this principle, all possible measures should be taken to enable disabled people to work in an ordinary working environment. This can be achieved either by normal employment, possibly subject to certain safeguards or by special measures, individual or collective.

1.3. Anyone who is so severely disabled that it is impossible for him to work in an ordinary working environment should be able to find a place, for some time or permanently, in adapted surroundings, for example :

1.3.1. sheltered employment in a sheltered workshop, at home or in an ordinary working environment.

Sheltered employment should :

— permit disabled people to carry out useful remunerative work suited to their residual capabilities and to benefit from vocational retraining which will allow them to find later on, whenever possible, an occupation in an ordinary working environment ;

— be reserved for people with disabilities who are for some time, or permanently, unable to fill jobs in an ordinary working environment ;

1.3.2. assistance through work centres, where they exist, which make provision for people who, because of their disability, cannot work in a sheltered workshop or in an ordinary working environment but are nonetheless able to carry out a remunerative rather than a purely occupational activity ;

1.3.3. centres of occupational activities in which people generally carry out activities without regard to productivity because of the extremely limited level of their functional capacities should :

- seek to develop the social, vocational and functional capacities of disabled people ;
- endeavour to prepare people for settlement in sheltered employment or in any other system of work.

## **2. Employment in a usual and ordinary working environment**

### **2.1. Conditions**

2.1.1. Disabled people should receive pay equal to that of any other worker for work of equal value.

2.1.2. Measures should be taken to facilitate, encourage and assist the settlement of disabled people in open employment. Such provisions are intended for persons who are judged to be fit for employment on completion of their rehabilitation process or though needing sheltered conditions of work, are capable of working in an otherwise ordinary environment.

2.1.3. Considerable attention should be given to the means that may be adopted in order to make integration into working life possible. Such means should include collective measures for the benefit of all disabled persons and special measures to solve individual integration problems. Full participation of the disabled person should be considered indispensable for his integration.

2.1.4. The authorities responsible for employment services should be provided with the administrative and financial resources to resolve the general or individual problems encountered in the occupational settlement of disabled persons.

2.1.5. The organisations of employers and workers as well as government departments and organisations of disabled people should be informed of these arrangements and be associated with the integration effort.

### **2.2. Implementation and means**

Employment services or services responsible for the placement of disabled people should be able to take one or more of the following measures and to resort to one or more of the following means as required :

- collective measures :
  - obligation to employ ;
  - reserved employment ;
  - employment incentives ;
- individual measures :
  - contribution towards wages during the period of adaptation to the job by reason of the employee's disability ;
  - adaptation of the job to the safety or operational requirements resulting from the employee's disability ;
  - special tools dictated by the nature of the disability and special or adapted clothing ;
  - means of controlling the lack of output and proportionate wage reduction with an eventual compensation by way of temporary aid, where the disabled person is unable, despite adaptation to the job, to keep up the normal pace ;
  - other measures to offset exceptional expenditure arising from the employee's disability.

## **3. Measures to overcome the problems of occupational integration in sheltered employment**

### **3.1. General principles : concept and purpose of sheltered employment**

Sheltered employment should be open to persons who, because of their disability, are unable to obtain and keep a normal job in open industry.

Sheltered employment may be provided in a sheltered workshop, at home or in an ordinary working environment.

#### **3.1.1. Sheltered workshop**

3.1.1.1. A sheltered workshop should enable disabled people to have a useful and remunerative job.

3.1.1.2. It should allow the disabled person resettlement at work and should aim at his transfer to a normal occupation or to an ordinary working environment.

3.1.1.3. It should constitute a production unit independent of normal firms.

3.1.1.4. It should form part of the competitive economic system and should have its place in production.

3.1.1.5. It should offer satisfactory remuneration in relation to the type of work performed and as far as possible in accordance with conditions in open industry, and should bring the disabled person into the social security scheme.

3.1.1.6. It should endeavour to maintain a financial balance as far as possible and one which is compatible with its social purpose. This often involves a certain amount of assistance from the authorities and others, such as :

- help with construction,
- subsidy for running costs.

3.1.1.7. The prices of products and work performed should be competitive and not depend on the idea of charity.

3.1.1.8. It should be able to make or manufacture its own products or produce for firms under sub-contract.

3.1.1.9. It should make sure that its supervisory staff have the requisite technical qualifications and, if necessary, provide them for this purpose with additional information and training, having regard to the workshop's special role.

3.1.1.10. It should, as far as possible, establish with the disabled workers the legal employer/employee relationship.

3.1.1.11. It should make sure that the disabled workers it employs are given, as far as possible, work suited to their occupational capacities.

3.1.1.12. It should provide adequate supervisory staff under optimum social conditions.

### 3.1.2. *Employment under special conditions in open industry*

#### 3.1.2.1. *Principles and purpose*

This type of employment should be reserved solely for people who, in spite of exploration of all the possibilities, cannot yet take up work in an ordinary working environment.

It should aim at enabling the disabled workers eventually to take up work in an ordinary working environment, if possible. For this purpose, the workers should be given special training.

As for working conditions, the situation of disabled people working in this type of employment should be assimilated as much as possible to that of other workers of the firm without prejudicing more advantageous conditions on account of the disability.

#### 3.1.2.2. *Physical arrangements*

Whenever necessary, the sheltered employment workplace should have suitable entrance and exit facilities, ensure suitable working conditions and a working environment as normal as possible.

It should be situated in a place where workers do not, because of their handicaps, feel cut off from other workers.

#### 3.1.2.3. *Control and supervision*

Sheltered employment should be subject to the general supervision of the competent authorities, which should cover :

- the suitability of the disabled person to be employed in such a system of work ;
- the legal status of the workers, the type of work, the working hours and the remuneration envisaged ;
- medical, social and psychological assistance to the workers ;
- special training and checks on workers' progress with a view to their complete settlement in an ordinary working environment.

### 3.1.3. *Work at home* (See paragraph 5 below.)

### 3.1.4. *Work in an ordinary environment* (See paragraph 2 above.)

## 3.2. *Implementation*

Measures should be taken by the competent authorities, if need be in co-operation with interested private bodies, to create, expand and maintain facilities for the training and sheltered employment of disabled people who are temporarily or permanently unable to cope with normal conditions of competition on the labour market.

#### **4. Centres of occupational activities**

##### **4.1. *General principles : concept and purpose of centres of occupational activities***

4.1.1. A centre of occupational activities should be open to people who, because of their residual capacities, are not or not yet able to obtain or keep a job even in sheltered employment.

4.1.2. It should be able to provide occupation at the centre itself or in a person's home.

4.1.3. It should provide as far as possible for the psychological, medical, social and vocational adjustment of disabled people and contribute as much as possible to their transfer to sheltered employment or to any other system of work.

4.1.4. It should have competent medical, paramedical, educational and social welfare staff.

4.1.5. It should offer, as far as possible, occupational activities suited to the situation of the disabled people it serves.

##### **4.2. *Implementation***

4.2.1. Measures should be taken by the competent authorities, if need be in co-operation with interested private bodies, to create, expand and run centres of occupational activities for disabled people who are temporarily or permanently unable to work even under sheltered employment conditions.

4.2.2. The creation or expansion of the concept of occupational activities aimed at furthering integration may be achieved by means of any of the following arrangements, bearing in mind the social situation and type of handicap of the people concerned :

- residential centres,
- semi-residential centres,
- day centres.

4.2.3. Centres of occupational activities should, if need be, allocate activities to be done at home by people who are unable to travel even with any assistance that may be available for the purpose.

#### **5. Work at home**

5.1. Work at home is justified in the case of people who, because of :

- vocational training and rehabilitation in preparation for self-employed activity ;
- their physical or mental, or their family situation ;
- geographical or local socio-vocational factors,

are unable to leave their homes or have serious difficulty in getting to work.

5.2. Work at home may be :

- performed in a self-employed capacity ;
- provided by the private and public sector ;
- organised by sheltered workshops ;
- supplied by centres of occupational activities, assistance-through-work centres or voluntary bodies.

5.3. If it consists of work for a firm or sheltered workshop, it should be useful and remunerative to the disabled person and bring him into a social security scheme.

5.4. Work at home entails the application of the following measures :

- in all cases : medical, occupational or social supervision ;
- if the disabled person is to be self-employed : the grant of financial aid at the time of installation.

#### **6. Common and complementary measures to further the rehabilitation of disabled people in work**

All measures should be taken and/or encouraged :

— to ensure that the rehabilitation agency follows up each case, sees that the job suits the person concerned, and where necessary suggests a change of occupation ;

— to co-ordinate action taken in this field and, wherever possible, incorporate it in the general framework of existing facilities and schemes for rehabilitating disabled people ;

— to see that the occupational activity of disabled workers is organised and carried out under the supervision of staff competent in matters of organisation, industrial economics, technical knowledge and personnel management and having tact and experience in dealing with disabled people ;

— to ensure that every disabled person undergoes regular medical examinations and that the medical report indicates the extent of the employee's disability and working capacity, with due regard to the type of

work and the conditions under which it has to be done, and that intensive industrial medical care, particularly directed towards rehabilitation, is available ;

- to ensure that disabled people working in sheltered employment or at home :
  - earn a wage calculated on the basis of the rates applied to the same work done under normal conditions of employment ;
  - are given the opportunity to increase their wages as well as their total income by their own efforts ;
  - are entitled to an income which, as a rule, will provide them with a decent standard of living.

#### **7. Contribution of employers and workers to the programme for rehabilitation into work and employment of disabled people**

Steps should be taken to show employers and workers how they can contribute to the rehabilitation into work and employment of disabled workers.

Without prejudice to existing legal undertakings, such steps should be :

— to encourage, to the extent required by national conditions, employers, employers' organisations, autonomously or within the framework of the structures where they are represented, to create or help in creating special rehabilitation workshops, sheltered workshops or other types of sheltered employment ;

— to urge employers to sub-contract their production as appropriate to sheltered workshops or to disabled people working at home, and, if possible, to supply them with the necessary material and machinery ;

— to encourage employers generally to facilitate the rehabilitation of disabled workers by making suitable work available to them, if necessary after making adaptations to machinery or equipment and by giving them the opportunity to return to suitable types of employment as soon as they are medically fit for work, although not necessarily fit enough to resume their former occupation ;

— to encourage the development of occupational health services and arrangements for medical supervision in factories, which should, where possible, include among their functions the rehabilitation and resettlement of disabled people, and to promote co-operation between those engaged in such services and the various agencies working to the same end ;

— to draw the attention of workers and workers' organisations to the need to play an active part in the vocational rehabilitation and employment of disabled people.

#### **8. The role of placement services**

8.1. Employment services specialising in the placement of disabled people should function within the framework of the responsible placement organisms. They should be easily accessible to those concerned and their staff should be adequately qualified.

8.2. Specialised services should be able to settle disabled people, particularly those with certain types of needs, in all branches of the economy, as paid employees.

8.3. The standard of their staff should be constantly improved by all suitable methods, in particular through the best possible selection of placement officers, by providing training courses before or soon after they start work and also refresher courses, and by ensuring that they are well acquainted with the different types of work that can be offered to disabled people.

8.4. Where appropriate, follow-up action for as long as necessary should be taken by the placement services in collaboration with other services concerned to ensure that disabled people placed in employment are satisfactorily resettled in the economy.

8.5. In order to show exactly what results have been obtained, full and accurate employment statistics should be compiled, showing separately disabled workers placed directly and those placed after undergoing courses of rehabilitation or training.

8.6. In order to achieve the maximum efficiency through co-ordinated action, placement services for disabled people should either be a part of, or maintain the closest possible contacts with, the ordinary employment services and also with the various social and medical services concerned.

### **VIII. SOCIAL REHABILITATION AND INTEGRATION**

#### **Autonomy, independence, mobility, accessibility, communication, leisure and holidays**

Whilst recognising that rehabilitation includes provisions to further the autonomy of disabled people and their integration in working life and in society, individual and collective measures should be included

and developed in the rehabilitation programme to ensure that they become independent individuals who are able to live as normal and complete a social life as possible, which includes the right to be different. Full rehabilitation means a variety of basic and complementary measures, provisions, services and facilities which can guarantee accessibility both physical and psychological. The adaptation of the urban environment and town planning, access to buildings and housing, transport, communication, leisure pursuits and holidays are factors which should all have a bearing on the goals of rehabilitation.

## **1. Social rehabilitation and integration of disabled people**

1.1. The rehabilitation process should always take account of measures to further the disabled person's autonomy as an individual and/or ensure his economic independence and full integration in society.

1.2. Social counselling, social services, family help and guidance, and possibilities of participation by disabled people themselves and by organisations of and for disabled people should be furthered as basic conditions for attaining integration in full participation and equality.

1.3. Where the nature or severity of the handicap or the age of the person makes occupational resettlement impracticable even in a sheltered workshop, at home or in a special work centre, social, cultural and leisure-time occupations should be provided.

1.4. Specific arrangements should be made during the continuous rehabilitation process to give disabled people the greatest possible degree of independence, so that social and occupational integration problems may be faced at the earliest possible stage.

1.5. These arrangements should include, besides the most appropriate appliances for the disabled people, the availability of technical aids enabling them to pursue their daily personal and occupational activities safely, communicate, move about and engage in sport, cultural or leisure activities.

1.6. The relevant agency should advise disabled people on what is available in these respects in their own country, or, if necessary, on the purchase of suitable appliances or equipment abroad.

1.7. To ensure optimal resettlement, public authorities should provide, wherever possible, for the covering of the cost of such appliances or equipment as well as their maintenance and renewal.

1.8. These measures should be justified particularly in connection with the collective provisions listed below :

## **2. Collective measures**

Because of the development of technical means to assist the autonomy and integration of disabled people, member states' domestic laws should take into account the following principles :

### **2.1. Technical aids**

2.1.1. Besides the traditional or technical medical appliances designed to compensate the impairment or disability or offset its effects, a considerable range of technical aids is necessary or useful for daily professional activities.

2.1.2. The agency responsible for providing such aids should draw up a list of them so as to inform all the individuals and institutions concerned of their existence.

2.1.3. Particular care should be taken to determine the technical characteristics, prices and durability of each of the technical aids available on the market in order to establish what guarantees are being offered to the disabled users.

### **2.2. Accessibility**

#### **2.2.1. General measures**

2.2.1.1. Measures should be taken in order to change people's attitude to the problems of disabled people, with optimum integration being accepted as a social requirement and a human right.

2.2.1.2. The scope of instruction and information given to people in the residential building sector should be widened to cover the problems outlined above and the ways of solving them. The closest co-operation with disabled people would be desirable to this end.

2.2.1.3. Regulations governing the construction of dwellings, public buildings, tourist and leisure establishments and installations used by the public should include basic standards for their adaptation to the needs of disabled people, such standards being taken into account when granting subsidies.

2.2.1.4. Housing policy should aim at autonomy in the life of disabled people, and to this end should :

— promote the accessibility of a large variety of housing accommodation : blocks of flats, family homes or community institutions of sheltered housing, etc. ;



- envisage adaptation measures for existing housing to cater for needs, and provide subsidies ;
- establish these provisions on the basis of education and information of architects and building constructors.

2.2.1.5. The access symbol devised by “Rehabilitation International” should be used for indicating the location of special facilities for disabled people.

2.2.1.6. The criteria set out in the technical note appended to this resolution on housing and public buildings and parking facilities should be taken into account in building policies.

#### 2.2.2. *Transport*

Adequate transport facilities are essential in giving disabled people greater independence and choice in their lives. These facilities should be as flexible as possible to meet individual needs. Public transport, individualised transport and community-based transport schemes could all have a contribution to make towards improving disabled people’s mobility.

##### *Public transport*

The public transport authorities should be invited :

2.2.2.1. to make possible or facilitate travel by disabled passengers, in order to promote their economic and social integration ;

2.2.2.2. in their plans for :

- designing or adapting means of public transport including infrastructures ;
- the building of transport vehicles ;
- the accessibility of these means of transport and vehicles,

to take into account the difficulties experienced by disabled people, and to this end, to ensure co-operation between the administrative departments concerned and organisations representing disabled people ;

2.2.2.3. to draw the attention of transport companies to :

- measures which could be taken at once to make possible or facilitate the use of public transport by disabled people and the importance of transport staff giving them assistance ;
- the difficulties and dangers which should be eradicated, reduced or avoided in the various public transport sectors ;

2.2.2.4. to promote the development of material or financial aid by public and private organisations for severely disabled people who are virtually unable to make use of public transport and who need to be transported.

#### 2.2.3. *Special or adapted means of transport*

In order to promote out-patient rehabilitation, enable disabled people to live at home and assist those who have difficulty in using public transport because of the nature or severity of their disability, the relevant authorities in each member state should :

2.2.3.1. arrange for the provision according to need of the following equipment :

- two collapsible or non-collapsible wheelchairs (one for indoor, the other for outdoor use) for severely disabled people whose independence of movement is seriously restricted, wherever their physical condition so requires ;
- either a light vehicle, with or without a motor, particularly suited to the disabled person’s condition or, wherever possible, and in preference to any other means of transport ;
- a car, and/or the essential adapted devices for regular use on the public highway, in the case of disabled people who have been medically certified fit to drive ;

2.2.3.2. ensure :

- that a medical specialist, either himself or in consultation with the rehabilitation team, decides what type of light vehicle and wheelchair is required by the disabled person, certifies the ability to drive a light vehicle or a car and specifies what devices are necessary for so doing, whether they be prostheses or special fittings for the car ;

— that whichever organisation provides or facilitates the purchase of the wheelchairs or the light vehicle, with or without a motor, assumes responsibility for the maintenance or replacement costs in accordance with current regulations ;

— that the same organisation encourages the purchase of the car by means of a financial contribution and assumes responsibility, in whole or in part, for the provision of special fittings to enable it to be driven safely by the disabled person for whom it is intended ;

2.2.3.3. make arrangements to issue a driving licence to disabled people provided that their ability to drive is established by a driving test, where necessary in a specially adapted vehicle ;

2.2.3.4. if they so desire, fix a speed limit for light motorised vehicles driven by disabled people because of the characteristics of this type of vehicle ;

2.2.3.5. consider the opportunities offered by door-to-door community-based transport schemes and the possibilities of involving disabled people in setting them up ;

2.2.3.6. encourage close liaison and an exchange of information at international level between national research centres concerned with improving special modes of transport adapted to the user's disabilities.

### 2.3. *Communication*

With a view to encouraging disabled people to participate as far as possible in the life of society, it would be desirable to adopt all measures allowing them to profit from means of communication : television, radio, press and telephone.

Among these measures the following examples may be mentioned : the subtitling of television programmes, induction circuits in public buildings, distribution of documents in Braille, the adaptation of call-boxes.

### 2.4. *Leisure, sport, holidays*

#### 2.4.1. *Integration measures*

##### 2.4.1.1. Social measures

2.4.1.1.1. Leisure time and holiday activities for disabled people should be integrated with ordinary leisure activities. Leisure activities for those with certain types of need could be organised in special clubs as a complement to ordinary leisure activities.

2.4.1.1.2. The participation of disabled people in all cultural, social, political and sports activities should be encouraged.

2.4.1.1.3. Sport should be recognised as one of the vital factors in the disabled person's rehabilitation, with particular respect to his integration into society.

2.4.1.1.4. Sports activities for disabled people should therefore be intensified and their further development encouraged by appropriate public relations methods, the training of staff, the planning of sports centres and the promotion of associations concerned with sports activities.

2.4.1.1.5. In accordance with the objective of rehabilitation, appropriate measures should be taken for practising sport in the company of the able-bodied.

2.4.1.1.6. Programmes for the training of leisure and holiday promoters should be adapted in order to allow disabled people to be trained for these careers.

##### 2.4.1.2. Structural measures

2.4.1.2.1. Structural, technical and psychological obstacles which limit the enjoyment of leisure time, sport and holiday possibilities for disabled people should be removed ; in particular, access to buildings, to means of transport and to leisure establishments should be facilitated.

2.4.1.2.2. Disabled people's dwellings should be adapted to their needs in order to give them the possibility of spending their leisure time in conditions which are as normal as possible and in privacy.

2.4.1.2.3. Tourist establishments, sporting facilities and places of entertainment at holiday centres (cinemas, swimming pools, sports grounds, etc.), should be planned and equipped to render them accessible to disabled people.

2.4.1.2.4. Psychological barriers and other obstacles to communication between all people, whether disabled or not, should be overcome by means of material aids and through social programmes.

2.4.1.2.4.1. Material aids should include, amongst others, the technical means which enable disabled people :

— to take a full part in all leisure activities ;

— to communicate with the surrounding world through information systems (telecommunications, computers, etc.) suitably adapted to needs.

2.4.1.2.4.2. Social programmes, undertaken jointly by universities, private initiatives, organisations concerned with the rehabilitation of disabled people with particular kinds of need and public authorities, should also endeavour to :

- develop individual technical aids to compensate for the disability ;
- extend adaptations for accessibility to means of transport and communication.

#### 2.4.2. *Information measures*

2.4.2.1. The general public, disabled people themselves and their families, and those providing services for disabled people should be informed of the existence of :

- technical aids and means of communication facilitating participation of disabled people in leisure, sport and holiday activities for all ;
- leisure and sport facilities, vacation possibilities and holiday resorts specifically adapted for disabled people if needed.

2.4.2.2. An international exchange of information should be encouraged on new initiatives to make it easier for disabled people to organise their leisure time and their holidays.

2.4.2.3. Tourist and leisure guide books should include all possible information on the facilities available for disabled people in tourist establishments (hotels, restaurants, etc.), on the accessibility of nearby leisure possibilities for them (swimming pools, cinemas, theatres, etc.) and on sport facilities. They should indicate by symbols the accessibility to and in hotels, restaurants and other tourist and cultural establishments. The key to the symbols should be given in several languages.

2.4.2.4. Tourist guide books for special categories of disabled persons could be envisaged whenever necessary preferably as a complement to normal guide books. Ordinary guide books could contain special information for particular kinds of disability.

2.4.2.5. National and/or regional information centres should provide disabled people and tourist offices and agencies with information on holiday, leisure and sports possibilities for disabled people at home and abroad.

2.4.2.6. Financial assistance should be envisaged to encourage initiatives to develop and improve tourist, leisure and sport information for disabled people.

#### 2.4.3. *Other measures*

2.4.3.1. School curricula and physical rehabilitation programmes for disabled children should enable them to become aware of life in society as early as possible in order to motivate them for leisure activities as soon as possible and, if necessary, to adapt their choices to their skills and capacities.

2.4.3.2. Programmes for disabled adults should encourage them to undertake creative and leisure activities, even outside the institution, in order to enable successful social integration.

2.4.3.3. Scientific and technical studies should be carried out to examine more thoroughly specific problems concerning leisure time and holiday facilities for disabled people and, among others, the adaptability of leisure materials to their disability.

2.4.3.4. Specific sporting activities during the rehabilitation process should be planned, introduced or developed, particularly :

- when the nature of the impairment or disability calls for changes in the rules of certain sports, in the conditions under which they are practised or the equipment used ;
- when for psychological reasons, the disabled person has serious difficulty in practising sport with able-bodied people or feels the need for a reassuring environment created by and for disabled people.

2.4.3.5. The practice of sport during the rehabilitation process should be carried out under appropriate medical supervision.

2.4.3.6. The training of staff specialised in leisure, sport activities and holidays for disabled persons should be envisaged.

#### 2.5. *Fiscal or tax facilities ; customs duties*

2.5.1. Disabled people should benefit from a reduction of, or even exemption from, tax when buying technical and prosthetic appliances, their accessories and spare parts which are necessary on account of their disability, in order to facilitate rehabilitation and integration to the utmost.

2.5.2. Identical measures should be adopted for customs duty when importing such objects.

2.5.3. Member states should consider gradually extending the possibility of abolishing or reducing such tariffs or duties to other types of technical and technological aids for disabled people.

## IX. TRAINING OF STAFF

### 1. Principles

1.1. All those whose duties require them to take action in the technical or administrative areas of rehabilitation should be given adequate training, whether they are involved exclusively in the rehabilitation process or contribute to it through a medical, social or teaching activity.

1.2. The training of staff is to be understood in the widest sense.

1.2.1. It should embrace :

- general training, which normally leads to a diploma and forms the basic qualification for the work concerned ;
- specialised training in rehabilitation.

1.2.2. It should emphasise the following aspects :

- introduction or adaptation to the teamwork required by rehabilitation ;
- introduction to the technique of communication and teaching methods.

1.2.3. It should extend to :

- further training and in-service training ;
- retraining to keep up with technical advances in rehabilitation and technological advances in the various fields of social and economic activity.

1.3. To ensure that rehabilitation is seen as a personalised, single, continuous and co-ordinated process, occupational training courses should be guided by the same specific criteria as rehabilitation programmes for disabled people.

1.4. It is important that the standard of staff should be constantly improved, thanks to better selection, induction courses and further training courses.

1.5. Rehabilitation staff should be made thoroughly conversant with all the social and administrative measures that exist to assist disabled people and with the procedure for setting them in motion ; in particular they should be familiar with the different vocational guidance opportunities and the types of work which disabled people can be offered.

1.6. There should be very close co-operation between :

- the various staff directly involved in rehabilitation ;
- the various agencies concerned with rehabilitation and employment, such as national, regional and local authorities ;
- public and private agencies and voluntary organisations concerned with rehabilitation.

1.7. Co-operation between staff, authorities, institutions and voluntary organisations should be encouraged at national, regional and local level.

1.8. All available means of communication, both traditional and modern, should be used to achieve co-ordination.

### 2. Practical measures

#### 2.1. *Training of medical students and doctors*

2.1.1. All medical students should be taught about rehabilitation problems, especially about the need for early diagnosis and treatment and for co-ordination between rehabilitation services and staff. For this purpose :

- rehabilitation should be a subject in the basic medical course ;
- knowledge acquired and performance in this field should be assessed.

In addition to the specific aspects mentioned under the heading “1. Principles”, the teaching should cover the course of the impairment, disability and handicap, the general concept and process of rehabilitation, as well as methods of diagnosis, prevention and treatment, so that a patient can either be taken fully in charge by a doctor or be referred to a specialist. A sufficient number of teachers specialised in rehabilitation is indispensable for this course.

2.1.2. Doctors ought to acquire a thorough knowledge of rehabilitation, especially if they wish :

- to specialise in or devote themselves exclusively to rehabilitation since, whereas an impairment can be treated by any doctor, prevention and treatment in the case of a disability require specialised training and ability to co-ordinate, plan and evaluate a rehabilitation programme ;

— to enter a branch of social medicine (works doctors, social insurance doctors, doctors co-operating with vocational guidance services, child health surveillance doctors, etc.) ;

— to specialise in any branch of medicine involving rehabilitation (paediatrics, rheumatology, neurology, orthopaedics, cardiology, pneumology, etc.).

To the above end the following should be developed :

— specific training courses in multidisciplinary rehabilitation medicine and complementary integrated training courses adapted to each of the above-mentioned types of work ;

— structures combining medical care, teaching and research, particularly fundamental and clinical research, such as are necessary for the basic training of different practitioners and for retraining in the clinical, therapeutic and technological sectors, since on them all co-ordinated interdisciplinary action depends ; and such structures also as are essential for the training of senior medical care and teaching staff ;

— the dissemination of information and knowledge in this field backed up by the publication of basic texts and other works.

## **2.2. Training of non-medical staff**

### **2.2.1. As regards non-medical staff :**

— basic training courses should cover the concept and methods of rehabilitation and lay emphasis on the importance of teamwork, on patient-staff relations and on the need for the patient to take an active part in the treatment ;

— the training of senior staff for teaching and practice should be developed within the profession ; training should be integrated in the general medical system in order to facilitate the acquisition of a common language and to promote permanent contact and a process of “prescription—treatment—examination—evaluation” in the interests of the patient and of the staff ;

— in-service (particularly interdisciplinary) training schemes should be encouraged.

### **2.2.2. As regards student nurses and nurses :**

— rehabilitation should be included in the basic syllabus of nurses’ training courses, stress being laid on the need for active participation of the patient ;

— specific further training courses should be developed for certain categories of nurses, particularly :

- those working in specialised rehabilitation institutions ;

- those working outside hospitals, such as health visitors and district nurses, works nurses, school nurses, etc.

and for supervisory or teaching staff in or outside hospitals.

2.2.3. As a general rule, each member of the non-medical staff who, through his profession, collaborates in medical rehabilitation should be given a sufficient introduction to the subject and the opportunity not only to be kept informed of recent developments in his special branch but also in rehabilitation. This might be achieved by including rehabilitation in initial training courses or providing in-service training supplemented by special courses.

2.3. Steps should be taken to facilitate exchanges of rehabilitation staff between member states in order to broaden their knowledge of new methods and techniques.

## **X. HEALTH EDUCATION INFORMATION : DISABLED PEOPLE - PARENTS - EMPLOYERS - PUBLIC STATISTICS - RESEARCH**

Rehabilitation programmes for disabled people should recognise :

— the importance of health education and of information, including statistics, in preventing impairments, disabilities and handicaps and assisting in rehabilitation as an individual and collective process ;

— that medical, educational, technological and/or scientific research plays a major role in promoting rehabilitation in its functions of prevention, improvement of the standard of services offered and achievement of optimum economic and social integration in modern society.

### **1. Definitions, health education and information machinery**

1.1. All medical, social and educational activities relevant to rehabilitation should take account of health education.

- 1.2. The purpose of health education and information in rehabilitation should be to :
- prevent impairments as far as possible ;
  - facilitate detection and direct disabled people towards the appropriate services ;
  - inform them about the extent of the rehabilitation process ;
  - encourage them to co-operate actively in their rehabilitation ;
  - inform their families of existing rehabilitation facilities and develop their co-operation and understanding of disabled people's needs ;
  - dispel prejudice against disabled people among the public, employers and other workers.

1.3. Since health education fulfils an important function which includes the need for general information on medical, social and educational matters, this chapter deals with information and health education measures.

## **2. Conditions of health education and information**

2.1. Member states should support or publicise, through a co-ordinated health education and information system, the various opportunities for social and economic integration afforded by rehabilitation.

2.2. Health education and information departments and agencies should be organised in a coherent, co-ordinated manner.

2.3. A national health education and/or information centre should be set up to collect and distribute publications and information on the general and specific aspects of the programme for the rehabilitation of disabled people.

2.4. Scientific techniques should be used in the choice of health education and information themes and methods, and the assessment of the results achieved.

2.5. Specific aspects of health education and information which concern the various groups of disabled people should be studied in greater detail.

2.6. Great attention should be paid to the training of all persons liable to be concerned with health education and information by introducing into the courses offered to such people the study of general health education methods and specific points connected with the rehabilitation of disabled people.

2.7. All persons liable to be concerned with health education should be supplied with full and objective information and effective audio-visual aids.

2.8. The information media (press, radio, television, etc.) should be systematically used for health education purposes.

2.9. Progress in health education, information and publication of material should be supplemented by publicity in support of the rehabilitation of disabled people and its translation into concrete terms by their integration.

2.10. Among the above-mentioned means of publicising the main points of the rehabilitation programme, the use of statistics to supplement other information concerning impairments, disabilities, handicaps and rehabilitation should be included. Statistics should provide rehabilitation agencies with information for both internal and external use.

2.11. Information systems should be developed subject to appropriate legal safeguards for collecting complete and relevant data at both regional and national level on all categories of impairments, disabilities and handicaps in order to enable a realistic programme of assistance to be drawn up.

2.12. Knowledge about the type of data necessary (socio-demographic, administrative, medical, social, etc.) and the means of translating these data into indicators of needs should be developed and built into information systems to serve as a basis for the formulation of a policy. Within this context, it would be fitting to ensure that the measures cover the diverse needs of each category of people suffering from impairments, disabilities and handicaps.

2.13. When developing information systems, member states should aim at achieving comparability of data both at domestic and international level.

For this purpose, member states should :

- a. develop the necessary co-ordinating machinery in order to ensure that information systems are built up and developed on the basis of common concepts ;
- b. harmonise existing national systems ;
- c. apply the provisions of their domestic laws regarding data protection, or in the absence of such provisions, take the necessary measures to protect the rights and interests of the persons concerned.

2.14. Data collection projects should be accompanied :

- a. by the means to make the public, disabled people and all those concerned with their rehabilitation and welfare understand how important it is that they provide complete and accurate information ; and
- b. by the means to make the aggregate data and results available to them.

### 3. Fields of health education and information

The application of the above-mentioned principles of health education and information should be extended to all the fields of community life with which rehabilitation is gradually becoming involved and should concern, generally or individually, disabled people, their relatives, rehabilitation technicians, employers and all agencies, institutions or organisations whose function is to provide services, co-operate in the rehabilitation programme or actively promote integration.

These fields cover :

#### 3.1. *The cause and nature of disabilities*

3.1.1. The public should be informed about the nature and repercussions of disabilities. In this connection, it would be advisable to organise campaigns to inform the general public and make them aware of the problems and the potentials of disabled people.

3.1.2. Health education for all those involved in rehabilitation should concentrate on the specific problems raised by the disability in question and be backed by appropriate information and publicity methods.

3.1.3. The attention of the general public and of health staff should be drawn to the importance of early detection of incipient disorders or abnormalities which, if not dealt with in time, may result in long periods of impairment and diminished chances of rehabilitation.

3.1.4. The findings of surveys to determine the frequency of various disorders may prove extremely useful to the authorities responsible for planning health programmes.

#### 3.2. *Prevention*

3.2.1. The public should be informed, for preventive purposes, about potential causes of impairments and disabilities and existing measures to reduce their effects.

3.2.2. Among the practical preventive measures applied, special attention should be paid to :

- the importance of prenatal consultations which should be made readily accessible to all pregnant women, for example by flexible arrangement of working hours and/or consultation times ;

- support for families with children suffering from chronic diseases who can be prevented from becoming disabled only by thorough and constant treatment. Technical and psychological support should be provided but in certain cases, financial aid should also be given if the treatment, whatever its type (diet, medication, etc.) is exceptionally costly and inadequately refunded by social security schemes. This support should be independent of any previous attribution of a disablement rate, which in any case is always difficult to determine for a child. This financial support should not increase the burden on public finance, as needs may no doubt be met merely by transferring certain sums without exceeding currently available resources.

3.2.3. Should malformations or disorders appear on a massive scale, an international exchange of information by way of statistics would pave the way for speedy concerted action to reduce their impact and prevent after-effects.

#### 3.3. *Detection and identification of disabilities with a view to rehabilitation*

3.3.1. Public attention should be drawn to the importance of the early detection of abnormalities, diseases, injuries and disorders for the speedy initiation of the rehabilitation process.

3.3.2. To secure full, up-to-date information on disorders and disabilities as soon as possible, health authorities should store their statistical information in a uniform way so that it may be compared with that of other countries.

The circulation of the data thus collected should provide health or rehabilitation authorities and agencies with the information they need to draw up their programmes and plan rehabilitation facilities.

To this end, member states should :

- encourage for planning purposes the collection of statistics, indicating as far as possible the nature and severity of disabilities, not only their existence ;

- make use, in collecting statistics, of the findings of preventive examinations, school medical and psychological check-ups and periodical examinations ;



- make all those involved in rehabilitation, and particularly doctors, aware of the need for their voluntary co-operation in the detection of disabilities and the assessment of the disabled person's needs and abilities ;

- make the best possible arrangements for co-operation between detection and rehabilitation services and encourage the exchange of information on people in need of rehabilitation, bearing in mind that the utmost discretion should be exercised in the exchange of personal medical information ;

- give disabled people and those charged with their care technical and practical information on available detection and health care facilities.

### 3.4. *Rehabilitation and the techniques called for*

3.4.1. The introduction of a complete, uniform system of statistics should enable rehabilitation agencies to fulfil their information function towards :

- disabled people and all those charged with their care, by supplying technical and practical information on existing rehabilitation facilities and benefits ;

- all the individuals and agencies directly concerned or interested, by supplying them with regular lists of what is available, services and aids available in the various fields of rehabilitation, so as to build up an overall picture of the number, nature and structure of rehabilitation provisions, the services offered under the programme and the effectiveness of the means being used.

3.4.2. The information programme set up under this system should seek :

- to make disabled people themselves, their families, the working world and the general public sufficiently aware of the rehabilitation facilities that exist and what they can achieve ;

- to provide information about non-specialist rehabilitation techniques which can help overcome a disability and can be used, for example, by the person himself or his family ;

- to draw attention to observations on the application of the rehabilitation programme to specific types of disabled people ;

- to intensify efforts to supply information and documentation to all persons engaged in rehabilitation especially health care staff and social welfare and placement services ;

- to inform family doctors, school doctors, social workers and teachers of the facilities for physical and psychological assessment, treatment and special education available to children ;

- to keep all staff in charge of rehabilitation informed of progress in rehabilitation techniques and improvements in facilities ;

- to publish in each country a rehabilitation periodical of a sufficiently general nature to arouse the interest of the professionals concerned, disabled people and the public ;

- to improve the co-ordination of the information documentation and publicity work done by the various public and private rehabilitation agencies ;

- to encourage the various countries to exchange publications, leaflets, films or other material (at any rate, the most typical among them) produced for information or publicity purposes.

### 3.5. *Appliances*

Because of the rapid progress of orthopaedic techniques as regards both materials and limb-operating devices, exchanges of surgical, medical and prosthetic information and experience between central bodies in member states should be promoted and extended.

### 3.6. *Integration at school*

Health education and information should aim at :

- dispelling the fears and prejudices which teachers, classmates, parents and the general public might have concerning the integration of disabled children at school ;

- informing the public in general and teachers in particular of the advantages of integrating disabled children in an ordinary school environment ;

- informing teachers about the contribution they can make to the rehabilitation programme and the means they can use to this end.

### 3.7. *Rehabilitation into working life*

Health education and information in this area should seek to :

- dispel fears and prejudices among employers, fellow-workers and the public about the employment of disabled people ;

- inform the public in general, and employers in particular, including those in the public sector, of the advantages of resettling disabled people in working life ;



— solve the problem posed by the placement of disabled people, either by keeping employers constantly informed of the working capacities of rehabilitated employees or by notifying them of the steps taken by the authorities to impose obligations to employ disabled persons, offer incentives to employ or reserve certain jobs for them ;

— make clear to employers how they can help to rehabilitate disabled people and resettle them in employment ;

— inform employers about the contribution they can make to the rehabilitation programme and the means they can use to that end.

### 3.8. *Social rehabilitation*

The participation expected of the community in order to ensure the optimum integration of disabled people should call for the following measures with respect to information :

#### 3.8.1. *Construction norms*

The basic structural norms which allow disabled persons access to buildings should be incorporated in building regulations.

##### 3.8.1.1. *Buildings*

Faculties of architecture and town planning, building sector schools, employers' associations and building authorities should be informed of the measures called for to ensure and further facilitate access to :

- all buildings and facilities used by the public ;
- car parks.

##### 3.8.1.2. *Housing*

Training courses and information for all persons involved in housing programmes should be extended to cover the study of access problems and their possible solutions.

#### 3.8.2. *Transport*

3.8.2.1. Encouragement should be given to international exchange of suggestions, views and experience in regard to the nature of the vehicles to be made available to disabled persons and the means of control of such vehicles. This also applies to public transport and its accessibility to disabled people.

3.8.2.2. Vehicle manufacturers, disabled persons' organisations and rehabilitation agencies should be officially associated with this comparative study.

#### 3.8.3. *Leisure, sport, holidays*

3.8.3.1. The general public, disabled people themselves and their families and institutions for disabled people should be informed of the existence of :

- technical aids and means of communication facilitating participation by disabled people in leisure, sports and holiday activities for all ;
- leisure and sports facilities, vacation possibilities and holiday resorts specifically for disabled people.

3.8.3.2. An international exchange of information should be encouraged on new initiatives to make it easier for disabled people to organise their leisure time and their holidays.

3.8.3.3. Tourist and leisure guide books should include all possible information on the facilities available for disabled people in tourist establishments (hotels, restaurants, etc.), on the accessibility of nearby recreation possibilities for them (swimming pools, cinemas, theatres, etc.) and on sports facilities. They should indicate by symbols accessibility for disabled people at hotels, restaurants and other tourist and cultural establishments. The key to the symbols should be given in several languages.

3.8.3.4. Tourist guide books for disabled people with particular needs could be envisaged whenever necessary, preferably as a supplement to normal guide books. Ordinary guide books could contain special information for groups with particular needs.

3.8.3.5. National and/or regional information centres should provide disabled people and tourist offices and agencies with information about holiday, leisure and sports possibilities for disabled people at home and abroad.

3.8.3.6. Financial assistance should be envisaged to encourage schemes to develop and improve tourist, leisure and sports information for disabled people.

#### **4. Research**

4.1. Steps should be taken to promote research into the problems posed by impairments, disabilities and handicaps and to collect the relevant statistics.

4.2. Close liaison and the exchange of information at national and international levels should be encouraged between research centres and services concerned with the rehabilitation of disabled persons.

### **TECHNICAL NOTE ON THE CRITERIA ON HOUSING, PUBLIC BUILDINGS AND PARKING FACILITIES**

(see VIII, item 2.2.1.6)

#### **1. Surrounding areas**

1.1. The entrance at street level should be wide enough to permit the passage of wheelchairs.

1.2. Differences in carriageway and pavement level should be avoided as far as possible. If unavoidable, perpendicular differences in level of up to 2 cm are permissible. Greater differences should be eliminated by ramps complying with the following standards :

- from 2 to 9 cm, maximum gradient 1:5 ;
- from 9 to 37 cm, maximum gradient 1:8 (in this case, two handrails should be mounted to enable wheelchair users to pull themselves up) ;
- up to 75 cm, maximum gradient 1:12, preferably 1:20.

#### **2. Housing and public buildings**

2.1. Given the width of wheelchairs, the width of free passages should be at least 80 cm and preferably 85 cm (especially in the case of doors).

2.2. For dealing with indoor level differences, lifts should be installed, capable of receiving a wheelchair and of being operated by the wheelchair user. Doors and cages should be sufficiently wide (the cage should have a minimum length of 150 cm and a minimum width of 120 cm, the door of the cabin should be at least 90 cm wide ; at stops on each floor there should be an automatic levelling system so that the cabin is on a level with the floor ; the inside and outside doors should slide sideways automatically ; the outside and inside control panels should have the highest button at a maximum height of 120 cm from the ground ; an interphone system should be installed in the cabin in addition to the alarm bell and placed at a maximum height of 120 cm).

2.3. At the top and bottom of ramps there should be a level area of at least 150 cm in length.

2.4. Staircases should be straight with broad steps to allow the use of crutches. "Open" staircases should be avoided.

2.5. Handrails should be provided whenever possible ; on a very wide staircase a handrail should be put in the middle. They should be designed in such a way as to offer real support and an easy grip (maximum height 90 cm). A second handrail should be provided for children.

2.6. For blind people, who usually find their way by means of handrails, these should stretch the whole length of the stairs without any break at landings.

2.7. A wheelchair user wishing to get into or out of his chair by himself should be able to rely on such aids as handles, wall fixtures, etc. Independence in sanitary matters can be achieved by providing at least one toilet and bathroom with sufficient manoeuvring space and ensuring that support fixtures are installed properly and in the right places. Entrance halls and corridors should have a minimum width of 140 cm.

2.8. A wheelchair's turning-circle determines the manoeuvring space required in rooms, lifts and circulation areas. A complete turn requires a circle of a diameter of 150 cm. For lateral wheelchair movements a width of 140 cm should be available. The approach to a door in a side wall of a corridor calls for a minimum width of 140 cm. If a door is located at the end of a corridor there should be a minimum space of 50 cm between the door-frame and the side wall. An area of this size is absolutely essential in rooms with doors opening inwards.

- 2.9. There should be level entrances and non-slip covering for staircases, ramps and corridors.
- 2.10. The lower shoulder level and the greater pelvic fixation caused by the wheelchair-user's sitting position reduce both his horizontal and vertical range, the latter being between 30 cm and 140 cm above floor level. Therefore switches and other controls should be between 70 and 140 cm, preferably 90 cm above floor level.
- 2.11. Since a handicapped person's knees and the arm-rests of a wheelchair are at fixed levels, the lower surface of work tables or draining boards should be at least 68 cm and the upper surface 80-85 cm above floor level. For a right-angled approach to cupboards and refrigerators, etc., the space available for footrests should be at least 15 cm deep and 30 cm high.
- 2.12. The lower eye level of a wheelchair user when seated places limitations on the height of windows and of the solid portions of balcony balustrades, etc.
- 2.13. Provisions for an alarm system should be made.
- 2.14. Part of all housing accommodation should be designed so as to be easily adaptable to the needs of disabled people, without structural changes being necessary.

### **3. Special measures for certain public buildings**

- 3.1. In post offices, theatres, banks, stations, etc., there should be outside or inside counters at an appropriate height for wheelchair users.
- 3.2. At booking offices there should be sufficient space between ticket windows and barriers : in stations, sports grounds, etc. there should be sufficient space at the exits.
- 3.3. In cinemas, theatres, etc. there should be room for people in their own wheelchairs.
- 3.4. In public baths there should be facilities specially designed to meet the needs of wheelchair users.
- 3.5. On staircases, ramps and in corridors in primary and secondary schools, provision should be made for a lower handrail at a height proportionate to the average age of the users, in addition to the normal rail at the standard height of 90 cm. In order to meet with the special problems of persons suffering from an ocular or aural impairment, sound and light signals should be installed for their guidance.
- 3.6. Telephone booths in all buildings and facilities accessible to the public should be sufficiently wide (minimum 120 × 120 cm) and the telephone should be on the wall opposite the entrance at an appropriate height (a maximum of 90 cm above the floor).

### **4. Parking facilities**

- 4.1. In public car parks and parking lots on the public highways, areas should be set aside for cars designed for use by disabled people. There should be enough space for a wheelchair to be got out of the car (minimum width 3 m divided into two functional areas : the first with a minimum width of 170 cm for the space taken up by the car and the second with a minimum width of 130 cm to permit the wheelchair user to move freely when getting into or out of the car).
- 4.2. The area of the car park set aside and the disabled people's disability-adapted cars should display the appropriate international sign.



**EUROPEAN CODE  
OF  
SOCIAL SECURITY RESOLUTIONS  
(CSS)**



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 1

#### ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY AND THE PROTOCOL THERETO BY BELGIUM (Period from 1 July 1982 to 30 June 1983)

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), as modified by the provisions of its protocol (hereinafter referred to as the "protocol"), with a view to supervising the application of these two instruments by the Contracting Parties ;

Whereas the code and the protocol, signed on 16 April 1964, entered into force on 17 March 1968 and since 14 August 1970 have been binding on Belgium which ratified them on 13 August 1969 ;

Whereas, when ratifying the code and the protocol, the Belgian Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code, as modified by the protocol :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VII on "family benefit",
- Part VIII on "maternity benefit",
- Part IX on "invalidity benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol, the Belgian Government submitted on 27 September 1983 its 13th annual report on the application of the code, as modified by the protocol, for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 10 on the 12th report submitted by the Belgian Government in pursuance of paragraph 1 of Article 74 of the code, as modified by the protocol,

Finds that Belgium continues to give full effect to the provisions of all parts of the code, as modified by the protocol.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 2

#### ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY BY DENMARK

(Period from 1 July 1981 to 30 June 1982, and  
period from 1 July 1982 to 30 June 1983)

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), with a view to supervising the application of that instrument by the Contracting Parties ;

Whereas the code, signed on 16 April 1964, entered into force on 17 March 1968 and since 17 February 1974 has been binding on Denmark, which ratified it on 16 February 1973 ;

Whereas, when ratifying the code, the Danish Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VII on "family benefit",
- Part VIII on "maternity benefit",
- Part IX on "invalidity benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code, the Danish Government submitted on 25 February 1983 its 9th annual report and on 14 October 1983 its 10th annual report on the application of the code for the period from 1 July 1981 to 30 June 1982 and the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, these reports were examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, these reports and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 16 on the 8th report submitted by the Danish Government pursuant to paragraph 1 of Article 74 of the code,

**Finds :**

- a.* that Denmark continues to give full effect to the provisions of Parts II, III, IV, V, VII, VIII and IX of the code ;
- b.* that with regard to Part VI, Article 38 in conjunction with Article 36, the statistics furnished by the Government on the basis of Article 66 of the code show that the amount of the old-age pension replacing the compensation for total loss of earning capacity and the survivors' benefit granted under Act No. 79 of 1978 on employment injury insurance is in conformity with the percentage prescribed by these provisions of the code, regardless of any conditions of qualifying period or means test ;
- c.* that with regard to Part VI, Article 38 in conjunction with Article 68.e and *f*, the Danish report contains examples of the practical application of Section 14.1 of Act No. 79 of 1978 under which benefit for loss of earning capacity or for permanent disability may be reduced or withheld if the person concerned has caused the employment injury or substantially contributed to it by "any act or omission involving a manifest risk of injury". In particular it notes the examples of the application of the said Section 14, subsection 1, under which benefit may be reduced in cases of gross negligence, whereas, under Article 68.e and *f* of the code, the possibility of suspending a benefit is confined only to cases where the contingency has been caused by a criminal offence or by the wilful misconduct of the person concerned ;

**Decides :**

- i.* with regard to Part VI, Article 38 in conjunction with Article 68.e and *f*, to invite the Danish Government to re-examine the question of the conformity of Section 14, subsection 1, of Act No. 79 of 1978 with existing practice in relation to the provisions of the code ;
- ii.* to postpone the final decision as to the conformity of the Danish legislation with the provisions of Part VI mentioned under point *i* above until the supervisory bodies referred to in Article 74 of the code have examined the next report.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 3

#### **ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY AND THE PROTOCOL THERETO BY THE FEDERAL REPUBLIC OF GERMANY (Period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), as modified by the provisions of its protocol (hereinafter referred to as the "protocol"), with a view to supervising the application of these two instruments by the Contracting Parties ;

Whereas the code and the protocol, signed on 16 April 1964, entered into force on 17 March 1968 and since 28 January 1972 have been binding on the Federal Republic of Germany, which ratified them on 27 January 1971 ;

Whereas, when ratifying the code and the protocol, the Government of the Federal Republic of Germany stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code, as modified by the protocol :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VII on "family benefit",
- Part VIII on "maternity benefit",
- Part IX on "invalidity benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol, the German Government submitted on 5 October 1983 its 12th annual report on the application of the code, as modified by the protocol, for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 11 on the 11th report submitted by the Government of the Federal Republic of Germany pursuant to paragraph 1 of Article 74 of the code as modified by the protocol,

Finds that the Federal Republic of Germany continues to give full effect to the provisions of all parts of the code, as modified by the protocol.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 4

#### ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY BY IRELAND

(Period from 1 July 1982 to 30 June 1983)

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), with a view to supervising the application of that instrument by the Contracting Parties ;

Whereas the code, signed on 16 April 1964, entered into force on 17 March 1968 and since 17 February 1972 has been binding on Ireland, which ratified it on 16 February 1971 ;

Whereas, when ratifying the code, the Irish Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code :

- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit",
- Part VII on "family benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code, the Irish Government submitted on 6 October 1983 its 12th annual report for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 17 on the 11th report submitted by the Government of Ireland in pursuance of paragraph 1 of Article 74 of the code,

Finds that Ireland continues to give full effect to the provisions of Parts III, IV, V, VII and X of the code.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 5

#### **ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY AND THE PROTOCOL THERETO BY LUXEMBOURG (Period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), as modified by the provisions of its protocol (hereinafter referred to as the "protocol"), with a view to supervising the application of these two instruments by the Contracting Parties ;

Whereas the code and the protocol, signed on 16 April 1964, entered into force on 17 March 1968 and since 4 April 1969 have been binding on Luxembourg, which ratified them on 3 April 1968 ;

Whereas, when ratifying the code and the protocol, the Luxembourg Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code, as modified by the protocol :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VII on "family benefit",
- Part VIII on "maternity benefit",
- Part IX on "invalidity benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol, the Luxembourg Government submitted on 11 October 1983 its 15th annual report for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 12 on the 14th report submitted by the Government of Luxembourg in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol,

Finds that Luxembourg continues to give full effect to the provisions of all parts of the code, as modified by the protocol.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 6

#### **ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY AND THE PROTOCOL THERETO BY THE NETHERLANDS (Period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), as modified by the provisions of its protocol (hereinafter referred to as the "protocol"), with a view to supervising the application of these two instruments by the Contracting Parties ;

Whereas the code and the protocol, signed on 16 April 1964, entered into force on 17 March 1968 and since that date have been binding on the Netherlands, which ratified them on 16 March 1967 ;

Whereas, when ratifying the code and the protocol, the Netherlands Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code, as modified by the protocol :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VII on "family benefit",
- Part VIII on "maternity benefit",
- Part IX on "invalidity benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol, the Netherlands Government submitted on 29 August 1983 its 16th annual report for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 13 on the 15th report submitted by the Netherlands Government in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol,

**Finds :**

- a.* that the Netherlands continues to give full effect to the provisions of Parts II, III, IV, V, VII, VIII, IX and X of the code, as modified by the protocol ;
- b.* that with regard to Part VII of the code as modified by the protocol and Article 70 of Part XII, information was provided by the Government on the changes made in the family benefits scheme and in the financing of this scheme and that of old-age insurance ;
- c.* that, with regard to Part VI of the code as modified by the protocol (Article 32.d and Article 36 in conjunction with Article 38) the Netherlands legislation is still not fully consistent with these provisions of the protocol, in respect of *a.* the conditions imposed by the national legislation for entitlement to a widow's pension, and *b.* in respect of the definition of the contingency. However, the Committee of Ministers expresses the hope that the Netherlands will be able to ratify the revised code as soon as the latter has been adopted, since this code contains solutions that enable states whose insurance systems have abandoned the notion of employment injury to meet the standards of this instrument through the granting of compensatory benefits in other branches of social security ;

Decides that, with regard to Part VII of the code as modified by the protocol and Article 70 of Part XII, to invite the Government of the Netherlands to provide in its next report detailed information on the effect of the changes mentioned above in the application of the code and the protocol.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 7

#### **ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY AND THE PROTOCOL THERETO BY NORWAY (Period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), as modified by the provisions of its protocol (hereinafter referred to as the "protocol"), with a view to supervising the application of these two instruments by the Contracting Parties ;

Whereas the code and the protocol, signed on 16 April 1964, entered into force on 17 March 1968 and since that date have been binding on Norway, which ratified them on 25 March 1966 ;

Whereas, when ratifying the code and the protocol, the Norwegian Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV) :

- Part II of the code on "medical care",
- Part III of the code, as modified by the protocol, on "sickness benefit",
- Part IV of the code on "unemployment benefit",
- Part V of the code, as modified by the protocol, on "old-age benefit",
- Part VI of the code, as modified by the protocol, on "employment injury benefit",
- Part VII of the code, as modified by the protocol, on "family benefit",
- Part IX of the code, as modified by the protocol, on "invalidity benefit",
- Part X of the code, as modified by the protocol, on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol, the Norwegian Government submitted on 18 October 1983 its 16th annual report for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 14 on the 15th report submitted by the Norwegian Government in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol,

Finds :

- a.* that Norway continues to give full effect to the provisions of Parts II and IV of the code and to the provisions of Parts III, V, VI, VII, IX and X of the code as modified by the protocol;
- b.* that with regard to Part II, Article 10, paragraph 2, new rules for medical cost-sharing came into force on 1 April 1984 ;
- c.* that, with regard to Part III, amendments had been introduced to the Sickness Insurance Act by Act No. 95 of 17 December 1982 ;

Decides to invite the Government of Norway to provide with its next report detailed information on new rules with regard to medical cost-sharing and on the effect of the amendments to the Sickness Insurance Act by Act No. 95 of 17 December 1982.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 8

#### **ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY AND THE PROTOCOL THERETO BY SWEDEN (Period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), as modified by the provisions of its protocol (hereinafter referred to as the "protocol"), with a view to supervising the application of these two instruments by the Contracting Parties ;

Whereas the code and the protocol, signed on 16 April 1964, entered into force on 17 March 1968 and since that date have been binding on Sweden, which ratified them on 25 September 1965 ;

Whereas, when ratifying the code and the protocol, the Swedish Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV) :

- Part II of the code on "medical care",
- Part III of the code, as modified by the protocol, on "sickness benefit",
- Part IV of the code, as modified by the protocol, on "unemployment benefit",
- Part V of the code, as modified by the protocol, on "old-age benefit",
- Part VII of the code, as modified by the protocol, on "family benefit",
- Part VIII of the code on "maternity benefit",
- Part IX of the code, as modified by the protocol, on "invalidity benefit",
- Part X of the code, as modified by the protocol, on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol, the Swedish Government submitted on 29 November 1983 its 16th annual report for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 15 on the 15th report submitted by the Swedish Government in pursuance of paragraph 1 of Article 74 of the code as modified by the protocol,

Finds that Sweden continues to give full effect to the provisions of Parts II and VIII of the code and Parts III, IV, V, VII, IX and X of the code as modified by the protocol.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 9

#### ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY BY SWITZERLAND (Period from 1 July 1982 to 30 June 1983)

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), with a view to supervising the application of that instrument by the Contracting Parties ;

Whereas the code, signed on 16 April 1964, entered into force on 17 March 1968 and since 17 September 1978 has been binding on Switzerland, which ratified it on 16 September 1977 ;

Whereas, when ratifying the code, Switzerland stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code :

- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VII on "family benefit",
- Part IX on "invalidity benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code, the Swiss Government submitted on 13 October 1983 its 5th annual report on the application of the code for the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 18 on the 4th report submitted by the Swiss Government in pursuance of paragraph 1 of Article 74 of the code,

Finds :

- a. that Switzerland continues to give full effect to the provisions of Parts V, VII and X of the code ;

b. that in respect of Part VI, although Sections 37.2 and 38.2 of the Federal Accident Insurance Act of 20 March 1981 do not formally rule out the concept of gross negligence, these provisions may be considered as not being contrary to the code in this respect, in the light of the government's assurance that they represent a harmonisation of the legislation with the case-law of the Federal Insurance Court, and that gross negligence of such a nature as to justify a reduction in benefits cannot, in practice, amount to anything but wilful misconduct, as provided for in the code ;

c. that in respect of Part IX, Article 58 in conjunction with Article 68, sub-paragraphs *e* and *f*, of the code, it would appear from the information supplied by the Swiss expert to the Steering Committee for Social Security (CDSS) that formal adaptation of Section 7 of the Federal Invalidity Insurance Act of 19 June 1959 to the provisions of the code will not be carried out, because of the alignment between the analogous provisions of the Invalidity Insurance Act and of the Accident Insurance Act and because administrative practice and case-law are identical for these same provisions ;

Decides :

i. with respect to Part VI, to invite the Swiss Government to provide in its next report examples of the application of Sections 37.2 and 38.2 of the Federal Accident Insurance Act of 20 March 1981 ;

ii. with respect to Part IX, Article 58 in conjunction with Article 68, sub-paragraphs *e* and *f*, of the code, to invite the Swiss Government to provide in its next report examples of the application of Section 7 of the Federal Invalidity Insurance Act of 19 June 1959 ;

iii. to postpone the decision as to the conformity of the Swiss legislation with the provisions mentioned above under i and ii until the supervisory bodies referred to in Article 74 of the code have had an opportunity to examine the information requested.



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 10

#### ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY BY TURKEY

**(Period from 8 March 1981 to 30 June 1982, and  
period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), with a view to supervising the application of that instrument by the Contracting Parties ;

Whereas the code, signed on 16 April 1964, entered into force on 17 March 1968 and since 8 March 1981 has been binding on Turkey, which ratified it on 7 March 1980 ;

Whereas, when ratifying the code, the Turkish Government stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part V on "old-age benefit",
- Part VI on "employment injury benefit",
- Part VIII on "maternity benefit",
- Part IX on "invalidity benefit",
- Part X on "survivors' benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code, the Turkish Government submitted on 17 January 1983 its 1st annual report and on 18 November 1983 its 2nd annual report on the application of the code for the period from 8 March 1981 to 30 June 1982 and the period from 1 July 1982 to 30 June 1983 ;

Whereas, in accordance with paragraph 4 of Article 74, these reports were examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, these reports and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents,

Finds :

- a. that law and practice in Turkey give very wide effect to the provisions of the code ;

b. that with regard to Part II (Article 9, sub-paragraph *a*), Part III (Article 15, sub-paragraph *a*), Part V (Article 27, sub-paragraph *a*), Part VI (Article 33), Part VIII (Article 48, sub-paragraph *a*), Part IX (Article 55, sub-paragraph *a*) and Part X (Article 61, sub-paragraph *a*) of the code, the statistics furnished by the Turkish Government in its 2nd report on the number of employees protected either under the general scheme or special schemes, read in conjunction with figures provided by the International Labour Office in the *Yearbook of Labour Statistics* for 1983, indicate that the proportion required by the code of 50% protected employees in relation to the total number of employees has not been reached and that it would be desirable that the Government of Turkey supply in its next report statistical data to clarify this situation ;

c. that with regard to Part VIII (Article 49) the information provided does not permit the appreciation as to whether the amount of the lump sum benefit paid under Section 46 of the Social Insurance Act No. 506 of 1964 is sufficient in practice to cover the cost of medical care in the event of pregnancy and confinement when this care cannot be provided by the Insurance Institute and that it would be desirable that the next report contain such information.

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RESOLUTION CSS (84) 11

#### **ON THE APPLICATION OF THE EUROPEAN CODE OF SOCIAL SECURITY BY THE UNITED KINGDOM (Period from 1 July 1982 to 30 June 1983)**

*(Adopted by the Committee of Ministers on 7 December 1984  
at the 378th meeting of the Ministers' Deputies)*

The Committee of Ministers,

In the exercise of the functions conferred upon it by Article 75 of the European Code of Social Security (hereinafter referred to as the "code"), with a view to supervising the application of that instrument by the Contracting Parties ;

Whereas the code, signed on 16 April 1964, entered into force on 17 March 1968 and since 13 January 1969 has been binding on the United Kingdom, which ratified it on 12 January 1968 ;

Whereas, when ratifying the code, the United Kingdom stated that it accepted, in addition to the parts which must be applied by every Contracting Party (Parts I, XI, XII, XIII and XIV), the following parts of the code :

- Part II on "medical care",
- Part III on "sickness benefit",
- Part IV on "unemployment benefit",
- Part V on "old-age benefit" ;

Whereas the United Kingdom Government has subsequently, on 19 July 1982, accepted Part VII on "family benefit" ;

Whereas, in pursuance of paragraph 1 of Article 74 of the code, the United Kingdom Government submitted on 5 January 1984 its 15th annual report on the application of the code for the period from 1 July 1982 to 30 June 1983 and, on 31 January and 8 February 1984, additional information relating to this report ;

Whereas, in accordance with paragraph 4 of Article 74, that report was examined by the ILO Committee of Experts for the Application of Conventions and Recommendations at its meeting in March 1984 ;

Whereas, in accordance with paragraph 5 of Article 74, that report and the conclusions adopted thereon by the above-mentioned committee were examined by the Steering Committee for Social Security of the Council of Europe at its meeting in September 1984 ;

Having considered the conclusions reached by the Steering Committee for Social Security after examination of the aforesaid documents ;

Recalling its Resolution CSS (83) 19 on the 14th report submitted by the United Kingdom Government in pursuance of paragraph 1 of Article 74 of the code,

Finds that the United Kingdom continues to give full effect to the provisions of Parts II, III, IV, V and VII of the code.



**EUROPEAN SOCIAL CHARTER  
RESOLUTIONS  
(ChS)**



# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

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### RÉSOLUTION ChS (84) 1

#### **ON CERTAIN NON-ACCEPTED PROVISIONS OF THE EUROPEAN SOCIAL CHARTER**

*(Adopted by the Committee of Ministers on 25 January 1984  
at the 366th meeting of the Ministers' Deputies)*

The Committee of Ministers,

Referring to the European Social Charter and particularly to the provisions of Part IV thereof ;

Having regard to Article 29 of the charter ;

Acting in the context of the examination of the reports submitted under Article 22—reports on non-accepted provisions—concerning the following articles :

- Article 2, paragraph 4,
- Article 7, paragraph 4,
- Article 8, paragraph 4,
- Article 19, paragraph 8 ;

Having taken note of the second report containing the conclusions of the Governmental Committee of the European Social Charter on certain provisions of the charter which have not been accepted, to which is appended the second report of the Committee of Independent Experts concerning these same provisions, and Assembly Opinion No. 117 (1983), prepared from the information submitted by the Governments of Austria, Cyprus, Denmark, France, the Federal Republic of Germany, Iceland, Norway, Sweden and the United Kingdom,

Resolves to transmit the three aforesaid documents to the governments of these states, calling their attention to the passages concerning them and in particular to paragraphs 7.i, ii and iii of Opinion No. 117.

