

# CONCLUSIONS OF THE TWENTY-THIRD MEETING OF THE MINISTERS' DEPUTIES

*held at Strasbourg from 7th to 11th September, 1954*

*There were present :*

BELGIUM . . . . .	M. F. L. GOFFART
DENMARK . . . . .	M. V. U. HAMMERSHAIMB
FRANCE . . . . .	M. Géraud JOUVE M. R. BRESSIER
GERMAN FEDERAL REPUBLIC . . . . .	M. K. K. OVERBECK, <i>Chairman</i> M. K. CARSTENS
GREECE . . . . .	M. N. Hadji VASSILIOU
ICELAND . . . . .	M. H. KRÖYER M. S. HAFSTAD
IRELAND . . . . .	Mr. M. RYNNE
ITALY . . . . .	M. G. CITTADINI CESI M. R. PETRIGNANI
LUXEMBOURG . . . . .	M. J. P. KREMER
NETHERLANDS . . . . .	M. H. Th. van RYCKEVORSEL M. C. RUTTEN
NORWAY . . . . .	M. H. NORD M. E. ANSTEENSEN
SWEDEN . . . . .	M. I. R. HÄGGLÖF M. C. WOLLIN M. A. FÄLTHEIM
TURKEY . . . . .	M. A. AKÇA Dr. R. AKINCI
UNITED KINGDOM . . . . .	Mr. P. W. SCARLETT Mr. C. J. AUDLAND
SAAR . . . . .	M. J. HASSLACHER

The Twenty-third meeting of the Ministers' Deputies opened at Strasbourg on 7th September, 1954, at 10 a.m. under the Chairmanship of M. K. K. Overbeck, Deputy of the Minister for Foreign Affairs of the German Federal Republic.

## **I. Adoption of the Agenda**

The Agenda was adopted (Appendix 2).

## **II. Agreements and Conventions in the form of European Acts**

**(Docs. CM (54) 89, CM (54) 121 and 122,  
Misc. (22) 20)**

The representative of the Saar stated that, having regard to the discussion on the possibility of concluding "European Acts", which had taken place at the Twenty-second Meeting of the Ministers' Deputies, his Government preferred for the time being to continue to observe the traditional form of international conventions and was prepared, so far as signature on behalf of the Saar of forthcoming conventions of the Council of Europe was concerned, to agree to the same procedure as that followed in December, 1953.

The question of "European Acts" will be included among the questions in abeyance, for consideration at a later date.

## **III. Conference on the Organisation of Agricultural Markets**

The Deputies took formal note of the communication from the Secretary-General (Appendix 3).

## **IV. Report of the Eight Session of the Committee of Cultural Experts**

**(Doc. CM (54) 61)**

**(a) European Cultural Convention  
(Docs. CM (54) 123 and 125)**

The Deputies approved the draft European Cultural Convention and decided to submit it to the Consultative Assembly for opinion.

The representative of Ireland stated that, in the event of his Government acceding to the Convention, they would have to do so subject to an interpretative declaration concerning the phrase "insofar as may be possible" in Articles 2 and 4 of the present text.

**(b) Removal of obstacles  
to the free circulation of books  
(Docs. CM (54) 107 - CM (54) 142)**

The Deputies decided to request those Governments which had not yet sent to the Secretary-General their comments on the recommendations of the Working Party on the free circulation of books (Doc. CM (54) 107) to ensure that their replies reached the Secretariat-General at least three weeks before the opening of the Twenty-fifth Meeting of the Deputies.

**(c) Implementation of the Cultural Programme**

The Deputies adopted Resolution (54) 12, the text of which will be found in Appendix 1, page 191.

**V. Report of the Seventh Session of the  
Committee of Experts on Social Security  
(Docs. CM (54) 59, 73 and 148)**

The Deputies, first of all, considered that part of the Seventh Report of the Committee of Experts on Social Security relating to the European Code of Social Security.

With regard to the level of social security which should be laid down in the Code, the Deputies adopted Resolution (54) 13, the text of which will be found in Appendix 1, page 191.

The representative of Belgium proposed that in the last paragraph of the Resolution the words "will strive to achieve" be replaced by the words "will undertake to achieve within a given period". The Luxembourg representative indicated that he would also have preferred this wording to that finally adopted.

With regard to procedure for ensuring that the laws of a country wishing to ratify the Code duly comply with the conditions of such ratification, the Deputies set out their instructions to the Experts in Resolution (54) 14, the text of which will be found in Appendix 1, page 192.

**VI. Reply of the Committee of Ministers to the  
Second General Report  
of the High Authority of the E. C. S. C.  
(Docs. CM (54) 121 and CM (54) 144)**

The Deputies took note of the comments submitted on the Second General Report of the High

Authority by the Governments of several Members of the Council which are not members of the Community, and of the preliminary draft Reply to the High Authority prepared by the Secretariat-General. It was decided to reconsider the matter at the next meeting of the Ministers' Deputies, when the Consultative Assembly's Opinion on the Second General Report would be available.

The Secretariat-General was instructed to submit in the meantime a new draft Reply to the High Authority embodying all comments made by the Governments.

**VII. Draft Convention on the  
Peaceful Settlement of Disputes  
(Docs. CM (54) 116 et seq. and CM (54) 143)**

The Ministers' Deputies approved the text of the Draft Convention prepared by the Committee of Experts. The representative of Greece expressed the opinion that, owing to the varied nature of the Governments' replies to the Questionnaire (D. 6700) and the different implications raised by some of them, this matter was not yet sufficiently far advanced to be considered as settled, even in principle, or to be communicated to the Consultative Assembly. Nevertheless, he did not oppose the decision that such a communication should take place. The Secretary-General was instructed to transmit this text to the Assembly for an opinion, together with the following letter to the President of the Assembly.

Monsieur le Président,

In its Supplementary Report to the Assembly in September, 1953, the Committee of Ministers stated that it would transmit to the Assembly for its opinion the Draft Convention for the Peaceful Settlement of Disputes when the Governments had reached agreement on the draft text.

In its Fifth Report the Committee of Ministers states that it was re-examining this text, as a result of a proposal on arbitration having been submitted by the Swedish Government.

As the Committee of Ministers has, in the meantime, unanimously agreed that this proposal

could not at present be adopted, it has decided to abide by the Draft Convention as drawn up by the experts.

In accordance with the undertaking previously given, the Committee of Ministers has instructed me to transmit this text to the Assembly for its opinion.

I am, Sir,

Your most obedient servant,

Léon Marchal,  
Secretary-General.

The representative of Sweden asked the Committee to inform the Assembly of the proposals of his Government on the subject of arbitration. To this end, the final report of the Committee of Experts (Doc. CM (53) 58) and the explanatory note of the Secretariat-General, to which is appended the note of the Swedish Government on arbitration (Doc. CM (53) 123), should, he thought, be transmitted to the Assembly.

As unanimity was not reached on the proposal of the Swedish representative, this proposal was not retained.

**VIII. Proposals by the  
Netherlands Government concerning  
the problem of Refugees**  
(Docs. CM (54) 85, CM (54) 119, CM (54)  
121 para. VIII, CM (54) 137)

The Deputies heard a statement by the United Nations High Commissioner for Refugees on the way in which he contemplated implementing the Netherlands' proposals, under the terms of reference conferred upon him by the United Nations. The High Commissioner also answered questions put to him by the Deputies.

The Deputies then took note of the Resolution adopted on 23rd July, 1954, by the United Nations Economic and Social Council concerning the problem of international refugees. They adopted Resolution (54) 15, the text of which will be found in Appendix 1, page 192.

The representative of the United Kingdom signified his abstention.

Following the adoption of this Resolution, the Netherlands representative briefly recalled that

some Governments had announced their willingness to pay part of the sum of 5 million dollars, originally proposed by the Netherlands' Government as a contribution to the United Nations Refugees Emergency Fund. He expressed the hope that these promises would soon be fulfilled and stated that the Netherlands' Government would shortly pay its contribution of 200,000 dollars to the U.N.R.E.F.

**IX. Assistance in the event of natural disasters**

The Secretary-General made a statement on this subject to the Deputies (Appendix 4).

**X. Fiscal Immunities  
of staff of the Council of Europe**  
(Doc. CM (54) 124)

It was decided that this question should remain in abeyance and that the Secretary-General should inform the Committee of any new facts relevant to it which might arise.

**XI. Recommendation 56 (1953)  
Resolution 41 (1953) on the choice of an  
Emblem for the Council of Europe**  
(Docs. CM (54) 7, 48, 99 rev., 103 and 140)

The Deputies unanimously approved the procedure proposed by the Government of the German Federal Republic (Doc. CM (54) 140), namely that a committee should be set up, consisting of three heraldic experts appointed by Member States and three representatives of the Consultative Assembly, to study the question of an emblem for the Council of Europe. This committee would report to the Committee of Ministers. The Irish and Italian Governments each agreed to appoint an expert. The Netherlands Government undertook to inform the Secretariat-General what action it proposed to take following a similar request made to it.

The Secretary-General was instructed to send a letter to the President of the Consultative Assembly requesting the Assembly to appoint its representatives to the Committee of Experts. It was agreed that the Secretary-General would convene the committee as soon as possible.

**XII. Recommendation 58 (1954)  
on the establishment of a  
procedure for consultation among the  
European Delegations to  
International Organisations**

**(Docs. CM (54) 135 and 136, Letter D/9580 of  
18th August 1954)**

The Deputies agreed upon the text of the Reply to be made to this Recommendation of the Consultative Assembly and adopted Resolution (54) 16, the text of which will be found in Appendix 1, pages 193-194.

**XIII. Recommendations 59 (1954) and 51 (1953)  
on the simplification of  
frontier formalities for private motor vehicles**

The Deputies took note of the replies made by the Governments to the enquiries which the Secretary-General had been instructed to make in connection with those recommendations. It was decided that a brief outline of the replies received would be given in the Supplementary Report of the Committee of Ministers to the Assembly and that they would be studied by a working party composed of Permanent Representatives to the Council resident at Strasbourg. It was agreed that Member Governments with no permanent representative at Strasbourg would be informed in good time of the date of the meetings of the working party by the Secretary-General. They would be at liberty to send a representative to the meetings, if they so desired. The working party should submit to the Committee of Deputies, as soon as possible, a report containing a first draft of a reply from the Committee of Ministers to both recommendations.

**XIV. Recommendation 60 (1954)  
on the establishment  
of a Cultural Fund for Exiles**

The representatives of Denmark, Iceland, Ireland, Luxembourg, Norway, Sweden and the United Kingdom stated that they had no objection to this Recommendation being reconsidered with a view to the possible conclusion of a partial agreement, but made it clear that they reserved the right of their Governments to stand aside from this agreement. It was finally decided that Recommendation 60 (1954) should be referred to the Committee of Cultural Experts for examination, with instructions to explore the

possibilities of creating a cultural fund by means of a partial agreement.

**XV. Recommendation 61 (1954)  
on the Special Report of the O.E.E.C.  
on the Strasbourg Plan  
(Docs. CM (54) 145, 145/1 and addendum)**

The Deputies had before them a letter from the Government of the Federal Republic concerning Recommendation 61 (Doc. CM (54) 145), as well as a draft Reply of the Committee of Ministers to the Assembly, submitted by the United Kingdom delegation and a draft amendment to this text submitted by the Netherlands delegation. It was resolved to reconsider this item at the next meeting of the Deputies.

**XVI. Resolution 47 (1954) on the future of the  
subject European nations**

The Belgian, Greek and United Kingdom representatives requested that consideration of this Resolution should be included in the Agenda of the next session of the Committee of Ministers.

**XVII. Supplementary Report of the  
Committee of Ministers  
to the Consultative Assembly**

The Deputies approved the text of the Supplementary Report to be transmitted to the Consultative Assembly for the second part of its Sixth Ordinary Session.

**XVIII. Meeting of the Joint Committee**

The meeting of the Joint Committee which was due to be held on 13th September, 1954, has, in agreement with the President of the Consultative Assembly, now been cancelled.

**XIX. Participation of Ministers  
in the General Political Debate of the Assembly**

The Deputies authorised the Italian Minister for Foreign Affairs or his representative to take

part in the general political debate of the Consultative Assembly. Having been informed that the Belgian Minister for Foreign Affairs also proposed to attend the debate, if possible, the Deputies considered that the authorisation which had been given to him by the Committee of Ministers for the first part of the Sixth Session of the Assembly should hold good for the second part of the same Session.

## **XX. Social Committee**

### **(a) Creation of a Social Committee (Doc. CM (54) 126)**

The Deputies adopted Resolution (54) 17, the text of which will be found in Appendix 1, pages 194-195.

### **(b) Letter from O.E.E.C. concerning the Social Committee's terms of reference (Doc. CM (54) 139 - letter D/10.090)**

Since the terms of reference of the Social Committee require it to seek ways and means of ensuring the efficient distribution of tasks between the Council of Europe and the other international organisations concerned with social matters, in particular O.E.E.C. and I.L.O., the Deputies decided to refer the letter from O.E.E.C. to the Social Committee for consideration.

It was agreed that the Secretary-General should invite the O.E.E.C. and I.L.O. to send observers to the first meeting of the Social Committee.

### **(c) Date and place of the first meeting of the Social Committee**

The Ministers' Deputies decided to convene the Social Committee at Strasbourg on October 4th, 1954.

## **XXI. Report of the Committee of Experts on Public Health (Doc. CM (54) 133 — Letter D/9575)**

(a) After considering the Report of the Committee of Experts on Public Health, the Ministers' Deputies decided that these experts should be requested to continue their work on the Programme of Work of the Council of Europe. The

Secretary-General was accordingly authorised to convene another meeting of the Committee of Experts.

It was agreed that representatives of Austria, Portugal and Switzerland should be invited to participate in the work of the Committee of Experts.

(b) The Deputies resolved to transmit the Experts' Report to the European Regional Office of the World Health Organisation for the next Session of the Regional Committee of that Organisation.

## **XXII. Date and place of the next Session of the Committee of Ministers — Joint Meeting of the Committee of Ministers and the High Authority (Doc. CM (54) 134)**

The Deputies decided to defer this item till their next meeting.

## **XXIII. Transmission to Governments of documents of Assembly Committees (Letter D. 8765)**

The Deputies took note of the letter, dated 17th July, 1954, in which the President of the Consultative Assembly had informed the Chairman of the Committee of Ministers of the decision of the Bureau of the Assembly concerning the transmission of documents of Assembly Committees to Governments (see Appendix 5).

## **XXIV. Brussels International Exhibition (Letter D. 8515)**

The Deputies expressed the wish to have more detailed information concerning this Exhibition and the extent to which the Council of Europe might take part in it. The Secretary-General was instructed to make the necessary enquiries and to draw up a Report for transmission to the Governments of Member States.

## **XXV. Grant-in-Aid to the Parliamentary Council of the European Movement (Letter D. 8770)**

The representative of Belgium requested that this question should be included in the agenda

of the next session of the Committee of Ministers, under Rule 14 of the Rules of Procedure of the Committee of Ministers.

#### **XXVI. Grant-in-Aid to the European Cycle race**

The Deputies instructed the Secretary-General to inform the organisers of the European Cycle Race that the Council of Europe was not in a position to make them a grant-in-aid.

#### **XXVII. Date and Place of the next Meeting of the Ministers Deputies**

It was decided that the Twenty-fourth Meeting of the Ministers' Deputies would be held at Strasbourg, at 10 a.m. on the next day but one after the end of the forthcoming session of the Consultative Assembly.

#### **XXVIII. Other Business**

##### **(a) Examination by experts of the preliminary draft Pension Scheme (Doc. CM (54) 150)**

The Secretary-General explained that, in examining the question of a draft pension scheme in accordance with Resolution (52) 68 of the Committee of Ministers. The officials of the Council appointed for this purpose had deemed it expedient to collaborate with officials of O.E.E.C. in a joint Working Party, with a view to framing the principles of a common scheme and possibly establishing a common fund for

both organisations. The Council of O.E.E.C. having decided to transmit the preliminary draft produced by this Working Party to a Committee of Government experts, the Secretary-General was authorised to request this Committee to examine the matter from the point of view of the Council of Europe also, thus rendering superfluous the group of four experts for which provision had been made in Resolution (52) 68.

##### **(b) Use of Secretariat-General accommodation by Ministerial and Parliamentary delegations (Doc. CM (54) 151)**

The Ministers' Deputies took formal note of the Memorandum produced on this subject by the Secretary-General, and decided to return to it at a later meeting.

##### **(c) European Civil Aviation Conference (Doc. CM (54) 138)**

The Ministers' Deputies considered the letter of July 13th from the Secretary-General of I.C.A.O. (Doc. CM (54) 138) and instructed the Secretary-General in his reply to request that the Council of Europe should be invited to send a representative to the forthcoming meeting of the European Civil Aviation Conference. The Deputies agreed to ask their Governments to give instructions to their representatives on the Council of I.C.A.O. to support this request.

It was further agreed that the Report of the Conference on the Co-ordination of Air Transport in Europe held at Strasbourg in April and May, 1954 should be communicated to the Assembly for information.