



Committee of Ministers  
Comité des Ministres

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OBSERVER STATUS FOR THE COUNCIL OF EUROPE WITH  
THE UNITED NATIONS GENERAL ASSEMBLY

Secretariat Memorandum  
prepared by the  
Directorate of Political Affairs

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Forty years  
Council of Europe  
Quarante ans  
Conseil de l'Europe

1. The question of granting the Council of Europe observer status with the General Assembly of the United Nations has been raised on several occasions by the Committee of Ministers since the end of the sixties, but examination of this matter has not yet led to a consensus on any approach to the United Nations.

2. The object of this document is to provide some detail in this connection. It deals with the relations which have been established between the Council of Europe and the United Nations Organisation, the advantages accruing from permanent observer status, the financial implications and the procedure for granting this status. In addition, it also provides some elements of response to the questions which have been raised during previous examinations at the level of the Ministers' Deputies. This document is broadly based on CM(83)124 on relations between the Council of Europe and the United Nations and on considerations within the Secretariat.

3. In appendix is the list of the intergovernmental organisations which enjoy permanent observer status with the United Nations.

I. Relations between the Council of Europe and the United Nations Organisation

a. Background

4. Relations between the Council of Europe and the United Nations go back to the very beginnings of our Organisation and derive from the Statute itself.

A fairly limited working agreement was signed in 1951 between the General Secretariat of the Council of Europe and the Secretariat of the United Nations. From 1951 to 1964, relations between the two organisations developed on this basis and the Secretariat of the Council of Europe participated in many meetings of the United Nations.

5. In 1964, the Committee of Ministers instructed the Secretary General of the Council of Europe to intensify contacts with the international organisations with a view to achieving better co-ordination of activities and avoiding duplication.

6. The visit of the Secretary General of the United Nations, Mr U Thant, in May 1966 to Strasbourg confirmed the value of the co-operation which had developed with the UNO since 1951 and indicated the will of that organisation to impart a new value and a more active form to this co-operation.

7. On the occasion of his visit to the United Nations in 1970, the Secretary General of the Council of Europe raised the question of observer status. This question was also raised in the Committee of Ministers in the same year, but gave rise to some hesitation mainly on account of the international situation.

8. In 1971, however, the agreement between the General Secretariat of the Council of Europe and the Secretariat of the United Nations was to be revised and updated under the title: "Arrangements for co-operation and liaison between the Secretariats of the Council of Europe and the United Nations".

9. The will for more active co-operation at the level of the Secretariats was demonstrated very clearly in Resolution (74)4 of the Committee of Ministers on the future role of the Council of Europe. It may also be recalled that the final communiqué of the 59th Session of the Committee of Ministers (January 1977) emphasised that "it is important for the member countries to improve the co-ordination of their work in this worldwide political forum". Again, on the occasion of the 40th anniversary of the United Nations in 1985, a message from the Committee of Ministers to the Secretary General of the United Nations reaffirmed "the complete readiness of the Council of Europe to deepen and intensify its relations both with the Secretariat and the Assembly and with the other bodies of the United Nations". The question of the relations between the two organisations is not mentioned again in a Committee of Ministers text.

10. Finally, there was the visit of the Secretary General of the United Nations, Mr Javier Perez de Cuellar, to the Council of Europe in July 1986. This visit took place in the context of the co-operation agreement between the two organisations and followed the meeting of the two Secretaries General at United Nations headquarters during Mr Oreja's visit in March 1986.

11. The specific question of the observer status of the Council of Europe with the General Assembly of the United Nations was re-examined by the Ministers' Deputies in 1983 with a view to raising the matter again as conditions appeared right for a positive decision.

b. Present framework of these relations

12. The arrangement of 1951, revised in 1971, provides for exchanges of documents and publications, supplemented by regular contacts between officials of the two Secretariats for consultation on projects and activities of common interest.

13. Apart from the mutual consultations between the two Secretariats with a view to the preparation and implementation of projects of common interest, the arrangement provides that "the two Secretariats may agree to further develop the valuable existing practice of holding inter-Secretariat meetings of the Council of Europe, the United Nations, the Economic Commission for Europe and other United Nations bodies competent in fields of common concern".

14. The arrangement also provides that "the Secretaries General of the United Nations and the Council of Europe or their representatives may continue on the basis of an inter-Secretariat invitation to attend sessions of the Assemblies or other bodies of the two organisations convened to study matters of common interest".

15. As a result, and subject to procedures in force (Resolution (76) 3 of the Committee of Ministers), a representative of the Secretary General of the United Nations may be invited to attend meetings of government experts convened by the Committee of Ministers of the Council of Europe, and by the same token the Secretary General of the Council of Europe or his representative may be invited to attend meetings of United Nations agencies.

16. The arrangement also provides that "the Secretariats of the Council of Europe and the United Nations will endeavour as far as possible to give each other reciprocally the technical assistance required for the study of questions of common interest or the implementation of individual or joint projects deriving therefrom".

17. In the matter of sectoral co-operation, the Council of Europe has since 1968 been regularly invited to attend sessions of the Economic and Social Committee (ECOSOC), during which the Secretariat may participate in the discussions.

18. In the field of Human Rights, relations between the Council of Europe and the United Nations are mainly governed by Resolution 1159 (XLI) of ECOSOC of 5 August 1966, which officially grants the Council of Europe observer status with the United Nations Commission of Human Rights. Since 1968, an observer from the Council of Europe has attended almost all the Sessions of the United Nations Commission of Human Rights in Geneva. He has the right to participate in the debates. The Director of Human Rights of the Council of Europe may make a declaration; the Secretary General of the Council of Europe himself addressed the United Nations Commission of Human Rights in February 1985. In regard to exchanges of information in this field, the Council of Europe is requested to send a report each year on its work in this field.

19. The Council of Europe also enjoys observer status with the International Law Commission of the United Nations. This Commission is also represented as an observer at the meetings of the European Committee on Legal Co-operation (CDCJ).

20. Finally, more recently, in 1987, the Council of Europe was authorised to participate as observer in the work of the Commission on the Status of Women, in accordance with Article 79 of the Rules of Procedure of ECOSOC and Article 74 of the Rules of Procedure of the technical commissions of the latter.

## II. Advantages of observer status

21. Although it does not confer any special privileges, such status would above all provide a platform for the Council of Europe to emphasise its contribution to a number of specific international matters. The development of East-West relations, in the context of the Council of Europe as well, constitutes a particularly positive element today in this connection.

22. The granting of observer status would make it possible to broaden experience obtained in the framework of the existing Agreement, and to relate our presence to the accelerating development of realities:

### a. at practical level

- representation of the Council of Europe at the sessions of the General Assembly and the meetings of the Commissions. This would make it possible to have the documents distributed and if necessary to provide explanations during the sittings of Commissions;

- broadening and systematisation of the dissemination of United Nations documents' in all fields (including restricted distribution documents);
  - possibility of insuring a wider distribution to the Members of the United Nations of the documents of the Council of Europe through a member Government of the Council, with the possibility of certain documents becoming General Assembly documents.
- b. at political level
- observer status would carry recognition of the part played by the Organisation as a forum of the European democracies, and as an instrument of political dialogue on questions of interest to the vocation of both the United Nations and the Council of Europe;
  - the granting of observer status would strengthen the image and prestige of the Council of Europe as a vital element in efforts for the construction of Europe apart from - and beyond - the European Community;
  - Such status would also enable the Council of Europe to be heard in pursuit of its statutory task, concerning inter alia the principles of democracy and human rights, with a more marked political effect than current arrangements permit. It may be recalled in this connection that in 1978, following the visit of the Secretary General of the Council of Europe to the United Nations, on the occasion of the 30th anniversary of the Universal Declaration of Human Rights, several delegations deplored the fact that, at the UNO ceremony, there was no express reference to the Council of Europe's contribution to the cause of Human Rights, notwithstanding the dispatch of a Declaration by the Committee of Ministers on Human Rights as the Council of Europe's contribution to this anniversary.
  - judicious and selective participation in the meetings of the Commissions of the General Assembly would enable the Council of Europe to keep more in touch and better informed regarding the developments of various matters of common interest. This would be valuable for periodical exchanges on the United Nations in the framework of the political dialogue and particularly for their preparation in Strasbourg, New York or Geneva.

### III. Financial implications

23. The obtention of observer status would not involve any additional expenditure. There are no plans to open a permanent office in New York. Several intergovernmental organisations with observer status with the United Nations General Assembly do not have permanent offices in New York (eg Commonwealth secretariat, Cultural and Technical Co-operation Agency, Group of African, Caribbean and Pacific States).

24. It is also recalled that the Directorate of Political Affairs has a correspondent in New York who follows the work of the United Nations informally on behalf of the Council of Europe. His role could be facilitated by the obtention of observer status. The Secretariat already undertakes certain missions to United Nations headquarters during the General Assembly, with an eye to the value of obtaining and transmitting information on the spot in terms of the development of work in the Council of Europe.

#### IV. Procedure to be followed to request observer status

25. The request for observer status should be established in the form of a letter from one or more Permanent Representatives members of the Council of Europe with the United Nations, addressed to the General Secretariat of the United Nations, with a request that the matter should be included in the agenda of the next Session of the General Assembly. The request should arrive 60 days before the opening of the Session. A decision in this connection should therefore be made by the Committee of Ministers in June or July, so that it can be discussed and dealt with at the September session of the United Nations General Assembly.

26. It will be up to the General Assembly to adopt a resolution conferring observer status. The Secretariat of the United Nations and several delegations of member States in New York have expressed the opinion that this procedure should now be successful.

ANNEXE/APPENDIX

ORGANISATIONS INTERGOUVERNEMENTALES AYANT OBTENU LE STATUT D'OBSERVATEUR  
AUPRES DES NATIONS UNIES/INTERGOVERNMENTAL ORGANISATIONS GRANTED  
OBSERVER STATUS WITH THE UNITED NATIONS (1988)

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Organisation des Etats Américains/Organization of American States  
(1948)

Ligue des Etats Arabes/League of Arab States (1950)

Organisation de l'Unité Africaine/Organisation of African Unity (1965)

Communauté Economique Européenne/European Economic Community (1974)

Conseil pour l'assistance économique mutuelle/Council for mutual  
economic assistance (1974)

Conférence islamique/Organisation of the Islamic Conference (1975)

Secrétariat du Commonwealth/Commonwealth Secretariat (1976)

Agence de Coopération Culturelle et Technique/Agency for Cultural  
and Technical Cooperation (1978)

Comité Consultatif Juridique d'Asie et d'Afrique/Asian-African  
Legal Consultative Committee (1980)

Système Economique d'Amérique Latine/Economic System of Latin America  
(1980)

Groupe des Etats d'Afrique, des Caraïbes et du Pacifique/African,  
Caribbean and Pacific Group of States (1981)

Banque Africaine de Développement/African Development Bank