

RESOLUTION (51) 28 : (2nd May, 1951) — **Written Questions - Rule 48 of the Rules of Procedure of the Consultative Assembly.**

The Committee of Ministers,

Whereas certain rules of procedure should be established governing the matter of written questions which may be submitted to it by Representatives to the Assembly in pursuance of Article 48 of the Rules of Procedure of the Consultative Assembly,

Resolves :

Written questions submitted by Representatives to the Consultative Assembly, in pursuance of Article 48 of its Rules of Procedure, shall first be examined by the Ministers' Advisers meeting immediately before the sessions of the Committee of Ministers. The Advisers shall then determine which questions shall be included in the Agenda of the Committee of Ministers and shall decide what other action should be taken.

This procedure may be modified in the light of experience.

RESOLUTION (51) 29 : (3rd May, 1951) —

The Committee of Ministers expressed its acceptance of the principle of partial agreements, by which it would be possible for individual members of the Committee of Ministers to abstain from voting on a particular proposal and thus not be bound by the decision taken by their colleagues.

The Committee instructed the Ministers' Advisers to draft a suitable text to give effect to this decision for consideration by the Committee at its next Session.

RESOLUTION (51) 30 : (3rd May, 1951) — **Revision of the Statute.**

The Committee of Ministers,

Having regard to certain proposals by the Consultative Assembly for the revision of the Statute,

Considering that the measures mentioned below are not incompatible with the provisions of the present Statute,

Announces its intention of putting the following provisions into effect (*Resolutions (51) 30 A—F.*)

RESOLUTION (51) 30 A : (3rd May, 1951) — **Admission of New Members.**

The Committee decided that, before inviting a State to become a Member or an Associate Member of the Council of Europe, in accordance with the provisions of Articles 4 and 5 of the Statute, or inviting a Member of the Council to withdraw, in accordance with the provisions of Article 8, the Committee would, in conformity with established practice, first consult the Consultative Assembly.

RESOLUTION (51) 30 B : (3rd May, 1951) — **Powers of the Committee of Ministers — Article 15 of the Statute.**

The conclusions of the Committee of Ministers may, where appropriate, take the form of a convention or agreement. In such a case the following provisions shall apply :

1. The convention or agreement shall be submitted by the Secretary-General to all Members for ratification ;
2. Each Member undertakes that within one year of such submission, or, where this is impossible owing to exceptional circumstances, within eighteen months, the question of ratification of the convention or agreement shall be brought before the competent authority or authorities in its country ;
3. The instruments of ratification shall be deposited with the Secretary-General ;
4. The convention or agreement shall be binding only on such Members as have ratified it.

RESOLUTION (51) 30 C : (3rd May, 1951) — **The Joint Committee.**

1. The Joint Committee is the organ of co-ordination of the Council of Europe. Without prejudice to the respective rights of the Committee of Ministers and the Consultative Assembly, the functions of the Joint Committee shall be, in particular :
  - (a) to examine the problems which are common to the two other organs ;
  - (b) to draw the attention of those two organs to such questions as appear to be of particular interest to the Council of Europe ;
  - (c) to make proposals for the draft Agenda of the sessions of the Committee of Ministers and of the Consultative Assembly ;
  - (d) to examine and promote means of giving practical effect to the recommendations adopted by one or other of these two organs.
2.
  - (a) The Joint Committee shall be composed in principle of twelve members, five of whom shall be representatives of the Committee of Ministers, and seven of whom shall be representatives of the Consultative Assembly — the latter number to include the President of the Consultative Assembly, who shall be a member *ex officio*. The number of members may be increased by agreement between the Committee of Ministers and the Assembly. Nevertheless, the Committee of Ministers shall, at its discretion, be entitled to increase by one or two the number of its representatives on the Joint Committee.
  - (b) The Committee of Ministers and the Consultative Assembly shall each be free to choose its own method of selecting its representatives on the Joint Committee.
  - (c) The Secretary-General shall be entitled to attend the meetings of the Joint Committee in an advisory capacity.
3.
  - (a) The President of the Consultative Assembly shall be the Chairman of the Joint Committee.
  - (b) No proceedings of the Committee shall be regarded as valid unless a quorum is a present consisting of three of the representatives of the Committee of Ministers and five of the representatives of the Consultative Assembly.
  - (c) The conclusions of the Joint Committee shall be reached without voting.

- (d) The meetings of the Joint Committee shall be convened by the Chairman and shall take place as often as is necessary and, in particular, before and after the sessions of the Committee of Ministers and of the Consultative Assembly.
- (e) Subject to the foregoing, the Joint Committee may adopt its own Rules of Procedure.

RESOLUTION (51) 30 D: (3rd May, 1951) — **Number of Deputy Secretaries-General — Article 36 of the Statute.**

In the event of the Statute being amended, it would be appropriate to word the first two paragraphs of Article 36 as follows :

- (a) The Secretariat shall consist of a Secretary-General and such Deputy Secretaries-General and other staff as may be required.
- (b) The Secretary-General and Deputy Secretaries-General shall be appointed by the Consultative Assembly on the recommendation of the Committee of Ministers.

RESOLUTION (51) 30 E: (3rd May, 1951) — **Specialised Authorities.**

1. (a) The Council of Europe may take the initiative in instituting negotiations between Members with a view to the creation of European Specialised Authorities, each with its own competence in the economic, social, cultural, legal, administrative or other related field.
- (b) Each Member shall remain free to adhere or not to adhere to any such European Specialised Authority.
2. If Member States set up among themselves, on their own initiative, European Specialised Authorities, the desirability of bringing these Authorities into relationship with the Council of Europe shall be considered, due account being taken of the interests of the European community as a whole.
3. (a) The Committee of Ministers may invite each Authority to submit to it a periodical report on its activities.
- (b) Insofar as any agreement setting up a Specialised Authority provides for a parliamentary body, this body may be invited to submit a periodical report to the Consultative Assembly of the Council of Europe.
4. (a) The conditions under which a Specialised Authority shall be brought into relationship with the Council may be determined by special agreements concluded between the Council and the Specialised Authority concerned. Such agreements may cover *inter alia* :
  - (i) reciprocal representation and, if the question arises, the appropriate forms of integration between the organs of the Council of Europe and those of the Specialised Authority ;
  - (ii) exchanges of information, documents and statistical data ;
  - (iii) the presentation of reports by the Specialised Authority to the Council of Europe and of recommendations of the Council of Europe to the Specialised Authority ;
  - (iv) arrangements concerning staff and administrative, technical, budgetary and financial services.

- (b) Such agreement shall be negotiated and concluded on behalf of the Council of Europe by the Committee of Ministers after an opinion has been given by the Consultative Assembly.
5. The Council of Europe may co-ordinate the work of the Specialised Authorities brought into relationship with the Council of Europe in accordance with the foregoing provisions by holding joint discussions and by submitting recommendations to them, as well as by forwarding recommendations to Member Governments.

RESOLUTION (51) 30 F: (3rd May, 1951) — ***Relations with International Organisations, both Intergovernmental and Non-governmental.***

1. The Committee of Ministers may, on behalf of the Council of Europe, conclude with any intergovernmental Organisation agreements on matters which are within the competence of the Council, such agreements to define the terms on which such an Organisation shall be brought into relationship with the Council of Europe.
2. The Council of Europe, or any of its organs, shall be authorised to exercise such functions within the scope of the Council of Europe as may be entrusted to it by other European intergovernmental Organisations. The Committee of Ministers shall conclude any agreements necessary for this purpose.
3. The agreements referred to in Article 1 may provide, in particular:
  - (a) that the Council shall take appropriate steps to obtain from and furnish to the Organisation in question regular reports and information, either in writing or orally;
  - (b) that the Council shall give opinions and render such services as may be requested by these Organisations.
4. The Committee of Ministers may, on behalf of the Council of Europe, make suitable arrangements for consultation with international non-governmental Organisations which deal with matters that are within the competence of the Council of Europe.

RESOLUTION (51) 31: (3rd May, 1951) — ***Competence of the Council of Europe with regard to questions relating to national defence — Article 1, para. (d) of the Statute.***

The Committee of Ministers decided to make no change in the text of Article 1 of the Statute. At the same time, it was decided to inform the Consultative Assembly in the Message from the Committee of Ministers that the latter had no objection to the practice already adopted by the Assembly of discussing the political aspects of the problems of European peace and security, provided that it was clearly understood that decisions on these subjects lay outside the competence of the Council of Europe and that no Recommendation on these subjects would be made by the Assembly to the Committee of Ministers.

RESOLUTION (51) 32: (3rd May, 1951) — ***Report of O.E.E.C. to the Council of Europe.***

The Committee of Ministers decided to request the Chairman, M. D.U. Stikker, to present to the Consultative Assembly the Report of the O. E. E. C.