The activities of the Council of Europe

www.cvce.eu

The activities of the Council of Europe

The Council of Europe sought to achieve greater unity amongst its member States, to maintain the democratic ideals and principles that are their common heritage and to promote economic and social progress. However, the Council of Europe was not authorised to debate defence issues, although in 1951, shortly after the outbreak of the Korean War, the Assembly did debate questions relating to security. The European Court of Human Rights is the arm of the Council of Europe which enables it to ensure that the administrations and courts of its member countries respect fundamental rights. In the opinion of Robert Schuman, who had to make considerable concessions to the British negotiators, the Council of Europe was first and foremost a testing ground for ideas. Paul-Henri Spaak was the first President of the Assembly, whose members also included the most eminent political personalities in Western Europe. The institution raised the hopes of many, and in 1951 it served as a model for the Common Assembly of the European Coal and Steel Community (ECSC). The various visions of a united Europe were discussed in the Assembly very openly because its representatives were not tied by electoral concerns in their home countries or by partisan voting instructions. The Council of Europe could be described as a forum for dialogue, for cooperation and for drafting framework texts on matters concerning the European identity.

The Assembly of the Council of Europe did not hesitate in unveiling various plans for the unification of Europe. Some of the major points under discussion included pools for European transport, public health and agricultural production, as well as a European common market project and an economic cooperation programme between the member States and their overseas territories. The Assembly also came up with proposals for a federal political authority. But none of those recommendations was successful, because the Assembly did not manage to secure a majority of its members in support of such ambitious texts that, in any event, had scant chance of gaining the support of the Committee of Ministers.

Nevertheless, the Council of Europe played a significant role in support of cultural, social and scientific cooperation. It drew up international conventions in fields as varied as university cooperation and the recognition of periods of study and diplomas, language study, the protection and promotion of artistic and archaeological heritage, the translation and dissemination of European works of literature, the harmonisation of social security systems, the fight against unemployment, uniform passports, etc. The Council of Europe also worked actively to protect human rights. In November 1950, in response to requests from the European Movement, it created the European Convention for the Protection of Human Rights and Fundamental Freedoms, which was the first international instrument for the protection of human rights. The Convention set out a list of individuals' civil and political rights to be protected; it also established a European Commission of Human Rights to consider appeals, submitted by the contracting states or by natural or legal persons, that are then referred to the European Court of Human Rights. The rulings of the Court are binding and cannot be appealed.

The European Political Community (EPC) plan was drawn up between September 1952 and March 1953 by the Ad Hoc Committee appointed by the Common Assembly of the European Coal and Steel Community (ECSC). The EPC raised the issue of the future of the Council of Europe, a body about which the federalists were less than enthusiastic because it lacked political muscle. The United Kingdom, while determined not to be pushed by the six ECSC Member States along the road to a federal Europe, tried nevertheless to secure for itself a position from which it could influence, more or less directly, the course of events. It seized the opportunity to present to its European partners a raft of institutional reforms designed to associate the Council of Europe with the Schuman Plan and the European army project. But that move by the UK authorities was also meant to thwart the initiatives taken in 1950 and 1951 by the Strasbourg Consultative Assembly to reform the Council of Europe's Statute and move it in the direction of a genuine European political authority. On 23 December 1950, the Assembly adopted a Protocol providing for the conversion of the Council of Europe into a European legislative and executive body. One year later, on 11 December 1951, the Consultative Assembly unanimously adopted a new draft Statute calling for the incorporation into the Council of Europe of the Organisation for European Economic Cooperation (OEEC) and the cultural and social bodies of the Brussels Treaty. However, these projects were deemed too ambitious and were rejected by the Committee of Ministers.

The British rejoinder came without delay. On 19 March 1952, the British Foreign Secretary, Anthony Eden, submitted to his counterparts on the Council of Europe's Committee of Ministers a plan under which the Council of Europe would confer political authority on the ECSC and on the European Defence Community (EDC), negotiated by the six ECSC Member States. The British Government, opposed to the proliferation of European bodies, explained that it wanted to turn the Council of Europe into a dynamic institution and a structure within which present and future Community institutions could be included. According to Mr Eden, this novel 'dual link' or 'twin plan' system was meant to enable the Council of Europe to continue functioning as a forum for intergovernmental cooperation for those states that were not part of the Schuman Plan and, at the same time, allow the six ECSC Member States to pursue their efforts towards integration without having to create new supranational institutions. Although it was spelled out once more in another memorandum that was submitted on 28 April 1952 to the delegates representing the 15 member States of the Council of Europe, the Eden Plan resulted in no more than the application of a few specific and logistical measures.