

## Resolution (89) 40 of the Committee of Ministers of the Council of Europe (5 May 1989)

**Source:** Resolution (89) 40 on the future role of the Council of Europe in European construction (adopted by the Committee of Ministers on 5 May 1989, at its 84th Session). [ON-LINE]. [s.l.]: Council of Europe - Committee of Ministers, [09.09.2003]. Available on <http://cm.coe.int/ta/res/1989/89x40.htm>.

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**Publication date:** 21/10/2012

## **Committee of Ministers' Resolution (89) 40 on the future role of the Council of Europe in European construction**

*(adopted by the Committee of Ministers on 5 May 1989, at its 84th Session)*

The Committee of Ministers,

Having regard to its Declaration on the future role of the Council of Europe in European construction, signed this day on the occasion of the 40th anniversary of the Council of Europe;

Having taken into consideration the Parliamentary Assembly's Recommendation on the future role of the Council of Europe in European construction <sup>(1)</sup>,

### **I. With regard to the functioning of the Committee of Ministers**

Considering that it is necessary to improve implementation of the Committee of Ministers' tasks in respect of

- the political dialogue
- orientating the intergovernmental activities and the monitoring of their implementation
- co-operation with the European Community
- relations with third countries,

1. Requests its Chairman to provide impetus and guidance in that connection and agrees that, for the sake of continuity in the Chair's efforts, it will be assisted by a BUREAU comprising – in addition to the Chairman – the preceding Chairman and following Chairman. To ensure the participation in the Bureau both of member States of the European Community and of other member States, the Bureau will be enlarged, if it proves necessary, by the addition of an outgoing member of the previous Bureau.

2. Expresses its determination to deepen the political dialogue referred to in its Resolution on Council of Europe action in the political field <sup>(2)</sup> by focussing on the political aspects of European co-operation in general and of the Council of Europe's intergovernmental activities in particular. Accordingly, the political dialogue should enable the political orientation of its activities to be reinforced, with the objectives of the Council of Europe being taken into consideration in the light of the activities of other European organisations, and the expected results, such as the conclusion of a convention, being determined.

3. Instructs the Ministers' Deputies to exercise closer control over the intergovernmental programme of activities.

4. Expresses its determination to develop contacts and co-operation with the European Community in pursuance of its Resolution (85)5 on co-operation between the Council of Europe and the European Community and requests its Chairman and the other members of the Bureau, as appropriate, to ensure that the European Community authorities are informed of the Council of Europe's achievements and programmes and vice-versa.

5. Invites its Chairman and the Secretary General, during quadripartite meetings to be held, at least once a year, with the President of the Council of the European Communities and the President of the Commission of the European Communities, to give all due forms of political impetus to co-operation with the European Community, with the help of appropriate preparation for such meetings by the Ministers' Deputies.

6. Resolves to give full effect to the Arrangement concluded in the form of an exchange of letters on 16 June 1987 between the Secretary General of the Council of Europe and the President of the Commission of the European Communities.

7. Instructs the Secretary General

a. to draw the attention of the Chair, the Bureau and the Committee of Ministers as a whole to any cases he considers to require a specific information effort with a view to co-ordination with the activities of the European Community authorities;

b. to keep the Committee of Ministers regularly informed of the implementation of the aforesaid Arrangement and to submit to it an annual report on the subject;

c. to ensure that, in all suitable cases, the European Community and the Council of Europe have an opportunity to derive full benefit from each other's achievements and activities.

8. Recalls its Resolution (86)3 on European cultural co-operation and instructs the Ministers' Deputies and the Secretary General to work with a view to establishing special liaison between the Council of Europe and the European Community in the field of culture.

9. Entrusts the Ministers' Deputies, if necessary assisted by national experts, with responsibility for the direction and follow up of contacts with European non-member countries, including an examination of:

a. the desirability of organising information exchanges and meetings between experts from the Council of Europe and those countries on the subject of human rights and on other questions covered by the Council of Europe's main conventions and activities;

b. possibilities of accession to Council of Europe conventions;

c. the desirability, on a case-by-case basis, of more formal co-operation with one or another of those countries.

10. Invites the Secretary General to draw on the assistance of member States' authorities, particularly the Chair of the Committee of Ministers, in his contacts with European non-member countries.

11. Instructs the Secretary General to inform the Committee of Ministers promptly about the development of contacts with European non-member countries.

12. Agrees that the Council of Europe should be kept rapidly and fully informed of events in the CSCE process which concern it more particularly, and invites its Chairman to play a specific role in that connection.

## **II. With regard to relations with the Parliamentary Assembly**

13. Invites its Chairman and the other members of the Bureau, in contact with the President of the Assembly, to make proper preparations for meetings of the Joint Committee/Colloquy between Ministers and Representatives of the Parliamentary Assembly by drawing up sufficiently far in advance the agendas of these meetings which should cover a limited number of topics relating in particular to the political aspects of European co-operation.

14. Invites its Chairman and the other members of the Bureau to extend contacts with the Assembly's bodies, notably on the occasion of the presentation of the Committee of Ministers' statutory report and at meetings with the Political Affairs Committee.

15. Instructs the Ministers' Deputies to develop contacts with the Assembly committees and with their Chairmen and rapporteurs through their Rapporteur Groups or Working Parties.

16. Invites its Chairman as well as the other members of the Bureau to attend, whenever possible, the Assembly's annual debates on European co-operation, without prejudice to participation by other Ministers

or representatives of European organisations or institutions who might be invited thereto according to the subject of the debate.

### **III. With regard to the Conferences of Specialised Ministers**

#### 17. Instructs the Ministers' Deputies

a. to ensure, with the assistance of the Secretary General – in consultation with the preparatory committee and the host country – that the work of Conferences of Specialised Ministers is co-ordinated with that of the Council of Europe, particularly with regard to the choice of subjects dealt with and the convening and preparing of each Conference;

b. to endeavour to ensure, in liaison with such Conferences and their preparatory committees, that their proceedings concentrate on the political aspects of European co-operation in each one's area of responsibility;

c. to examine pragmatically and flexibly the possibility of delegating the Committee of Ministers' powers on an ad hoc basis to this or that Conference, especially with regard to the choice of priorities for intergovernmental activities of the Council of Europe;

d. to try to establish, with the assistance of the Chair and the Bureau of the Committee of Ministers, appropriate forms of liaison with meetings of specialised ministers within the framework of the European Community.

### **IV. With regard to the programming of intergovernmental co-operation**

18. Having regard to the major lines of intergovernmental action as set out in its Declaration on the future role of the Council of Europe, decides, apart from relevance to these priority lines, on the following criteria for establishing priorities of intergovernmental activities:

- contribution to the process of European construction
- interest shown by a large number of member States to participate actively
- improvement of relations with European non-member countries.

#### 19. Instructs the Ministers' Deputies

a. to carry out – if necessary assisted by experts and/or officials from the capitals – a thorough field-by-field evaluation and examination of the results and future prospects of intergovernmental activities on the basis of sectoral studies and proposals to be prepared by the Secretary General in liaison with the Steering Committees and, if necessary, with the assistance of outside expert advice;

b. to determine, on the basis of this evaluation and the proposals of the Secretary General, all programmes of activities and new projects in accordance with the aforesaid major lines of action and priority criteria and having regard to the following three categories:

- major projects (to be completed by a specified date)
- activities in pursuance of a convention
- service activities.

20. Instructs the Ministers' Deputies, with particular regard to major projects determined in this way

a. to carry out pluriannual programming in the light of proposals by the Secretary General, defining the aims and necessary means for each such project, taking account of decisions of the Conferences of Specialised Ministers and Recommendations and Opinions of the Parliamentary Assembly and on the basis of action plans drawn up in liaison with the relevant intergovernmental committees;

b. to prepare pluriannual financial planning for such projects.

21. Instructs the Ministers' Deputies (assisted by their Rapporteur Groups), in co-operation with the Secretary General and in consultation with the committees of experts concerned, to monitor regularly the progress and results of major projects and of other programme elements, making such adjustments as prove necessary.

22. Resolves, whenever deemed appropriate, to use the Partial Agreement arrangement which makes it possible, inter alia, to have recourse to voluntary resources, whilst affirming the Committee of Ministers' role as regards co-ordination of the Partial Agreements with the Council of Europe's general policy.

#### **V. With regard to the structures of intergovernmental co-operation**

23. Instructs the Ministers' Deputies, every time the priority projects in a given field have been adopted, to immediately examine in the light of proposals by the Secretary General (and, if necessary, with the help of inside or outside consultants), whether the existing intergovernmental structures meet the need for flexibility and efficiency, to adapt them or to create wherever necessary, a suitable ad hoc structure for implementing a given major project, with terms of reference of limited duration which precisely define the relevant objects.

24. Instructs the Ministers' Deputies to give priority consideration, with the help of outside consultants if necessary, to the question of whether the present co-operation structures in the fields of culture and education, particularly the Council for Cultural Co-operation (CDCC), possess, apart from their role of reflection and study sufficient capacities for operational, concrete and rapid action which could be realised together with the European Community or with other European bodies.

25. Instructs the Ministers' Deputies to define, together with the Secretary General, a dynamic information policy on the aims, activities and achievements of the Council of Europe, which should include the following aspects:

- arrangements ensuring greater transparency both of the work of intergovernmental committees of experts
- access to documents should be the rule, confidentiality the exception - and of the Committee of Ministers
- ways and means of ensuring wider dissemination of information.

26. Instructs the Secretary General to examine, for the Committee of Ministers, the existing rules governing the programming, structures and methods of intergovernmental co-operation <sup>(3)</sup>, in order to put forward, where appropriate, proposals to revise the rules concerned.

27. Instructs the Secretary General to adopt, or to propose, within one year, to the Committee of Ministers, according to their respective powers, such adjustments to the Secretariat's structures and such staff regulations as are required by the new political objectives, priorities and structures of intergovernmental co-operation.

<sup>(1)</sup> No. 1103 (1989)

<sup>(2)</sup> No. (84)21

<sup>(3)</sup> Especially:

- Resolution (74)33 on the planning and programming of the intergovernmental activities of the Council of Europe.
- Resolution (76)3 on committee structures, terms of reference and working methods.