

STATEMENT BY PRESIDENT JENKINS AT THE
61ST SESSION OF THE COMMITTEE OF MINISTERS
OF THE COUNCIL OF EUROPE, STRASBOURG

24 NOVEMBER 1977

1030 leaves

I am very glad to have this opportunity of addressing the Committee of Ministers of the Council of Europe. In doing so I am following the admirable precedent set by my predecessor in May last year. I would like to think that a tradition rather than a precedent has now been created. It should serve to strengthen in a personal as well as institutional way the ties which bind our two organisations together. The Council of Europe and its seat here in Strasbourg, even if no longer in the old temporary building, always retains a special place in my affections.

Today is a happy occasion for the Council of Europe. Since my predecessor spoke to you, Portugal has become one of your number, and today we welcome Spain. In this way the family of European parliamentary democracies is not only enlarged but also enriched. Two countries which have so greatly contributed to European civilisation and its radiation throughout the world have now found their rightful place among us. When the Council of Europe was established after the second European civil war, it represented the hopes of all who had then suffered so much for a better political order with democratic values and respect for human rights at its foundations. Not only have your

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institutions withstood the test of time but they have constituted a standard by which the performance of governments can be judged. Your welcome to Portugal and Spain is thereby all the warmer, and the more significant.

As the representative of another - and certainly not negligible - European organisation, I want today to concentrate on the state of relations between the Council of Europe and the European Commission. Our relationship has long been good, and some may think it could scarcely be improved. We exchange information on subjects of common interest, and representatives of each take part in work organised by the other. We particularly welcome the part played by the office you have set up in Brussels which serves as a channel of communication in both directions.

But few things are so good that they cannot be bettered, and I have two ideas to put to you. First I think that we might try to synchronise our work a little more closely than in the past. I believe that my predecessor made a similar point when speaking to you last year. One way of achieving better synchronisation would be for a representative of the Commission to be invited from time to time to attend meetings of your Deputies, particularly those dealing with your work programme. In this way I think we could avoid the duplication which sometimes occurs, and make sure that our efforts are properly dovetailed. Each of us would better know what the other was doing and plan his work accordingly.

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Secondly we should consider anew the accession of the Communities as such to some of the Council of Europe conventions. I believe that a happy precedent has just been set with our accession on Tuesday to the Convention on Tissue Reagents, not perhaps a subject in all our minds all the time, but interesting all the same!

Our approach to such conventions is flexible. There are matters for which the Communities have exclusive competence, and in those cases our accession is a legal necessity. There are others in which the Communities are not involved and competence rests with our Member States. There is a third category where competence is shared. Each case must obviously be judged on its own merits. But an area of particular interest to the Communities is the co-operation in legal matters which you have very significantly promoted between the member states of the Council of Europe. Here the interest or the competence of the Communities is often involved, and I think that we should be more directly concerned in your work than has always been the case in the past. I give two examples. First with work on something involving customs regulations you will find that our Member States have fully transferred their responsibilities to the Community; and secondly with work on the standards and rules governing the sale of pharmaceuticals, you find that this relates to Community rules governing free circulation of goods, fair competition, and the protection of the consumer, and is therefore a matter of shared responsibility between the Community and its Member States.

I turn now to questions of wider scope. First human rights. Here everyone recognises the pioneer role of the Council of

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Europe, both in the definition of those rights and in their protection. We applaud and follow your lead. All members of the Communities subscribe to the European Convention on Human Rights, and it would be unthinkable for us to include members which did not accept the underlying principles of the Convention. As you know the Court of Justice of the Communities has declared that it is guided by these principles and has embodied them in its case law. All this was set out in the Common Declaration of the Community Institutions of the 5th of April of this year, which has now taken its place as one of the primary documents of our constitution.

A particularly important element in the Convention is the right of an individual to bring a case against a government. I know that it is sometimes inconvenient for governments; in this respect I speak as a former Home Secretary in the British Government. But I also recognise how important it is that an individual should be able to have redress against governments. Few things so well illustrate our common acceptance of the rule of law in our affairs. I hope very much that all Member States of the Council of Europe will eventually accept the right of individual petition, and that in each of our countries the Convention will increasingly be regarded as an element in their domestic as well as international law. If I could add in passing, I also hope that more will be done in future to make known the existence of the Convention and the important work which is done within its framework.

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It is, I think, right that on the day when Spain joins the Council of Europe, I should say a word about the applications of Greece, Portugal and Spain to join the European Communities. The views of the Commission are well known. We warmly welcome their applications, and are already embarked on the necessary work: in the case of Greece, negotiations are already in train; in the case of Portugal, we aim soon to complete our Opinion on the application; and in the case of Spain, because of the size and importance of the country and its economy, we are at the beginning of what will be a formidable piece of work. Here I should like to underline one essential point: in all three cases, separated as they are in time and character, we are working with the will to succeed.

Finally I say a word on a subject close to my heart: the renewed effort which I believe the Communities should make to achieve economic and monetary union. Some of you may have seen the ideas I set out on this subject in my Jean Monnet lecture at Florence last month. The ideas I there expressed grew not only from my own long standing convictions but also from intensive discussions within the Commission during the last few months. Without a gathering momentum towards economic and monetary union the idea of the European Union to which all our Member States have subscribed would be vain and empty and little more than rhetoric. Without it I do not see how in the future we shall be able effectively to cope with inflation and unemployment, re-establish stable economic growth, achieve high and more

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equal living standards, contribute to the reordering of the international monetary system, and ensure that the further enlargement of the Communities will strengthen rather than weaken them. These subjects will be discussed at the forthcoming European Council when we hope to reset our objectives and reorient our existing policies in terms of them.

The good health of the Council of Europe is in no doubt. Nor is the good health of the European Communities. But both are living organisms, and both must grow if they are to survive and prosper. I am confident of their future.