

CHAPTER 2

THE CONSTITUTIONAL FRAMEWORK

Background

The interest in Nordic cooperation which had grown strong in all countries during World War II, expressed itself in many aspects of public life after the cessation of hostilities. Also organizations of many types renewed old ties or established new contacts, as many had done after the 1914-18 war. The Norden Associations intensified their activities, even to promoting twin-town arrangements throughout the Nordic area (see p. 90 ff.).

Increased cooperation among the states expressed itself by the resumption of the ministerial meetings held in the 1930s, while ministers of several other departments began conferring regularly. Furthermore, permanent committees of civil servants or experts were set up to prepare ministerial meetings, and were usually charged with the duty of implementing the decisions reached by the ministers (see p. 75 f.).

The determination to strengthen Nordic contacts, and the increased administrative apparatus to convert wishes into realities brought important concrete results in the post-war years (including a free labour market, a Nordic passport union, agreements on the transfer of members between national unemployment or health insurance funds, a convention on old-age pensions, common citizenship regulations) and prepared the way for new initiatives in many different fields.

Contacts among politicians had been fostered within the semi-private Nordic Interparliamentary Union, founded in 1907 as a regional organization within the worldwide Interparliamentary Union. The Nordic organ functioned above all as a forum for informal exchanges of opinion on current political problems. It occasionally inspired legislative initiatives, but its main importance was the establishment of personal contacts between the Nordic parliamentarians. It had no constitutional authority whatsoever.

Gradually, as Nordic cooperation expanded at government level between ministers and their officials, a growing need was felt to include the parliamentarians as well. The Norden Associations agitated to this end energetically.

Debate During and After the War

The idea of a Nordic Parliamentary Council dates back to the period immediately before the outbreak of World War II. On October 13, 1938, the Danish Foreign Minister, Dr. P. Munch, on behalf of his government proposed to his colleagues in the other Nordic countries that a more permanent framework be provided for Nordic contact, through the formation of a joint organ of a consultative nature. This organ, he

suggested, should be composed of the Heads of Government and Foreign Ministers of the four large countries, and of Iceland's Prime Minister (Denmark and Iceland shared a common foreign policy at the time), as well as a number of representatives for the parliaments and chosen by them. Each national delegation should have a secretariat to prepare meetings, and it was proposed that the assembly should meet for about 14 days once a year to discuss the various proposals for cooperation submitted to it.

The Danish proposal was considered by a meeting of Nordic Foreign Ministers in Helsinki on February 20–22, 1939, and its principles gained the approval of Finland, Iceland and Sweden, but met opposition from the Norwegian Foreign Minister. On behalf of his government he stated that Norway was not in favour of holding regular meetings where members of the parliaments were present together with members of the governments. The proposal lapsed because of this Norwegian rejection.

During the War, ideas for close parliamentary cooperation between the Nordic countries were discussed widely in Denmark and Sweden. When peace came in 1945, the idea was mooted publicly on several occasions in Denmark, and even raised in the Danish parliament. Following a suggestion by members of the Danish parliament, the Foreign Minister of the first Hedtoft cabinet approached the Norwegian and Swedish Foreign Ministers in September 1948, with a proposal that parliamentarians from the Nordic countries hold regular official meetings to discuss common current problems. However, the time was not considered ripe by Sweden and Norway, where it was felt that the problem of closer cooperation between the parliaments should preferably be solved within the limits of the existing Nordic Interparliamentary Union.

At this juncture, the efforts to form a defence union between Denmark, Norway and Sweden were of decisive importance for proposals for parliamentary cooperation (see p. 27 f.). The decision which lay ahead was so far-reaching that it was agreed it should not be taken by governments alone. The elected assemblies should be directly involved. For this reason representatives of all democratic parties took part in the crucial negotiations held at Christiansborg, Copenhagen, on January 22–24 and at Akershus, Oslo, January 29–30, 1949.

While these very frank discussions gave no immediate, concrete result, they did demonstrate to all participants the value of regular meetings of Nordic parliamentarians in a permanent parliamentary organ to consider the common problems that increasingly impinged upon the Nordic peoples. When representatives of the Nordic countries, except Finland, took part in responsible negotiations with delegates from most of the European countries at the Council of Europe in Strasbourg from the summer of 1949, it became obvious that the time had come to form a Nordic parliamentary organ for consultations on matters of common interest.

Before this could be realized, some minor but interesting attempts were made. In May 1950 members of committees from the Danish, Norwegian and Swedish parliaments met to settle disagreements on a problem of common Nordic legislation. The immediate issue involved was a Citizenship Act, and the meeting reached agreement (see p. 270 f.). Even more striking was the decision of the same three parliaments in the spring of 1951 to set up a joint Danish-Norwegian-Swedish parliamentary commit-

tee with representatives of different parties to simplify travel formalities between the Nordic countries (see p. 187 f.).

Establishment of the Nordic Council

The initiative to establish the Nordic Council was Danish. At the 28th meeting of delegates to the Nordic Interparliamentary Union in Stockholm on August 13, 1951, former Prime Minister Hans Hedtoft proposed on behalf of the Danish delegation that an organ of elected representatives be formed to hold regular consultations with the governments and among themselves on matters relating to Nordic cooperation. Leading politicians from all the Nordic countries who were present gave their support. The Swedish Foreign Minister, Östen-Undén, referred to the unfortunate consequences to the Council of Europe caused by the sharp separation of parliamentary representatives and members of governments. He felt that Dr. Munch's proposal from 1938–39 presented a possible solution – that the delegation representing each country should include representatives of both parliament and government.

The Stockholm meeting set up a committee to draft statutes for the Council. Its members were: Althing President Sigurdur Bjarnason, Iceland; Riksdag Chairman Karl-August Fagerholm, Finland; former Prime Minister Hans Hedtoft, Denmark; Riksdag member, professor Nils Herlitz, Sweden; and Storting President Oscar Torp, Norway. Herlitz and Hedtoft were the driving forces in this work.

The draft statutes were completed in November 1951 and given a preliminary examination by the council of the Nordic Interparliamentary Union at a meeting in Stockholm on December 3, 1951. On this occasion the Finnish representatives announced that their country could not accept the proposals. This was due to the highly critical attitude of the Soviet Union towards Nordic cooperation. The delegates of the other countries decided to carry on with their plan without Finland, and agreed upon a final draft. In the following weeks the statutes were approved by the Union's national groups and forwarded to their governments, which were then to prepare the necessary legislation.

The Union's proposal was considered by a meeting of Foreign Ministers in Copenhagen March 15–16, 1952. Several changes were made, the most important concerning the status of members of governments in the Council. The Union had proposed that they should have the right to vote. In accordance with a Norwegian suggestion it was decided instead that they should have the right to speak, but not to vote.

Legislation was drafted in each of the countries for participation in the Nordic Council, and the Swedish and Danish parliaments approved the bills on May 17 and 28, 1952, respectively. All democratic parties in the two countries voted in favour. Only the few Communist members voted against, claiming that the purpose of the Council was to draw Sweden and Finland into NATO.

In the Norwegian parliament, where the Communists were not represented at that

time, most of the non-socialist members were opposed, but the bill bringing Norway into the Nordic Council was approved on June 25, 1952 by 74 votes, with 39 against. Opinions were also divided in Iceland, but with a 28 to 7 majority the Althing voted in favour on December 10, 1952.

During the autumn of 1952 national delegations were elected in Denmark, Norway and Sweden. Proposals for the Rules of Procedure for the Council were drafted – here also Nils Herlitz was the main author – the national secretariats were set up and practical arrangements for Council meetings were determined. Exactly 18 months to the day after Hans Hedtoft had proposed the creation of the Nordic Council, King Frederik IX of Denmark opened the first session, on February 13, 1953, in the Landsting (Upper House) chamber of the Danish parliament in Copenhagen. Hans Hedtoft was elected the first President.

A new chapter had started in the history of Nordic Cooperation.

Finland and the Nordic Council

Finland did not take part in the first three sessions of the Council (1953, 1954 and 1955), but at each session speakers expressed the hope that Finland would soon become a member. At the start of the first session in Copenhagen, Karl-August Fagerholm sent his best wishes in a message on behalf of the Finnish parliament "which is not able on this occasion to participate in the Nordic Council meeting." The Statutes of the Council included a passage to the effect that representatives of the Finnish government and parliament could participate in the Council's deliberations if they so desired. The Rules of Procedure outlined the steps involved to bring this about. The provisions, which permitted Finland to participate in the treatment of individual concrete issues, were never put into use. The Rules of Procedure also stated that "announcements concerning the sessions, and all documents relevant to the Council's meetings, are to be made available to the Finnish government and parliament". On several occasions the Finnish government also submitted opinions on proposals before the Council.

Although Finland was not a Council member, it took part on an equal footing with the other Nordic countries in many fields of cooperation outside the Council, such as law, culture, social welfare and transport, through the meetings of ministers and in the permanent organs of civil servants covering these fields. Finland was also one of the publishers of the parliamentary publication *Nordisk Kontakt*, which the Council had founded. Likewise Finland took part in the traditional Nordic interparliamentary activities. The Nordic Interparliamentary Union was preserved out of consideration for Finland, even though it had lost its practical importance after the establishment of the Nordic Council. But Finland did not take part in the economic cooperation initiated in 1948, nor was it represented at the meetings of Foreign Ministers.

As Nordic cooperation developed under the Nordic Council, the feeling grew in Finland that it was unfortunate that the country was not represented in this new and

important forum where leading Nordic politicians made valuable contacts and which had to an unprecedented extent strengthened accord between the Nordic countries. In spite of the clear wish of the other countries to preserve the connection, Finland feared it would be left outside important developments related to practical Nordic unity.

Up to the spring of 1955, there seemed little prospect of Finland becoming a member. The press and radio of the Soviet Union and other East European states continued to attack the Council and to claim – without any foundation whatsoever – that the Council was merely a tool of forces behind NATO. During the summer of 1955, however, international relations relaxed so much ("the Spirit of Geneva") that the Finnish Prime Minister, Urho Kekkonen, learned during a state visit to Moscow that the Soviet Union no longer objected to Finland's membership. In an interview with a Swedish newspaper on September 25 of that year he was therefore able to say that the time had come for Finland to join the Council.

The government proposed Finnish membership on October 7, 1955. In a motivation, it said that the Council's activities restrict themselves to matters concerning the Nordic countries, and mainly to administrative, social and economic affairs. It then continued: "If the Council, however, against accepted practice were to discuss such questions as are military or would lead to adopting a position on conflicts of interests between Great Powers, the representatives of Finland should not participate in discussing such questions."

With this reservation, the parliament unanimously approved the government's proposal for Finnish membership on October 28, 1955.

The other four countries approved a modification of the Statutes in December 1955 which made it possible for Finland to become a full and equal member. Finland accepted the modified statutes on December 23, 1955, and thus completed the procedure which made it a full member. At the opening of the fourth session, in Copenhagen January 27, 1956, the Finnish delegation, led by Chairman Fagerholm and Prime Minister Kekkonen, was heartily welcomed. The Council President, Professor Bertil Ohlin, Sweden, expressed the feelings of delegates by saying in his opening statement: "We have felt as though a chair remained empty while Finland was not with us – the country which for centuries from its exposed position has upheld Nordic law and culture. Only now is our Nordic group complete."

During the autumn of 1955, it was noted with satisfaction that the Soviet press and radio ceased their attacks and criticism, even though the Council had not altered its procedures or objectives in any way. Reflecting this new Soviet attitude, the Democratic League of the People of Finland had voted for Finnish membership, and Communists in the other parliaments supported the change in the Statutes which opened the way for full Finnish membership. Finland's membership meant also that for the first time Communists gained a place in the Council. Since then, Communists have been elected in all the other member-states.

Finland's relations with the other Nordic countries developed in other spheres as well. In April 1956, the Finnish Foreign Minister attended a Nordic Foreign Ministers meeting for the first time since 1939. And from the summer of 1956, Finnish experts

and a Finnish minister took part in efforts to form a Nordic Common Market (see p. 105). Finland had in every respect become a fully active participant in Nordic cooperation.

Alterations in Rules of Procedure and Statutes 1953-1962

When the legislative assemblies of the individual member countries approved the establishment of the Council, they also approved its Statutes. These therefore could only be altered by the parliaments. But the Council remained master of its Rules of Procedure.

Before the first session in Copenhagen, held in February 1953, the working committees of the national delegations had drafted proposals for provisional Rules of Procedure which, after some alterations, were finally approved by the Plenary Assembly of the Council. During the following session, in 1954, several of these regulations were modified, particularly those which treated the various types of proposals (members' proposals, government proposals, supplementary proposals). The Presidium was given authority to set up ad hoc committees and to summon the permanent committees to meet between sessions. The February 1955 session, acting on the recommendation of prominent philologists, approved a linguistic harmonization of terminology in the Danish, Norwegian and Swedish versions of the Rules of Procedure.

Only the changes of the Statutes absolutely necessary to give Finland full membership were approved in December 1955 (see p. 37). At the fifth session, in Helsinki, 1957, the Council proposed that governments take initiative to approve a number of minor amendments to the Statutes, most of them editorial. The definitions of the 1954 Rules of Procedure and the harmonization of terminology in 1955 were now entered in the Statutes. Also in some other respects the existing practice was codified, including the above mentioned authorization for the Presidium to set up ad hoc committees and summon meetings of the permanent Committees between sessions.

At the same 1957 session it was entered into the Rules of Procedure that the Presidium shall, at every ordinary session, submit a report of its activities. As a matter of fact, the Presidium had, on its own initiative, made a report of this type to the 1957 session.

A further change in the Rules of Procedure approved in 1960 gave the Presidium the right to depart from the general rules concerning sharing of expenditure (see p. 82). In 1962, the terms for approval of recommendations were altered, so that thenceforth a recommendation could only be adopted if more than half of those present, with the right to vote, supported it. Previously, recommendations could be adopted by a simple majority (see p. 346).

Meetings of Heads of Governments

After the first three sessions had been held, the Presidium desired a discussion with the governments on the Council's working procedures in the light of experience. Therefore, in October 1955, the Presidium arranged a joint meeting in Fredensborg, Denmark, which was attended by the Prime Ministers and other Cabinet members. The main subject of the meeting was how government participation in Council activities could be intensified. In spite of this meeting, no great improvement was noticed in the following years. The Council still called upon the governments to submit proposals concerning wider issues, and criticized the Ministers for not showing enough interest in the activities of the permanent Committees. Nor were members satisfied with the Council's own working methods.

At the suggestion of the Presidium, a new joint meeting was therefore held in October 1960, this time at Harpsund, the Swedish equivalent of Britain's Chequers. Only the Prime Ministers attended as representatives of their governments. The conference, which discussed cooperation between the Council and governments over a broad front, was the start of similar confidential discussions in a narrow circle. It became standing practice to hold such a meeting ahead of each Council session. In addition to the technical relations between Council and governments, the main current issues involved in cooperation were examined by leading representatives for the parliamentarians and the heads of government, and in particular the subjects to be considered at the approaching session. This established a new and influential though informal Nordic contact organ at the highest level (see p. 57).

The Helsinki Agreement of 1962

In July 1961, Great Britain decided to seek membership of the European Economic Community. This naturally had consequences for the Nordic countries (see p. 116). Since the individual Nordic countries predictably would not have the same attitude towards the EEC, the new situation created a serious threat to main aspects of Nordic cooperation. In an effort to avert the threat, members of the Nordic Council presented proposals that the governments enter into a binding, international agreement which stressed the main results of Nordic cooperation, and outlined the trend of future development. The movers of this proposal felt that such a codification would strengthen the Nordic countries during their negotiations with the EEC.

Since the governments intended to insist upon the continuation of Nordic cooperation both within the framework of the EEC and with the Nordic countries outside it, the EEC authorities naturally might desire to know exactly what this Nordic cooperation involved. It would not be easy for the Nordic representatives to explain. Nordic cooperation had always been free and informal in style; the individual countries generally approved uniform legislation, or each one of them introduced measures upon which all could agree. The results of cooperation were only to a limited extent

expressed in conventions. This problem vis-à-vis the EEC could be largely solved by a binding international treaty.

The starting point for further preparation of the proposal for such a treaty was a draft agreement prepared by the Council. At a joint meeting of the Presidium and the Prime Ministers in Hangö, Finland, on November 11-12, 1961, the Prime Ministers agreed to have the governments examine the draft and present a final treaty proposal at the Council session in Helsinki in March 1962.

This noteworthy attempt to strengthen Nordic unity had an even more serious background. During the period of the Hangö meeting there was considerable foreign policy unrest concerning the Nordic countries. Displeased with growing Danish-Norwegian cooperation with West Germany within NATO, the Soviet Union applied considerable pressure upon Finland, and was sharply critical of Denmark and Norway, and to some extent also of Sweden.

The government proposal which was considered by the Council session in Helsinki in March 1962 was based mainly upon the Council's draft, but was considerably less positive. In particular many of the articles which required the governments to act were replaced by vague lines of guidance as to what the governments should do in the future. The 'shall' had been replaced by a 'should'. This dilution was due to the fears of the governments that a more firm commitment might create difficulties under the negotiations by the individual countries with the EEC. This point was emphasized particularly by Denmark.

Although the Council members were dissatisfied with the changes, they were accepted as inevitable.

On another point, the governments conceded to the wishes of the parliamentarians. The Council draft had included an article stating that governments should consult the Council in matters of importance to one or more of the countries. If it were not possible to await a Council session, at least one of the Council's organs should be consulted. The governments had deleted this passage of the draft. However, the Council felt the point was of great importance, and the Presidium had raised it at the Heads of Government meetings in 1960 and 1961. Therefore, the Presidium now proposed an amendment to the effect that "the Nordic Council should be given an opportunity to express its views on questions of principle concerning Nordic cooperation, if this is not rendered impossible through lack of time". The governments then gave their support to this very important new provision.

An hour after the Council had approved the draft treaty on March 23, 1962, it was signed during a ceremony in the Finnish Parliament.

The 1962 session in Helsinki was the tenth Council session. The anniversary was celebrated in various ways, but nothing contributed so much to the celebration as the approval of the Agreement on Cooperation. The Council Committee which had considered the agreement called it "a milestone in Nordic cooperation". Although the correct name for it is the Nordic Cooperation Treaty, it is normally termed the Helsinki Agreement after the city where it was approved.

Altogether, the Treaty contains 40 articles. The first of these states that the govern-

ments shall endeavour to maintain and further develop cooperation in cultural, juridical, social and economic fields, as well as in transport and communications. Most of the remaining articles give a specification of the five areas, with indication of how and when cooperation should be carried out. Some articles on other forms of cooperation deal with: consultations on matters of common interest under debate in international organizations or at international conferences; the assistance of representatives abroad to citizens of another Nordic country which is not represented locally; coordinated Nordic assistance to developing countries; coordination of statistics; and joint efforts to spread knowledge abroad about the Nordic countries.

Further articles are included concerning the form cooperation should take, other than obtaining the Council's view, as described above. It is stated that provisions resulting from the cooperation of two or more countries may not be altered by any of the contracting parties without the others being notified thereof. Notification, however, is not required in matters of great urgency or where provisions of minor importance are concerned. This article was felt to be necessary since most Nordic laws and regulations are the result of identical national legislation, and are rarely contained in binding treaties. Furthermore, an article was included, allowing direct correspondence between authorities across the frontiers (see p. 275).

Although the Helsinki Agreement did not completely fulfil the wishes of those who proposed it, it was nevertheless welcomed as a new and valuable expression of the will to broaden Nordic cooperation.

A Norwegian Council member, John Lyng, a Conservative, and later Prime Minister, gave this description: "It is not a treaty which formally and juridically creates any new duties or rights for those who have signed it . . . It does not create new binding treaty rights. But it gives an organized expression of the desire for broad and genuine future cooperation, and is morally binding like any declaration of this type, particularly so in the light of the background and historic situation which produced it."

John Lyng's countryman, the Labour Party's Prime Minister Einar Gerhardsen, agreed that the treaty was general and not very obligatory. But he still felt that "it is important to manifest by treaty what Nordic cooperation means, and what objectives we have. It can be of value for our mutual relations, but perhaps even more of value for our relations with the rest of the world. The Agreement should make it clear that Nordic solidarity has ancient roots which are difficult to uproot, and that we are firmly determined to further extend our cooperation."

Concerning the importance of the Treaty for the relations of the Nordic countries to the EEC, Swedish Prime Minister Tage Erlander said:

"It was vital that we attempted to formulate the draft so that it did not hinder those entering into European negotiations, and we sought to make it an aid to each of us in the forthcoming negotiations on economic cooperation, no matter in what way we should choose to pursue those negotiations."

Council members who presented proposals for recommendations in the following years frequently referred to one or another article of the Helsinki Agreement as a further justification for their initiative. The paragraph concerning "hearings"

strengthened the repeated though for a long time unfulfilled wish to receive more government proposals. The existence of the Helsinki Agreement also made it easier, in 1970, to include the Council Statutes in a treaty, and to create the important new government institutions which resulted from the NORDEK negotiations (see p. 77-80, 129, 131).*

The Council Criticized and Made More Efficient

Despite all the efforts of the Presidium, members continued to criticize the Council's working procedures. Much of this criticism was exaggerated and lacked understanding of the special problems which are inevitable in international cooperation of this kind. Dissatisfaction was aimed particularly at the many members' proposals. These were felt to create an excessive burden for the annual session, and made thorough treatment of issues difficult. The number of documents involved also caused criticism. For these reasons the 1964 session resolved to introduce several provisional reforms and test them in practice for some years before deciding whether to insert them in the Rules of Procedure. The main aim was to give the Council a smoother work-rhythm by spreading consideration of proposals through the entire year instead of concentrating them exclusively for treatment at the annual session.

For a number of years, invoking the article concerning ad hoc committees, subordinate (nine-man) groups of the permanent Committees had been meeting between sessions to prepare proposals for consideration in the full Committee at the sessions (see p. 58 ff.). A decision was now made to abolish the nine-man committees and instead allow the full Committees to meet between sessions as often as was necessary. This also permitted a briefer session. Another simplification of working procedure was that a proposal should in principle be presented at a session only when Committee consideration had been completed and the matter was ripe for decision by the full Council. This helped to limit the number of matters to be treated at the sessions. Similarly, only a few "statements" on government measures taken in response to Council recommendations were presented at the sessions. The others were examined at the Committee meetings between sessions.

Efforts to rationalize and improve the efficiency of the Council continued. In 1966, a working group formed by the Presidium analyzed the entire scope of Council

*An indication of the importance elected members attached to the Helsinki Agreement is given in a statement by the Swedish Presidium member, Professor Bertil Ohlin, to the Council session the following year (1963). Noting that the governments had in a specific case failed to obtain the view of the Council before reaching their decision, he said: "In my view this matter should not be enlarged out of proportion, but it involves a not unimportant matter of principle - that the Nordic Council should register a firm protest every time the tendency arises to consider the Agreement on Cooperation a matter one does not have to take so seriously. Therefore, Mr. President, I would like to stress that I consider the Agreement on Cooperation to some extent has the character of a basic law, and should be interpreted according to the letter. I do not feel it would create any inconvenience if the Ministers were to go somewhat too far instead of not far enough in fulfilling the stipulations of the Agreement."

functions, and suggested among other things that a Question Time be introduced on a trial basis, and without alteration of the Rules of Procedure. The Governments agreed, and it was used for the first time during the session in April 1967 (see p. 69).

But the analysis prepared by the working group also showed that it was necessary to revise both the Statutes and the Rules of Procedure. The between-session activities of the Committees, the new powers won by the Council since it was created (including the right to elect members of the Nordic Cultural Fund's administration - see p. 295 - and the right of the Presidium to appoint the Council's civil servants) went beyond the limits of the Statutes. It was also desirable that the Helsinki Agreement's provision for government "hearings" of the Council in more important matters could be emphasized by having it included in the Statutes. Events had also overtaken the Rules of Procedure, which were made for a Council active only during the annual sessions. When the Danish government proposed Nordic Council representation for the Faroe Isles in January 1967 - at the request of the Faroese Løgting (Parliament) and Landsstýri (local administration) - the need for revision of the Statutes became even more urgent. With reference to this the Council Presidium in March 1967 presented a members' proposal for a general revision of both Statutes and Rules of Procedure.

Both the revision of the Statutes and the Faroese issue were considered at the Heads of Government and Presidium meeting in Reykjavik in October 1967. At the initiative of the Presidium, it was agreed to form a committee appointed by the Presidium and the Prime Ministers together to examine past experiences of Council activities and other forms of Nordic cooperation, and to present proposals for change in the Statutes and Rules of Procedure. At the suggestion of the Prime Ministers, the meeting also agreed to set up a committee composed of the Council Presidium and the Ministers of Justice to consider representation for the self-governing regions. After the Faroes, the Åland Islands (the partially self-governing region of Finland) had likewise sought representation in the Council.

The Faroes and Åland Represented in the Council

The Faroe Isles in the North Atlantic, and Åland in the Baltic Sea are under the sovereignty of Denmark and Finland respectively. Both enjoy a considerable degree of self-government. Democratically elected assemblies and administrative authorities responsible to the parliamentary organs legislate and administer many internal matters without the interference of national authorities. The home-rule they enjoy is rather comprehensive, even by international standards. When local authorities legislate within their competence no national authority in Denmark or Finland has any right of veto. And both regions fly their own flag.

The Committee for Self-governing Regions issued its report in August 1969, and rejected both full membership and observer status, the former being excessive and the latter insufficient in its view. Instead, the committee proposed that the Løgting (the Faroese parliament) (population of the islands 38,000) should elect two members to

the Nordic Council, while the Åland Landsting (population 22,000) should elect one. Furthermore, the committee proposed that the Faroese local government (the Landsstýri) and the Åland administration (the Landskapsstyrelse) should each appoint one representative to the Council. Both elected and appointed members should be included in the Danish and Finnish delegations respectively, and the delegations for each country should be increased from 16 to 18. The Norwegian and Swedish delegations were to be correspondingly enlarged, and Iceland's from 5 to 6 members. The total membership of the Council would in this way be increased from 69 to 78.

Since the Council through the Presidium had participated in preparing the proposals, no further Council approval was necessary. During December 1969 the governments obtained the endorsement of their parliaments for the necessary changes of the Statutes, so that representatives of the Faroes and Åland Islands could participate in the Council session in Reykjavík in February 1970. The minor alterations of the Rules of Procedure made necessary by participation of these two areas in the Council were approved at the beginning of the session.

The Nordic Organization Committee

The criticism that arose in the Council, causing a growing wish for revision in the forms of Nordic cooperation, was not aimed solely at the work of the Council's own organs. Earlier dissatisfaction with the contribution made by governments had grown considerably. Council members still complained that ministers failed to show sufficient initiative. The number of government proposals had remained low, and several of these were of slight importance. As to effectuating the recommendations of the Council, the governments were generally positive, but the Council felt that the administrative procedure was too slow. Council members hoped that the governments would make a more active contribution and show greater alacrity in complying with the recommendations, if a joint ministerial organ could be formed to coordinate the governments' Nordic measures and to collaborate with the Council. The desire to activate the governments was certainly a main reason for the Presidium's appeal to the Prime Ministers in 1967 to set up a joint committee which could examine the Council's activities as well as Nordic cooperation in general. Committee chairman was Karl-August Fagerholm, Finland, who for many years had been a member of the Council Presidium, and was a former Prime Minister.

In January 1968, this so-called Organization Committee initiated an extensive examination which first and foremost considered the Council's organization and working system, but also paid great attention to the function of the governments in Nordic cooperation. In a provisional report to the joint meeting of the Presidium and Prime Ministers in October 1968, the Committee stated that on the government side Nordic cooperation lacked a permanent organ with broad competence. It therefore proposed the setting-up of a Nordic Committee of Ministers, having coordinating, planning and initiative-taking functions, to act as the organ for governmental contact with the Nordic Council.

At about the time that the Organization Committee started meeting, a development began which was to strengthen the institutions of Nordic cooperation, including the Nordic Council, far more than anyone had imagined was possible when the Committee was first formed. In the spring of 1968, the Nordic governments decided to examine possibilities for initiating a broad economic cooperation, called NORDEK (see p. 126). The administration of a comprehensive economic community called for Nordic institutions of a quite different character and with far wider authority than had previously been considered possible. However, the government experts who prepared the proposals for these new political and administrative organs refrained on the whole from indicating what role the Nordic Council should play in NORDEK. The Presidium therefore intervened once more, and at a new joint meeting in November 1969 persuaded the Prime Ministers to accept that under NORDEK the Nordic Council should have the functions that naturally belong to a parliamentary organ (see p. 131).

The Organization Committee subsequently prepared a number of amendments to the draft NORDEK treaty which assured the Nordic Council of the influence it demanded. But the Committee went even further and proposed a very broad and comprehensive development of organs for Nordic cooperation.

The Revised Helsinki Agreement of 1971

In the draft NORDEK treaty, government experts had proposed the formation of a Council of Ministers, a committee of senior officials, and a secretariat to administer economic cooperation (see p. 129). The Organization Committee then abandoned its original proposal for a Committee of Ministers devoted exclusively to Nordic Council matters, and instead recommended the creation of a Council of Ministers responsible for all forms of Nordic cooperation at government level. A corresponding field of action should be given to a committee of senior officials with a secretariat, and each government should appoint a Minister for Nordic Cooperation.

The Organization Committee also proposed that the Nordic Council's Statutes be included in the Helsinki Agreement. Hitherto, the Statutes had not been based upon any internationally binding agreement, and were merely a common text passed as a law in each of the countries (see p. 50). For a number of reasons, however, it was advisable to include the Statutes in an international convention. The Council had developed into a well-established institution which would have new and important functions in NORDEK. And NORDEK cooperation was to be established by treaty. The position of the Nordic Council could be weakened if it did not have a similar formal status. There was also the weighty argument that if provisions for the Ministerial Council and its supporting institutions were included in the Helsinki Agreement, it would be necessary for organizational regulations concerning the Nordic Council to be included in it, too. In this way all the basic regulations for the central institutions of Nordic cooperation would be contained in a single document, which already held the basic terms for cooperation as well as guidelines concerning the form it should take. In

this way, the Helsinki Agreement would become the supreme Nordic treaty, containing general provisions for cooperation. Particular regulations for individual areas of activity should be set out in special treaties like the NORDEK Treaty for economic relations, and a proposed cultural agreement for that sphere.

The Statutes for the Council which the Organization Committee proposed be entered into the revised Helsinki Agreement consisted of the original Statutes as they appeared after a rationalization of Council procedures and codification of the new powers made necessary by the Council's proposed participation in NORDEK.

Since it was probable that NORDEK would, on occasion, require the Council to use a more rapid and flexible decision process than was provided by the single annual session, the Presidium was to be given wider powers. It was authorized to call extraordinary sessions and – at the proposal of a Committee – to issue Council "statements" having the character of a recommendation. This latter point was an important extension of the practice the Presidium had used to date: to send "letters" to the governments concerning matters which were not sufficiently important to call for a recommendation by the full Council.

It was also stated expressly in the proposal for modification of the Agreement that the Council was not merely "an initiating and advisory body": it had – or could be given by special agreement – other functions. These included the right to elect members to certain organs outside the Council itself (such as the Cultural Fund) or to scrutinize and carry out other forms of control (e.g. of the reports and accounts of the Cultural Fund or of the NORDEK institutions). The Council's access to criticize and control – via the Question Time, which, since its introduction in 1967 was still based on an informal agreement between the Presidium and the Prime Ministers – was now entered into the Agreement. But while hitherto questions could only be raised regarding matters treated in reports or in government statements concerning the measures taken in respect of the Council's recommendations, the scope of the questions at Question Time was now extended to cover all subjects within Nordic cooperation.

The stipulation that the Ministerial Council should submit an annual report on its activities and plans also gave the Nordic Council far greater opportunity to exert control and criticism. In order to allow the Council to put its views in a more flexible manner than by recommendations, particularly concerning the reports, a new form of pronouncement, a Council "statement", was introduced.

Changes were made in the structure of certain Council organs and the function of the organs was more precisely defined. Since NORDEK could be expected to give the Presidium a heavier burden than in the past, deputies were introduced for its members. The Presidium was also strengthened by an expansion of the central secretarial functions of the Council and the creation of a Presidium Secretariat whose leader, together with the Secretaries-General of the national delegations, formed a Secretariat Coordinating Committee (see p. 64).

Apart from the Statutes, the Organization Committee had suggested changes in the Rules of Procedure. To simplify the adaptation of the number and tasks of Committees to changing needs, without a complicated alteration of the Statutes, the provisions

governing the number and duties of Committees were transferred from the Statutes to the Rules of Procedure. While the Plenary Assembly had always hitherto elected Committee members, they were now to be appointed directly by the individual national delegations, each of which disposed of an allotted number. Other alterations of the Rules of Procedure were intended mainly to adapt them to the new terms of the Helsinki Agreement, or to codify already existing practice.

The Organization Committee's proposals for alterations in both the draft NORDEK treaty and the Helsinki Agreement were accepted by the governments, and both treaty proposals were approved by the Council session in February 1970. The Organization Committee itself had pointed out that the conditions set for the Council's involvement in NORDEK cooperation were in principle independent of alterations in the Helsinki Agreement, and consequently the two treaty bills could be carried into effect separately. This proved to be a great advantage. Although the NORDEK Treaty stranded (see p. 136), the Helsinki Agreement was approved in its new form. It was signed by the governments in Copenhagen on February 13, 1971, and came into effect on July 1 of that year, as did the new Rules of Procedure.

The Council of Ministers and their deputies began their activities in the summer of 1971. From July 1, 1972, they had a provisional and from July 1, 1973 a permanent secretariat in Oslo for all matters except cultural affairs, which were administered by the Secretariat of Nordic Cultural Cooperation, opened in Copenhagen on January 1, 1972 (see p. 293).

Due to the effort expended upon an economic union which ultimately came to nothing, the Nordic Council had succeeded in carrying through an important expansion and strengthening of the institutions for Nordic cooperation. The organs necessary for effective cooperation between governments were created, and the Nordic Council's own authority had been increased and its organs strengthened. Rules of Procedure had also been made more effective. The inclusion of the central institutions, the Nordic Council and the Nordic Council of Ministers, in the Helsinki Agreement strengthened its status as a form of Nordic Constitution. Finally, the Council's efforts to supervise and control NORDEK's activities and institutions had given Council members a greater awareness of their right to exercise influence upon Nordic decisions and appropriations. The increased will of the parliamentarians to impose their views on Nordic cooperation was to have important consequences in the following years (see p. 83–87, 293 f.).

The Cultural Treaty 1971 and the Transport Treaty 1972

During preparation of the NORDEK treaty, government experts had proposed the inclusion of certain cultural activities under the organization for economic cooperation. However, the Organization Committee warned against any splitting up of cultural activities under different organs. Another objection was that Iceland was not going to join NORDEK and would therefore be excluded from such cultural activities as were placed under NORDEK. The Nordic Council's Cultural Committee also feared the

consequences if economic institutions were to have the final decision in cultural matters. For these reasons, the Organization Committee proposed that cultural affairs – apart from research and educational tasks of direct importance to economic cooperation – be organized independent of NORDEK, that their institutions be developed, and that cooperation between these institutions and the Nordic Council be strengthened.

A members' proposal on these lines led the Council session in February 1970 to urge the governments to conclude a Nordic Cultural Treaty by January 1, 1972. The proposal was approved together with the recommendations for the NORDEK treaty and the revised Helsinki Agreement. A working committee set up by the governments prepared a draft treaty which was presented at the Council session in February 1971. Council members, more concerned with safeguarding the Council's influence following negotiations on the NORDEK treaty, were highly critical of the fact that the draft did not stipulate the Council's participation in the cooperation. For this reason they only approved the draft with the proviso that the Nordic Council should participate in cooperation under the treaty, and that the Council should have opportunity to consultations with ministers prior to adoption of budgets and working plans. The governments complied with the Council's demands in the Agreement on Nordic Cultural Cooperation, which was signed on March 15, 1971, and came into force January 1, 1972 (see p. 293).

The abortive NORDEK treaty included a section concerning transport policy and establishment of a committee for traffic and transport. When NORDEK failed, the Nordic Council approved a recommendation in February 1971 for the creation of a permanent Nordic committee for transport. The Committee should assist the Nordic Council of Ministers, and work out a proposal for a treaty on cooperation in the field of transport. The Nordic Senior Officials' Committee for Transport Questions met for the first time in June 1971, and the Nordic Transport and Communications Treaty it drafted was signed on November 6, 1972, and came into force March 1, 1973.

As a supplementary measure to the new system of Nordic administrative institutions, an agreement was signed on April 12, 1973 concerning the legal status of the secretariats of the Nordic Council of Ministers; a protocol of May 15, 1973 stated the legal status of the staff of the Nordic Council's Presidium Secretariat. A similar agreement on the status of staff of other Nordic institutions was concluded on January 31, 1974 (see p. 79, 278).

Revision of the Helsinki Agreement 1974

Less than a year and a half after the revised and greatly expanded Helsinki Agreement had come into force, the Presidium and Ministers for Nordic cooperation decided upon an examination of its articles concerning the factual content of Nordic cooperation (as distinguished from the articles concerning its organization) in order to adapt them to developments in the decade since the original agreement was drafted. The 1971 revision had not affected its concrete aspects. The result of this revision led to several important additions.

The main areas for Nordic cooperation were extended to include environmental protection. Three new articles were inserted on this subject. The most important of these required member countries where possible to equate the environmental protection interests of their neighbouring countries with their own (see p. 238).

Several new paragraphs concerned working methods. Terms for the composition of the Council of Ministers were modified, since it could be difficult for the Icelandic government always to be represented by a minister, and sudden illness or other unexpected circumstances could prevent ministers from other countries from participating. In such cases, a government could let itself be represented by an authorized senior official. But at least three countries had to be represented by members of the government. The Nordic Council was extremely doubtful about giving this concession to other countries than Iceland, but accepted the change when the governments assured that it would only be used in exceptional circumstances.

A completely new and important article was introduced stating that the greatest possible level of public access should be permitted in Nordic cooperation.

After the original Helsinki Agreement was signed in 1962, the Cultural Treaty was approved in 1971 and the Transport Treaty in 1972. If the Agreement was to be altered every time a similar treaty was approved for other areas, frequent and time-consuming redrafting would be needed to keep the Agreement up to date. Instead of listing these treaties in the Agreement it was stated that more detailed provisions concerning cooperation within the various main fields could be set out in special agreements.

The new modifications to the Helsinki Agreement were approved by the Nordic Council during the February 1974 session, were accepted by the governments March 11, 1974, and came into force on September 5, 1975.

Budget Control and Public Access

The creation of the Council of Ministers, and even more the approval of the Cultural Treaty led for the first time to joint Nordic budgets of considerable size. The Nordic Council's wish that these budgets be placed under parliamentary control received the support of the Council of Ministers, and during the session in 1975 the Council's Budget Committee was formed (see p. 84).

The 1975 session also approved a recommendation to the Presidium and Council of Ministers to implement the new stipulations in the Helsinki Agreement for greatest possible public access to Nordic cooperation by preparing regulations for the Nordic Council's Presidium Secretariat, and the secretariats under the Nordic Council of Ministers. These regulations came into force January 1, 1976.

CHAPTER 3

STRUCTURE AND WORKING METHODS OF THE NORDIC COUNCIL

Statutes and Rules of Procedure

For the first two decades of its existence, from 1952 to 1971, the Nordic Council had a constitutional foundation which differed from that of most similar organizations. These are usually formed by international agreements which are binding for the member states for the duration of the agreements. The Nordic Council, however, was created by the same informal method that had been used for decades in so many areas of Nordic legislative cooperation (see p. 259). The text of the Statutes of the Council was prepared jointly by representatives of the different countries, first the interparliamentarians and later the ministers, and was put into effect by national legislation in each of the countries. In consequence, the Council was not based upon a single treaty ratified by the member states, but on four (five after Finland's entry) identical texts, each valid only for the country concerned. As a result of this any country could, if it so desired, withdraw from the cooperation merely by unilaterally repealing the legislation in question.

Against the background of Nordic traditions this method was a perfectly natural course to take in the establishment of the Nordic Council, and it was very practical in the situation that existed. The informal and in international terms non-committal nature of the arrangement removed a cause for criticism put forward in particular by Norwegian opponents of the Council: that this new joint Nordic parliamentary organ would infringe on the sovereignty of the national parliaments.

In the years that followed, this objection disappeared completely because experience had shown that the fear was unfounded. Development then took its customary Nordic, pragmatic course in solving problems as they arose. The first important step, the Nordic Treaty of Cooperation – the Helsinki Agreement – was implemented in 1962 in consequence of European market developments (see p. 39). When the Helsinki Agreement was thoroughly revised in 1971 in the wake of the NORDEK negotiations, involving the formation of a Nordic Council of Ministers, it was considered an obvious step to provide a treaty foundation for the fundamental provisions of the Nordic Council by including them in the Agreement on Cooperation.

Both during the period of national legislation and later when the corresponding regulations were included in a treaty, the fundamental provisions concerning the Nordic Council could only be amended by the legislative authorities of the member countries. Alterations were however always carried out in cooperation between the Council, the governments and parliaments, and almost invariably on the initiative of the Council. This practice was given treaty status in 1971, at the same time as the Statutes were included in the Helsinki Agreement. It is laid down here that the Nordic

Council is to be given the opportunity of stating its views prior to member states agreeing upon amendments to the treaty.

Many practical aspects of the Council's activities are regulated by the Rules of Procedure which the Council has always had the right to amend on its own. Because some of these routines are of interest to the governments, since they participate directly in Council activities through ministers appointed as members, the Council maintains contact with the governments when alterations of wider importance are contemplated.

At the same time as the Helsinki Agreement was revised, the Council, in 1971, amended the Rules of Procedure (see p. 46 f.). Another alteration was made in 1976, when the Social Committee had its name changed to the Social and Environmental Committee. In 1977 provisions were introduced regarding the Budget Committee and the Information Committee. In addition, the 10th of December in the year prior to the ordinary Council session was set as the time-limit for delivery of reports and Government statements to the Council.

The Nordic Council's Duties and Authority

The original Statutes from 1952 contained two specifications of the aims of the Council which did not completely coincide. In one article the Council is termed an "organ for joint consultation" between the Nordic parliaments and governments on "matters concerning cooperation" between all or some of the countries. Elsewhere it says "the Council is to discuss issues of common interest to the countries and approve recommendations to the governments on these issues".

The provisions which now apply for the Council are contained in the revised Helsinki Agreement of 1971, with alterations of 1974. Two general articles are included, one concerning the objectives of Nordic cooperation, the other its organs. The article concerning objectives states that "in order to implement and extend Nordic cooperation under this and other agreements, the Nordic countries should continuously consult with each other and when necessary coordinate measures". The article concerning organs states that "Cooperation between the Nordic countries takes place within the Nordic Council, within the Nordic Council of Ministers, and at other ministerial meetings, in special cooperation bodies and between specialist authorities".

In the revised Helsinki Agreement's special section concerning the Nordic Council, it is stated with a slight but significant change of the corresponding provision in the original Statutes that "the Parliaments and the Governments of the Nordic countries cooperate in the Nordic Council". The elected members always placed great emphasis upon the 1952 article concerning "consultations". This was referred to when they reproached governments for making so few proposals in the Council (see p. 39, 44.) The more rigorous requirement of "cooperation" in the Helsinki Agreement has given the elected members an even more powerful argument when they insist upon close contact between the two sides of joint cooperation, and criticize the organs of governments for not being sufficiently positive towards the parliamentarians.

The revised Helsinki Agreement also directly gives the Council greater power than before. Under the 1952 text, the Council could only approve recommendations to the governments. In 1971 it also obtained authority to "make other representations or make statements" (*udtalelser*). These statements, as well as the recommendations, could now be addressed to "one or more of the Nordic countries' governments or to the Council of Ministers".

The duties of the Council are also defined more broadly than previously: "The Council is an initiating and advisory body on questions concerning collaboration between these countries or some of them, and in general has those tasks which are apparent from this and other agreements." The first section of the sentence does not go beyond the Council's authority before 1971. But the second section is a new construction which makes it easier for the Council to assume new duties without altering the Helsinki Agreement.

In 1962, the Nordic Council was given access to comment on cooperation "questions of principle". After the 1971 revision the Council has the right to be heard "on the more important questions of Nordic cooperation". Since the new formulation gives the Council wider access to being heard than the older text, this change also provides the Council with some degree of wider competence.

Although an issue may not concern all the countries, representatives of the non-involved countries may participate in its treatment. Where agreements between only some of the countries are involved, however, the Statutes limit the right to vote to members from these countries.

Neither the Statutes of 1952 nor the Helsinki Agreement of 1971 set any restriction on the matters the Council may consider. In principle, no question is excluded providing it can be said to contribute to "maintain and further develop cooperation" under existing agreements. But in practice foreign policy issues have rarely been taken up, though more frequently in recent years. This is a natural consequence of the differing foreign affairs and defence policies of the countries. However, no formal hindrance exists to consideration of these problems (see p. 349, 353).

From the name itself, it is obvious that the Nordic Council is not a parliament to which the individual member states have handed over part of their sovereignty. The Nordic Council has no supranational authority and is therefore not able to make decisions which bind the individual member states. In both statements of objectives, from 1952 and 1971, the Council is specifically described as an advisory organ. Its mode of operation lies solely in the recommendations and "statements" made to the governments or the Council of Ministers. These are not compelled to follow the Council's views, nor are they legally obliged to bring any specific issues before the Council.

Political realities, however, do not always follow formal rules. Obviously recommendations and "statements" approved by a broad majority of the Nordic Council have considerable weight in the national parliaments and in the governments. A main reason for this is that the parties generally elect their leading and most influential members to the Council.

The Nordic Council's Members

There are two kinds of members: those elected by their legislative assembly – including from 1970 the Faroese Løgting and Åland's Landsting – and those appointed by the governments and the Faroese Landsstýri and Ålands Landskapsstýrelse.

Elected Members

The Council's elected members and an equal number of deputies are elected by the legislative assemblies from among their own members and in the manner each assembly decides. But it is stated clearly in the Statutes that different political standpoints shall be represented among the elected members. They are on the whole elected according to proportional representation, which achieves one of the main objectives in forming the Council – that opposition parties be included in the official Nordic cooperation. Previously, this had been controlled entirely by the governments.

Members are elected for a one-year period, but are normally reelected. This assures continuity in Council activities. Normally an elected member only leaves the Council through death or because he has become a member of a government (which happens very frequently), by losing his seat in parliament or by resignation from it. The condition that elected members be chosen from among active parliamentarians is dictated by the wish to achieve the closest possible connection between the Council and the parliaments. When a member leaves the legislative assembly – even temporarily due to illness or travel – he must also immediately withdraw from the Council and its Committees.

From 1952 to 1969, the Danish Folketing, Norwegian Storting and Swedish Riksdag (and the Finnish Riksdag from 1955), each elected 16 members to the Council, and Iceland's Althing elected five, in all 69 members. From 1970 when the Faroe Isles and Åland began to participate in Council activities, the numbers were increased, to 6 for the Althing, 17 for Finland's Riksdag, 18 each for the Storting and the Swedish Riksdag, and an unchanged 16 for the Danish Folketing. However, the two chosen by the Faroese Løgting joined the Kingdom of Denmark delegation (as it was thenceforth called), and the one member chosen by Åland's Landsting joined the Finnish delegation.*

The Council has since had a total of 78 elected members.

As the Council only has an advisory capacity, it was possible to give the individual countries the number of members mentioned irrespective of the size of the populations, in order that the parties could be reasonably well represented.

The elected members constitute the core of the Council. As they alone have the

*Prior to 1970 the Folketing had occasionally elected one of the Folketing members for the Faroes as a member or deputy member of the Danish delegation. The same has happened in the case of Greenland members of the Folketing.

vote, they alone express the Council's will or opinion through their recommendations or "statements". The Committees and the Presidium are also made up solely of elected members.

Government-appointed Members

In addition to the members chosen by the parliaments, the Council includes members appointed by the governments. They are ministers appointed by the governments before each session in the number the governments themselves decide in the light of the matters on the agenda. In addition the Faroese Landsstýri and the Åland Landskapsstyrelse each appoints one of their own members. The ministers have seats in the Council's Plenary Assembly and can take part in its discussions on an equal footing with the elected members. But they have no vote. The government-appointed members cannot be elected to the Presidium or the Committees. Under the Statutes they do have access to the Committees, but without the right to vote.

The governments have always been well represented at the Council sessions, which has naturally benefitted the Council's activities and its prestige, and gives an expression of the importance the governments attach to the Council. The Prime Ministers and usually the Foreign Ministers of the member countries have participated in practically every session. Many other cabinet members also attend, the most regular being the Ministers of Justice, Culture and Education, Trade and Industry and Transport. Altogether 292 members of governments were appointed to attend the six ordinary sessions from 1975 to 1980. The lowest figure was 43, the highest 55.¹

The decision to have the governments directly represented in the Council, with government members seated together with elected members in the same assembly, was taken at the establishment of the Council, and was the direct result of the unfortunate experiences of the Nordic participants in the Council of Europe. Work there had been hampered by differences between the two chambers: one composed entirely of members of governments, the other consisting entirely of parliamentarians. The Nordic Council does not have two chambers between which disagreements can develop. Experience has shown that during Council activities an inspiring and valuable direct contact is formed between government representatives and parliamentarians, particularly in the Committees. The governments are drawn into the consideration of matters at an early stage, allowing an exchange of viewpoints between the two groups and the drafting of realistic recommendations.

Delegations

The Statutes expressly recognize the existence of the national delegations, each consisting of both elected and government-appointed members. Also here the elected members alone have the right to vote. The delegation elects a chairman and vice-chair-

man from among the elected members, and also elects a number of members to form a Working Committee. The Combined Working Committees of the delegations and the Presidium consult jointly on certain practical aspects of the Council sessions. The Working Committees are also required to nominate candidates for the elections held by the Plenary Assembly and the Committees. These are primarily the election of members of the Presidium, the Budget Committee and the Information Committee as well as the Chairman and Deputy Chairman of the permanent Committees, the Council's representatives on the board of the Cultural Fund, the Fund's auditors and the Council's representatives on the Control Committee of the Investment Bank.

Parties in the Council

Since the Council's parliamentary members generally speaking are chosen on a proportional system, almost all parties in the Nordic parliaments are represented by one or more members or deputies. Although differences exist from country to country, their representatives in the Council can be roughly divided into four main groups. At the 1980 session, there were altogether 17 members of Conservative parties, 28 Social Democrats, 6 Communists or left-wing Socialists, and 21 made up of a mixed centre grouping. Of the remaining six members, two belonged to the Danish Progress Party, one to the Danish Single-Tax party, two were Faroese and one a Greenlander. The central grouping was made up of 9 members of Liberal or Social-liberal parties, 7 were from Centre parties (formerly Agrarian parties), and five were elected by Christian People's parties.

During consideration of most matters in the Council, the members do not divide according to party lines. In recent years, however, there has been a growing tendency to vote on party lines, particularly concerning foreign policy matters, multinational companies and economic problems. Efforts to organize along party lines have also been evident. Supporters of this trend feel that this will contribute to the strengthening of Nordic cooperation. The Social Democrats and left-wing Socialist parties and to a lesser degree the Conservatives have led in cooperating across national boundaries. It has been more difficult for the mixed centre grouping to agree on a common line. The Centre parties and Christian People's Parties have the closest bonds here. The trend towards closer contact on party lines at the Council has a background in the connections that practically all parties have maintained by means of joint conferences and attending each other's annual meetings. This collaboration has been developed particularly between the Social Democratic parties which, since the 1880s, have held Nordic conferences of politicians and trade union representatives (see p. 21). The Social Democrats have also taken the lead in the Nordic Council in presenting joint proposals.

Views are, however, divided about the advisability of stressing political attitudes so firmly in Council activities. Sceptics warn that Nordic proposals can be implemented only if there is backing in the parliaments of the individual countries. But this requires approval of recommendations by a Council majority broad enough to represent a

majority in all the national parliaments. Otherwise recommendations are likely to remain mere paper.

Frequency, Duration and Venue of the Sessions

The Nordic Council is a permanent institution, even though its Plenary Assembly is only required to meet once yearly at the time and place the Council itself decides. In addition, the Council gathers for an extraordinary session if at least two governments or 25 elected members request it – or if the Council or the Presidium decides on an extraordinary session. The latter happened in the autumn of 1975 to allow the Council to consider a proposal from the governments for the establishment of an investment bank (see p. 146). This is the only extraordinary session yet held. As an experiment, the ordinary session was divided into a spring and autumn meeting in 1973 and 1974.

The Statutes and Rules of Procedure do not state any specific time for the ordinary session. It has most frequently been held in mid-February, when it least disturbs the activities of the national parliaments.

Nor is the duration of a session specified. Originally it was usually a week to ten days. More recently, the greater efficiency resulting from Committee meetings held between sessions (see p. 61) has allowed the Council since 1961 to complete its programme in six working days, usually from Saturday morning to the following Thursday noon. The Working Committees and Presidium meet the day before to prepare elections for the next day's constituent meeting. As an experiment, the 1979 and 1980 sessions were changed to begin early Monday afternoon and end late Friday afternoon. This allowed time for Committee meetings, etc., on the Monday morning.

The 1952 Statutes stated that the annual session was to be held in one of the Nordic capitals, as decided by the Council. By established practice it follows a fixed rotation. The first session in Finland's capital, Helsinki, took place in 1957, and the first in Iceland's capital, Reykjavík, in 1960. The requirement that the annual session be held in a capital city was dropped in the 1971 reform, but the venue for the sessions, and their order, have so far continued unchanged. The autumn meeting in 1973 and the extraordinary session in 1975 were also held in a capital city (Stockholm), while the 1974 autumn meeting was held in Aalborg, a large provincial town in Denmark. That is the only time a Plenary Assembly has met outside a capital city.

Presidium

The Council's activities are directed by the Presidium, which is elected at the first meeting of each ordinary session for the period up to the next ordinary session. It consists of a President and four Vice-Presidents. Since 1971, a deputy has also been elected for each Presidium member. To date, the chairman of the delegation from the country where the session is held has been chosen as President, and the Vice-Presi-

dents have been the chairmen of the delegations from the other countries. The Statutes prescribe that "as far as possible various political standpoints shall be represented in the Presidium and amongst the deputies". This condition can at times be difficult to combine with the practice that delegation chairmen are elected as Presidium members. Some degree of correction to the imbalance can be provided by choosing the deputy from a different political grouping than the one the Presidium member represents. The Presidium can also permit a deputy to participate in a meeting of the Presidium – though without the right to vote – even if the ordinary member is present. Deputies can be invited to attend a meeting where the Presidium is to consider issues of a character that makes the presence of the advocates of several important viewpoints advisable. This safety-valve regulation has not prevented Social Democratic members of the Council from expressing dissatisfaction that they have fewer of their own party members in the Presidium than they could wish.

The Norwegian delegation has in the light of this criticism terminated the election of delegation chairmen to the Presidium. The Swedish delegation has favoured this approach in principle, but not yet put it into practice. A consequence of the desire to distribute Presidium positions along party lines has been the suggestion to treat chairman and deputy-chairman posts in the Committees in the same way.

It was originally intended that the Presidium should function mainly during the sessions, but from the start it has in practice played a considerably greater role in the Council's activities. This is due to the Presidium functioning between the sessions, holding 4 or 5 meetings yearly.

Between sessions, the function of the Presidium is to coordinate the Council's tasks and direct its activities within the limits set by the Statutes and Rules of Procedure and by the decisions reached by the session. The Presidium follows the work of the governments and Council of Ministers in implementing recommendations, organizes the new session and makes sure that the proposals put forward are adequately prepared. Each session gives the Presidium permission to set up ad hoc committees. In addition the Presidium supervises the activities of the Committees between sessions. Applications to the Council from organizations and individuals are also considered by the Presidium, which forwards them to the relevant Committees if they call for more thorough examination. The individual members of the Presidium also maintain contact with their own delegation, and in general represent the Council in their own country.

In the period from 1960 to 1970, the joint meetings of the Presidium and Prime Ministers performed an important function. These meetings played a less prominent role in later years. Instead, they were held with the Ministers for Nordic Cooperation. However, the Presidium considers it vital to preserve the yearly meetings with the Prime Ministers. These joint meetings were therefore revived at the 1977 session. It is however the wish of the Presidium that they be held in the autumn, about three months before the ordinary session, to permit preparation of the session's political problems.

The Presidium has represented the Nordic countries vis-à-vis the outside world on several occasions, including the Montreal World Fair in 1967. It has also functioned as the honorary Nordic Presidium at Nordic and international arrangements in Scandina-

via, such as the 1971 Refugee Year, and the World Scout Jamboree in 1975 at Lillehammer, Norway.

For a number of years the Presidium has made use of so-called "Presidium letters" when it wished to draw the attention of governments to matters not sufficiently important to form the subject of a recommendation. As an extension of this, the authority of the Presidium was widened considerably by the 1971 amendments to the Helsinki Agreement. In cases where it is not suitable to await consideration by the Plenary Assembly or for other reasons the Presidium was authorized to approach the governments or Council of Ministers by means of a "statement", rather than to await a recommendation by the Plenary Assembly. The Presidium, however, is required to obtain an advance comment from the relevant Committee, and at the next Council session must report on the measures taken under this authorization. In cases where the Presidium issues a "statement" the presence of all its members or their substitutes is necessary. In other matters the Presidium has a quorum when at least four members, or their deputies, are present.

The Presidium has the right to appoint Committee secretaries, after obtaining the comments of the Committees, and to engage other personnel to perform the Council's joint-secretariat functions.

At each ordinary session of the Plenary Assembly, the Presidium is required to submit a report on its activities since the last session. This document, which is one of the foundations for the general debate, provides a full range of information on the Council's activities.

Permanent Committees

The Committees are a central factor in the Council's activities. Every proposal must be referred to one of the Committees for examination since Committees are required to examine all matters to be treated by the Council. The reports by Committees to the Plenary Assembly form the basis for the Assembly's decisions. The Presidium is not allowed to issue any statement without obtaining a report from a Committee. Since the formation of the Council of Ministers the Committees have been given the new and important duty to examine the Ministerial Council's annual report (see p. 80). The special authority vested in the Nordic Council under the Cultural and Transport treaties is exercised by the Cultural and the Traffic and Communications Committees, respectively. In the recently-established finance control it is the Committees which carry out the fundamental examination of budgets, each in its own field, and half of the Budget Committee's members is made up of the five Committee chairmen, while the remainder are ordinary Committee members (see p. 84).

The powerful status of the Committees in Council activities is a result of steady development over the years. At the first three sessions, 1953-55, four Committees were set up each year: for law, culture and social policy as well as for transport and economic matters combined. From the 1956 session, when Finland participated for the

first time, the last-mentioned Committee was divided into the Traffic and Communications Committee and the Economic Committee. The pattern has remained unaltered since. Only a single change has been made in the names of the Committees. From the 1976 session, the Social Policy Committee has been called the Social and Environmental Committee to underline the importance the Council attaches to problems of the environment. In 1974, these problems were given special articles in the Helsinki Agreement (see p. 49, 237 f.).

The allocation of duties among the Committees has also remained roughly the same since the first years. Matters concerning customs control, passports, etc., were in 1953-55 placed under the Social Policy Committee because of the passport union's close connection with the free Nordic labour market. They were transferred to the Traffic and Communications Committee when that was created in 1956. In 1976 matters concerning regional policies and employment were transferred from the Social Policy Committee to the Economic Committee, as they were considered to be closely related to economic and industrial policy.

Each elected member shall have a place in a committee - but in one only. From Finland's entry in 1956 up to the session in 1969, the 69 members were distributed so that the Economic Committee had 17 members, and the other four had 13 each. Each of the four larger countries had four members in the Economic Committee and 3 in each of the others, while Iceland had one member in each of the Committees. Since 1970, the Council has had 78 elected members (see p. 44), and the membership of the Economic Committee has been increased to 22, the Cultural Committee to 17, while the three remaining Committees continued with 13 members. The larger countries now have 5 members each in the Economic Committee and 4 in the Cultural Committee, with an unchanged 3 in the remaining three Committees. Iceland has one member in each Committee except the Economic, where it has two.

Originally the Plenary Assembly elected Committee members on the recommendation of the Combined Working Committees, thus in reality of the national delegations. The new Statutes from 1971 made it the responsibility of the Plenary Assembly, through the Rules of Procedure, to determine the number of the Committees and their fields of activity, and how many seats each delegation should have in the individual Committee. Thereafter the delegations themselves appoint their members to the Committees.

The Committees elect their own chairman and vice-chairman, on the recommendation of the joint Working Committees. Planning is necessary to ensure the practice that each delegation shall have one chairman and one vice-chairman in Committees, though they may not be on the same Committee. The party groups within the individual delegations attempt to distribute their members in as many Committees as possible, dependent on the number of mandates available.

When the Council began its activities it was intended that the Committees should meet only during the annual session. The Plenary Assembly could however decide that a Committee should meet in advance of the next session. During the first session in 1953 it was decided that a smaller group of the Legal Committee should meet before

the second session to examine the complicated issue of the legal status of Nordic citizens in another Nordic country. It was quickly realized that the procedure demanding the decision of the full Council in this matter was too complicated. An unexpected need for Committee meetings could arise between two sessions. The Presidium was therefore authorized at the second session in 1954 to call meetings of Committees between sessions, and to set up ad hoc committees to examine special problems. Deputies could also be appointed to the ad hoc committees, and on rare occasions persons not in the Council or the parliaments have been appointed to them.

The Legal Committee, which, as already noted, was assisted from the beginning by its sub-committee, felt a serious need for an organ that could, in advance of the annual session, carry out the preparatory work on all the matters the Committee was to examine during the session. This involved something considerably broader than the ad hoc committees the Presidium had been authorized to set up. At the 1955 session the Council therefore decided to create a committee of one member from Iceland and two from each of the other countries to prepare the legal matters. This decision was repeated at the 1956 session. Since Finland was now a member, and also had two members in the committee, this new organ was termed the Legal Nine-man Committee. It was set up repeatedly by subsequent sessions.

A number of ad hoc committees were also created during these early years: In 1955 a committee on the establishment of the Nordic School of Journalism, in 1956 two committees, one for harmonization of Nordic labour legislation, and the other the Nordic Council Medical Labour Market Committee, which was to prepare proposals for a common labour market for doctors, veterinarians, dentists, nurses, pharmacists, etc., (see p. 223 f.) A Nordic Council Roads Committee was active in 1957-58, considering proposals for road links between northern Norway and northern Sweden. Each year since 1954 the Presidium has been authorized to appoint ad hoc committees, and has often made use of this authorization, particularly for the consideration of organizational problems.

It was very seldom that the Presidium or the Council called in the permanent Committees between sessions. This happened mainly when the Economic Committee was involved with customs union and market problems. The Cultural Committee was also authorized to meet between sessions on a few occasions. Most of the Committees could manage to meet only once yearly, during the session, because they had gradually followed the Legal Committee and obtained the assistance of a nine-man committee or a similar organ. In 1958 a social policy nine-man committee and in 1959 an economic nine-man committee were set up (see p. 114). The Nordic Cultural Commission (see p. 292) functioned for a considerable period as a preparatory organ for the Cultural Committee, but in July 1962 a cultural nine-man committee was formed, too. In January 1963 the Committee for Traffic and Communications obtained its preparatory committee when the governments agreed that their Nordic Communications Committee, consisting entirely of parliamentarians who were members of the Nordic Council Committee, could also function as a nine-man committee for traffic matters.

Although these nine-man committees performed very useful work, they also gave

cause for criticism. The relatively few committee members who had no seat in a nine-man committee, were dissatisfied that matters were in fact decided before they were discussed in the full Committee. Another objection was that they led to double treatment of matters, and thus contributed to increasing the Council's volume of paper-work. As part of a simplification and improvement of Council activities, the 1964 session therefore decided to abolish the nine-man committees and in future, on a trial basis, allow the Committees to meet as often as their chairmen found necessary (see p. 42).

This form of committee work, introduced tentatively in 1964, was in 1971 included in the revised Statutes and Rules of Procedure and has remained unchanged since then. Outside the session period the Committees generally meet three or four times yearly. The meetings are normally held in member countries by rotation, and are frequently staged outside the capital cities to give the members an opportunity to come in contact with people and problems in various regions of Scandinavia. The venue of a provincial town also offers a possibility of increasing interest in the Council and its activities among the local population.

The nine-man committees were abolished in 1964, but one was revived in September 1969, when the Economic Committee with its 17 members felt it necessary to rationalize its activities. The Economic Nine-man Committee which has been reappointed every year since then, in reality, if not formally, completes treatment of uncontroversial matters. This allows the full committee to concentrate upon the more political issues.

The Economic Committee differs from the others in another sense. On occasions when decisions had to be taken on important market policy matters, the Committee held "expanded" meetings with participation of representatives for parties that may have members in the Council, but not on the Economic Committee.

Detailed regulations for committee activities are contained in the "Guidance for Committee Activities" which is approved by the joint meeting of Working Committees on the day before each session. Committee meetings are not open to the public. Apart from the Presidium, the Coordinating Committee of the Secretaries General (see p. 64) and the committee secretary, all of whom have the right to attend and speak at meetings, no-one may attend without prior invitation. The Council's ministerial members are always invited. A Committee can also invite elected members not in the committee as well as deputies. Experts can be called to inform on matters under discussion. In special cases political scientists who study the Council's activities can be invited as observers. After the meetings, the Committee chairman at a press meeting informs the media of the issues which have been discussed.

Committee Secretaries

The Committees are assisted by secretaries, normally one for each Committee. During the first five sessions, (1953-57), the host country made civil servants available for the

duration of the session. Later, every Committee had a permanent secretary on part-time terms, usually an official from one of the national government departments or from one of the Nordic Council's national secretariats. Where nine-man committees or similar organs (the Cultural Commission) existed, the secretary for these also acted as secretary for the corresponding Committee. The secretaries received technical assistance from the secretariats of the national delegations.

Committees have been able to function with such a modest secretariat backing because the duties of the Committee secretaries are limited. With the aid of the national secretariats they obtain necessary information which can allow the Committee to decide whether matters raised in the Council should be rejected or form the basis for a recommendation. The secretaries also assist members in drafting proposals and Committee reports, keep abreast of Nordic problems in their field, and keep informed of the treatment by governments of the recommendations passed by the Council. The Committee secretaries, however, are not expected to carry out more extensive investigations.

The matters brought up in the Council are not fully worked-out proposals involving extensive preparation, but rather motivated requests to governments (and now also the Council of Ministers) to implement some decision or have some matter examined. When a recommendation has been approved, the more thorough administrative work is a task for the Council of Ministers and governments. They are to convert recommendations into drafts for concrete legislation or regulations, or other measures necessary to implement the recommendations. They may also set up committees of experts to prepare the reports desired by the Council. This division of function between the Council and governments respects a factor the founders of the Council invariably stressed: the Council does not require its own extensive administrative apparatus in addition to that of the governments, and duplication of administration must be avoided. This also is a facet of the basic attitude that the Council's activities should be an intimate and confident cooperation between the parliamentarians and their governments.

As the Council's activities expanded it was found necessary to give the Committees increased secretarial assistance. This was particularly so after approval of the treaties on culture and communications, and after the Council of Ministers was formed in 1971-72 (see p. 77). The greater influence of governments in cooperation created a natural wish among the parliamentarians to be able to exercise the necessary control of the Council of Ministers and its organs, financially and otherwise. This supervision involved a far greater volume of work, particularly regarding the Ministerial Council's annual report. In addition there was the new scrutiny of the budget. The expected reduction in the number of members' proposals after the governments had created their new cooperation organs did not materialize. The initiative of members was too great, and the Council of Ministers too restrained in presenting concrete, fully-prepared proposals to the Council.

In 1968 the secretary of the Cultural Committee, resident in Helsinki, was put on a full-time basis, while the secretaries of the other Committees used half or more of their

working hours on Council matters. From 1974 the secretary of the Social Policy Committee was employed on a full-time basis; a Swedish citizen, he joined the Presidium secretariat in Stockholm (see p. 65). The secretary of the Communications Committee, an Icelander, followed suit in 1975, and in 1979 so did the secretary of the Economic Committee, a Norwegian. The last-mentioned secretariat, previously a half-time position, had been placed in Oslo until then. The Danish secretary of the Legal Committee, who works in Copenhagen, is engaged on a part-time basis. As the above indicates, each member-country has a Committee secretary.

The Delegation and Presidium Secretariats

The Statutes of 1952 stated that each delegation should have a secretariat. Its function was to assist members, obtain material relevant to proposals, maintain contact with government offices and organizations, follow the treatment of recommendations in departments, arrange meetings and travel, function as an information office for Nordic affairs and disseminate information about Council activities and Nordic cooperation generally. The individual secretariat, with offices in the national parliamentary building, would be managed by a secretary-general under the supervision of the national Presidium member.

The delegation secretariats were small but since they were the only Council organs active throughout the year their influence upon Council activities was considerable.

In their desire to have an administrative system kept within modest bounds, the Council fathers did not merely limit the national secretariats; they refrained from setting up any joint secretariat, which was unusual for an international organization. In addition to their many duties in their own country, the secretaries-general of the national delegations were therefore required to cooperate in performing a joint secretariat's function. The Statutes required that this cooperation should take place under the leadership of the Presidium. The secretaries-general planned their joint functions at frequent conferences. An important duty for these meetings was the preparation of the three or four annual Presidium meetings, requiring the provision of necessary background material, and subsequently implementation of the Presidium decisions. The same duties applied to the joint meetings of Presidium and Prime Ministers when these started (see p. 39). By participating in Committee meetings, the secretaries-general were kept informed on treatment of the proposals on the Council agenda, and ensured a consistent practice of the Rules of Procedure. Forthcoming tasks were planned at conferences with Committee secretaries and information was obtained about the state of proceedings. Formally, the secretary-general of the country where the session was held was responsible for the arrangement, but in practice this and preparations for the session became a joint task. The same applied to the arrangement of Council conferences (see p. 72). Responsibility for the Council's publications and central planning of information also rested with the secretaries-general.

It was a great asset in this informal collaboration that each secretary-general had a

thorough knowledge of his country's political life, administrative system, organizations and general affairs. This made it considerably easier for the secretariats to coordinate national and Nordic viewpoints and interests. Through flexible and effective collaboration, the national secretariats jointly performed the duties which would normally be carried out by a joint secretariat.

As the Council's activities expanded, both the national and Nordic demands made upon delegation secretariats also grew. Some of the more practical duties were therefore transferred to jointly-employed civil servants. Handling the Council's growing volume of documents and reports was referred to a full-time editor, engaged by the Presidium. Some information activities were also put in charge of a special official. The cost of these employees was made a shared expense for the delegations. However, the relief provided by these new appointments was not sufficient. When the Nordic Organization Committee was founded in 1967 (see p. 44), the question of the size and organization of the Council's secretariats was an important point on the agenda.

The strengthening of the governments' influence due to the formation of the Council of Ministers and the coming into force of the Cultural Treaty (see p. 293) made the provision of a stronger Council secretariat essential. Through the revision of the Helsinki Agreement in 1971 and the related changes in the Rules of Procedure the secretariat structure was expanded. The valuable integration of national and Nordic tasks and interests was preserved and given an institutional framework, while most of the practical implementation of common duties was passed on to a new creation, the Presidium Secretariat. This made the everyday administration considerably more effective, and provided capacity for handling new duties caused by the establishment of the Council of Ministers.

As provided in the revised Helsinki agreement of 1971, the joint Council secretariat consists of a secretary appointed by the Presidium and of the five national secretaries-general, each delegation appointing one of them. These six, who hold frequent meetings, assist the Presidium in matters of wider importance or of particular interest to the delegations. In other matters the Presidium is assisted by the Presidium secretary.

The Presidium has delegated some of its competence to the secretariat. It retained the right to engage officials for the Council's more important civil servant positions, to issue instructions to the joint staff, to provide grants for common purposes, including salaries and fees, to issue "statements" to governments or the Council of Ministers and to maintain the more important international contacts.

The Secretariat Coordinating Committee has the following duties: the preparation of common matters of wider interest, the appointment of joint staff outside the scope of the Presidium, the provision of grants and expenditure within the limits set by the Presidium, general preparations for Presidium meetings, etc., and the handling of international contacts outside those reserved for the Presidium.

The Secretary of the Presidium is responsible for the daily management of joint staff, and for common funds and payments. He supervises the Council's publishing activities, carries out the practical arrangements for Presidium meetings, implements

the decisions of the Presidium and of the Coordinating Committee, is responsible for the Council's informational activities and assists the Presidium in its international contacts. In addition, he is responsible for keeping contact with the Council of Ministers. He refers proposals, etc., to the Committees, participates in Committee meetings, directly or by deputy, and countersigns recommendations, "statements", and the protocol for the Council Plenary Assembly.

The Secretariat of the Presidium consists of the secretary, his two deputies, the head of the information department, and an editor and assistant staff. The secretaries for the Social, Economic and Communications Committees are attached to the Presidium Secretariat, although their activities are supervised by the Committee chairmen.

Under the Rules of Procedure, the Presidium stipulates the place of service of the secretary to the Presidium. At present this is Stockholm. The regulations also state that the secretary to the Presidium must be a citizen of another Nordic country than that in which the place of service is situated. The present secretary, the third since 1971, is a Norwegian citizen like his predecessors.

On April 12, 1973, the Nordic governments agreed on a ruling concerning the secretariats of the Nordic Council of Ministers and their legal status, and a supplementary protocol of May 15, 1973 extended this to the secretariat of the Nordic Council's Presidium. The secretariat staff are Nordic civil servants. They do not have diplomatic status, however, and are therefore not exempt from taxes, excise and customs duty, nor do they have diplomatic immunity. While they do not pay taxes in Sweden, a charge of similar size to the tax is made on behalf of the Council's funds.

Session Procedures

The first meeting of a session begins with a speech by the outgoing President, who has functioned since the preceding session. He calls the roll, supervises the election of the new Presidium and its deputies, and then withdraws. The new President begins his term with a speech and then directs the preparation of the agenda and the election to the Budget and Information Committees, and to boards and other posts to which the Council appoints representatives (the Nordic Cultural Fund, the Nordic Investment Bank).

Immediately after the opening meeting, the members of Committees appointed by the delegations (see p. 47, 59) elect their chairman and vice-chairman and decide who should be invited to attend the Committee meetings.

During the first and second day of the session there is a general debate on the Council's tasks and activities, its relations to the governments and the Council of Ministers, and on current Nordic problems and matters which play a prominent role during the session. Matters not connected to any specific issue can also be brought up during this general debate, which takes place on the formal basis of the report on the Presidium's activities (see p. 58) and – from 1973 – the report issued by the Council of Ministers (see p. 80).

The general debate is a subject of considerable interest to the mass media. Members of the Presidium, the Prime Ministers, the Ministers for Nordic Cooperation, departmental ministers with matters to be discussed at the session and many ordinary members express their views on the current status of Nordic cooperation, concrete issues or the working procedures of the Council. The session cannot be closed until all the matters on the agenda have been either approved, rejected or postponed to a later session.

The Plenary Assembly immediately before the close of the session gives the Presidium its traditional authorization to set up ad hoc committees to examine special matters, and holds elections that may have been postponed on the previous days. Invitations to the next session are made by the Presidium member from the country which will act as host according to the established rotation. The date is decided by the Presidium. Following this, the President closes the session with a speech thanking delegates and evaluating the progress made during the session.

Proposals to the Council

The following outlines the procedure in use in 1980, based upon the Rules of Procedure of 1971 with amendments in 1976 and 1977, as well as current practice.

Proposals can take three forms: members' proposals introduced by one or more elected members, Ministerial Council proposals and government proposals. Amendment proposals can be submitted for all of these, at the latest during the first day of the session where the proposal is to be considered. (A deputy is also permitted to submit a proposal if it is supported by an elected member.) Members' proposals must contain a motion for decision by the Council, while government or Ministerial Council proposals must either contain such a motion, or a request for a statement by the Council.

All proposals must be considered in Committee before being put before the Plenary Assembly. It is the duty of the Presidium (in practice the secretary to the Presidium) to refer the proposals to the appropriate Committee. The Presidium (in practice the Secretariat Coordinating Committee) ascertains that each proposal has been adequately researched so that the Committee can suggest to the Plenary Assembly the decision to be taken. This material is provided by the secretariats by soliciting comments from government offices and from organizations and institutions with particular interest in the subject the proposal concerns.

On the basis of material obtained in this way, the Committee considers the matter and prepares a report which concludes with a motion to the Plenary Assembly.

The report must advise the Plenary Assembly to take one of three courses: approval of a recommendation based upon the proposal, rejection by a decision to take no further action, or a decision to give the matter further consideration. The Committee, possibly both majority and minority groups, appoints a spokesman to present the motion to the Plenary Assembly orally. The report, accompanied by the original proposal and a resumé of the material concerning it, must be forwarded to the govern-

ments, the Council of Ministers and the elected Council members at least two weeks before the session.

Forwarding the proposals to members in this way is the mechanism for presenting them to the Plenary Assembly. Together with other material, reports and government statements, they are included on the session's agenda which is put before the Plenary Assembly for approval at the opening meeting. At this point members can move amendments to the agenda – and, for instance, propose that a matter which has been considered in Committee be referred back to it, perhaps because new information has been obtained.

The bulk of the proposals have been processed by Committees before the session. Some of the reports may however be approved during Committee meetings at the session itself, but early enough to be decided upon by the Plenary Assembly on one of the subsequent days of the session.

The most important item on the agenda is the report from the Council of Ministers. Its individual sections have already before the session been delivered to the various Committees according to content, and have been given a thorough examination, which is concluded by a detailed report from each Committee.

The Committees' many suggestions and recommendations to the Council of Ministers are often highly critical. A resumé is provided in the motion for a "statement" by the Plenary Assembly. A "statement" is a more suitable instrument than a recommendation to indicate the Council's attitude towards the very full and wide-reaching contents of the Ministerial Council Report.

Very few institution reports and Government statements on previous recommendations are included in the agenda for the session. Most are referred by the Plenary Assembly for consideration and decision in Committees after the session. This permits a more thorough scrutiny of the activities of the various organs of cooperation, and closer control of the Ministerial Council's treatment of recommendations. However, the Plenary Assembly alone can decide whether a government statement concerning a recommendation warrants a decision that the matter is concluded as far as the Council is concerned.

Voting on motions for recommendations and Council statements must take place either by roll-call or voting machine which indicates how each individual member has voted. Acceptance of a recommendation or a Council "statement" requires the support of over half the members present who have the right to vote. In cases where all elected members can vote, an added stipulation is that at least 30 members have voted in favour (see p. 346). In other cases it is sufficient for members to vote by rising, unless a member desires a vote by roll-call or voting machine.

The approved recommendations and Council statements are signed by the Council's President, countersigned by the Presidium secretary, and forwarded to the Ministerial Council or the individual governments it is addressed to, together with details of the voting. All the material which formed the basis for the recommendation is also enclosed: the proposals, the comments which have been obtained, the Committee reports and the protocol from the Plenary Assembly session.

The Council of Ministers or the governments take over at this point, and attempt to implement the recommendations or wishes expressed by the Council. This often is done by decisions being made concerning grants, or agreement is reached to harmonize legislation or administrative regulations in the various countries. Where wider issues or more complicated questions are involved, the matter is often referred back to the Council in the form of a bill for legislation or of a draft for a convention, or with an extensive report concerning the principles to be followed in planned legislation. The Council can then through recommendations or "statements" express its views about the proposed solution. Matters of lesser importance may be accepted by the Council by a vote declaring them concluded as far as the Council is concerned. They are then removed from the list of matters under treatment in the Council.

The Statutes of 1952 included access for the Council to supervise treatment of recommendations by the governments. This section was transferred to the revised Helsinki Agreement. Before every ordinary session of the Plenary Assembly, the Council of Ministers is required to advise the Nordic Council of measures taken in response to Council recommendations and other communications. If the Council recommendation was directed to one or more governments they shall respond instead.

Through the years this requirement that governments report back has proved very useful. It guarantees the Council can at all times follow the treatment of recommendations and make sure they are not neglected or delayed. It is first and foremost the Committees which through their scrutiny of the governments' statements exercise this supervision and in their reports criticize that which meets their disapproval. If this is not adequate, a question submitted to the Plenary Assembly and directed to the Ministerial Council or the government concerned has generally proved effective.

Only when a recommendation is removed from the Council's list of matters does the duty of the governments or the Ministerial Council to issue an annual statement terminate.

Reporting to the Parliaments

After a session has concluded, the individual delegations submit reports to their parliaments, which in some of the countries also receive reports from their governments on the activities of the Ministerial Council. The report issued to the Storting by the Norwegian government since 1973 on Nordic cooperation is particularly interesting. The competent committees of the parliaments consider the reports in a statement that – particularly in the Storting – provides the foundation for a debate on the working procedures of the Council and the results achieved.

Languages and the Council

Although the Council members come from different parliaments, each with its own special system, traditions and customs, and although the procedures in the Council are

unfamiliar to all of the participants, these factors have never created any difficulty. In this respect the Rules of Procedure have functioned satisfactorily from the very first session.

The Nordic community of languages has meant that during the first 20 years of the Council's history there was no mention of language problems. The Danes, Norwegians, Swedes and Swedish-speaking Finns used their own languages, both written and spoken. The Icelanders almost all spoke Danish during the meetings, and most of the Finnish-language members spoke Swedish. According to the comments to the original Rules of Procedure of 1953, any speaker who did not command Danish, Norwegian or Swedish was permitted to use his own language. He was however (in practice, his secretariat) required to arrange for translation to one of the three languages mentioned above, and these were the only languages in which the Council documents were published. Until recently it was extremely rare for any language except Danish, Norwegian or Swedish to be used in the debates.

Lately there has been criticism in Finland to the effect that Finnish parliamentarians who do not master Swedish were effectively excluded from active participation in Nordic Council affairs. In accordance with a proposal from the Finnish delegation, the Plenary Assembly ruled in 1976 – with some hesitation – that in 1977 the Presidium should attempt to provide simultaneous translation of Council activities. In practice, this meant translation to and from Finnish. As the trial in 1977 proved successful and pleased the Finnish delegation, simultaneous translation is now a permanent feature of the Plenary Assembly debates.

The individual delegations provide their own stenographers, so that reports are prepared in the language of each speaker.

Members are placed in two groups in the plenary chamber. Ministers and elected members are seated separately, with both groups placed alphabetically according to name and without consideration of nationality. The roll call at the start of each session (which indicates the list of members) also follows the alphabet. Even in the provisional Rules of Procedure for the Council's first session it was stated that members should not be seated in national blocks.

Question Time

A proposal to institute a Question Time was made very early, under the second session in 1954. Elected members should be able to submit questions to members of governments to obtain information about concrete subjects within the scope of the Council. The idea met with some doubts, particularly in the Norwegian group and for reasons of principle. The proposal lapsed. The objection was that the right to question ministers was outside the Council's competence. The Council was an advisory organ, not a Nordic parliament. Though the ministers were not required to answer they would in fact be forced to do so, and that could disturb the sharp division of competence.

When the issue was taken up by the Council 12 years later, the Presidium and Prime

Ministers agreed to introduce a Question Time on a trial basis (see p. 43). It was taken into use for the first time at the 1967 session. The right to submit questions was, however, limited to subjects contained in government statements on recommendations or in reports to the session. It was the Presidium's duty to see that this condition was respected.

This temporary arrangement was used at the subsequent sessions until finally the submission of questions was included in the revised Helsinki Agreement of 1971 (see p. 46).

The regulations established here, and in the Rules of Procedure from the same date, are still in force. Questions are no longer restricted to subjects taken up in current reports or in government statements, but include all matters pertaining to Nordic cooperation. Questions must be submitted at least three weeks before the start of the session and should be accompanied by a brief motivation.* In the Plenary Assembly questions may be orally motivated in a speech lasting up to three minutes. Every government representative who must give an oral reply, can do so in a speech not exceeding five minutes. Following this, the questioner and other Council members may speak for a maximum of three minutes each. Further comment requires the consent of the Plenary Assembly. Permission for others than the questioner and the questioned to speak was a new feature of the 1971 arrangement.

Through the years Question Time has proved a useful tool for Council control of the governments. Understandably it is not pleasing for a minister, in the presence of the entire Council and the leading political journalists of Scandinavia, to have to defend or explain his department's dilatoriness in implementing a recommendation.

The Nordic Council's Information Activities

As a parliamentary organ, the Nordic Council is naturally interested in disseminating information about its activities to the people. It has therefore been a warm supporter of the Helsinki Agreement's regulation that the greatest degree of public access should be permitted in relation to Nordic cooperation (see p. 49). The Council tries to practice this by providing liberal regulations for access to documents in its own secretariats and by providing mass media with an extensive service during and between sessions. The public is admitted to the plenary meetings, and all documents, including stenographic reports of debates, are published in the voluminous annual publication, *Nordisk Råd*. A Biographical Register describes members, complete with photographs. A calendar gives advance notice of all types of official Nordic meetings.

Since January 1955, the Council has published the periodical *Nordisk Kontakt*, which gives a report of activities in Nordic institutions, particularly in the Council itself, and in the Nordic parliaments. Circulation is currently about 11,000 copies. In

*By way of experiment, members were, during the 1980 session, allowed to put questions at twenty-four hours' notice.

1960, the Council began publication of *Nordisk Udredningsserie* (= Nordic Reports) which published reports issued by governments, the Nordic Council and the Council of Ministers concerning all forms of Nordic cooperation. Since 1962, this series has included the Council's English-language *Yearbook of Nordic Statistics*, which since 1972 has been published jointly by the Council and the Nordic Statistical Secretariat. From 1970, the series has included a yearly booklet, *Nordisk statustsamling*, which publishes the implemented or amended Nordic treaties, Rules of Procedure, institutional regulations, etc., of the year. Stenographic reports of the Nordic conferences and international seminars arranged by the Council are also included in this series and are a rich source of information about Nordic cooperation.

The national secretariats maintain contact with the press and other interested groups in their own countries. In 1971 a special information section was formed under the Presidium Secretariat, mainly to produce pamphlets, tapes and films, exhibition material, press releases and other informative material. Part of this material is published in some of the main languages. In addition, this section arranges the press centre at the annual Council session, and occasionally organizes seminars on Nordic affairs for newspaper and periodical journalists and other representatives of the mass media.

On August 8, 1975, the Presidium approved the principles of a proposal for a long-range plan for the Council's information activities. It came into effect on January 1, 1976. A special effort is made in the individual countries, through meetings with the parliamentary secretaries of the political parties, to increase understanding among the active members of the party organizations. The Council Information Committee attempts to increase knowledge about Nordic affairs in schools by making teachers a main target group for information. This initiative supports activities that have been carried out by the Norden Associations in schools for many years.

In general, the Norden Associations play an important role in spreading information about the Council's activities through their broad contact with local populations. In 1977 their central organ, the Union of Norden Associations, marked the Council's 25th anniversary by publishing a gift book for its members on the Council and its activities. Two of the Council's major information arrangements were carried out in close collaboration with the Norden Associations. In 1976-77 they distributed the exhibition "Women in Scandinavia" which the Council had arranged to mark International Women's Year 1975. At the decision of the Council Presidium, March 23rd 1977 was celebrated as Nordic Day to mark the Council's 25th anniversary. On this date - the date for the signing of the Helsinki Agreement in 1962 - and in the weeks that followed, the Norden Associations held some 250 arrangements on the Council and its activities.

After the creation of the Cultural Secretariat (see p. 293) and the Ministerial Council Secretariat (see p. 79), the Nordic Council initiated collaboration with these organs on information activities, including publication of the *Nordisk Udredningsserie*. Both secretariats also have their own information services.

The Nordic Council collaborates with the press departments of the Nordic Foreign Ministries in planning and distributing information abroad concerning Nordic coopera-

tion. Main language publications are distributed by the coordinated activities of the Nordic embassies outside Scandinavia. At the Council's initiative under the Hangö meeting in 1961, which discussed the need to make Nordic cooperation better-known in Europe (see p. 40), the Foreign Ministries issued a publication in English and French entitled *Five Nordic Countries Pull Together*, and *Cinque pays nordiques coopèrent*, respectively. A Norwegian version of this publication was used by the Norden Associations as their gift book for 1969.

To direct its information activities, the Nordic Council has created a special Information Committee of two members from each country. This committee is also the editorial committee for the periodical *Nordisk Kontakt*. The Presidium Secretariat's information secretary is also the committee secretary.

Conferences, Contacts and Young Observers

One way in which the Council can be informed of the need for Nordic cooperation in concrete instances is the circulation of members' and government proposals to interested organizations for comment (see p. 66). Another is to arrange conferences – once yearly – about some topical problem of Nordic relevance, where invited experts and other interested parties are given an opportunity to express their views. Conferences of this type have been held with 50 to 200 participants on health services for seamen, traffic problems of the Sound, research cooperation, systems of taxation, television cooperation, anti-pollution measures, dissemination of culture, standardization, traffic safety, consumer protection, the family supporter concept, labour market conditions, job environment problems, alternative methods of criminal punishment, Nordic democracy, Nordic economic problems in the 1980s. The lectures and contributions to discussion are published in the *Nordisk Udredningsserie*.

Individual Council members or the Council itself receive many requests and applications related to special problems from individuals or small but active groups. These are forwarded to the Committees, and not infrequently result in members' proposals or other initiatives to solve the problems which came to the Council's attention in this way.

In 1972, the national trade union movements in Scandinavia founded the Council of Nordic Trade Unions (NFS) and the same year applied for observer status in the Council and close contact with the organs of the Ministerial Council. The Council could not give NFS observer status but instead made it a permanent commentator on matters of interest to the union movement. The employers have no corresponding Nordic organization but the Association of Swedish Employers announced in December 1976 that it would in future maintain contact with the Council on behalf of all the national organizations of employers. Connections were also established with both labour market organizations concerning conferences and seminars on labour market problems. A similar pattern of cooperation has been initiated between the Council of Ministers and the labour market organizations.

Observer status has only been extended to political youth organizations that are connected with parties represented in the parliaments. These "Youth Observers" receive all documents issued at the sessions, have reserved seats in the plenary hall, are given access to meetings in the national delegations (but not in the Committees) and are invited to arrangements held during the session. The Union of Norden Associations arranges a seminar for the youth participants during the session to examine the session's main issues. The Council subsidized the expenses of these participants.

The Nordic Council's International Contacts

The Nordic Council keeps contact with certain international organizations. The Presidium of the Benelux Parliamentary Council and the Secretary-General of the Benelux Union and of EFTA have attended a number of Council sessions. The Nordic Council Presidium, secretariats and some of its Committees have participated in meetings and conferences under the Benelux Council. The Secretariat Coordinating Committee maintains regular contacts with the EFTA secretariat. The Economic Committee has made a study visit to the EEC. On occasions the Council has been represented at meetings of European Ministers of Education, meetings in the Council of Europe and Comecon, special conferences under ILO and UN and some other international organizations. A study journey of particular interest was made by the Council Presidium in October 1978 to EFTA, the UN Economic Commission for Europe (ECE) and the UN High Commissioner for Refugees (all in Geneva), the Council of Europe in Strasbourg, EEC's European Parliament in Luxembourg and to OECD and the European Space Agency in Paris.

As the representative of the highest joint Nordic parliamentary authority, the Council's President addressed the "Nordic Day" at the Montreal World Fair in 1967 where the Nordic countries had a joint pavilion. On this occasion and for the World Fair in Osaka 1970, which also had a joint Nordic pavilion, the Council prepared special pamphlets for distribution.

At some larger international arrangements in Scandinavia, the Presidium has agreed to function as the Honorary Presidium. The last occasion was for the International Scout Jamboree held in Norway in 1975, where the Council President was one of the main speakers.

The most effective Nordic Council arrangements for providing information about Nordic cooperation to other countries are the conferences arranged every second year for high-ranking officials of international organizations based in Europe. Since 1965 seven of these conferences have been arranged by rotation in the Scandinavian countries. The conferences have taken up current problems in Nordic cooperation, and the position of the Nordic countries in international cooperation. The subjects of the individual conferences have been: Nordic cooperation; Nordic economic and social cooperation; Nordic economic and cultural cooperation; Nordic cooperation in a European perspective; The role of the Nordic countries in European cooperation; A

regional approach – a world-wide responsibility (on environmental protection); The Nordic Council – instruments and achievements. Stenographic reports of lectures and discussions have been published in the *Udredningsserie* in English under the above titles, and in French. Invited guests included representatives of various EEC institutions, of EFTA, the Council of Europe, OEEC, Comecon, WHO, ECE, ILO, UNESCO, FAO and Benelux.

CHAPTER 4

COOPERATION BETWEEN GOVERNMENTS AFTER 1945

The Nordic Council of Ministers

The creation of the Council of Ministers and its secretariats in 1971–73, and of the organs under the treaties concerning culture and communications were important new elements in Nordic cooperation. But the development of cooperation between the governments built to a very large extent upon existing conditions.

Ministerial Meetings

By the end of the 1960s, departmental ministers concerned with virtually every area met at conferences that had become more frequent, more regular and more extensive year by year. The meetings were held by the Prime Ministers, Foreign Ministers, and ministers for such fields as justice, education and culture, labour and social welfare, health, finance, economy and commerce, fisheries, communications, agriculture, and even defence. The discussions of the defence ministers centred upon problems related to the provision of troops by each country to the UN forces.

Formal governmental decisions had created permanent groups of Nordic ministers in two areas. One was the Nordic Ministerial Committee for Economic Cooperation, created in 1960. Its members, called Ministers of Cooperation, were assisted by the Nordic Economic Cooperation Committee, composed of three officials from each country (see p. 114).

The second was the Nordic Ministerial Committee for the Coordination of Aid to the Developing Countries, set up on an informal basis in 1961, and formalized in a treaty in 1968. A committee of officials was attached to this group also (see p. 381 f.).

Permanent Cooperation Committees

In addition to the two committees of officials mentioned above, the governments have since 1945 set up permanent committees or commissions for the main departmental areas, and usually manned by senior officials. Their duties are to advise ministers concerning Nordic matters, to consider Nordic issues referred to them by governments, and also to suggest initiatives for new areas of cooperation. Five of these permanent Nordic organs of cooperation were particularly wide-reaching: the Nordic Cultural Commission, the Nordic Social Policy Committee, the Contact Committee for Nordic Legislative Cooperation, the already-mentioned Nordic Economic Cooperation Committee, and during the years 1957–64 the Nordic Communications Committee.

Each of these committees was active in a wider area, and in consequence had also set up Nordic sub-committees to examine special aspects of their areas.

Specialized Nordic Committees

As an increasing number of areas under the central administrations became the subject of systematic Nordic cooperation, permanent sub-committees were set up to plan or study developments in these more restricted areas. There were for example the Nordic Labour Market Committee, Nordic Committee of Transport Economic Research, Nordic Contact Committee on Energy, Nordic Committee on Aliens, Nordic Social Statistics Committee, Scandinavian Criminal Law Committee, Nordic Contact Committee for Radio and Television, and the Nordic Committee on Road Safety Research. The Nordic Contact Committee on Agriculture and the Nordic Contact Committee for Fisheries had similar duties, though in these two representatives of the sectors were appointed as members, besides officials.

In many other areas of state administration Nordic meetings were arranged, though these were not so firmly organized.

Meetings of Senior Officials

In addition to these committees for general or special activities, regular Nordic conferences were held between leading officials in many different organs and institutions. These included the heads of the national archives, the state libraries, factory inspection authorities, statistical departments, post and telegraph services, broadcasting systems, railways, health authorities and customs administrations, and also the heads of foreign ministry sections for trade, administration and information. University presidents and the heads of the technical and commercial colleges also held their Nordic "conventions", and in recent years the presidents of the Supreme Courts, the bishops, the Nordic ombudsmen and the State auditors-general have been meeting.

Direct Correspondence and Liaison Officials

In the course of normal daily activities an extensive Nordic cooperation has grown between government offices within the same fields in the different countries. In the past, this made use of diplomatic channels. Today contact is direct and by letter, telephone or telex. To reinforce cooperation further, special Liaison Officials have been appointed in the individual departments since 1960. They are required to maintain contact with the Nordic Council secretariat in their own country – and with their opposite numbers in the other countries, as well as to keep informed of all Nordic problems within their own field. Every other year since 1966 the governments have, in

rotation, called these Liaison Officers to Nordic meetings to be briefed on the latest developments in cooperation. The lectures and discussions are published in *Nordisk Udredningsserie*.

Cooperation across national boundaries between all sections of the state administration can be carried out so simply and efficiently because of the language similarities and the many ties of friendship or acquaintance created over the years through meetings, training courses, Nordic Council sessions and in other ways among Nordic officials. In this respect the Nordic Society for Public Administration has performed a considerable service since it was founded in 1918.

The ministerial meetings, conferences of civil servants, committee meetings and the many direct contacts between government offices have built a very finely-meshed net through the whole Nordic region. Apart from the ministerial meetings, these lines of contact are little known to the general public, but they have been of very great importance for the development of Nordic relations since World War II.

The Nordic Council of Ministers

The combination of the Nordic Council's desire for more effective cooperation between governments, and the need to create permanent institutions to administer NORDEK cooperation provided the basis for the creation of the Nordic Council of Ministers (see p. 129). Just as the unsuccessful defence negotiations had encouraged the creation of the Nordic Council, the NORDEK fiasco and the divided Nordic attitude towards EEC generated a motivation to set up permanent Nordic institutions at government level.

The Nordic Council of Ministers was established in 1971 by the revised Helsinki Agreement, and began to function from the autumn of the same year. In two respects the new organ introduced a fundamental change in traditional forms of Nordic cooperation. Previously, cooperation between the governments (except concerning economic cooperation and development aid, see p. 75) had been restricted to informal conferences between ministers who had agreed to meet and find a solution to common problems. After these meetings they returned home and each attempted to implement that which had been agreed upon. The Helsinki Agreement, however, created the Council of Ministers on a treaty basis as the official joint organ for cooperation between the Nordic governments, and in the Agreement its composition was laid down, together with its authority and working procedures. Another important distinction was that while agreements reached at the meetings of ministers were not binding, the Council of Ministers was given the authority, when certain formalities had been observed, to make decisions which were binding for the individual countries. However, in matters where the national Constitution calls for parliamentary approval, the country concerned is not bound by the decision until it has been approved by its parliament.

The Council of Ministers is composed of a member of the government of each

country. Which ministers they are depends upon the issues to be considered. The Council of Ministers, therefore, is a group with changing members. On one occasion it may consist of the Ministers of Nordic Cooperation (see below), or of Education, on another it may be the Social Welfare Ministers. The decisive element is that the Council of Ministers must reach its decisions according to specific procedural forms.

To have a quorum, representatives of all countries must be present (compare p. 49), although if the questions to be considered concern only some of the countries, it is sufficient if these countries are represented. Each country has one vote, and decisions must be unanimous apart from procedural matters where a simple majority is adequate. An abstention constitutes no obstacle to a decision.

The duties of the Council of Ministers are described in detail in its Rules of Procedure. It is responsible for cooperation between the governments of the Nordic countries, and cooperation between the governments and the Nordic Council. Its competence thus extends across the full field of Nordic cooperation. It must carry out the duties which devolve upon it in accordance with the Helsinki Agreement and other agreements between the Nordic countries, and in all other areas as well it is responsible for the promotion and development of cooperation between the several countries.

A special duty of the Council of Ministers (and in particular the Ministers for Nordic Cooperation) is to prepare and lead efforts to extend economic cooperation, and function as a central organ for cooperation in international matters of common Nordic interest. (see p. 139).

The revised Helsinki Agreement of 1971 requires each country to appoint a member of the government to be responsible for coordinating Nordic cooperation matters, and in particular government treatment of matters raised by the Nordic Council, or which governments may wish to bring before the Nordic Council. These ministers are required to supervise in general terms the governments' Nordic initiatives and duties, and encourage wider Nordic cooperation, if necessary by setting priorities. The Ministers for Nordic Cooperation are also responsible for the correct organization of government cooperation where several areas or institutions are involved. Activity planning, action programmes and the general budget are special coordination duties.

Departmental Ministers

Since the Council of Ministers varies in its composition, and is predominantly made up of the various departmental ministers, the creation of the Council of Ministers has not terminated the traditional and successful cooperation between these ministers, or in any way limited their authority. Within their fields, the relevant departmental ministers continue to lead cooperation. Only in cases where the efforts of several ministries are to be coordinated can the need arise for the participation of the Ministers for Nordic Cooperation. The transition between traditional departmental minister meetings and the Ministerial Council meeting is also gradual. A meeting of ministers can quite well begin in the traditional informal manner, and then continue as a Ministerial Council

meeting when binding decisions are to be reached according to the fixed formal procedures.

Senior Officials' Committees

The Helsinki Agreement of 1971 stipulates that each Minister for Nordic Cooperation is to be assisted by a high-ranking civil servant. Together, these officials form the Committee of Deputies. In a similar manner there are Committees of Senior Officials for each of the departmental areas. In reality, these are the former permanent cooperation Committees (see p. 75), continued in this form, while similar committees have been set up for a number of new areas. The Nordic Labour Market Committee functions now as the Senior Officials' Committee for Labour Market and Employment Affairs as well as performing its normal function. The Nordic Committee for Consumer Questions has become the Nordic Senior Officials' Committee for Consumer Questions. The contact officials for Nordic legislative cooperation are now called the Nordic Senior Officials' Committee for Legislative Questions, while the Nordic Social Policy Committee is now doing the work of a senior officials' committee for social welfare and health. In addition, there are similar committees of senior officials for the working environment, development aid, trade policy, industry and energy, agriculture and forestry, environmental protection, regional policies, cooperation in the building sector, transport, monetary and financial questions, Nordic cultural cooperation, and radio and television. Including the Committee of Deputies there are 17 in all.

The duty of these committees, with the assistance of the Ministerial Council secretariats, is to prepare for the decisions of the Ministerial Council and make the necessary reports. The Committee of Deputies also carries out special coordinating functions and functions common to the whole range of senior officials' committees.

In each committee of senior officials, the countries are represented by a high-ranking civil servant. He and his colleagues have the double duty of working for common Nordic solutions, and presenting the views of their own countries.

Ministerial Council Secretariats

The purely Nordic interests are the concern of the Ministerial Council secretariats, of which there are two: one in Copenhagen for cultural matters, and one in Oslo for all other questions. The secretariats, like the Presidium Secretariat, have international status. The staff are Nordic civil servants independent of their national governments. However, they do not enjoy diplomatic privileges. Instead of being taxed in the country where they serve, they pay an equivalent sum to the secretariat where they are employed. On their legal status see p. 65, 278.

The Oslo secretariat consists of a coordination department, two departmental sec-

tions and an information secretary. The coordination department is divided into an administrative section and a budget section, and also functions as the secretariat for the Ministers for Nordic Cooperation and the Committee of Deputies. It also handles legislative questions. In 1980, the secretariat had 41 permanent positions. (Concerning the Cultural Secretariat, see p. 293.)

Under the supervision of the Senior Officials' Committees, the secretariats are required to prepare the material for the Ministerial Council meetings, make the reports requested by the Ministerial Council and Committees of Senior Officials, and initiate steps for new cooperation projects and investigations. In addition, they are to assist any ad hoc committees which may have been set up by the Ministerial Council. The Oslo Secretariat is managed by a general secretary, the Copenhagen Secretariat by a director. They represent their Secretariats at meetings in the Council of Ministers and Committees of Senior Officials, and in collaboration with the latter implement the decisions of the Council of Ministers.

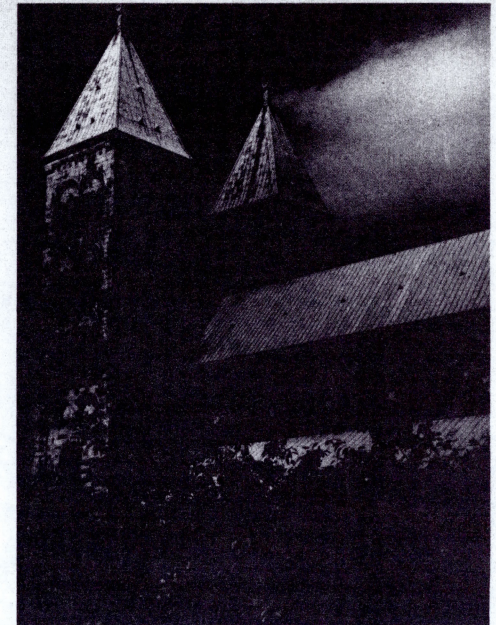
The Ministerial Council and its Secretariats would be rather isolated if they were not, through the national representatives of the Senior Officials' Committees, directly connected with the central administration of the individual countries. It is the administration in each country which must implement the decisions taken by the Ministerial Council. It is also necessary that the national central administrations assist the relatively small staffs of the Nordic ministerial secretariats with the basic material for their reports.

Among the various sectors under the Council of Ministers, cultural cooperation has a special position. It is based principally upon its own very detailed treaty (see p. 293), covers an unusually wide spectrum of functions, and has its own specialized secretariat which again is supported by advisory committees. The treaty also contains provisions for a separate budget – by far the largest among the departmental areas – (see p. 297) and the express stipulation that cooperation under the treaty takes place in collaboration with the Nordic Council, and that the views of the Nordic Council be sought before the Ministerial Council prepares the budget. The supreme instance in the area of culture is the Ministerial Council under the revised Helsinki Agreement.

The Ministerial Council Report

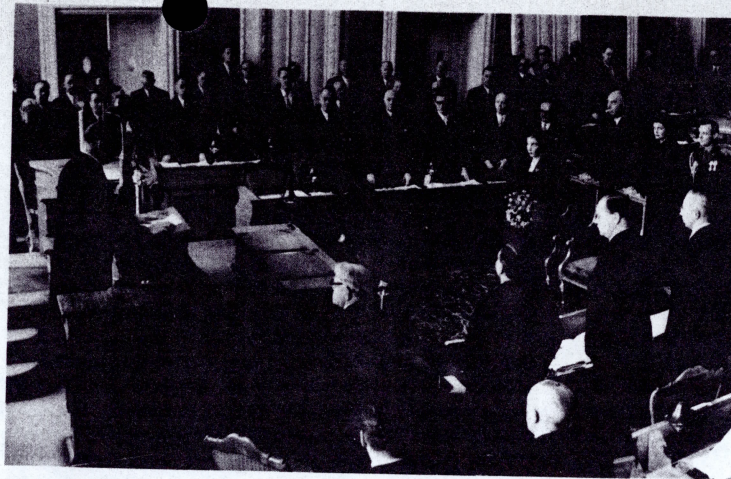
In its report on the Council of Ministers, the Organization Committee underlined the obligation of the Council of Ministers to report to the Nordic Council, before each session, on cooperation during the past year, and on plans for continued cooperation. A requirement to this effect was therefore included in the Helsinki Agreement's section concerning the Council of Ministers. The Organization Committee urged that the report be sufficiently thorough and detailed to provide a basis for genuine scrutiny of the Ministerial Council's activities and for proposals or other initiatives from the elected members. This request has been met. The annual report from the Council of Ministers has become the central document of the Council sessions.

Lund Cathedral, Sweden. In 1103, the Nordic countries were separated from the ecclesiastical province of Bremen, to become an independent archbishopric under the leadership of the Bishop of Lund, in what was then the Danish province of Scania. This was the first institution common to all the Nordic countries. Later in the same century both Norway and Sweden were granted their own archbishoprics. — Photo: Refot, Stockholm.

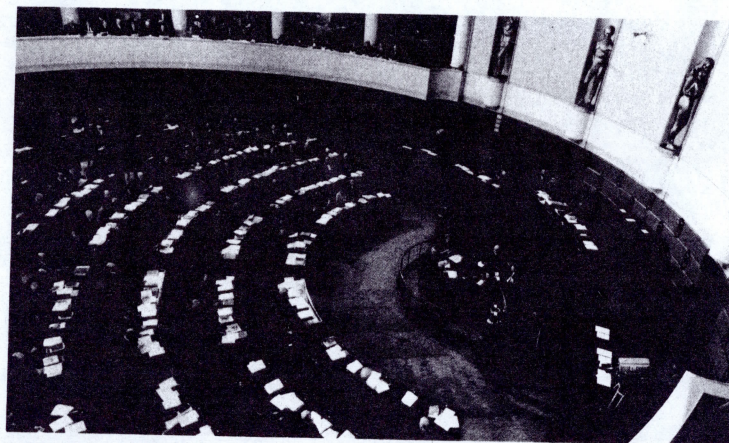


These three *Thing* or *Moot* stones at Ringsted, a town in Denmark, remain from the medieval judicial system of the Nordic countries. At this *Thingstead* laws were made and judgments given, and it was here that the inhabitants of the province of Zealand swore allegiance to a new king.





Exactly 18 months after the proposal to establish the Nordic Council had been put to the Stockholm session of the Interparliamentarians, Denmark's King Frederik IX opened the first Council meeting, on Feb. 13, 1953, in the Danish Parliament Building, Copenhagen. Immediately in front of the rostrum is Queen Ingrid of Denmark, daughter of King Gustaf VI Adolf of Sweden. — Photo: Carl Rasmussen.



Nordic Council sessions are held in rotation in the parliament buildings of the member countries. The 1962 session took place in Helsinki. Here the departing president, former Prime Minister Erik Eriksen, Denmark, calls the roll of members at the start of the session. — Photo: Olavi Laine.

One of the most useful articles in the original Statutes for the Nordic Council was the one which required the governments to submit statements on the measures taken in respect of the Council's recommendations (see p. 68). The Council ensured that this section was included in the revised Helsinki Agreement.

Cooperation between Council and Government Organs

The fundamental objective of the Nordic Council as an organ of cooperation between the parliamentarians and governments is most clearly expressed by the very close relations at all levels between the Council's organs and the organs of the governments. The guidelines for cooperation were set out in an agreement of November 18, 1976, between the Council Presidium and the Ministers for Nordic cooperation, though this was merely a codification of existing conditions.

The joint meetings of the Council Presidium and Prime Ministers to discuss questions of wider general or fundamental interest are of particular political importance (see p. 39). Organizational matters and subjects of general character are considered by the Council Presidium and the Ministers for Nordic Cooperation. The individual Council Committees hold regular joint meetings with the departmental ministers and Council members are invited to attend the meetings of ministers. Budget and priority problems are first negotiated by the individual Council Committees and respective departmental ministers, and subsequently by the Council's Budget Committee and the Ministers for Nordic Cooperation.

At the level of officials, the Secretariat Coordinating Committee and the Committee of Deputies prepare meetings between the Council Presidium and the Ministers for Nordic Cooperation. The Presidium Secretariat and the two Ministerial Council Secretariats are in permanent contact, as are the national secretariats with the offices of government in their own countries. The secretaries of the Council Committees are invited to participate in meetings of the Committees of Senior Officials, and the members of the Ministerial Council secretariats and officials from the national government offices assist as experts during Council Committee meetings. The Liaison Officials in the individual departments and directorates have the double function of maintaining contact with both the Nordic Council secretariat in their own country, and their colleagues in the other countries. They perform an important function as channels of information.

A condition for efficiency in this close cooperation between parliamentarians and governments is that an extensive exchange of documents takes place between the various organs, including directives for ad hoc commissions, protocols, working papers, grant applications and budget proposals.