Summary report on the mission undertaken by two Council of Europe officials to Lisbon (Strasbourg, 6 March 1975)

Caption: This document, dated 6 March 1975, reports on the mission to Lisbon undertaken by two officials of the Council of Europe from 17 to 22 February. During this mission, the representatives of the Portuguese Provisional Government were informed of the possibilities for cooperation available to countries which do not belong to the organisation.

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Portugal – Mission by two Secretariat officials of the Committee of Ministers of the Council of Europe to Lisbon (Strasbourg 6 March 1975)

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1. Introduction

In accordance with the instructions given by the Committee of Ministers to the Secretary General, and as indicated in CM (75) 22, the two Secretariat officials entrusted with this mission [(1)] had talks in Lisbon between Monday 17 and Saturday 22 February 1975. Taking as their basis the Intergovernmental Work Programme, the list of governmental expert committees and the texts of conventions drawn up in the Council of Europe, they outlined to the Portuguese authorities the possibilities for co-operation open to non-member countries. The procedures prior to such co-operation (relevant clauses in conventions, rules concerning participation at meetings of committees of experts, Resolution (71) 44) were clearly set out in each case, due account also being paid to the restrictions that might be imposed following the report by the Deputies' Working Party on the structures of committees.

The Portuguese representatives indicated immediately their readiness to participate in certain activities, and, in the case of others, confined themselves to manifesting interest, asking for further information, or merely taking note. It could not be expected, given the nature of the present provisional government, that the different ministries would all take exactly the same line. It is worth emphasising, however, that the Council of Europe officials were received very cordially in all cases.

Generally speaking their talks were at political level, either with the Minister concerned himself, or with his Secretary of State or Under-Secretary of State. This is not without significance, since it is not always easy in the present situation for an official to pronounce in one way or in another. In some cases, however, the talks were taken a stage further with the appropriate civil servants.

Before proceeding to indicate what was covered in the talks, sector by sector, it is worth noting the invaluable aid extended to the Council of Europe representatives by our member countries' diplomatic missions in Lisbon. The Danish Embassy (Denmark at present occupying the Chair in the Committee of Ministers) called a meeting of heads of mission in the afternoon of Tuesday 18 February, the aim being (in the spirit of Resolution (54) 16) to keep the member countries' diplomatic representatives fully informed of the purpose of the visit by the Council of Europe representatives and giving the latter the benefit of the experience and advice of diplomats serving in Lisbon. An exchange of views took place, followed by a number of separate discussions.

No detailed mention is made in the following account of certain political positions outlined by Portuguese politicians or officials. Nor does the report volunteer any assessment of the general situation in the country, remembering that the mission was essentially of a technical nature. The Secretariat official in question are

however ready to reply to any questions that the Ministers' Deputies might wish to ask at their 243rd meeting in March 1975.

2. General policy

The round of talks started with an interview (in the presence of a member of his private office) with Mr Campinos, Secretary of State. He expressed his appreciation of the way in which the Council of Europe Committee of Ministers viewed the question of co-operation with his country, and declared himself gratified by the mission, designed to explore the various possibilities for technical co-operation that were available even before Portugal was able to become a member of the organisation.

He went on to raise a number of general issues, such as the outlook for the elections on 12 April and the general elections scheduled to take place approximately six months later, Portuguese accession to the Council of Europe following the general elections, the possibility of Portugal securing observer status with the Consultative Assembly after elections for the Constituent Assembly, missions by Council of Europe parliamentarians, and forthcoming meetings of the Assembly and the Committee of Ministers. He also pointed to the serious economic problems facing his country, whose democratic future, he concluded, hinged on her economic future.

The interview was followed by a meeting with the Secretary General of the Ministry, the Director General of Political Affairs and three of his aides. The intention here was to give preliminary consideration to the existing scope for co-operation, and so to lay down the schedule of talks with the technical ministries (see below).

On Thursday 20 February, the Council of Europe representatives were received by Mr Soares, Minister for Foreign Affairs. Mr Campinos was present at the final part of the talk, during which Mr Soares expressed his views on the political situation in his country, the electoral prospects and relations with the Council of Europe, including the proposed visit by parliamentarians and a possible visit by the Secretary General, which he hoped would take place shortly after the 12 April elections.

A final meeting at the Ministry of Foreign Affairs took place in the afternoon of Friday 21 February, at which the Chair was taken by the Director General of Political Affairs (Mr Campinos being present for some of the time). This provided the occasion for taking stock of the talks at the different technical ministries.

It was announced at that meeting that the Portuguese Government would be applying forthwith to accede to the European Cultural Contention [(2)].

The question of Portugal's possible accession to the European Convention on Human Rights was also raised. The Council of Europe representatives pointed out that only member countries can accede to the convention. However, looking ahead to the time when Portugal might accede to the Council of Europe Statute, it might be advisable to embark already now on a detailed examination of the convention's provisions as in certain cases domestic legislation might well have to be adapted.

3. Education and culture

The Council of Europe representatives had discussions with the Minister of Education, Lieutenant Colonel Rodrigues Carvalho, in the presence of an interpreter.

The Minister said that he would like to attend the forthcoming Conference of European Ministers of Education, due to be held in Stockholm in June 1975. It should be noted in this connection that the host government has already sent the Portuguese Government an invitation to the conference.

The Minister was clearly well informed about the aims being pursued by the Council of Europe in the field of education and culture. He made known his interest in a number of specific activities, which were explored in greater depth two days later in talks with officials.

The Portuguese authorities are anxious to be informed, for instance, about the Conference of Ministers responsible for Cultural Affairs, scheduled to take place in Oslo in 1976.

The question of Portugal's participation in the work of the different expert committees connected with the CCC would be automatically settled, should the Committee of Ministers pronounce favourably on the Portuguese Government's request to accede to the European Cultural Convention.

4. Economic and social questions

The Council of Europe representatives had a discussion on 18 February with the Secretary of State in charge of economic planning, Mr Victor Manuel Constancio, who described in detail the economic situation in Portugal, and the provisional government's economic policy. There followed an exchange of views on specific issues (economic aid, nationalisations, private investments), and the Council of Europe representatives pointed out that generally speaking intergovernmental co-operation within the Council of Europe did not extend to these matters, although they would certainly not be overlooked by the Committee of Ministers, if there were to be a further discussion on Portugal at its next session, nor by the Consultative Assembly.

The Council of Europe representatives also outlined to Mr Constancio the possibility of credits becoming available should Portugal accede to the Council of Europe Resettlement Fund. This question was also referred to in their later talks at the Ministries of Social Insurance, Labour and Foreign Affairs. The Portuguese authorities declared themselves interested, and the Council of Europe representatives said that the Governor of the Fund would be prepared to visit Portugal to discuss in detail the conditions for Portuguese accession to the Fund.

A discussion took place on the evening of 18 February with Mrs Maria de Lourdes Pintassilgo, Minister for Social Affairs, who was extremely well informed about the scope offered by the Council of Europe. She was provided with material on the Council's activities within the spheres of her competence (social questions, fellowships, social security, Resettlement Fund, migrant workers, population matters). This is to be examined in detail by her staff in the light of which she will subsequently announce her government's intentions on accession to certain conventions or participation in intergovernmental activities.

Mrs Pintassilgo also referred to the possibility of the Council of Europe furnishing technical assistance in certain spheres. She mentioned, for instance, the proposed establishment of a national health service. The Council of Europe representatives said in reply that the Organisation's activities did not normally include technical assistance, except in the case of vocational training grants. Consideration would be given, however, to possibilities that existed here, with a view to the matter being referred to the appropriate bodies (see in fine).

On Friday 21 February an interview took place with Captain José da Costa Martins, Minister of Labour, in the presence of an interpreter. The Council of Europe representatives outlined the Organisation's activities in the social sphere, and presented the Minister with documentary material which he said he would have examined by his staff. He said that Portugal needed extensive co-operation, which he sought to secure with all the countries of Europe. He went on to focus attention on a number of more general matters, such as the country's economic problems and the coverage given in the foreign press to what was happening in Portugal. A great many Portuguese leaders are apparently concerned about the foreign press. They feel that a number of foreign correspondents lack impartiality in their reporting.

5. Legal questions

A talk was scheduled with Mr Francisco Salgado Zenha, Minister of Justice, but could not be held because the Minister was indisposed on his return from Rome where he had signed the Additional Protocol to the Concordat of 1940. The Council of Europe representatives instead had a meeting with the Secretary of State, Mr Armando Bacelaer, at which the Public Prosecutor, Mr Joao de Deus Pinheiro Farinha, was also present.

They were presented with material about the Council of Europe's legal activities, and Mr Bacelaer confirmed his intention of visiting Strasbourg on 24 and 25 March when he planned to be accompanied by the Public Prosecutor and one or more senior officials from the Ministry of Justice.

Mr Bacelaer said straight away that his government would like to take part in the next Conference of European Ministers of Justice, due to take place in May 1976 in Brussels. He also asked for the Council of Europe's help in obtaining documentary material on constitutional law, looking ahead to the forthcoming debates in the Constituent Assembly.

6. Environment and local authorities

Portugal already participates, to a considerable extent, in the Council of Europe's activities, having observer status in the European Committee for the Conservation of Nature and Natural Resources, since it was set up, and in the Committee on Co-operation in Municipal and Regional Matters since the end of 1974. It was confirmed in Lisbon, by Mr Campinos, that Portugal would be represented by senior officials from the Ministry of Internal Administration (Minister: Lieutenant Colonel Manuel da Costa Braz) at the next meeting of the Committee on Co-operation in Municipal and Regional Matters, on 23 and 24 April next. It is recalled that Mr Lopes, Deputy Mayor of Lisbon, had last September addressed the European Conference of Local Authorities.

Portugal was represented at the Conference on Nature Conservation, in Strasbourg in 1970, and at the Ministerial Conference on the Environment in Vienna in March 1973, and would like to participate in the next Conference of Ministers responsible for Regional Planning, due to be held in Italy in October 1976.

The Council of Europe representatives discussed here particularly environmental matters with Mr Ribeiro Tellas, Under-Secretary of State at the Ministry of Social Equipment and the Environment (Minister: Colonel José Augusto Fernandes). These tastes were also attended by the Chairman of the National Environment Commission, Mr José Correia da Cunha, who has, in the meantime, visited Strasbourg on 4 March 1975 for talks with the Director and officials of the Directorate of the Environment and Local Authorities and the Legal Directorate. These talks showed that a great number of Council of Europe activities in the field of the natural environment, monuments and sites and regional planning could be of interest no the appropriate Portuguese authorities.

7. Press and information

Although these questions are not covered by the Council of Europe's Intergovernmental York Programme, the talks arranged by the Ministry of Foreign Affairs included a meeting with Mr Luis Barros, Under-Secretary of State (who has since been replaced) at the Ministry of Social Communication, and a number of his staff. As there has been no freedom of the press in Portugal for close on half a century, expert help seems to be needed for the training of journalists, and it was asked whether the Council of Europe could do something here. Technical assistance is also being sought in connection with the management of publications, dailies and periodicals. The Portuguese authorities would like to be informed, lastly, about national and international arrangements concerning foreign correspondents (see also paragraph 4 above in fine). The Council of Europe representatives said that consideration would be given on their return to the possibility of Council of Europe help on the matter. It was agreed in the meantime that publications should be exchanged.

The Ministry of Social Communication, whose Minister is Major Correia Jesuino, has since asked the Secretariat to provide urgently information on member countries' regulations or practice regarding the running of legislative election campaigns. They particularly wish to have precise information about member states' regulations and practice governing political debates and declarations in the press, radio and television and appearances of Ministers and opposition leaders on the media during election campaigns in order to guarantee equality of treatment between different parties.

The Secretary General has informed Permanent Representatives of this request by telex on 4 March 1975

and, in view of the urgency of the matter, has asked them to send the relevant details to the Secretariat before 7 March 1975.

8. Conclusions and follow-up

i. The Committee of Ministers is asked to take a decision on Portugal's application to accede to the European Cultural Convention.

ii. No action is called for in connection with Portugal's accession to other Council of Europe conventions, and participation in the work of expert committees, until the Portuguese Government indicates what it plans to do next.

iii. As regards forthcoming conferences of specialised ministers, the host governments concerned and the Committee of Ministers may wish to keep in mind the interest expressed by the Portuguese authorities to participate in these conferences.

iv. The Secretary General intends to make proposals on technical assistance for Portugal in various fields, and to state his views on practical measures whereby the Council of Europe member governments might further the development of democratic institutions in Portugal.

v. The Secretary General will also be putting forward suggestions concerning preparations for the discussion on Portugal at the 56th session of the Committee of Ministers.

vi. Finally, he suggests that governments should bring the contents of this report, and the action to be taken on it by the Committee of Ministers, to the notice of their diplomatic representatives in Lisbon.

Appendix I
List of the representatives of the Portuguese Government with whom the Council of Europe representatives met in Lisbon

Ministry of Foreign Affairs

– Dr. Mario Alberto Nobre Lopes Soares, Minister
– Prof. Dr. Joaquim Jorge Campinos, Secretary of State
– Ambassador Thomas de Melo Breyner Andresen, Secretary General of the Minister
– Ambassador Fernando de Magalhães Cruz, Director General of Political Affairs
– Dr. José Manuel Peixoto de Villas-Boas de Vasconcellos Faria, Deputy-Director General of Political Affairs
– Dr. Sergio Alexandre Ayres Trindade Sacadura Cabral, Director, International Political Organisations

Ministry of Education and Culture

– Lieutenant Colonel Manuel Rodrigues de Carvalho, Minister
– Mrs. Elvira Moreira Brandao da Oliveira, Head of Division

Ministry of Social Affairs

– Mrs. Maria de Lourdes Pintassilgo, Minister

Ministry of Labour

– Captain José da Costa Martins, Minister

Ministry of Economy

– Dr. Victor Manuel Constancio, Secretary of State responsible for the Economic Plan

Ministry of the Social Services and the Environment

– Mr. Ribeiro Tellas, Under-Secretary of State

Ministry of Justice

– Dr. Armando Bacelar, Secretary of State
– Dr. Joao de Deus Pinheiro Farinha, Attorney General

Ministry of Social Communication

– Dr. Luis de Barros, Under-Secretary of State
– Dr. Rui Montez, Director General
– Dr. Carlos Teixeira da Mota, Director

Appendix II
Junta of National Salvation and provisional government

A. Junta of National Salvation

– Army:
General Francisco Costa Gomes
Brigadier Carlos Fabiao
Lieutenant Colonel Lopes Pires

– Air Force:
Colonel Pinheiro Freire
Lieutenant Colonel Mendes Dias

– Navy:
Rear Admiral Pinheiro Azevedo
Captain Silvano Ribeiro

B. Provisional government

– Prime Minister: Brigadier Vasco dos Santos Gonçalves

Ministers without portfolio

– Major Vitor Manuel Rodrigues Alves
– Major Ernesto Augusto de Melo Martins
– Dr. Alvaro Cunhal
– Dr. Joaquim Jorge Magalhaes Mota

Minister of Inter-territorial Co-ordination

– Dr. Antonio Almeido Santos

Minister of Internal Administration

– Lieutenant Colonel Manuel da Costa Braz

Minister of Justice

Dr. Francisco Salgado Zenha

Minister of Finance

– Dr. José da Silva Lopes

Minister of Economy

– Dr. Emilio Rui da Veiga Peixoto Vilar

Minister of Foreign Affairs

– Dr. Mario Alberto Nobre Lopes Soares

Minister of Social Services and the Environment

– Colonel José Augusto Fernandes

Minister of Education and Culture

– Lieutenant Colonel Manuel Rodrigues de Carvalho

Minister of Labour

– Captain José da Costa Martins

Minister of Social Assistance

– Mrs. Maria de Lourdes Pintassilgo (Engineer)

Minister of National Defence

– Captain Silvano Ribeiro

Minister of Social Communication

– Major Jorge Correia Jesuino

C. Secretaries of state

Internal Administration

– Dr. Deodato Azevedo Coutinho

Economic Affairs

– Mr. Fernando Castro Fontes (Engineer)

Budget

– Dr . Antonio da Costa Leal

Treasury

– Dr. Artur Alves Conde

Economic Plan

– Dr. Victor Manuel Constancio

Industry and Energy

– Mr. José de Campos Torres (Engineer)

Agriculture

– Dr. Alfredo Esteves Belo

Foreign Trade and Tourism

– Dr. José Vera Jardim

Supply and Prices

– Dr. Nelson Rocha Trigo

Fisheries

– Dr. Mario Oliveira Ruivo

Foreign Affairs

– Prof. Dr. Joaquim Jorge Campinos

Public Works

– Lieutenant Colonel Amadeu Garcia dos Santos

Transport and Communications

– Mr. Manuel Ferreira Lima (Engineer)

Housing and Town-Planning

– Mr. Nuno Portas (Architect)

Merchant Navy

– Mr. José Viseu Cardes (Engineer)

Education Administration

– Mr. José Manuel Prostes da Fonseca (Engineer)

Higher Education and Scientific Research

– Dr. Antonio Avelas Nunes

Culture and Permanent Education

– Dr. Joao Freitas Branco

Sport and Schools' Social Services

– Dr. Rui Gracio

Emigration

– Mr. Pedro Amadeu Santos Coelho (Engineer)

Labour

– Dr. Carlos Alberto Carvalhas

Employment

– Mr. José Balseiro Fragata (Engineer)

Health

– Major Carlos Cruz e Oliveira

Social Security

– Dr. Henriques Santa Clara Gomes

Social Communication

– Captain Guilherme Conceiçao Silva

Justice

– Dr. Armando Bacelar

Appendix III
Council of Twenty of the Armed Forces Movement

General Costa Gomes, President
General Carlos Fabião, General in chief
General Coentro de Pinho Freire
General Mendes Dias
General Fischer Lopes Pires
Rear Admiral Pinheiro de Azevedo
Rear Admiral Silvano Ribeiro
Brigadier general Vasco Gonçalves, Prime Minister
First Lieutenant Costa Bras
Major Melo Antunes, Deputy Prime Minister
Major Vitor Alves, Minister without portfolio
Captain Costa Martins, Minister of Labour
Brigadier general Saraiva de Carvalho, Head of COPCON
Major Contreiras
First Lieutenant Charais
Major Canto e Castro
Captain Vasco Lourenço

Captain Pinto Soares
Major Pereira Pinto
First Lieutenant Judas

Appendix IV
Diplomatic representatives of member states of the Council of Europe who took part in the meeting of 18.2.1975

Belgium: Baron Pangaert d'Opdorp, Counsellor
Cyprus: -
Denmark: Mr. Houlberg, Counsellor
France: Bernard Héritier, Counsellor
Greece: H.E. Jean Tsaoussis, Ambassador
Netherlands: H.E. Arnout de Waal, Ambassador
Ireland: H.E. Kevin Rush, Ambassador
Iceland: -
Italy: Enric'Angiolo Ferroni Carli, First Counsellor (ch. aff.)
Luxembourg: -
Malta: -
Norway: H.E. Bredo Stabell, Ambassador
Switzerland: H.E. Giovanne Bucher, Ambassador
Great Britain: John Burns Ure, Counsellor
Sweden: H.E. Herman Kling, Ambassador
Turkey: Osman Fuat Ozkiliç, First Counsellor
West Germany: H.E. Prof. Fritz Caspari, Ambassador
Austria: -

N.B. Cyprus, Iceland, Luxembourg and Malta are not represented in Lisbon.

(1) The Director of Press and Information and the Secretary of the Committee of Ministers.
(2) This request was formulated in a letter from the Consul General of Portugal in Strasbourg to the Secretary General, dated 27 February. See the Secretary General's telex to the Permanent Representatives of 28 February and Notes No. 1209 of 4 March 1975.