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## **Avoidance of duplication in references to committee and with a view to amending Rule 14 of the Rules of Procedure**

### **Report**

Committee on Rules of Procedure, Immunities and Institutional Affairs

Rapporteur: Mr O. Bjorn KRAFT, Denmark



**A. Draft Resolution presented by the Committee on Rules of Procedure**

Paragraph 3 of Rule 14 of the Rule of Procedure shall be amended and shall read as follows :

" The Bureau shall refer the documents mentioned in paragraph 1 of this Rule to the appropriate Committee for examination and shall submit such reference for ratification by the Assembly at its next Sitting.

A document shall be referred to only one committee for report; it may be referred to any other committee for an opinion."

## **B. Explanatory Memorandum by M. KRAFT**

### **1. 1. The Problem**

Rule 41 of the Rules of Procedure does not specifically lay down that a question cannot be referred to more than one committee for report. This is implied, however, by the general tenor of the Rules. It was clear to their original authors that a given proposal should only go to the committee mainly concerned, whatever implications it may have for the work of other committees. For example, a social question has generally economic and political and even cultural and legal, aspects. It should, however, be referred for report to the Social Committee. It would not be logical to refer it to the Political and Economic Committees for report as well.

A question referred to several committees must, if it is to be properly dealt with, be discussed at a joint meeting of these committees or their sub-committees. The Rules of Procedure raise no objection to such meetings, but specify that they cannot take decisions (Rule 42, para. 3).

### **2. 2. Reference for Opinion**

Despite these procedural objections, cases have arisen in which two committees have been seized with the same question. When two committees request that a particular matter be referred to them, it is often because they have different views on it, and each fears that the other may report on lines of which it would not approve.

So far the difficulties raised by these cases have been as far as possible removed by unofficial contacts arranged by the Office of the Clerk between the committees concerned. The Committee on Rules of Procedure has been aware of these difficulties, and in the report which it tabled on 31st August 1955 ([Doc. 397](#)), it proposed to the Assembly—which accepted the proposal—that the present paragraph 4 be added to Rule 41. This paragraph stipulates that a committee requested to give an opinion may put forward amendments to the draft prepared by the committee to which the matter has been referred for report.

### **3. 3. Measures to prevent reference to more than one committee**

The practice of duplicating references has nevertheless continued and has disturbed the work of some committees to such an extent that, on 25th October 1956, the Chairman of the Economic Committee said in the Assembly that " a certain amount of confusion has been created by the fact that matters have been put before not only two but in some cases three different committees " and suggested that " in future we concentrate the work on any particular project in one committee ".

In view of the procedural difficulties which arose in connection with the debates on the Social Charter and on the Common Market, the Bureau at its meeting on 1st May 1957 " instructed the Clerk of the Assembly to ensure in future that the practice of referring a question to only one committee be strictly observed". The Bureau found it necessary to take the matter up again at its meeting on 8th June 1957, when it decided in principle that :

" Requests for reference to committee will not be in order unless they are for reference to one committee only for report;

That committee will submit the report to the Assembly;

Other committees may be requested to give an opinion. They will submit such opinions to the Assembly, together with any amendments to the draft of the committee to whom the matter has been referred for report."

The Committee on Rules of Procedure discussed this question at its meeting of 16th October 1957 and, approving the Bureau's decision, unanimously decided to submit to the Assembly the foregoing draft Resolution.