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Change in the composition of the Bureau of the Parliamentary Assembly

Report

Committee on Rules of Procedure, Immunities and Institutional Affairs

Rapporteur: Mr John GREENWAY, United Kingdom

Summary

The national delegations perform a crucial role in promoting the Assembly's decisions in the parliaments of member states and vis-à-vis their governments. Having regard to the role of the chairmanship of the Committee of Ministers in setting the Organisation's priorities and to the role of the Bureau of the Committee of Ministers, responsible for co-ordinating the action of the successive chairmanships of the Organisation and for contacts with the Assembly, it would be helpful to promote the participation of the chairpersons of the national delegations of the member states holding the current, the previous and the next two chairmanships of the Committee of Ministers in the Bureau of the Assembly.

This measure aims at increasing parliamentary influence over the chairmanships of the Committee of Ministers and ensuring greater continuity in the Assembly's work. It is important in the present context of enhancing the Assembly's dialogue and co-operation with the Committee of Ministers.



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A. Draft resolution

1. Among the measures contemplated by the Parliamentary Assembly in [Resolution 1689 \(2009\)](#) on the future of the Council of Europe in the light of its 60 years of experience are several proposals relating to its organisation and mode of operation.
2. Paragraph 28.8 of [Resolution 1689](#) proposes associating *ex officio* with the Bureau of the Assembly the chairpersons of the national delegations of countries belonging to the Committee of Ministers Troika (outgoing, current and forthcoming Chairs). The proposal, aimed at increasing parliamentary influence over the Chairmanships of the Committee of Ministers of the Organisation and ensuring greater continuity in the Assembly's work, is important in the present context of enhancing the Assembly's dialogue with the Committee of Ministers.
3. On several occasions the Assembly has adapted its Rules of Procedure to political realities. It considers that the national delegations perform a crucial role in promoting its decisions and in the follow-up to its adopted texts, both in the member states' parliaments and vis-à-vis their governments. Having regard to the role of the Chairmanship of the Committee of Ministers in setting the Organisation's priorities and to the role of the Bureau of the Committee of Ministers, responsible for co-ordinating the action of the successive chairmanships of the Organisation and for contacts with the Assembly, the Assembly considers that it would help improve co-operation with the Committee of Ministers if the chairpersons of the national delegations of the member states holding the current, the previous and the next two chairmanships of the Committee of Ministers participated in its Bureau.
4. The Assembly accordingly decides to amend its Rules of Procedure as follows:
"In Rule 13.3, after the first sentence, add the following sentence:
"Chairpersons of the national delegations of the member states holding the current, the previous and the next two chairmanships of the Committee of Ministers shall be ex officio members of the Bureau entitled to vote. They may not be the Bureau's rapporteurs for its reports. They cannot be replaced."
5. The Assembly decides that the amendment of the Rules of Procedure set out in this resolution will come into force upon its adoption.

B. Explanatory memorandum by Mr Greenway, rapporteur

1. Introduction

1. During its 2009 fourth part-session, the Parliamentary Assembly adopted [Resolution 1689 \(2009\)](#) on the future of the Council of Europe in the light of its 60 years of experience. On 2 October 2009 the Assembly instructed the Committee on Rules of Procedure, Immunities and Institutional Affairs to prepare a report on the follow-up to paragraphs 28.8 and 28.11 of the resolution. Paragraph 28.8 concerns *ex officio* participation in the Bureau by chairpersons of parliamentary delegations of the states making up the Committee of Ministers Troika. Paragraph 28.11 concerns the term of office of the President of the Assembly and committee chairpersons, and the proposal to reduce it to three years.

2. At its meeting on 5 November 2009, the committee held a first exchange of views, after which it decided to present the Assembly with two separate reports, one on the change in the composition of the Bureau of the Assembly, the other on the term of office of the President of the Assembly and of committee chairpersons. It considered that the proposal regarding the first topic was non-controversial and could be dealt with quickly. Conversely, the committee felt that the second topic required thorough consideration and could be pursued during 2010.

3. Paragraph 28.8 of [Resolution 1689](#) refers to the proposal that chairpersons of national delegations of the countries making up the Committee of Ministers Troika (outgoing, current and forthcoming chairs) be associated *ex officio* with the Bureau of the Assembly. This proposal is aimed at increasing the Assembly's influence over the political choices and the decisions to be taken at the level of the Organisation through more active and anticipative co-operation with the rotating chairmanships of the Committee of Ministers, and at ensuring greater continuity in the Assembly's work. The proposal is important in the present context of enhancing the dialogue with the Committee of Ministers.

2. Regulatory context

2.1. Present composition and role of the Bureau of the Assembly

4. Under the terms of Rule 13 of the Rules of Procedure, the Bureau of the Assembly is composed at present of the President of the Assembly, the 20 vice-presidents and the chairpersons of the five political groups and of the 10 committees. The latest reform to its composition dates back to 2004, when it was decided that committee chairpersons would be Bureau members ([Resolution 1379](#)).¹

5. Bureau members are also members of the Joint Committee (Rule 55.2).

6. The Bureau takes particular charge of co-ordinating the activities of the Assembly and its committees, and guides the Assembly's external relations.

2.2. Composition and roles of the Troika and the Bureau of the Committee of Ministers

7. The Committee of Ministers "Troika" is not an organ in the true sense and has no formal existence or actual mandate. It comprises three members (current, outgoing and forthcoming chairs) who meet ad hoc when assigned a specific mission by the Committee of Ministers.

8. The Bureau of the Committee of Ministers is an organ composed of six members, namely the Organisation's current chairmanship and the two preceding and three following chairmanships.² Its role is to advise the chair of the Committee of Ministers and the Secretariat on the organisation of the committee's proceedings, to prepare its meetings and to take charge of contacts with the Parliamentary Assembly, *inter alia*, by providing representation for the Committee of Ministers on the Joint Working Party with the Assembly Presidential Committee, and preparing for the Joint Committee. The Bureau also serves as a discussion forum for co-ordinating the action of the successive chairmanships, especially as regards the preparation and implementation of their programmes.

1. For a detailed account of the development of the Bureau's composition, see the 2004 report of the Committee on Rules of Procedure and Immunities on the composition of the Assembly Bureau ([Doc. 10185](#)), rapporteur: Mr Cekuolis.

2. See Resolution (92) 6 of the Committee of Ministers and document CM(2001)72, paragraph 12.

2.3. Situation in other international organisations

9. It is interesting to note that national delegation leaders are not members of the bureaux of parliamentary organs in the other European organisations (the European Parliament, the European Security and Defence Assembly/Assembly of the Western European Union, the Parliamentary Assembly of the Organisation for Security and Co-operation in Europe, the Parliamentary Assembly of the North Atlantic Treaty Organization, the Parliamentary Assembly of the Mediterranean) or international organisations (the United Nations General Assembly). In these bodies, the Bureau consists of the president and the vice-presidents, and sometimes a treasurer or committee chairpersons. However, the Baltic Assembly (whose presidium is made up of the leader and deputy leader of each national delegation and conforms to the rotating annual presidency of the Council of Ministers) and the Nordic Council are exceptions.

3. Points to consider

10. The inclusion of certain national delegations leaders in the Bureau is a measure which the Assembly in its virtual entirety wished to support by adopting [Resolution 1689](#). It is also unanimously agreed upon in the Committee on Rules of Procedure. The national delegations perform a crucial role in promoting the Assembly's decisions, and in the follow-up to the texts which it adopts, in the member states' parliaments and vis-à-vis their governments, particularly with regard to sensitive issues such as the budgets of the Council of Europe and the Assembly, or the ratification and implementation of the Council of Europe legal instruments.

11. Article 28.c.ii of the Council of Europe Statute prescribes that the Rules of Procedure of the Assembly shall determine, *inter alia*, "the manner of the election and terms of office of the President and other officers".

12. The Committee on Rules of Procedure might decide to invite the Assembly, which has full latitude for this, to amend Rule 13 of the Rules of Procedure. In so doing, it behoves the Assembly to consider the following questions:

3.1. How many new Bureau members?

13. To make the Assembly's work more perceptible and efficacious for the Committee of Ministers and its chairmanship, it would be advisable to increase the representativeness of the Bureau of the Assembly so as to include not three new members – corresponding to the chairpersons of the national delegations of the Troika countries – but a larger number that would approximate it to the composition of the Bureau of the Committee of Ministers (see paragraphs 7 and 8). However, it might be unreasonable to admit six new members to the Bureau's meetings.

14. It is therefore proposed to include as *ex officio* members of the Bureau of the Assembly four new members, being the chairpersons of the national delegations of the member states in office as the current, the previous and the next two chairs of the Committee of Ministers. It is in fact important from the standpoint of continuity in the decisions taken by the Committee of Ministers, particularly in budgetary matters, that the Assembly be able to make its voice audible not only to the next six-monthly chairmanship but also to the subsequent one, so as to ensure visibility of the actions to be undertaken over a full year.

15. For practical purposes, this does not mean that four new members would take up seats on the Bureau in respect of certain national delegations. A Vice-President of the Assembly elected in that capacity represents 20 of the 47 national delegations on the Bureau of the Assembly. In most cases (at present, 16 out of 20), Vice-Presidents also chair their delegation. To guard against imbalance in the representation of the national delegations, the committee could advocate the principle of not including a national delegation member when its chairperson is already a member of the Bureau in the capacity of Vice-President. On the other hand, where it happens that an eligible national delegation leader also chairs a committee or a political group, the committee or group concerned could designate a member to replace him or her so that the presiding officer in question does not sit "wearing two hats".

3.2. Term of office

16. Unless they are members of the Bureau in another capacity, chairpersons of the national delegations concerned would take (and relinquish) office on the date when the chairmanship of the Committee of Ministers changes ("transfer of powers").

3.3. Nature of their rights

17. As *ex officio* members of the Bureau, chairpersons of the national delegations concerned should sit on it with the right to vote. They should also be members of the Joint Committee. However, it does not seem desirable to allow their appointment as rapporteurs of the Bureau, particularly for the progress report of the Bureau and the Standing Committee.

18. In connection with the observation made in paragraph 15, the committee should look into the question of chairpersons of the national delegations concerned being replaced in the event of inability to attend the Bureau meetings. Let it be recalled that political group and committee chairpersons prevented from attending meetings may have themselves replaced by a deputy chairperson or a member of their group or committee appointed for that purpose, unlike Vice-Presidents of the Assembly who may not have a substitute. Considering the importance of the role performed by a delegation leader in the national parliament and vis-à-vis the government, including the Ministers for Foreign Affairs and the Permanent Representatives, whether on an institutional level or in a more informal context of personal relations, it would be desirable for the chairpersons of the delegations concerned to sit on the Bureau in their personal capacity without the possibility of replacement.

4. Proposed amendment to the Rules of Procedure

19. The committee invites the Assembly to amend Rule 13.3 of its Rules of Procedure as follows, by adding this sentence after the first sentence:

“Chairpersons of the national delegations of the member states holding the current, the previous and the next two chairmanships of the Committee of Ministers shall be ex officio members of the Bureau entitled to vote. They may not be the Bureau’s rapporteurs for its reports. They cannot be replaced.”

5. Conclusions

20. At its meeting on 11 January 2010, the committee considered the proposals set out in paragraphs 12 to 19 above. It adopted unanimously this draft resolution, to be presented at the next Standing Committee meeting (Paris, 12 March 2010). The proposed amendment of the Rules of Procedure will come into force upon the adoption of the resolution.

Reporting committee: Committee on Rules of Procedure, Immunities and Institutional Affairs

Reference to committee: Bureau decision, Reference 3612 of 2 October 2009

Draft resolution unanimously adopted by the committee on 11 January 2010

Members of the committee: Mr John **Greenway** (Chair), Mr Vis (1st Vice-Chair), Mr **Lintner** (2nd Vice-Chair), Mr **Kox** (3rd Vice-Chair), Mr **Agius**, Mrs Bemelmans-Videc, Mrs **Brasseur**, Mr Cebeci, Mr **Chope**, Mrs Err, Mr **Gross**, Mr Haibach, Mr Höfer, Mr **Holovaty**, Mr Huseynov, Mr Islami, Mr Kumcuoğlu, Mrs **Lilliehöök**, Mrs Mendonça, Mrs Pernaska, Mr Rowen, Mr Rustamyan, Mr **Saar**, Mr Schram, Mr **Van Overmeire**, Mr Vareikis

NB: The names of the members who took part in the meeting are printed in **bold**

Secretariat of the committee: Mr Heinrich, Mrs Clamer