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Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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Rules of Procedure of the Consultative Assembly of the Council of Europe

Conclusions[1]
Parliamentary Assembly

1. Resolution making the Rules of Procedure of the Consultative Assembly of the Council of Europe[2]

1.1. PART I

Sessions of the Assembly

RULE 1

Date and convocation of Ordinary Sessions

The Consultative Assembly shall meet in Ordinary Session once a year, on a date to be determined by it, so as to avoid as far as possible overlapping with Parliamentary sessions of Members and with sessions of the General Assembly of the United Nations.

The President shall send notices of the meeting to the Members through the Secretary-General in such a way that, except in cases where this is not possible, Representatives and their Substitutes may be notified personally, not less than two months before the date fixed for the opening of the Session

RULE 2

Date and Convocation of Extraordinary Sessions

the Consultative Assembly may be convoked in Extraordinary Session on the initiative of the Committee of Ministers at such time as the Committee, with the concurrence of the President of the Assembly, shall decide

RULE 3

Place of Meeting

Ordinary Sessions of the Consultative Assembly shall be held at the seat of the Council unless both the Assembly and the Committee of Ministers concur that it should be held elsewhere.

Extraordinary Sessions shall be held at such place as the Committee of Ministers, with the concurrence of the President of the Assembly, shall decide.

RULE 4

Duration

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1. See Doc. 2, Report.
2. Adopted 17th August 19S0, at the Conclusion of the Debate on the Report from the Committee on Rules of Procedure and Privileges.

The duration of each Ordinary Session shall be fixed by the Assembly but shall not exceed one month unless both the Assembly and the Committee of Ministers concur.

1.2. PART II

Provisional Bureau, Examination of Credentials and Permanent Bureau

RULE 5

Provisional Bureau

At the beginning of each Ordinary Session the oldest Representative present, assisted by the three youngest Representatives, shall discharge the duties of President until the election of the President and other members of the permanent Bureau has been announced.

No discussion may take place while the oldest Representative is in the Chair unless it is concerned with the election of the Permanent Bureau or with that of the Credentials Committee.

RULE 6

Examination of Credentials

The credentials of the Representatives and of their Substitutes shall be sent by the Members on a form which shall be forwarded to them by the Secretary-General and which should be returned if possible not less than eight days before the opening of the Session to the Secretariat- General of the Council of Europe.

Each Representative and Substitute must be a national of the Member he represents, but shall not, at the same time, be a member of the Committee of Ministers.

A Committee of twenty Representatives chosen by lot shall examine the credentials of the Representatives and of their Substitutes and shall at once report thereon to the Assembly.

Any Representative or Substitute whose credentials are contested shall take his seat provisionally with the same rights as other Representatives or Substitutes until the Assembly has reached a decision in his case.

RULE 7

Duration of term of office

Representatives and Substitutes shall remain in office until the opening of the next Ordinary Session, except that in the event of an Extraordinary Session Members shall be entitled to make such changes among their Representatives as they think fit.

RULE 8

Permanent Bureau

When the oldest Representative has taken the Chair, the Permanent Bureau shall be elected in public Session.

The Bureau of the Assembly shall be the President and six Vice-Presidents.

RULE 9

Election of the Bureau

No Representative may stand as a candidate for the offices of President and Vice-President unless the proposal for his candidature has been sponsored in writing by at least three Representatives.

The President shall be elected by secret ballot at the tribune.

If after two ballots no candidate has received more than half the votes cast, the candidate who on the third ballot receives the largest number of votes shall be declared elected. In the event of a tie the elder candidate shall be declared elected.

The six Vice-Presidents shall be elected by secret ballot at the tribune. Each Representative shall vote on the same ballot paper. Those who on the first ballot receive a number of votes greater than half the number of Representatives casting their votes shall be declared elected in the order of the number of votes received. If the number of candidates is less than the number of vacancies to be filled, a second ballot of those candidates not elected shall be held, following the same procedure.

If a third ballot is necessary those who then receive the greatest number of votes shall be declared elected.

Tellers chosen by lot shall count the votes, and the results shall be announced by the temporary President.

As soon as the permanent Bureau has been elected the oldest Representative shall give way to the elected President.

The President and Vice-Presidents shall remain in office until the opening of the next Ordinary Session, unless they have ceased to be Representatives in the conditions mentioned in Art. 7.

1.3. PART III

Duties of the Bureau

RULE 10

President

The duties of the President shall be :

To open, suspend and close Sittings.

To propose at the end of each Sitting the date, time and Orders of the Day of the next Sitting.

To guide the Debates of the Assembly, ensure observance of the Rules, maintain order, call on speakers, close Debates, put questions to the vote and announce the results of votes.

To refer business to the appropriate Committees.

The President shall neither speak in Debate nor vote; his Substitute may sit, speak and vote in his place.

The President shall inform the Committee of Ministers of resolutions adopted by the Assembly in the form of Recommendations.

RULE 11

Vice-Presidents

If the President is absent or unable to discharge his duties, he shall be replaced by one of the Vice-Presidents.

The Substitute of the Vice-President who is acting as President may sit in the Assembly, speak and vote in his place.

RULE 12

Maintenance of Order

The President shall call to Order any Representative who departs from it. If the offence is repeated, the President shall again call the Representative to Order and cause the fact to be recorded in the Minutes of Proceedings.

In the event of a further offence, the President may exclude the offender from the Chamber for the remainder of the Sitting.

In serious cases the President may propose that the Assembly pass a vote of censure, which shall involve immediate exclusion from the Chamber for a period of from two to five days. The Representative against whom a vote of censure is proposed shall always have the right to be heard.

The vote of censure shall be taken without debate, by a vote by Sitting and Standing

It shall be forbidden to make use of words or expressions whose meaning bears an affront to the dignity of peoples or their Governments, or which are otherwise contrary to the good conduct of debates. Without prejudice to his other rights for the maintenance of order, the President may cause such words to be deleted from the Minutes of Proceedings and Records of Sittings. He shall have similar power as regards any intervention by a Representative who has not obtained prior permission to speak.

RULE 13

Public Order in the Chamber and Galleries

No person shall enter the Chamber for any reason except Representatives, members of the Committee of Ministers and members of the staff whose duties require their presence there.

Only persons provided with a card of authority duly issued by the President or by the Secretary- General may be admitted to the Galleries.

Members of the public admitted to the Galleries shall remain seated and in silence. Any person expressing approval or disapproval shall be ejected at once by the ushers.

1.4. PART IV

Agenda

RULE 14

Proposals for inclusion in the Agenda of Sessions

The Agenda of each Session shall include :

1. Reports from the Committee of Ministers on its activity;
2. Questions referred to the Assembly for an opinion by the Committee of Ministers.
3. Questions referred to the Committee at a previous Session which are still outstanding.
4. New questions whose inclusion in the Agenda has been approved by the Committee of Ministers on the proposal of the Standing Committee.
5. New questions whose inclusion in the Agenda has been approved by the Committee of Ministers on the proposal of the Assembly, provided the proposal adopted was laid before the Assembly ;
    a. Within the first five days of the current Session, or
    b. Within the last eight days of the previous Session.

Proposals laid before the Assembly after the time-limit contained in (5) '(a) above has expired can only be considered with the approval of two-thirds of the members of the Bureau.

The President shall immediately inform the Chairman of the Committee of Ministers of these proposals; he shall propose a day for the Assembly to consider the matter and, if such is the case, he shall inform the Assembly of the objections or comments made regarding them by the Committee of Ministers or by its Chairman.

As regards 5 (b) above, the Debate for the adoption of proposals for inclusion in the Agenda must take place not later than three days before the end of the Session.

Any Proposal for the inclusion of a question in the Agenda must be supported in writing by at least 10 Representatives. No proposal shall be considered by the Assembly unless it has received the support of two-thirds of the Representatives present and voting.

Any Representative who, between Sessions, wishes to have a question included in the Agenda of the next Session may forward a proposal to that effect which shall bear the signature of not less than three Representatives, to the President at least two months before the opening of the Session.

The President shall notify the Standing Committee of this proposal, which shall decide by a two-thirds majority of those present and voting whether it shall be transmitted to the Committee of Ministers.

RULE 15

Final Settlement of the Agenda

A provisiona l list of questions submitted for inclusion in the Agenda shall be communicated to the Members at the same time as the date of the opening of the Session.

If necessary, a supplementary list shall be communicated to the Assembly on the first day of its Session.

The Agenda thus adopted by the Assembly may not be amended during the Session, unless the Committee of Ministers, through its Chairman, has approved the proposals made by the Assembly in accordance with the provisions of the preceding Article.

The Assembly shall then settle the order in which the questions shall be discussed.

RULE 16

Orders of the Day

The Orders of the Day for each Sitting shall be proposed by the President in accordance with the provisions of Rule 10.

The Assembly may not discuss questions which do not appear on the Orders of the Day for the Sitting.

1.5. PART V

Use of Languages

RULE 17

Official languages

The official languages of the Assembly shall be English and French.

All documents of the Assembly shall be drawn up simultaneously in both official languages.

RULE 18

Debates in the Assembly

Speeches delivered in one of the official languages shall be simultaneously interpreted into the other.

Speeches may be made in a language other than the official languages. In such cases the speaker himself shall be responsible for arranging for consecutive interpretation into one of the official languages, which shall be simultaneously interpreted into the other official language.

RULE 19

Meetings of Committees

If in Committee an interpretation is required there shall only be consecutive interpretation from one official language into the other.

Nevertheless, a Representative who cannot use one of the official languages may bring his own interpreter, who may interpret into one only of the official languages. There shall be an interpretation into the other official language only if a member of the Committee specifically requires it.

1.6. PART VI

Publicity of Debates

RULE 20

Publicity

Unless the Assembly decides otherwise, the Debates of its plenary Sessions shall be public.

RULE 21

Minutes of Proceedings

The Minutes of Proceedings of a Sitting recording decisions of the Assembly shall be laid on the Table half an hour before the following Sitting.

At the beginning of the Sitting Representatives may comment on the draft, and the Assembly shall take note.

If there are no comments the Minutes of Proceedings shall be considered adopted.

The Minutes of Proceedings shall be printed, signed by the President and the Clerk, and preserved in the archives of the Assembly.

RULE 22

Records of Sittings

RULE 22 Records of Sittings

Representatives who have spoken are required to return the verbatim records of their speeches to the Secretariat at the latest at the end of the day following that on which the records were distributed.

1.7. PART VII

Organisation of Sittings and of Discussions in plenary Sessions

RULE 23

Time-tables of Sittings

On the proposal of the President, the Assembly shall fix the date and time of its Sittings.

A Debate which has not been completed at the end of a Sitting shall be adjourned to the next Sitting, together with any other outstanding business.

RULE 24

Register of Attendance

Each Representative shall sign the register of attendance at each Sitting before taking his place.

RULE 25

Communications to the Assembly

Immediately after the adoption of the Minutes of Proceedings of the previous Sitting and before passing to the Orders of the Day, the President shall inform the Assembly of any communications which concern it.

RULE 26

Right to Speak

No Representative may speak unless he has been called upon by the President.

Representatives desiring to speak may either enter their names before the opening of the Sitting in a book which shall be provided for the purpose, or may ask for the right to speak in the course of the Sitting.

The President may depart from the order in which Representatives have entered their names or have asked to speak. As far as possible he shall endeavour to call upon speakers alternatively for and against the proposal under discussion.

Representatives shall speak from their places ; the President may request them to come to the tribune.

Representatives shall address the Chair.

If a speaker is irrelevant, the President may call him to order.

If a speaker is called to order three times in the same Debate, on the third occasion the President shall decide whether he should be forbidden to speak during therest of the Debate on the same subject.

No Representative may speak more than once on the same subject without permission from the President. Members of the Committee of Ministers and Rapporteurs on a question on the Orders of the Day may, however, speak whenever they wish.

A speech which has not been completed at the end of a Sitting may not be resumed at the following Sitting.

RULE 27

Priorities

A Representative may always be heard :

1. To make a point of order; therec an however be only one point of order with respect to any one occurrence;
2. To propose the adjournment; the adjournment can be proposed only once in the course of a Debate;
3. To propose a dilatory Motion;
4. To propose the Closure.
5. These shall take precedence over the principal question,, the discussion of which shall be suspended while they are being considered.
6. A Representative who wishes to make a personal statement shall be heard, but only at the end of a Sitting.

RULE 28

Order of Debates

Unless the Assembly decides otherwise, the examination of a question in Committee shall be preceded by a General Debate.

The General Debate shall deal only with the question at issue as a whole and with the principle involved.

A Debate and examination of the text in detail shall take place on the Report of the competent Committee. It shall not begin less than forty-eight hours after the distribution of the Report.

When it has been concluded, only explanations of vote may be made before the final vote on the Resolution.

RULE 29

Amendments

Any Representative may propose and argue Amendments.

Amendments must be drawn up in writing, laid on the Table and distributed; Unless

they are of a purely drafting nature, they must be laid not less than twenty-four hours before the Debate on the Report, unless the Assembly decides otherwise by a vote by sitting and standing.

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RULE 30

Length of Speeches

No Representative may speak for more than five minutes on any of the following :

Comments on the Minutes of Proceedings;

Points of Order;

Settling of the Orders of the Day;

Proposals by the Bureau to limit the length of Debates;

Requests for urgent procedure; Requests for adjournment;

Dilatory Motions ;

Personal statements ;

The Closure; Explanations of vote;

Calls to order and disciplinary measures.

The Bureau of the Assembly may propose a limit to the length of speeches in a particular Debate.

RULE 31

Limitation of the number of Speakers in certain Debates

In Debates relating to requests for urgent procedure, for adjournment, or for dilatory Motions the following only shall be heard :

The proposer of the Motion;

One speaker against the Motion;

The Representatives of the Committee of Ministers ;

The Chairman and Rapporteur of the Committee.

RULE 32

Closure

Any Representative may request the Closure of a Debate or of the list of Speakers.

One speaker only may be heard against the Closure.

The Assembly shall decide, without debate, by a vote by sitting and standing.

At the opening of a Debate, the Bureau may propose to the Assembly that a date and time be fixed in advance for its closure.

1.8. PART VIII

Voting

RULE 33

Majorities

The following majorities are required :

1. In the case of appointments, and subject to the provisions contained in Rule 9, at the first ballot a simple majority of votes cast and at the second ballot a relative majority;
2. In the case of Resolutions, a simple majority of votes cast, except as regards :
   - *a.* A proposal to include an item in the Agenda ;
   - *b.* The establishment of Committees;
   - *c.* The date of the opening of Ordinary Sessions ; Which shall be by a two-thirds majority of the votes cast.
3. In the case of Recommendations, a two-thirds majority of the votes cast.

RULE 34

Right to vote.

The right to vote is an individual one; each Representative shall have one vote.

RULE 35

Quorum

The Assembly cannot adopt any Resolution unless the majority of Representatives are present.

If the quorum is called in question, the roll shall be called.

If the result of a roll call shows that the quorum is not present, the vote shall be put back until the next Sitting.

If, before a vote is taken, the Bureau has not been called upon to confirm that a quorum is present, the result of such a vote shall be considered valid, whatever the number of votes cast, except in the case of a vote by roll call.

RULE 36

Methods of Voting

Normally the Assembly shall vote by show of hands.

If the result of the show of hands is doubtful, the Assembly shall proceed to vote by sitting and standing.

When ten Representatives so desire, the vote shall be taken by roll call on any question for which another method of voting is not expressly provided. The final vote on Resolutions and Recommendations shall also be taken by roll call.

The roll shall be called in alphabetical order, beginning with the name of a Representative drawn by lot. Voting shall take place by word of mouth and shall be expressed as " Yes ", " No " or " I abstain ". Only affirmative and negative votes shall count in calculating a majority. The President shall be responsible for the counting of votes and shall announce the result. The result shall be recorded in the Minutes of Proceedings of the Sitting, following the alphabetical order of the Representatives' names.

RULE 37

Substitutes

If a Representative is prevented from attending a meeting of the Assembly, he may arrange to be replaced by a Substitute of the same nationality.

He must give notice to the President, who will in turn inform the Assembly.

If a Representative is prevented from attending a Committee meeting, he may arrange to be replaced by another Representative or by a Substitute of his own nationality.

He must give notice to the chairman of the Committee who, in turn, will inform the Committee.

A Representative who is unable to attend several Committee meetings must always be replaced by the same Representative or by the same Substitute.

Substitutes nominated in due form have the same rights as Representatives in the Assembly and in Committees.

1.9. PART IX

Committees

RULE 38

Establishment of committees

At the beginning of each Ordinary Session the Assembly shall establish the following general Committees :

Committee on General Affairs;

Committee on Rules of Procedure and Privileges;

Committee on Economic Questions;

Committee on Social Questions;

Committee on Cultural and Scientific Questions ;

Committee on Legal and Administrative Questions ;

The Assembly may also decide to set up special Committees for specific purposes.

In every case, the Assembly shall fix the total membership of the Committees, and the number of seats to be allotted to each of the Members.

Any two or more Committees may hold joint meetings for the examination of subjects coming within their joint competence.

A Committee may set up Sub-Committees composed of its own members.

Candidatures for membership shall be addressed to the Bureau which shall submit to the Assembly proposals for the final composition of Committees.

RULE 39

Standing Committee

At the end of each Ordinary Session the Assembly shall also appoint the members of its Standing Committee.

The Standing Committee shall consist of the President, the six Vice-Presidents and a number of members to be decided by the Assembly, which shall include the six Chairmen of Committees, who shall be Members ex-officio.

This Committee shall be established in accordance with the rules of procedure contained in rule 38.

This Committee shall be convened by the President of the Assembly whenever the latter deems it necessary and at least four times a year.

The Committee is responsible for co-ordinating the various Assembly Resolutions and the Reports or Recommendations made by the different Committees.

It shall also consider the measures necessary for preparing the work of the next Session of the Assembly.

The President of the Assembly, acting on behalf of the said Standing Committee, may consult with the Committee of Ministers as to the advisability of convening an Extraordinary Session and also in regard to any matter arising out of the Agenda of the previous Session.

He shall take all steps which might be calculated to facilitate or expedite the work of the Assembly.

RULE 40

Bureaux

Each Committee shall elect a Chairman and two Vice-Chairmen.

RULE 41

Work of Committees

A Committee shall meet when convened by its Chairman or at the request of the President of the Assembly, either during the Session or between Sessions. The Standing Committee shall only meet between Sessions.

A Committee shall deal with questions referred to it by the Assembly after the General Debate. It shall appoint a Rapporteur for each subject under discussion. If a Committee is not unanimous, its Report shall indicate the views of the majority and of the minority.

Members of the Committee of Ministers may attend Committee meetings.

The rules adopted for the Assembly with regard to the election of President and Vice-President, quorum, voting, majority required, right to speak and priorities shall apply also to proceedings in Committee.

The Chairman may, however, in his personal capacity, take part in discussions in Committee and may vote.

Unless a Committee decides to the contrary, Representatives or their Substitutes may attend meetings of the Committees of which they are not members, but they may not take part in their discussions.

Rules applicable Lo Committees are equally valid for Sub-Committees.

Committee meetings shall be held in private.

The Secretariat shall be responsible for drawing up Minutes of the meetings, which shall contain a record of the Committee's decisions; and in addition of a summary report of the proceedings. Representatives may have access to these summary reports, but they will not be distributed.

Apart from these reports, the only text published shall be those of Resolutions and Recommendations which have been adopted, as well as statements issued on the responsibility of the Chairman, unless the Committee decides otherwise.

1.10. PART X

Urgent Procedure

RULE 42

Requests for urgent procedure

Urgent procedure may be requested for any item on the Agenda of the Session.

A request in respect of the General Debate and the Debate on the Report of a Committee may be made by the Committee of Ministers, by the President, by the competent Committee, or by not less than ten Representatives.

RULE 43

Urgent procedure

The President shall inform the Assembly that a request for urgent procedure has been made.

The Debate on the request must be placed at the head of the Orders for the Day of the next Sitting.

The adoption of urgent procedure shall require a two-thirds majority of those present and voting.

When urgent procedure has been adopted, the General Debate shall be opened immediately and the Debate on the Report must be held not later than the following Sitting.

For a Debate on the Report only, the Debate shall be opened as soon as the Committee has indicated that it is ready to report. If, however, the Committee is not ready to report, the Debate shall open not later than the Sitting following the adoption of urgent procedure.

The Debate may take place on an oral Report from the Committee.

Proposals for the inclusion of questions in the Agenda of the current Session, in accordance with Rule 14, shall be dealt with under urgent procedure. The Debate may only include arguments for or against the inclusion of the question in the Agenda.

1.11. PART XI

Relations between the Committee of Ministers and the Assembly

RULE 44

Access to the Assembly

The members of the Committee of Ministers shall have the right of access to the Assembly. If they wish to take part in Debates, the President shall give them a prior right to speak whenever they wish to intervene. They may not vote.

RULE 45

Communications from the Committee of Ministers to the Assembly

All communications from the Committee of Ministers shall be addressed to the President, who shall immediately bring them to the notice of the Assembly.

RULE 46

Reports of the Committee of Ministers

Reports on its activities which the Committee of Ministers furnishes to the Assembly, in accordance with Article 19 of the Statute, shall be printed, distributed and included at the head of the Agenda ; on the conclusion of the relevant Debate the Assembly shall vote on the text of a reply summarising its observations.

RULE 47

Requests for opinion from the Committee of Ministers

Requests for opinion from the Committee of Ministers shall bo printed, distributed and included in the Agenda under the conditions laid down in Rules 14 and 15 above.

During the relevant Debate the Assembly may, at the request of ten Representatives, decide, after a delay of twenty-four hours, to invite the chairman of the Committee of Ministers to furnish the Assembly with explanations on the meaning and purpose of the request for an opinion.

Once such a decision has been taken the President shall adjourn the Debate and transmit the invitation to the Committee of Ministers. The Debate shall only be resumed when the Committee has informed the Assembly of its reply to the invitation.

Should the Committee of Ministers not be in a position to accept the Assembly's invitation, the latter shall decide whether to resume or further adjourn the Debate.

RULE 48

Written questions

Representatives may, through the President, address to the Committee of Ministers written questions bearing on items of the Agenda of the Assembly.

If answers from the Committee of Ministers are received by the Assembly during the course of the Session, they and the questions to which they refer shall be published as appendices to the Official Reports of Debates.

1.12. PART XII

Petitions

RULE 49

Eligibility and Examination of Petitions

Petitions must be addressed to the President.

In order to be entertained, they must :

1. Show the names, attributes and domicile of the petitioners. The petitioners must cause their signatures to be authenticated in accordance with the internal legislation of the State in which they reside.
2. Bear on questions which fall within the competence of the Council of Europe.

The Bureau of the Assembly shall examine the eligibility of petitions with the Secretary-General.

Petitions which may be entertained shall be :

a. Referred by the Bureau to the competent Committees, when they bear on an item of the Agenda.

b. Referred by the Secretary-General to the Committee of Ministers when they bear on a question not included in the Agenda.

1.13. PART XIII

Clerks and Assembly Services

RULE 50

Clerks

The service of the Assembly shall be undertaken by a Clerk, with the rank of Deputy Secretary-General, appointed by the Assembly and under the authority of the Secretary-General.

1.14. PART XIV

Miscellaneous provisions

RULE 51

Raising of Parliamentary Immunity

Requests foi- permission to take legal action against Representatives shall he addressed to the President of the Assembly. They must be accorded urgent procedure as provided in RULE 43 above.

Requests shall be referred without debate to the competent Committee.

The Report of the Committee shall be entered on the Orders of the Day for the first day on which there is a Sitting after its submission.

The Debate on this Report may only include arguments for or against the granting of permission.

RULE 52

Revision of the Rules

Proposals for Resolutions on Amendments to the Rules must be supported by ten Representatives. They shall be referred without debate to the competent Committee which shall report on them as provided in Rule 41.

The Report of the Committee shall be placed on the Agenda in accordance with Rule 15.

The Debate shall be concerned with the texts only.