Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1584 (2007)[1]

Application and amendment of various provisions of the Parliamentary Assembly's Rules of Procedure

Parliamentary Assembly

1. The Rules of Procedure currently in force were adopted by the Parliamentary Assembly eight years ago (Resolution 1202 (1999) on the general revision of the Rules of Procedure of the Assembly) on the basis of a complete revision process and came into force on 24 January 2000. In the meantime, these revised rules have been amended by various Assembly resolutions.

2. In Resolution 1202 (1999), the Assembly reaffirmed "the importance to a parliamentary institution of rules that are up to date, consistent and effective; and that place the fair and efficient regulation of proceedings in a context of political reality". It therefore considers it necessary to modify its Rules of Procedure in order to take into account changes in practice in recent years, to review provisions which have not given complete satisfaction or no longer correspond to Assembly practice, to clarify those rules where interpretation or application raised difficulties and to propose changes where specific questions or problems have arisen, including the clarification of the role and functions of the Assembly bodies.

3. Consequently, the Assembly decides to amend its Rules of Procedure as follows:

3.1. with regard to the duration of term of office of Representatives and Substitutes:

3.1.1. in Rule 10.3, after the first sentence, insert the following sentence: "If the national parliament cannot make all such appointments in time for the opening of a new ordinary session of the Assembly, it may decide, for a period of not more than six months after the election, to be represented in the Assembly by members of the existing delegation.";

3.1.2. in Rule 10.3, add the following words at the end of the paragraph: "or following the expiry of a six-month period after the election date.";

3.2. with regard to the functions of the Bureau of the Assembly and the Presidential Committee:

3.2.1. change the title of Part III to "Bureau, Presidential Committee and Standing Committee";

3.2.2. change the title of (current) Rule 12 to "Bureau of the Assembly and Presidential Committee";

3.2.3. after Rule 12.1, add the following new paragraph: "The Bureau shall take decisions on the organisation of part-sessions and plenary sittings. It shall carry out other duties assigned to it under the Rules of Procedure, by the complementary texts to the rules or according to decisions taken by the Assembly.";

3.2.4. after Rule 12.2, add the following new paragraph: "The Presidential Committee shall consist of the President of the Assembly, the chairpersons of the political groups (or their representatives) and the Secretary General of the Assembly. The Presidential Committee is a consultative body for the Bureau and the President of the Assembly. It shall prepare meetings of the Bureau and may be entrusted by it with liaison tasks.";

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1. *Text adopted by the Standing Committee,* acting on behalf of the Assembly, on 23 November 2007 (see Doc. 11431, report of the Committee on Rules of Procedure and Immunities, rapporteur: Mr Jurgens).

3.3. with regard to the term of office and functions of the President of the Assembly:

3.3.1. add the following new sentence to Rule 13.5: “The President may be re-elected once for a further term, consecutive or not. However, a President elected in the course of a session for an incomplete term may be re-elected for two further terms.”;

3.3.2. replace Rule 18.1 with the following: “The President shall open, suspend and close sittings, direct the debates of the Assembly, rule on the admissibility of motions for recommendations and resolutions, amendments and written declarations tabled by members, ensure observance of the rules, maintain order, call on speakers, close debates, ascertain whether a quorum exists, put questions to the vote and announce the result of votes. The President shall perform a similar role in relation to the Standing Committee and the Bureau and chair the Presidential Committee and the Joint Committee. The President shall represent the Assembly in its external and international relations.”;

3.4. with regard to references to committees, amend Rule 24 as follows:

3.4.1. replace Rule 24.1 with the following: “The Bureau shall reach a decision on all documents mentioned in Rule 22.2.*b*, *d*, *e*, *g* and, if appropriate, *k*, if necessary after consulting one or more committees, and may decide that the documents shall be referred to one or more committees, forwarded to one or more committees for information, or that no further action should be taken.”;

3.4.2. replace the first sentence of Rule 24.2 with the following: “The Bureau shall submit these decisions for ratification as soon as possible, either by the Assembly or the Standing Committee. These decisions shall become available to members through the progress report of the Bureau and the Standing Committee or in a separate document. Rule 33.5, second and third sentences, shall apply *mutatis mutandis*.” (see paragraph 3.6.2 below);

3.5. with regard to the agenda, the order of business and the orders of the day:

3.5.1. in Rules 8.4, 9.3, 18.2, 33.1, and 40.*a*, replace the words “order of business” with the word “agenda”;

3.5.2. replace Rule 22.2.*a* with the following: “The agenda for a part-session, the minutes of proceedings and the official report of debates;”;

3.5.3. amend Rule 25 as follows:

3.5.3.1. change the title to “Agenda”;

3.5.3.2. replace Rules 25.1 to 25.6 with the following:

“25.1. Any matter within the competence of the Assembly may be placed on the agenda. The progress report of the Bureau and the Standing Committee shall be placed on the agenda.

25.2. A part-session may include a debate on general policy.

25.3. On the basis of a list of reports already approved by committees but not yet debated, and of reports to be approved in time for the part-session, the Bureau shall draw up a draft agenda for each part-session showing at which sittings the items are to be considered. The draft agenda shall be communicated to all members of the Assembly at least two weeks before the opening of a part-session.”;

3.5.3.3. in Rules 25.7 to 25.8, replace the words “draft order of business” with “draft agenda”;

3.5.4. delete Rule 32 relating to the orders of the day and delete consequently the words “the settling of the orders of the day” in Rule 35.7 and “decide the orders of the day” in Rule 41.1;

3.5.5. in Rule 33.2, replace the words “draft order of business” with “draft agenda”;

3.5.6. in Rule 50.1, replace the words “an item which has not been placed on the agenda of the Assembly” with “an item which has not been placed on the draft agenda as approved by the Bureau”;

3.5.7. in Rule 52.1, replace the words “a subject matter which is not on its agenda” with “a subject matter which is not on the draft agenda as approved by the Bureau”;

3.6. with regard to the debate and consideration of texts, modify Rule 33 as follows:

3.6.1. in Rule 33.4, after “debate on the committee’s report”, add the words “or on the report of a Bureau ad hoc committee on the observation of an election”;

3.6.2. after Rule 33.4, add the following new paragraph: “The progress report of the Bureau and the Standing Committee may contain a special section or an appendix listing the decisions to be ratified by the Assembly, including in particular decisions taken on the basis of Rule 24 concerning official documents. Adoption of a motion by a member to change a Bureau decision shall require a majority of the votes cast. On any such motion only the mover, one speaker against and the rapporteur of the Bureau shall be heard.”;

3.7. with regard to amendments and sub-amendments, modify Rule 34 as follows:

3.7.1. in Rule 34.5, replace the first indent with the words “for the first day of a part-session, three hours before the opening of the sitting;”;

3.7.2. in Rule 34.5, after the third indent, insert the following sentence: “If the Assembly adopts changes to the draft agenda, the President may, if necessary, propose different deadlines to the Assembly.”;

3.7.3. in Rule 34.5, replace the last sub-paragraph with the following: “Sub-amendments shall be tabled one hour before the scheduled end of the sitting preceding that in which the debate begins.”;

3.7.4. after Rule 34.8, insert the following new paragraph: “Before the first amendment is called, the President or any member may move a motion that only the rapporteur or the committee chairperson should speak on amendments. On any such motion shall only be heard the mover, one speaker against and the chairperson of the committee concerned.”;

3.7.5. after Rule 34.8, insert the following new paragraph: “Following a proposal presented by the chairperson of the committee seized for report, and if no Assembly member objects, amendments which have been unanimously approved by the committee shall be declared as adopted by the Assembly. In these circumstances Rules 34.7 and 34.8 shall not be applied.”;

3.8. with regard to procedural motions, modify Rule 37 as follows:

3.8.1. replace Rule 37.1.*a* with the following: “to move a dilatory motion;[1]”;

3.8.2. replace Rule 37.1.*d* with the following: “to move reference of the report back to committee either during the opening sitting when the draft agenda is adopted, or when the report is debated any time before the vote on the whole of any draft text begins.”;

3.8.3. (English only) at the end of Rule 37.1, replace “an item of business” with “a debate”;

3.8.4. at the end of Rule 37.1, add the following sentence: “The procedural motions mentioned in paragraphs *a* to *c* shall be in order only if notice has been given in writing to the President before the end of the previous sitting. If these motions and also the reference of a report back to committee mentioned in paragraph *d* are moved in the course of the first sitting of a part-session, such notice must be given two hours before the start of the sitting.”;

3.9. with regard to the bureaux of committees, modify Rule 45 as follows:

3.9.1. replace Rule 45.1 with the following: “The Bureau of each committee shall consist of the chairperson and the three vice-chairpersons, normally elected at the first committee meeting of each ordinary session, while taking into account the principle of gender equality.”;

3.9.2. in Rule 45.3, add at the end of the first sentence the following words: “and must belong to the political group to which the Chair or a Vice-Chair has been allocated on the basis of an agreement reached among these groups within the Presidential Committee.”;

3.9.3. replace Rule 45.4 with the following paragraph: “No chairperson or vice-chairperson of a committee or sub-committee may be chairperson or vice-chairperson of another Assembly committee or sub-committee. This does not apply to ad hoc committees and ad hoc sub-committees.”;

3.9.4. replace Rule 45.7 with the following paragraph: “The chairperson and the vice-chairpersons of a committee shall remain in office until the opening of the next ordinary session of the Assembly. They may be re-elected for one further term, consecutive or not. Moreover, a committee chairperson or vice-chairperson elected in the course of a session for an incomplete term may be re-elected for two further terms.”;

3.10. with regard to questions to the Committee of Ministers, at the end of Rule 58.2, add the following new sentence: “Subject to the consent of the Chairperson of the Committee of Ministers, the final fifteen minutes of the questions for oral answer may be reserved for spontaneous questions.”;

3.11. with regard to special guests, add the following text at the end of Rule 59.8: “They may sign motions for resolutions and recommendations and written declarations. However, they shall not be taken into account for the number of signatures required. Members of special guest delegations may participate in the work of political groups according to the conditions established by the groups.”;

3.12. with regard to observers, modify Rule 60 as follows:

3.12.1. at the end of Rule 60.1, add the following new sentence: “Any requests for observer status shall be referred to the Political Affairs Committee for report and to other relevant committees for opinion.”;

3.12.2. replace the second sentence of Rule 60.2 with the following: “The parliaments concerned are not required to submit credentials to the President of the Assembly. However, they shall submit to the President of the Assembly not less than one week before the opening of the ordinary session a list of members appointed for the whole duration of the session, which should reflect the political balance within the parliaments.”;

3.12.3. replace Rule 60.4 with the following: “Members of observer delegations may attend committee meetings as provided in Rule 47.5. They may sign motions for resolutions and recommendations and written declarations. However, they shall not be taken into account for the number of signatures required. Members of observer delegations may participate in the work of political groups according to the conditions established by the groups.”

4. Moreover, the Assembly decides to introduce the following changes in its Rules of Procedure:

4.1. with regard to the reports of debates, replace the two first sentences of Rule 30.1 with the following: “An official report of the debates of each part-session shall be issued. A provisional report of each sitting shall be distributed as soon as possible.”;

4.2. with regard to the debate and consideration of texts, in Rule 33:

4.2.1. at the end of Rule 33.2, add the following: “However, if at least 10 Representatives or Substitutes belonging to at least five delegations object, the postponement may be overruled by the Assembly through a vote by a two-thirds majority.”;

4.2.2. in Rule 33.2, footnote 3, replace “that of the postmark” by “the moment when documents are being made available to members in their paper or electronic versions”;

4.3. with regard to the procedure in committees, at the end of Rule 46.5, add the following sentence: “The objection may be overruled by the committee by a two-thirds majority.”;

4.4. with regard to meetings of committees, at the end of Rule 47.1, add the following sentence: “Except during part-sessions, the convocation to the meeting shall be sent to members at least seven days before the meeting.”;

4.5. with regard to reports of committees, at the end of Rule 49.5, add the following sentence: “If, after the tabling of a report, important developments occur, the committee may approve an addendum to it.”;

4.6. with regard to urgent procedure, modify Rule 50 as follows:

4.6.1. replace Rule 50.1 with the following new paragraph: “At the request of the Committee of Ministers, of the committee concerned, of one or more political groups, or of 20 or more Representatives or Substitutes, a debate may be held on an item which has not been placed on the draft agenda as approved by the Bureau.”;

4.6.2. at the end of Rule 50.4 add the following words: “and refer the item to a general committee of the Assembly for report and, if appropriate, to a committee for opinion.”;

4.7. with regard to current affairs debates, modify Rule 52 as follows:

4.7.1. at the end of Rule 52.3, add the following sentence: “This final decision shall be endorsed by the Assembly.”;

4.7.2. after Rule 52.5, add the following new paragraph: “Rules 52.1 to 52.5 shall apply *mutatis mutandis* to a current affairs debate which may be requested to be held at the Standing Committee.”.

5. Furthermore, with regard to the complementary texts to the rules, the Assembly invites the Bureau to consider modifying the additional provisions relating to Assembly debates as follows:

5.1. adapt section i (organisation of debates) to the new provisions in paragraph 3.7 above;

5.2. in section iv (speaking time), replace paragraphs 2 and 3 with the following text:

“2. Rapporteurs shall have a total of thirteen minutes to present the report and to reply to the debate.

Rapporteurs may, after the first round of speakers on behalf of the political groups, request the floor for a speaking time of up to four minutes to reply, which time shall be deducted from the time of reply at the end of the debate.

3. Rapporteurs for opinion shall have three minutes to present their opinions or to reply to the debate.”;

5.3. in section vi (guidelines for questions to guest speakers), replace paragraph 4 with the following text:

“4. Spontaneous questions may be put to guest speakers. Questions may be restricted to political groups’ spokespersons. After speeches of heads of state or government, if time allows, the political groups’ spokespersons may make short statements.”;

5.4. replace in the relevant complementary texts “order of business” with “agenda”.

6. Finally, the Assembly decides:

6.1. in paragraph 4.ii of Resolution 1125 (1997) on the request by the Canadian Parliament for observer status with the Parliamentary Assembly, after the words “six seats”, to add the following words “of Representatives and six seats of Substitutes”;

6.2. in paragraph 4.ii of Resolution 1203 (1999) on the request by Mexico for observer status with the Council of Europe, after the words “six seats”, to add the following words “of Representatives and six seats of Substitutes”.

7. The Assembly decides that the changes to the Rules of Procedure shall enter into force at the opening of the January 2008 part-session (21 January 2008). The proposed change of Rule 45.7 shall only apply to committee chairpersons and vice-chairpersons elected as from the January 2008 part-session.