



Resolution 1841 (2011)¹

The amendment of various provisions of the Rules of Procedure of the Parliamentary Assembly – implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly

Parliamentary Assembly

1. In adopting [Resolution 1822 \(2011\)](#) on the reform of the Parliamentary Assembly, the Parliamentary Assembly approved various measures to strengthen and improve the effectiveness of its functioning, the coherence of its structures as well as the credibility and visibility of its actions. The Assembly instructed the Committee on Rules of Procedure, Immunities and Institutional Affairs to carry out the necessary adaptations to its Rules of Procedure, in order to give substance to the measures adopted.
2. Furthermore, considering that the procedures governing its activities and decisions should be founded on clear, coherent, updated and effective parliamentary rules, the Assembly has regularly amended its Rules of Procedure in order to accommodate the evolution of parliamentary practice or to clarify the rules or procedures where their application or interpretation raised difficulties or where specific problems arose.
3. In the light of the foregoing considerations, and in pursuance of [Resolution 1822 \(2011\)](#), the Assembly decides to amend its Rules of Procedure as follows:
 - 3.1. concerning motions for recommendations and resolutions, in Rule 24.2 add the following words at the end of the first sentence:

“or be adopted with the requisite quorum by a committee, as defined in Rule 45.3, provided that the motion comes within the committee’s specific terms of reference”;
 - 3.2. concerning reference to committee:
 - 3.2.1. at the end of Rule 25.1, add the following sentence:

“A document forwarded for information may not give rise to a committee report to the Assembly.”;
 - 3.2.2. after Rule 25.1, add the following new paragraph:

“The Bureau may refer a specific matter to a committee for a report to the Assembly, particularly as part of the action to be taken on an adopted text, provided that the matter has not already been referred to it.”;
 - 3.3. with regard to amendments, after Rule 33.2 add the following new paragraph:

“Except where an amendment is self-explanatory, it may be accompanied by an explanatory note of no more than 50 words to facilitate better understanding or clarify the scope of the amendment.”;

1. *Assembly debate* on 7 October 2011 (36th Sitting) (see [Doc. 12716](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Gross). *Text adopted by the Assembly* on 7 October 2011 (36th Sitting).



3.4. regarding plenary session debates of the Assembly:

3.4.1. after Rule 37 ("Organisation of debates"), add the following new rule:

"Free debate

The Assembly may hold a free debate lasting for not more than one hour. The President shall call the members of the Assembly or the members of delegations of special guests, observers or partners for democracy wishing to speak on any subject of their choice not appearing on the agenda of the part-session. The Assembly may hold only one such debate during a part-session. Speakers must have their names entered in the speakers' register. Their statements must comply with the principles set out in Rule 21.6 on acceptable words. This debate shall not give rise to a vote."

3.4.2. consequently, delete Rule 34.6;

3.5. concerning Assembly committees:

3.5.1. as regards appointment of committees:

3.5.1.1. replace Rule 42.1 with the following new paragraph:

"At the beginning of each ordinary session, the Assembly shall set up the following general committees:

- 1. Committee on Political Affairs and Democracy (84 seats),*
- 2. Committee on Legal Affairs and Human Rights (84 seats),*
- 3. Committee on Social Affairs, Health and Sustainable Development (84 seats),*
- 4. Committee on Migration, Refugees and Displaced Persons (84 seats),*
- 5. Committee on Culture, Science, Education and Media (84 seats),*
- 6. Committee on Equality and Non-Discrimination (84 seats),*
- 7. Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) (84 seats),*
- 8. Committee on Rules of Procedure, Immunities and Institutional Affairs (37 seats)."*

3.5.1.2. in Rule 42.2, replace the words "in each of the first eight committees" with the words "in each of the first six committees";

3.5.1.3. concerning the composition of the Committee on Rules of Procedure, Immunities and Institutional Affairs, amend Rule 42.3 by replacing the words "25 of the 27 members" with "30 of the 37 members" and by adding after the second sentence the following sentences: "Chairpersons of political groups shall be *ex officio* members of the committee. The political groups shall nominate the members with a view to ensuring a fair representation of national delegations";

3.5.1.4. after Rule 42.5, add the following new paragraph: "No member of the Assembly can be a full member of more than two committees, with the exception of committees whose members are nominated by the political groups.";

3.5.1.5. in Rules 18.5, 19.3, 58 and 59, amend the title of the Political Affairs Committee to the "Committee on Political Affairs and Democracy";

3.5.1.6. in Rule 46.6, delete the second sentence;

3.5.2. regarding the competence of committees:

3.5.2.1. in Rule 43.1, after the first sentence, add the following: "They may draw up a report, or an information report, for presentation to the Assembly or to the Standing Committee in accordance with Rule 48, merge references, or take no action on a reference. In the last two cases, they shall inform the Bureau accordingly.";

3.5.2.2. delete paragraph 43.5;

3.5.3. regarding committee reports and action on adopted texts:

3.5.3.1. at the end of Rule 48.1, add the following sentence:

“A rapporteur shall remain in charge of the follow-up to his or her report for a term of one year after the adoption of the text by the Assembly.”;

3.5.3.2. after Rule 48.6, add the following new paragraph:

“Committees may appoint one or more general rapporteurs whose terms of reference and term of office they shall determine beforehand. The terms of reference shall be submitted to the Bureau for approval and its decision shall be subject to ratification by the Assembly.”;

3.5.4. regarding the bureaux of committees, in the first sentence of Rule 44.3, replace the words “Candidates for the office of chairperson or vice-chairperson must be full members of the committee and have been full member or alternate of the committee concerned for at least one year” with the following words:

“Committee members who have been members for at least one year may be candidates for the office of chairperson or vice-chairperson².”

3.5.5. regarding the bureaux of sub-committees, replace the third sentence of Rule 47.7 as follows:

“Full members of the sub-committee who have been members of the sub-committee for at least one year may be candidates for the office of chairperson or vice-chairperson of the sub-committee.³”;

3.6. Concerning the status of partner for democracy, replace Rule 60.7 with the following new rule:

“The decision to grant, suspend or withdraw partner for democracy status shall be taken by a resolution of the Assembly following a report by the Committee on Political Affairs and Democracy, with an opinion by the Committee on Legal Affairs and Human Rights and an opinion by the Committee on Equality and Non-Discrimination and, where appropriate, an opinion by any other relevant Assembly committee. These committees, in the fields within their specific terms of reference, review the progress achieved in fulfilling the undertakings made by the parliaments concerned when they requested this status.”.

4. In addition, the Assembly decides to introduce into its Rules of Procedure the following changes intended to improve its own functioning and working methods:

4.1. with regard to the opening of the ordinary session, Rule 5 is amended as follows:

“Rule 5 – Provisional President

5.1. The longest-serving member of the Assembly, that is the member who has held office in the Assembly for the longest, shall open the ordinary session and shall preside until the election of the President of the Assembly has been announced.

5.2. While the Provisional President is in the Chair, no debate may take place unless concerned with the examination of credentials or the election of the President of the Assembly, and no speeches may be delivered. The Provisional President may address the Assembly for not more than five minutes.”;

4.2. with regard to written declarations, Rule 52.3 is amended by adding the following sentence at the end:

“No signature may be withdrawn.”.

5. With regard to complementary texts, the Assembly decides to amend the additional provisions relating to Assembly debates:

5.1. concerning the organisation of debates, paragraph 5 is amended as follows:

“To ensure that the speaking time is respected, the time available is displayed and a bell rings when the time ends.”;

2. This provision does not apply to new committees.

3. This provision does not apply to new sub-committees.

5.2. concerning speaking time, paragraph 1 is amended as follows:

“Speakers registered for a debate shall have four minutes’ speaking time.”

6. It also decides to amend the additional provisions on candidates for the European Court of Human Rights by amending [Resolution 1366 \(2004\)](#), as modified by [Resolution 1426 \(2005\)](#) and [Resolution 1627 \(2008\)](#), as follows:

6.1. replace paragraph 3.ii by “the list does not include at least one candidate of each sex, except in circumstances as prescribed by paragraph 4.”;

6.2. replace paragraph 3.iii.a by “do not appear to possess an active knowledge of one and a passive knowledge of the other official language of the Council of Europe, or”;

6.3. replace paragraph 4 by the following text:

“The Assembly decides to consider single-sex lists of candidates when the candidates belong to the sex which is under-represented in the Court (i.e. the sex to which under 40% of the total number of judges belong), or in exceptional circumstances where a Contracting Party has taken all the necessary and appropriate steps to ensure that the list contains candidates of both sexes meeting the requirements of paragraph 1 of Article 21 of the European Convention on Human Rights. Such exceptional circumstances must be duly so considered by a two-thirds majority of the votes cast by members of the Sub-Committee on the Election of Judges to the European Court of Human Rights. This position shall be endorsed by the Assembly in the framework of the Progress Report of the Bureau of the Assembly”;

6.4. at the end of paragraph 5.viii, add the following words: “and in particular to give positive reasons for its recommendation in favour of a particular candidate”;

6.5. delete paragraphs 6, 7 and 8.

7. Lastly, the Assembly decides to amend the terms of reference of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) by amending [Resolution 1115 \(1997\)](#) modified as follows:

7.1. in paragraph 2.iii, replace the words “not less than 10 members of the Assembly representing at least 5 national delegations and 2 political groups” with the words “not less than 20 members of the Assembly representing at least 6 national delegations and 2 political groups”.

8. The Assembly decides that the amendments to the Rules of Procedure contained in this resolution will come into force at the opening of the 2012 ordinary session (on 23 January 2012). The amendments to the additional provisions on candidates to the European Court of Human Rights will come into force upon their adoption and will be applicable to the pending procedures.