



Resolution 1842 (2011)¹

Final version

The terms of reference of Parliamentary Assembly committees – 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 sought to redefine the context within which it operates, in particular by modifying the structure of its committees, in order to strengthen its political relevance and effectiveness, make it more visible, improve its members' involvement and participation, and rationalise the use of its operational resources.
2. The Assembly accordingly adopts the revised terms of reference of the Assembly committees, both general and specific, as set out in the appendix to this resolution.
3. The Assembly further decides to amend its Rules of Procedure regarding the appointment of its committees, the composition of its Committee on Rules of Procedure, Immunities and Institutional Affairs, the creation of the office of general rapporteur and, in general, the incorporation into the Rules of Procedure of the changes made to the committees' fields of competence. It therefore refers to Resolution 1841 (2011) on the amendment of various provisions of the Parliamentary Assembly's Rules of Procedure – Implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly.
4. The Assembly likewise decides that the reports currently being prepared by committees in areas that are the subject of a review of their respective terms of reference or a transfer from another committee may be given a one-year extension of the original deadline. It will be for the Assembly's Bureau to re-examine the references to committees for report in the light of their new competences, including in cases where there is a conflict of competence between committees.
5. The present resolution supersedes and replaces Resolution 1425 (2005) on the revision of the terms of reference of Assembly committees and will enter into force at the opening of the Assembly's 2012 ordinary session, on 23 January 2012.

Appendix

General terms of reference applicable to all Assembly committees

The Assembly decides to revise the general terms of reference applicable to all its committees as follow:

1. *Committees may examine any matter within their specific terms of reference (Rule 43.1 of the Rules of Procedure) and, possibly, table information reports on these matters (Rule 48.6).*
2. *Committees shall only prepare reports for debate in the Assembly:*
 - 2.1 *on matters referred to them (Rule 25);*
 - 2.2 *when so instructed by texts adopted by the Assembly (taking account of Rule 24.1.b);*

1. Assembly debate on 7 October 2011 (36th Sitting) (see [Doc. 12717](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Vareikis). Text adopted by the Assembly on 7 October 2011 (36th Sitting).



2.3. *when stipulated by the Assembly's Rules of Procedure;*

2.4 *when mandated to do so by their specific terms of reference;*

3. *The committees ensure the appropriate follow-up to resolutions and recommendations adopted by the Assembly in the fields covered by their specific terms of reference.*

4. *Committees may organise conferences and other events on matters within their specific terms of reference and which are linked to their work programme, subject to availability of funds.*

5. *Committees shall establish and maintain working relations with:*

5.1. *the competent bodies (committees, etc.) of national parliaments of member states;*

5.2. *the competent bodies (committees, etc.) of European parliamentary assemblies (European Parliament, Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), Interparliamentary Assembly of the Commonwealth of Independent States (CEI) and others) and of the Interparliamentary Union (IPU);*

5.3. *subject to decision by the Bureau of the Assembly, the competent bodies (committees, etc.) of national parliaments holding special guest, observer or partner for democracy status;*

5.4. *subject to decision by the Bureau of the Assembly, the competent bodies (committees, etc.) of national parliaments of non-member states.*

6. *Committees shall follow the activities of the Committee of Ministers in the fields covered by their specific terms of reference.*

Committees shall follow the activities of, and maintain working relations with:

7.1. *the relevant rapporteur groups, working groups and liaison committees of the Ministers' Deputies and rapporteurs of the Ministers' Deputies;*

7.2. *the relevant Council of Europe structures and bodies such as the European Court of Human Rights, the Congress of Local and Regional Authorities of the Council of Europe, the Commissioner for Human Rights, the Council of Europe partial agreements, the Council of Europe monitoring bodies and the relevant Council of Europe expert committees.*

8. *Committees are entitled to be represented in the Assembly's delegations to the relevant European conferences of specialised ministers and to follow their activities.*

9. *Committees shall follow the activities of, and maintain working relations with, the European and international organisations and bodies which carry out activities in the fields covered by their specific terms of reference, in particular the European Union, the OSCE, the United Nations and their agencies and institutions.*

10. *Committees are entitled to develop and maintain working relations with the European and international non-governmental organisations which carry out activities in the fields covered by their specific terms of reference.*

11. *Committees shall promote the ratification and the implementation by Council of Europe member states of relevant conventions covered by their specific terms of reference.*

Specific terms of reference of the Assembly committees

The Assembly also decides to revise the specific terms of reference of its committees as follow:

1. *Committee on Political Affairs and Democracy (AS/Pol)*

1.1 *The committee shall consider the general policy of the Council of Europe and all political matters which fall within the competence of the Organisation. It shall report on urgent political situations and crises in Council of Europe member states.*

1.2. *The committee shall in particular consider:*

1.2.1. *requests for membership of the Council of Europe;*

1.2.2. *requests for granting observer status with the Council of Europe and with the Parliamentary Assembly, subject to the provisions of Rule 59 of the Assembly's Rules of Procedure;*

1.2.3. *requests for special guest status with the Parliamentary Assembly, in accordance with Rule 58.3 of the Rules of Procedure;*

- 1.2.4. requests for partner for democracy status with the Parliamentary Assembly, in accordance with Rule 60.7 of the Rules of Procedure;
 - 1.2.5. questions relating to the state of democracy and the functioning and development of democratic institutions in Europe, as well as in the observer states and in the states whose parliaments enjoy observer or partner for democracy status;
 - 1.2.6. major political challenges to modern society;
 - 1.2.7. issues related to democratic stability in Europe;
 - 1.2.8. issues related to deep/soft security in Europe;
 - 1.2.9. the prevention and settlement of crises and conflicts in, between, or having an impact on, member and observer states, as well as non-member states whose parliaments enjoy, or seek to acquire, observer or partner for democracy status.
- 1.3. The committee shall prepare reports on the activities of the Organisation for Economic Co-operation and Development (OECD) and the European Bank for Reconstruction and Development (EBRD). For the preparation of the reports and the debates in the Assembly, the committee maintains relations with the OECD and the EBRD, and with parliaments of non-member states participating in these debates.
- 1.4. The committee shall consider the situation in states which are not members of the Council of Europe in the light of the fundamental values upheld by the Council of Europe, make proposals and, subject to approval by the Bureau, take political action to promote these values.
- 1.5. The committee may propose to the Bureau the conclusion of co-operation agreements, or other ways of stepping up co-operation, with parliaments of non-member states and international interparliamentary institutions.
- 1.6. The committee shall share the Assembly representation in the European Commission against Racism and Intolerance (ECRI) and in the Council for Democratic Elections of the European Commission for Democracy through Law (Venice Commission).
2. Committee on Legal Affairs and Human Rights (AS/Jur)
- 2.1. The committee shall consider all legal and human rights matters (including proposals for and the preparation of statutory opinions on draft Council of Europe conventions) which fall within the competence of the Council of Europe.
 - 2.2. The committee shall in particular consider:
 - 2.2.1. all matters concerning the human rights treaties and mechanisms of the Council of Europe, notably the European Convention on Human Rights (ETS No. 5) and its protocols, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126), and other international instruments;
 - 2.2.2. other issues concerning the state of human rights and fundamental freedoms and the rule of law in Europe, as well as in the observer states and in the states whose parliaments enjoy observer or partner for democracy status, including allegations of serious human rights violations of a systemic or otherwise widespread nature;
 - 2.2.3. the functioning of national and international judicial institutions (as well as ombudspersons and national human rights institutions), the police, detention centres and prisons in the member states of the Council of Europe;
 - 2.2.4. national and international criminal law and criminology; the treatment of offenders and conditions of detention (including pre-trial detention); alternatives to imprisonment;
 - 2.2.5. legal and human rights issues relating to the fight against terrorism.
 - 2.3. The committee shall give an opinion on the law, legal practice and the observance of human rights and fundamental freedoms of applicant states for membership of the Council of Europe, and of states whose parliaments seek to acquire partner for democracy status with the Parliamentary Assembly, to assess compliance with Council of Europe standards.
 - 2.4. The committee shall promote Council of Europe standard-setting legal instruments in the field of respect for human rights, fundamental freedoms and the rule of law in non-member states.

2.5. *The committee shall be in charge of interviewing all candidates for posts of judges to the European Court of Human Rights and for the Council of Europe Commissioner for Human Rights, before their election by the Assembly. It shall also examine the curricula vitae of candidates to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).*

2.6. *The committee shall follow the activities of the European Ombudsmen Conference.*

2.7. *The committee shall share the Assembly representation in the European Commission for Democracy through Law (Venice Commission) and in its Council for Democratic Elections.*

2.8. *The committee shall represent the Assembly in the Council of Europe Group of States against Corruption (GRECO) and shall participate in the work of the European Commission for the Efficiency of Justice (CEPEJ).*

2.9. *The committee shall represent the Assembly in, and follow the work of, the relevant expert committees of the Council of Europe.*

3. Committee on Social Affairs, Health and Sustainable Development (AS/Soc)

3.1. *The Committee shall consider issues relating to social rights and policies, public health, sustainable development, economic co-operation and development, local and regional democracy and good governance in these fields, having special regard to the situation of the more vulnerable groups in society.*

3.2. *The Committee shall in particular consider:*

3.2.1. *the implementation and possible development within the member states and at European level of the rights guaranteed by the (revised) European Social Charter (ETS No. 163) and the contribution of social cohesion to democratic security;*

3.2.2. *the promotion of sustainable development including protection of biodiversity, forward-looking management of the environment and natural resources, climate change, co-operation for development, "greening" the economy, as well as relevant sectoral policies (in particular energy, transport, tourism, trade);*

3.2.3. *access to adequate and affordable health services and effective management of public health risks and opportunities (in particular food security, natural and technological disasters, counterfeits, drugs, epidemics, pollution, biomedicine);*

3.2.4. *policies aimed at improving social cohesion (in particular employment, social dialogue, social security, pensions), supporting groups which are in need of special protection (in particular children, the elderly, families), and fostering solidarity between generations, taking into account demographic, economic and social trends;*

3.2.5. *good governance and democratic practices at local and regional level.*

3.3. *The committee shall follow the activities and maintain working relations with the Congress of Local and Regional Authorities of the Council of Europe and with European and international organisations, agencies and associations of local and regional authorities.*

3.4. *The committee shall report regularly on the activities of the Council of Europe Development Bank.*

3.5. *The committee shall share the Assembly representation in the European Centre for Global Interdependence and Solidarity (North-South Centre).*

3.6. *The committee shall represent the Assembly in, and follow the work of, the relevant expert committees of the Council of Europe.*

3.7. *The committee shall, on behalf of the Assembly, select the candidates for, and the winners of, the Europe Prize and related awards for local authorities.*

4. Committee on Migration, Refugees and Displaced Persons (AS/Mig)

4.1. *The committee shall consider all relevant matters relating to migration, asylum and displacement, in Europe and in other relevant parts of the world, focusing in particular on the persons affected and their rights. It shall work and propose legal and political solutions and actions for closer European co-operation in these fields, as well as, when relevant, with non-European countries, in keeping with the human rights and humanitarian values of the Council of Europe.*

4.2. *The committee shall in particular consider:*

- 4.2.1. questions relating to migration, including the rights of migrants, during the migration process;
 - 4.2.2. issues linked to the asylum process in Europe and the rights of asylum seekers and refugees;
 - 4.2.3. the situation of internally displaced persons in Europe and their rights and humanitarian needs;
 - 4.2.4. co-operation between countries of origin, transit and destination;
 - 4.2.5. community relations in multicultural societies, including the situation and integration of migrants and their social, economic and civil and political rights;
 - 4.2.6. humanitarian law and humanitarian issues.
- 4.3. The committee shall represent the Assembly in, and follow the work of, the relevant expert committees of the Council of Europe.

5. Committee on Culture, Science, Education and Media (AS/Cult)

- 5.1. The committee shall consider issues relating to culture, science, education, youth, sport and media in Europe and shall encourage cultural co-operation and intercultural dialogue within Europe and between Europe and other relevant parts of the world, in particular the Mediterranean area.
- 5.2. The committee shall in particular consider:
- 5.2.1. culture, education and youth policies and associated rights;
 - 5.2.2. cultural diversity and intercultural dialogue;
 - 5.2.3. management of cultural heritage;
 - 5.2.4. higher education and research policies;
 - 5.2.5. the ethics of scientific and technological developments;
 - 5.2.6. sport and society;
 - 5.2.7. freedom of expression and information, media freedom and ethics;
 - 5.2.8. internet governance and security.
- 5.3. The committee shall, on behalf of the Assembly, decide on the annual award of the Council of Europe Museum Prize.
- 5.4. The committee shall share the Assembly representation in the European Commission against Racism and Intolerance (ECRI) and the European Centre for Global Interdependence and Solidarity (North-South Centre).
- 5.5. The committee shall represent the Assembly in the Council of Europe's Committee for Works of Art (C-ART).
- 5.6. The committee shall represent the Assembly in, and follow the work of, the relevant expert committees of the Council of Europe.

6. Committee on Equality and Non-Discrimination (AS/Ega)

- 6.1. The committee shall consider questions of equality and non-discrimination on any ground such as sex, sexual orientation and gender identity, race, colour, language, religion, political or other opinion, national or social origin, ethnicity, belonging to a national minority, property, birth, age, disability or other status.
- 6.2. The committee shall, in particular, consider:
- 6.2.1. questions relating to the promotion of equality and equal opportunities across the board;
 - 6.2.2. all matters affecting equality between women and men, including political representation, economic empowerment, violence against women and gender-related crimes, trafficking in women, and sexual and reproductive health issues related to women's rights and freedoms;
 - 6.2.3. questions regarding national and other minorities, including Roma and Travellers;
 - 6.2.4. questions relating to the prevention and fight against racism, racial discrimination, xenophobia, anti-Semitism and intolerance in Europe.

6.3. *The committee shall follow up on the compliance of the Council of Europe, its bodies, as well as its member and observer states and states whose parliaments enjoy observer or partner for democracy status, with the recommendations of the Parliamentary Assembly relating to equality and non-discrimination.*

6.4. *The committee shall promote gender mainstreaming in the work of the Assembly so that a gender equality perspective is incorporated at all levels and in all fields. It shall also promote a balanced representation of women and men in the Assembly structures.*

6.5. *The committee shall establish and maintain working relations with national equality bodies.*

6.6. *The committee shall share the Assembly representation in the European Commission against Racism and Intolerance (ECRI).*

6.7. *The committee shall represent the Assembly in, and follow the work of, the relevant expert committees of the Council of Europe.*

6.8. *The committee shall, on behalf of the Assembly, choose the winners of the “ Gender Equality Prize” .*

7. Committee on Rules of Procedure, Immunities and Institutional Affairs (AS/Pro)

7.1. *The committee shall ensure that the Assembly’s Rules of Procedure are applied properly and that they – as well as the ancillary texts to the rules – remain consonant with the Assembly’s practice. It shall consider proposed amendments to the rules, in accordance with Rule 66 of the Rules of Procedure.*

7.2. *The committee shall, in particular:*

7.2.1. *advise the Bureau of the Assembly (following its request) on all matters of procedure or report to the Assembly or the Standing Committee on questions of interpretation or modification of the Rules of Procedure;*

7.2.2. *report to the Assembly on any contested credentials of representatives and substitutes, in accordance with Rule 7.2 of the Rules of Procedure, and give its opinion on any challenge of still unratified credentials and any requests for annulment of previous ratifications of credentials on substantive grounds, in accordance with Rules 8.3 and 9.2 of the Rules of Procedure;*

7.2.3. *report to the Bureau on any contested credentials of members of special guest delegations, after a joint meeting with the Committee on Political Affairs and Democracy, in accordance with Rule 58.6 of the Rules of Procedure;*

7.2.4. *consider questions relating to the privileges and immunities of members of the Assembly, including those connected to the General Agreement on Privileges and Immunities of the Council of Europe of 2 September 1949 and its protocol of 6 November 1952;*

7.2.5. *consider requests for waiver of immunity referred to it under Rule 65 of the Rules of Procedure;*

7.2.6. *consider questions concerning the right of representatives and substitutes to participate in meetings and the reimbursement of travel costs by national parliaments or governments;*

7.2.7. *keep under review the Assembly’s committee structure and the functioning of the Assembly’s system of committees, and report on proposals for the setting up of new committees.*

7.3. *The committee shall, upon instruction from the Bureau of the Assembly, update the terms of reference of Assembly committees.*

7.4. *The committee shall report on Council of Europe budgetary and financial matters. It in particular prepares the Assembly’s opinion on the Council of Europe’s draft budget and the resolution on the Assembly’s expenditure and examines questions related to the Assembly’s budgetary competences.*

7.5. *The committee shall consider questions of an institutional character referred to it by the Assembly or its Bureau.*

7.6. *The committee shall follow the evolution at European and international level of legal instruments concerning privileges and immunities of parliamentarians.*

8. Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) (AS/Mon)

8.1. *The committee is responsible for seeking to ensure:*

- 8.1.1. *the fulfilment of the obligations assumed by the member states under the terms of the Council of Europe Statute (ETS No. 1), the European Convention on Human Rights and all other conventions concluded within the Organisation to which they are parties;*
- 8.1.2. *the honouring of the commitments entered into by the authorities of member states on their accession to the Council of Europe.*
- 8.2. *The committee may propose to the Assembly the initiation or reopening of a monitoring procedure when a member state is not fulfilling its obligations or not honouring its commitments.*
- 8.3. *The committee shall also consider applications to open a monitoring procedure originating from:*
- 8.3.1. *the general committees of the Assembly by reasoned written application to the Bureau;*
- 8.3.2. *no fewer than 20 members of the Assembly representing at least 6 national delegations and 2 political groups, through the tabling of a motion for a resolution or recommendation;*
- 8.3.3. *the Bureau of the Assembly.*
- 8.4. *The committee may also be instructed to carry out a monitoring procedure by decision pursuant to a text adopted by the Assembly or the Standing Committee.*
- 8.5. *The committee shall report to the Assembly once a year on the general progress of the monitoring procedure, at least once every two years on each country being monitored and at least once every four years on each country being involved in a post-monitoring dialogue.*
- 8.6. *Once a post-monitoring dialogue with a member state has been decided on by the Assembly, the committee shall pursue this dialogue on the follow-up undertaken by the authorities of that state to the steps recommended by the Assembly in its adopted texts closing the monitoring procedure, or on any other issues arising from that state's obligations. It shall subsequently report to the Bureau of the Assembly.*
- 8.7. *The committee shall follow the activities of and maintain working relations with the subsidiary bodies of the Committee of Ministers which are competent to monitor member states' obligations and commitments, and with the relevant international institutions.*
- 8.8. *The committee shall share the Assembly representation in the Council for Democratic Elections of the European Commission for Democracy through Law (Venice Commission).*