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Evaluation of the implementation of the reform of the Parliamentary Assembly

Report¹

Committee on Rules of Procedure, Immunities and Institutional Affairs

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Summary

In 2011, the Parliamentary Assembly implemented a wide-ranging reform following broad consultation involving all those concerned, and adopted measures aiming at improving the efficiency of its mode of operation, the coherence of its organisational structure and its means of action, strengthening its political relevance and credibility and the visibility of its action, generating greater participation of its members, and promoting better interaction between the Assembly and national parliaments.

The evaluation of the measures that have been implemented in the framework of the reform for over two years shows that they actually met the expectations of the members of the Assembly and the national delegations and have shown positive results. However, efforts should continue to be made, especially in order to maintain the interest of national parliaments – and also that of the media and European citizens – in the Assembly's work, as there is a strong expectation among delegations that more should be done to exploit the Assembly's strengths.

In the framework of the follow-up to the reform, it appears that some provisions of the Assembly's Rules of Procedure need to be clarified, supplemented or reviewed in order to better correspond to parliamentary practice. In this regard, it is proposed to create a committee on the election of judges to the European Court of Human Rights.

1. Reference to committee: Reference 3834 of 28 January 2012, and [Doc. 13487](#), Reference 4044 of 11 April 2014



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A. Draft resolution²

1. In 2011 the Parliamentary Assembly implemented a wide-ranging reform following broad consultation involving all those concerned, and adopted measures relating principally to its organisational structure, its mode of operation and its means of action. That Assembly reform was conducted in the overall framework of refocusing the Council of Europe's activities against a background of budgetary restrictions and the economic and financial crisis which has prompted many member States to cut back their participation in the organisations of European co-operation since 2008. The Assembly hoped that the reform would enable it to take a clear-sighted and effective stance in tackling the challenges which arose both on the internal level – the Organisation's future – and on the external level – the problems facing European society as a whole. It therefore set itself the targets of improving the efficacy of its functioning and the coherence of its structures, strengthening its political relevance and credibility and the visibility of its action, generating greater participation of its members, and promoting better interaction between the Assembly and national parliaments.

2. The Assembly wished to evaluate the measures taken and implemented under its [Resolution 1822 \(2011\)](#) on the reform of the Parliamentary Assembly, [Resolution 1841 \(2011\)](#) on the amendment of various provisions of the Rules of Procedure of the Parliamentary Assembly and [Resolution 1842 \(2011\)](#) on the terms of reference of Parliamentary Assembly committees, and to ascertain whether they actually met the expectations of the members of the Assembly and the national delegations.

3. The Assembly welcomes the very positive reception given by the members of the Assembly and national delegations to the reform implemented, which will undoubtedly have resulted in improving its mode of operation and enhancing its visibility, in particular through the modernisation of its communication tools. The Assembly notes with satisfaction that the reform has been reflected in markedly increased interest on the part of national parliaments in participating in the Assembly's work, as is shown by the statistics on participation by Assembly members in plenary sessions and committee meetings in 2012 and 2013.

4. The Assembly notes that there is strong expectation on the part of delegations that the Assembly's strengths will be turned to better account, and that it is incumbent on it to pursue its efforts to boost the interest of national parliaments in its work. In particular, the Assembly must focus on giving priority in the development of its activities and those of its committees to relevant subjects which generate wide interest and provide a more immediate and more substantive response to the expectations of European citizens.

5. The Assembly sees it as a priority to strengthen interaction with national parliaments in order to increase the impact of Assembly decisions on their work, by promoting new initiatives, in particular by developing exchanges between Assembly committees and the corresponding committees of the national parliaments.

6. Lastly, the Assembly also welcomes the strengthening of its inter-parliamentary co-operation capacity, which is based on diversification of its sources of financing, having regard to the increasingly stringent budgetary conditions surrounding its action. In this connection it encourages national parliaments to further promote synergies and contribute more actively to the development of its parliamentary co-operation programme.

7. The Assembly notes that, on the occasion of the evaluation of its reform, a number of proposals for changes to certain procedures were put forward by members of the Assembly, national delegations and committees. It points out that it has regularly amended its Rules of Procedure in order to take account of developments in parliamentary practice, to review provisions that have not proved wholly satisfactory or to clarify rules or procedures when their application or interpretation have given rise to difficulty.

8. Consequently, having regard to the above considerations, the Assembly decides to amend its Rules of Procedure as follows:

8.1. with regard to procedures for challenging credentials:

8.1.1. after Rule 9, add a new rule in order to bring together in a single article the proposed conclusions of the Assembly when it is required to decide on a challenge to unratified credentials on procedural or substantive grounds or to reconsider previously ratified credentials on substantive grounds:

“1. Reports submitted to the Assembly or the Standing Committee under Rules 7.2, 8.3, 9.2 and 9.3 shall contain a draft resolution proposing in its operative part one of the following three options:

2. Draft resolution adopted by the committee on 15 May 2014.

- ratification of the credentials, or confirmation of ratification of the credentials;
- non-ratification of the credentials, or annulment of ratification of the credentials;
- ratification of the credentials, or confirmation of the ratification of the credentials, together with depriving or suspending the exercise of some of the rights of participation or representation of members of the delegation concerned in the activities of the Assembly and its bodies;

2. The provisions on amendments (Rule 33) shall apply. Any amendments to the operative part of the draft resolution may propose only one of the three options above.

3. The members of a national delegation whose credentials are challenged may sit provisionally with the same rights as other Assembly members until the Assembly, or the Standing Committee acting on behalf of the Assembly, has reached a decision. However, those members shall not vote in any proceedings relating to the examination of credentials which concern them.”

and accordingly delete Rules 7.3, 7.4, 8.5, 8.6, 9.4 and 9.5;

8.1.2. in Rule 7.2, replace the words “Any credentials so challenged at a meeting of the Assembly or of the Standing Committee shall be referred without debate to the Committee on Rules of Procedure, Immunities and Institutional Affairs, which shall report to the Assembly within twenty-four hours if possible” by

“Credentials challenged on procedural grounds at the opening of a part-session or a meeting of the Standing Committee shall be referred without debate to the Committee on Rules of Procedure, Immunities and Institutional Affairs. They may be referred for opinion to the Committee on Equality and Non-Discrimination, where credentials are challenged in relation to the representation of the sexes in the membership of the delegation concerned. The committee shall report within twenty-four hours if possible”;

8.1.3. in Rule 9.2, fifth sentence, include the provision that the motion for a resolution to annul ratification of credentials is to be referred “without debate to the appropriate committee for report”;

8.2. with regard to the status of the immediate past president of the Assembly, in Rule 19.3, delete the words “but may not take part in votes, nor be appointed rapporteur, nor be elected to the Bureau of that committee and its sub-committees”;

8.3. with regard to amendments, in Rule 33.4, after “draft text”, add the following words: “or which seeks to convert a draft resolution into a draft recommendation”;

8.4. with regard to the bureaux of committees and sub-committees:

8.4.1. in Rule 45.7, after the sentence “They may be re-elected for one further term, consecutive or not”, add the following sentence “On expiry of a period of four years, they may be again elected for two new consecutive or non-consecutive terms”; and add at the end of the rule the following sentence: “The outgoing chairperson or vice-chairperson of a committee may stand for such office in another committee on expiry of a period of two years”;

8.4.2. in Rule 48.7, after the sentence “The chairperson and the vice-chairperson of a sub-committee may be re-elected for one further term, consecutive or not”, add the following sentence: “On expiry of a period of four years, they may be again elected for two new consecutive or non-consecutive terms”;

8.5. with regard to committee meetings, in Rule 47 *in fine*, add the following paragraph: “The draft minutes of each committee meeting shall be distributed to all the members of the committee, under the conditions stipulated in Rule 46.5, and shall be presented for the committee’s approval at the opening of the next meeting”;

8.6. with regard to committee rapporteurs, in Rule 49.1, after the third sentence, add the following sentence: “A member of the Assembly who is simultaneously rapporteur for five reports or opinions under preparation, on behalf of one or more committees, may not be appointed rapporteur. (footnote: reports or opinions under preparation are those which have still not been debated by the Assembly or the Standing Committee)”;

8.7. with regard to committee reports, in Rule 49.4, add the following footnote: “A dissenting opinion shall be included in the report in the form laid down in Rule 49.4 as approved by the committee when adopting the report. The text, drafted in one of the Assembly’s two official languages and no longer than 500 words, shall be submitted by the committee member who expressed his/her dissenting opinion during the meeting, within 48 hours after the meeting. A dissenting opinion cannot be included in a committee opinion”;

8.8. with regard to observer status granted to the parliaments of non-member States of the Council of Europe, in Rule 60.2, replace the sentence “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” by “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. Insofar as the number of their members allows, the delegations shall be composed to ensure a fair representation of the political parties or groups within their parliaments and to include at least the same percentage of the under-represented sex as is present in their parliaments, and in any case one representative of each sex”;

8.9. with regard to the reports of debates:

8.9.1. replace Rule 30.2 by the following paragraph: “In addition to the speeches delivered, the report shall include texts submitted by those representatives and substitutes on the list of speakers who were unable to speak for lack of time, provided that their author was present during the debate (footnote: see the additional provisions relating to Assembly debates)”;

8.9.2. amend paragraph 4 of the additional provisions relating to Assembly debates, concerning the organisation of debates, replacing the last two sentences by the following sentence: “The text shall be submitted to the Table Office, if possible electronically, no later than four hours after the list of speakers is interrupted, and shall not exceed 500 words if speaking time at the sitting was four minutes and 400 words if speaking time was three minutes or less”;

8.10. with regard to the terms of reference of the Committee on Migration, Refugees and Displaced Persons, add a paragraph 2.vii to read: “vii. questions relating to population, demography, nationality and stateless persons”.

9. Furthermore, the Assembly decides to create a general committee on the election of judges to the European Court of Human Rights, whose terms of reference are appended hereto, and accordingly to amend its Rules of Procedure as follows:

9.1. at the end of Rule 43.1, add the following: “9. Committee on the Election of Judges to the European Court of Human Rights (20 seats) (footnote: Plus the chairpersons of the Committee on Legal Affairs and Human Rights and of the Committee on Equality and Non-Discrimination as *ex officio* members)”;

9.2. replace Rule 43.3.a by the following paragraph: “On the basis of the candidatures presented by the political groups and taking into account gender balance and regional balance, the Bureau shall appoint 84 of the 89 members of the Monitoring Committee, 30 of the 37 members of the Committee on Rules of Procedure, Immunities and Institutional Affairs and the 20 members (and their alternates) of the Committee on the Election of Judges to the European Court of Human Rights by applying the apportionment ratio based on the so-called ‘D’Hondt principle’”;

9.3. in Rule 43.9 (vacancy of a seat), replace the words “a committee other than the Monitoring Committee and the Committee on Rules of Procedure, Immunities and Institutional Affairs” by “a committee other than the Monitoring Committee, the Committee on Rules of Procedure, Immunities and Institutional Affairs and the Committee on the Election of Judges to the European Court of Human Rights”;

9.4. at the end of Rule 47.3, add the following sentence: “The Monitoring Committee and the Committee on the Election of Judges to the European Court of Human Rights meet in camera”;

9.5. in Rule 47.4, replace the words “and members of the Sub-Committee on the Election of Judges to the European Court of Human Rights” by “and members of the Committee on the Election of Judges to the European Court of Human Rights”;

9.6. in Rule 47.6, replace the words “Meetings of the Joint Committee, the Committee on Rules of Procedure, Immunities and Institutional Affairs and the Monitoring Committee shall not be open to members of special guest, observer and partner for democracy delegations” by “Meetings of the Joint

Committee, the Monitoring Committee, the Committee on Rules of Procedure, Immunities and Institutional Affairs and the Committee on the Election of Judges to the European Court of Human Rights shall not be open to members of special guest, observer and partner for democracy delegations”;

9.7. at the end of Rule 47.8 (attendance by secretaries of national delegations), add “and the Committee on the Election of Judges to the European Court of Human Rights”;

9.8. in Rule 48.3 (number of sub-committees), replace the words “a committee of 37 seats may not appoint more than two” by “a committee of 37 or 20 seats may not appoint more than two”, and amend the footnote accordingly;

9.9. in Rule 18.6, replace the words “seats on the Monitoring Committee and on the Committee on Rules of Procedure, Immunities and Institutional Affairs” by “seats on the Monitoring Committee, the Committee on Rules of Procedure, Immunities and Institutional Affairs and the Committee on the Election of Judges to the European Court of Human Rights”;

9.10. in Rule 29.1, add a footnote to read: “Interpretation at meetings of the Committee on the Election of Judges to the European Court of Human Rights shall be limited to the two official languages”;

9.11. amend paragraph 5 of the terms of reference of the Committee on Legal Affairs and Human Rights and the complementary texts in order to modify all references to the Sub-Committee on the Election of Judges to the European Court of Human Rights.

10. The Assembly decides that the amendments to the Rules of Procedure set out in this resolution will come into force upon their adoption. The changes related to the creation of a committee on the election of judges to the European Court of Human Rights shall enter into force at the opening of the 2015 ordinary session (on 26 January 2015).

Appendix – Terms of reference of the Committee on the Election of Judges to the European Court of Human Rights

11. “Committee on the Election of Judges to the European Court of Human Rights (AS/Jug)”. Number of seats: 20

12. In the framework of the procedure for the election of judges to the European Court of Human Rights, in accordance with Article 22 of the European Convention on Human Rights, the committee shall examine the candidatures and make recommendations to the Assembly.

13. The committee shall:

13.1. study the curricula vitae and interview all candidates for posts of judges of the European Court of Human Rights, before their election by the Assembly;

13.2. under the authority of its chairperson, prepare a report to the Assembly on the election of each judge to the European Court of Human Rights, which shall include its recommendations. Whenever possible, the reasons for its recommendations and ranking of candidates shall be indicated in the report;

13.3. review, when necessary, the standard curriculum vitae sent to candidates for the post of judge of the European Court of Human Rights;

13.4. seek to ensure that the national procedure for the nomination of candidates comply with the criteria which the Assembly has drawn up for the establishment of lists, and in particular the presence of candidates of both sexes.

14. The committee may report to the Assembly on any question related to the procedure for the selection of candidates and the procedure for the election of judges to the European Court of Human Rights.

15. In addition to the general regulations or as an exception thereto, the committee shall apply the following rules:

15.1. the committee shall vote by a majority of the votes cast; however, a decision to reject a list of candidates or a decision to consider a single-sex list of candidates requires a two-thirds majority of the votes cast. The committee shall proceed to vote on candidates by secret ballot. Only members who have attended in full the interview procedure for a post of judge may vote. For any other decision, voting shall take place by a show of hands. However, voting by secret ballot may be requested by at least one third of the members present. The Chairperson is entitled to vote;

15.2. when rejection of a list of candidates is recommended to the Assembly, the reason(s) must be specified.

16. In order to be able to evaluate the qualifications and skills of candidates, committee members shall have appropriate knowledge or practical experience in the legal field.

B. Explanatory memorandum by Ms Palihovici, rapporteur

1. Introduction

1. At its meeting on 8 March 2012, the Bureau of the Assembly instructed the Committee on Rules of Procedure, Immunities and Institutional Affairs to examine, in the context of a report on the evaluation of the implementation of the reform of the Parliamentary Assembly, “the expectations of national parliaments as regards the Assembly’s work and activities, as well as ... the impact of adopted texts on the work of parliaments and national governments and the impact of participation of Assembly members in the work of the Assembly and its committees”.³

2. The decision follows on from the studies carried out by the committee as part of the implementation of [Resolution 1822 \(2011\)](#) on the reform of the Parliamentary Assembly, which resulted in the adoption of [Resolution 1841 \(2011\)](#) on the amendment of various provisions of the Rules of Procedure of the Parliamentary Assembly and [Resolution 1842 \(2011\)](#) on the terms of reference of Parliamentary Assembly committees. It also follows on from the committee’s work on evaluating the participation of the national delegations in the activities of the Assembly and its committees – with the conduct of its annual exercise on follow-up to [Resolution 1583 \(2007\)](#) on improving the participation of members in Assembly plenary sessions and committee meetings.

1.1. The reform of the Parliamentary Assembly – background

3. The reform carried out in 2011⁴ was the outcome of a wide-ranging consultation in which all the players of the Parliamentary Assembly took part: the Assembly members whether individually or collectively, as members of political groups or national delegations, the Assembly’s Bureau, the ad hoc committee set up in this connection, and the Assembly Secretariat.

4. In this context, the Assembly set itself the objectives of strengthening its political effectiveness and relevance, making itself more visible and increasing its members’ involvement, as well as reinforcing the interaction between the Assembly and national parliaments and strengthening inter-parliamentary co-operation.

5. To achieve these objectives, it adopted measures that mainly affect its organisational structure, its mode of operation and its means of action,⁵ in particular:

- overhauling the structure of the committees, reduced from ten to eight, and their terms of reference;
- refocusing motions for resolutions and recommendations on the lines of action defined at the 3rd Summit of Heads of State and Government;
- making more flexible the conditions of referral to committees, and the possibility for committees to table motions;
- implementing follow-up to the reports by the committees, and creating the office of general rapporteur;
- reorganising plenary session debates with tighter agendas, the lengthening of each debate, the introduction of a slot for “free debate” and a reduction of speaking time;
- improving the planning and grouping of committee meetings outside part-sessions;
- improving the Assembly’s communication tools;
- diversifying the funding of the Assembly’s activities.

3. This report is the result of the work done by three rapporteurs, successively appointed by the Rules Committee: Mr Serhiy Holovaty (Ukraine, ALDE), Mr Egidijus Vareikis (Lithuania, EPP/CD) and Ms Liliana Palihovici (Republic of Moldova, EPP/CD).

4. See [Doc. 12627](#) and [Resolution 1822 \(2011\)](#) on the reform of the Parliamentary Assembly (rapporteur: Mr Jean-Claude Mignon, France, EPP/CD).

5. See [Doc. 12716](#) and [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 (rapporteur: Mr Andreas Gross, Switzerland, SOC); and [Doc. 12717](#) and [Resolution 1842 \(2011\)](#) on the terms of reference of Parliamentary Assembly committees – Implementation of [Resolution 1822 \(2011\)](#) on the reform of the Parliamentary Assembly (rapporteur: Mr Egidijus Vareikis, Lithuania, EPP/CD).

1.2. The need to carry out an assessment of the reform

6. The Assembly reform undertaken in 2011 was conducted in the overall context of refocusing the Council of Europe's activities against a background of budgetary restrictions and the economic and financial crisis which has prompted many member States to cut back their participation in the organisations of European co-operation since 2008. Regardless of the structural reform carried out, the Assembly must be able to take a clear-sighted and resolute stance vis-à-vis the challenges to be embraced, both internally (future of the Organisation) and externally (the problems facing European society as a whole). The declared objectives of the reform may have been to make the Assembly more politically relevant, more effective and more visible, but there must nonetheless be a means of determining whether the objectives have been achieved. It also remains to be determined whether the measures taken and implemented have resulted in national parliaments taking a greater interest in participating in the Assembly's work and in their taking better account of the Assembly's decisions.

7. When it comes to assessing the impact of the reform on the level of participation by the national delegations, it should be borne in mind that the committee recently examined the relevant statistics for 2013, in the annual report which it traditionally submits to the Bureau early the following year.⁶

8. In order to carry out a precise assessment of the reform, the Rules Committee approved a questionnaire for the national delegations and members of the Assembly at its meeting on 4 October 2012, in order to identify their expectations concerning the activities of the Assembly and its committees. A total of 62 replies were received: 25 from delegations,⁷ and 37 individual replies from Assembly members. A detailed analysis of the replies can be found in an information memorandum drawn up by the rapporteur,⁸ of which the committee took note at its meeting on 18 March 2013. The questions asked concerned the following points:

- the national parliaments' perception of the Parliamentary Assembly's role;
- the national parliaments' expectations regarding the Assembly's activities and the issues that the Assembly should discuss first and foremost;
- the impact of the Assembly's decisions on the work of the national parliaments, the initiatives taken by the delegations to promote these decisions, and the initiatives that could be developed to do more to promote the Assembly's visibility;
- the level of the national parliaments' satisfaction with regard to the Assembly's mode of operation following the implementation of the 2011 reform measures, including the organisation of the plenary sessions.

9. Lastly, the rapporteur also wished to find out the position of the Assembly's committees on the measures implemented since 2012 in respect of the impact they had had on their mode of operation and their activities. Committees were therefore consulted on a number of issues in February 2014.

10. The rapporteur would like to thank all those – chairs and members of committees, chairs and members of national delegations, secretariats – who played an active part in that survey.

2. Information on the follow-up to the decisions taken by the Assembly in connection with the reform

2.1. Initiatives taken to increase the Assembly's visibility and modernise the Assembly's communication tools

11. In its reform, the Assembly decided it was necessary to review its communication tools, especially its website, "with a view to making them more user-friendly and interactive, and thus more useful to members and to Europeans". The Assembly, which opened a Facebook account in February 2013 and has since December 2011 had a fairly busy Twitter account which operates on a daily basis and has almost 1 200

6. The Committee on Rules of Procedure has every year since 2009 examined the statistics relating to delegations' participation in the work of the Assembly and its committees: its latest information memorandum (AS/Pro (2014) 03 def), of which the Bureau took note at its meeting on 6 March 2014, may be found on the Assembly website, as may the previous memorandum (AS/Pro (2013) 02 def).

www.assembly.coe.int/Main.asp?link=/CommitteeDocs/ComDocMenuProEN.htm

7. Andorra, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Croatia, Denmark, Estonia, Germany, Greece, Hungary, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, Norway, Poland, Romania, Serbia, Sweden, Ukraine and a delegation of observers from Canada.

8. See document AS/Pro (2013) 06.

subscribers, as well as a specific YouTube video site, inaugurated a new website in October 2013.⁹ The development of the Assembly towards a Web 2.0 environment will therefore enable it to interact with its members, member States' parliamentarians, non-governmental organisations (NGOs), other international organisations, journalists and, of course, European citizens, as well as ultimately to optimise all the possibilities offered by the social media. The committees benefit from special communication areas on those media. Some Assembly members have now set out a very ambitious vision and indicated their desire to use these social networks to put up subjects for discussion, on which the Assembly's subsequent work could build.

12. So it is a veritable communication platform that has been devised for Assembly members, who can make full use of the tools placed at their disposal (Twitter, YouTube and the "media box",¹⁰ a mobile multimedia resources studio which enables interviews, statements and reactions to be recorded during part-sessions in the form of short video clips).

13. In the context of the reform, the Assembly also wished to firmly strengthen the committees' role regarding the follow-up given to adopted texts, both vis-à-vis the Committee of Ministers and national parliaments. Increasing the Assembly's political impact by monitoring the implementation of its decisions is indeed crucial for the Assembly, so the fact that most of the committees have fully embraced the need for follow-up to their reports is to be welcomed.¹¹ In addition, texts adopted at each part-session, which were traditionally forwarded directly to the secretaries general of parliaments and to the Assembly's institutional partners, are now sent to the chairs of the Assembly's counterpart committees via the chairs of the national delegations.

14. The post of committee general rapporteur – set up to make the Assembly's actions and decisions in a given area more visible vis-à-vis the Committee of Ministers, the intergovernmental committees, other international institutions and the media – has unquestionably been welcomed by the committees.¹² The general rapporteurs, who were appointed in 2012, have proved very active, but it is regrettable that the term of office of six of the seven general rapporteurs has been limited, by decision of the Bureau, to a single renewable period of a year. These general rapporteurs will therefore have to cease their work two years after their appointment, in the course of the year 2014. As they are particularly experienced parliamentarians with a high profile for many years in the areas concerned, this situation could undermine the continuity of the follow-up to the Assembly's actions and decisions.¹³

2.2. Increasing the interest and participation of members of the Assembly

15. The figures for the attendance of Assembly members at plenary sessions and committee meetings, as analysed in the aforementioned Rules Committee's annual report to the Bureau, clearly show an improvement in Assembly members' participation in plenary sessions, in voting during plenary sessions and in committee meetings.¹⁴ On this last point, it is indisputable that the reform, by deciding to reduce the number of committees and to limit membership of committees as full members, has resulted in a mathematical increase in participation.

9. 437 799 visits and 2 140 030 pages viewed in 2013, 400 774 visits and 1 998 202 pages viewed in 2012.

10. The new "media box" service enabled almost 110 interviews to be recorded and distributed via the Internet and social media such as YouTube in 2013 (as against 60 in 2012).

11. It should be noted that the Committee on Culture, Science, Education and Media makes a regular assessment of the impact of recommendations and of a number of targeted resolutions that the Assembly has adopted in areas that fall within the committee's remit. These decisions and initiatives taken by the committee and requiring very specific follow-up measures are set out in a memorandum drawn up by its Chair (document AS/Cult (2012) 48). One example that may be mentioned is its follow-up to [Resolution 1875 \(2012\)](#) on good governance and ethics in sport (holding of a hearing, creation of an ad hoc sub-committee, etc).

12. Seven general rapporteurs were appointed in 2012: general rapporteur on violence against women, general rapporteur on the rights of lesbian, gay, bisexual and transgender people, general rapporteur on science and technology impact assessment, general rapporteur on children, general rapporteur on local and regional authorities, general rapporteur on the death penalty, general rapporteur on the budget and intergovernmental programme. There are currently eight general rapporteurs in post, subsequent to the introduction in March 2014 of a general rapporteur on the fight against racism and intolerance.

13. However, at its meeting of 6 March 2014, the Bureau of the Assembly decided that "general rapporteurs can keep their function after the expiry of their mandate until a new general rapporteur is appointed by the committee concerned".

14. The overall average level of members' participation was 57.84% in 2013 and 56.45% in 2012. Members' participation rate in votes in plenary sittings was 36.78% in 2013 (it had been 30.38% in 2012 and 26.62% in 2011). The overall participation rate of Assembly members in the Assembly's eight committees in 2013 was 53.22%, and in 2012 it was

16. The provision at each part-session of a slot for free debate is also a measure much appreciated by Assembly members.¹⁵ At this stage of the discussion, and in the light of the opinion of the delegations and members ascertained by the Rules Committee's survey, there is no plan to increase the time allocated for this purpose or to grant an additional slot during the same part-session.

17. The reform, which called for quality over quantity – “do less but better” –, has undeniably led to a significant fall in the number of adopted texts (during the 2013 session, the Assembly adopted 84 texts, compared with 74 in 2012, 115 in 2011, 143 in 2010 and 109 in 2009). There has been a dramatic fall in the number of recommendations addressed to the Committee of Ministers (25 in 2013 and 16 in 2012, compared with 42 in 2011; a peak was reached in 2010 with 56 recommendations). It is also important to note that several Assembly reports presented in 2012 and 2013 obtained a much larger number of votes than in the past, indicating the Assembly members' increased interest in matters relating to the honouring of obligations and commitments by member States, current affairs and controversial issues.¹⁶

2.3. Strengthening the capacity for inter-parliamentary co-operation and diversifying the funding of Assembly activities

18. The Assembly, taking note of the increasingly restrictive budgetary situation in which it carries out its activities, decided as part of its reform to increase its capacity for co-operation by trying to diversify the funding of those activities. A Parliamentary Projects Support Division tasked with drawing up a structured and targeted co-operation programme, strengthening synergies with other inter-parliamentary organisations, especially the European Parliament and the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE), and seeking extra-budgetary resources was set up in January 2012. For example, €164 000 was received in 2012 and €321 000 in 2013 from certain member States and private foundations in the form of voluntary contributions. Those voluntary contributions have made it possible to finance activities relating in particular to the parliamentary dimension of the One in Five campaign to combat sexual violence against children and of the campaign to promote the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210).

19. When the Rules Committee conducted its survey, however, parliaments, which were asked about their wish to see the Assembly carry out specific co-operation activities (by organising conferences or seminars on specific themes or training seminars on good practices) said they were not prepared to become involved in funding such activities.¹⁷ This is an interesting indicator for the Assembly at a time when it is trying to develop its inter-parliamentary co-operation activities, especially those aimed at non-member States.

2.4. Exploiting the Assembly's strengths

20. It very clearly emerges from the survey conducted among the delegations by the Rules Committee that the Assembly members regard the Assembly as an institution which is one of its kind in Europe for promoting fundamental values in the fields of human rights, democracy and the rule of law, holding 47 States to account on an equal footing by assessing their situation in these areas and monitoring compliance with their obligations and promoting standards through the implementation of the European Convention on Human Rights (ETS No. 5) and other conventions.¹⁸

56.47% (compared to 46.73% in 2011); the participation of the national delegations in the meetings of the six committees where they are represented has risen appreciably since the reform (54.14% in 2013 and 56% in 2012, as against 45.82% in 2011).

15. The free debates, which have been given a one-hour slot in each part-session since January 2012, are a resounding success (number of speakers on the list during the 2012 session: 34 in January, 39 in April, 37 in June and 38 in October; number of speakers on the list during the 2013 session: 40 in January, 34 in April, 39 in June, 50 in October; in January 2014 there were 53 speakers on the list, and 47 in April 2014). It should be noted that, at the October 2012 part-session, the agenda allowed an hour and a half to be allocated to this debate.

16. A record was broken in January 2013 when the vote took place on the follow-up to the issue of political prisoners in Azerbaijan: with 225 voters, this was the best vote recorded for an adopted text since 2006. The previous record was held by the October 2012 debate on the honouring of obligations and commitments by the Russian Federation, at which 209 members voted.

17. Although the delegations are prepared to make a voluntary contribution to finance a conference (60%) or a thematic campaign (44%), 78% wish to contribute only if the event takes place in their own country. No delegation was prepared to contribute to funding an event in a non-member State of the Council of Europe.

18. When questioned on the issues that the Assembly should discuss first and foremost, 90% of the parliamentarians and 87% of the delegations who sent replies first expressed a clear preference for topics related to the situation in the member States, particularly regarding compliance with their statutory obligations and undertakings on human rights, democracy and rule of law (72% of the parliamentarians and 50% of the delegations consider the topic “very relevant”).

21. Members also view the Assembly as the largest pan-European forum in which specific topical issues in the most diverse areas – and of interest to the greatest possible number of Europeans – are discussed. The Assembly is in step with the political, economic and social situation in Greater Europe and members praise its technical expertise and its ability to conduct serious and substantive debates, give rise to in-depth and sound discussions and promote exchanges of information and good practices.

22. There is no doubt that the reform that has been implemented for over two years has shown positive results, but there is a strong expectation among delegations that more should be done to exploit the Assembly's strengths. Efforts should therefore continue to be made, especially in order to maintain the interest of parliaments in the Assembly's work. This means that the committees' work programmes, supported by motions for resolutions and recommendations, should be refocused on future-oriented subjects that are of interest to national parliaments and meet the expectations of European citizens in a more immediate and more substantive way.¹⁹ The possibility which has been open since 2012 for committees to table motions on the basis of a simplified and speedier procedure is one measure which takes us in this direction.²⁰

3. Points for discussion on new initiatives

23. The survey conducted in 2012 amongst national delegations and members of the Assembly enabled a number of questions to be raised which have come up regularly over recent years, but which had not been considered in depth at the time of the discussion on reform in 2011.

3.1. Improving the Assembly's visibility

3.1.1. Increasing the impact of the Assembly's decisions on the work of national parliaments

24. One aim of the Assembly's reform was to strengthen the interaction between the Assembly and national parliaments. Most parliaments publicise the Assembly's work mainly by drafting a delegation activity report or a report on the Assembly's activities, either annually or after each part-session. In some parliaments, a report may also be issued after each meeting of a committee of the Assembly in which members have participated. In some cases, all this information is published and made available to the public on the parliament's website.²¹ Some delegations disseminate and publicise the texts adopted by the Assembly (and also have them translated) and implement its decisions by forwarding the resolutions to the relevant parliamentary committees or by organising a presentation or statement by members of the delegation in the relevant committees.

25. It is clear that asking national delegations to provide a better "after-sales service", especially by more effectively promoting texts adopted by the Assembly, presupposes that these texts deal with issues of relevance to current national policy priorities and future national challenges as well as matters of interest to citizens, so that the Assembly's recommendations can be formally taken on board by the national parliaments under their regulatory and legislative powers.²²

19. In the survey conducted, delegations and parliamentarians were asked to give examples of issues that they would like to be addressed by the Assembly and on which recommendations would be useful for their parliament. The answers reflect a wide variety of concerns but are nevertheless an indicator for the Bureau and the Assembly committees: the situation in the member States and neighbouring countries with regard to human rights, democracy and the rule of law; execution of the judgments of the European Court of Human Rights; monitoring of the implementation of conventions; threats to democracy; political extremism; terrorism; transparent governance; corruption, conflicts of interests; lobbying; financing of political parties and electoral campaigns; the State and the economy; State compliance with financial and accounting rules; taxation of financial flows; economic problems and social consequences of the crisis; austerity measures, unemployment, the viability of the welfare State; sustainable development; health and environment; food security, climate change and the energy issue; the fight against discrimination; racism; the rights of LGBT persons; national minorities, promotion of minority rights, integration of ethnic minorities; migration, the right of asylum and integration; the protection of vulnerable people and the promotion of their rights (children, people with disabilities); gender equality; the State and religion, secularism, the religious dimension of intercultural dialogue; education; media; parliamentary good practices; the political rights of the opposition.

20. 12 motions were tabled by committees in pursuance of Rule 24.2 in 2012, and 10 in 2013.

21. Few parliaments organise a plenary debate on the activities of the Assembly and the Council of Europe. The parliaments in question usually doing so annually, but sometimes more regularly where necessary in the committee(s) concerned (most of the time the committee on foreign affairs or the justice committee). In general, delegations do not make much use of the procedure for putting questions to the government in order to draw the national authorities' attention to the Assembly's proposals or decisions. Several delegations said they gave priority to direct communication with the government, in particular the foreign ministry, by holding regular meetings with its representatives.

26. Several delegations gave specific examples of Assembly resolutions that had directly influenced the proceedings of their parliament or had a direct impact on their work. Two main topics emerged:

- resolutions that directly affect the country, primarily those relating to the monitoring of obligations and commitments either general or specific (for example, in the areas of combating corruption or freedom of the media), and to the execution of the judgments of the European Court of Human Rights;
- implementation of the Council of Europe conventions, in particular on violence against women and domestic violence, on the protection of children against sexual exploitation and sexual abuse, and on trafficking in human beings.

27. As part of the follow-up to the Assembly reform, the delegations showed a very keen interest in promoting direct discussions between the Assembly committees and their counterparts in the parliaments of member States. The Assembly committees could therefore consider developing relations with their counterpart committees in national parliaments:

- through a direct exchange of information on matters of mutual interest;
- through joint meetings between the committees in Strasbourg or in the national parliaments;
- by setting up networks of “contact” parliamentarians or correspondents for certain issues;
- by organising a meeting, for instance every two years, of chairs of parliamentary committees on a given topic (based on the model of the conferences of specialised ministers).

28. The committees of the Assembly clearly indicated their wish to consolidate exchanges with counterpart committees, but with priority being given to the holding of ad hoc meetings on subjects of common interest, according to need, and not of an automatic nature. Two committees – the only two concerned – welcomed the smooth operation and effectiveness of the networks of contact parliamentarians, which have helped to bring about a considerable increase in the impact of the decisions and measures advocated by the Assembly.

29. Finally, with regard to making the Assembly more visible, it should be noted that the proposal to enhance the representational role of the President of the Assembly, who could be regularly invited by the national parliaments to report on the Assembly’s activities, was met with some interest among delegations and members of the Assembly.

3.1.2. Enhancing the operational synergies with the national delegations

30. Since April 2012, the President of the Parliamentary Assembly has brought the heads of the national delegations together for a meeting at each part-session.²³ This decision cannot but meet with the delegations’ full support since the survey conducted by the Rules Committee revealed that all the delegations consider it worthwhile holding regular meetings of the chairs of the national delegations, in any event once every part-session (100% of delegations) and, to a lesser extent, on the occasion of the meetings of the Standing Committee.

3.2. Improving the Assembly’s mode of operation

31. It clearly emerges from the survey conducted among the national delegations and parliamentarians that the functioning of the Assembly based on its current mode of operation inherited from the 2011 reform – whether it be the timetable of Assembly business, the organisation of plenary sittings or the committees’ mode of operation – almost unanimously meets with their satisfaction. However, some proposals with a view to further improving this mode of operation were mentioned during the survey and merit consideration.

3.2.1. Introducing the possibility of replacement by a substitute for a specific debate

32. Assembly members with the status of representative are currently able to arrange to be replaced by a substitute during a sitting (Rule 11.1 of the Rules of Procedure). Some national delegations repeatedly ask for a representative to be able to be replaced by a substitute for a specific debate rather than for the entire

22. During the meeting of chairs of national delegations which took place on 1 October 2013 on the initiative of the President of the Assembly, several chairs emphasised the need for committees to concentrate on questions related to the Organisation’s core activities, and called on the Bureau to be more selective.

23. In a letter dated 4 July 2012 to the heads of the delegations, the President expressed his wish to put such consultation on a more systematic footing by organising meetings during each part-session in Strasbourg, and, possibly, at Standing Committee meetings, if this was judged to be necessary.

duration of a sitting. Although such a possibility is feasible from a technical point of view, its implementation remains complicated. Moreover it should be kept in mind that a single debate may be held over two sittings. The organisation of Assembly debates may therefore lose clarity and become more complicated if such a measure were to be adopted. The Rules Committee therefore decided not to take consideration of this point any further.

3.2.2. Grouping together the votes on texts in plenary session

33. For several years now, and when the committee was reviewing the Rules of Procedure in the course of the successive reforms of the Assembly's mode of operation,²⁴ the idea of grouping together the votes on texts in plenary session at fixed time slots has been regularly raised (supported by 100% of the delegations and 72% of the parliamentarians who replied to the committee's survey).

34. It is easy to understand the justification for this proposal and the arguments put forward: better organisation of parliamentarians' planning, improving the attendance statistics of the members (who it is hoped would take part in votes in greater numbers), etc. However, it should be borne in mind that, according to the procedure in force in the Assembly (and contrary to other national or pan-European forums), the final vote on a text is preceded by, and is inextricably linked to, the discussion of and voting on amendments tabled by members in the sitting. As regards the examination of and voting on the amendments in plenary sitting, delegations and parliamentarians unequivocally support the existing procedure (preliminary consideration of amendments by committees and examination and vote in plenary sitting).

35. The arguments against such a measure are equally valid. As each Assembly debate forms a whole – which means rapporteurs, speakers, committee chairs and other Assembly members and the media are present throughout its duration – it makes little sense to separate in a plenary sitting the debates on reports presented by the committees from the examination of and vote on amendments tabled and the text proposed. That could only be detrimental to a proper understanding of the issues raised by the committee and to the continuity of the discussion, and perhaps to the attendance of members in the chamber during the presentation of reports by the rapporteurs and speakers' contributions.²⁵ Mention might be made here of the situation in the European Parliament, which sometimes suffers from the images, which some media enjoy conveying, of an empty chamber during the presentation of reports. Furthermore, unlike the European Parliament and the national parliaments, the Assembly is composed of as many substitutes as representatives: if the votes were grouped together, members who participated in a debate would not necessarily be those who subsequently voted. Finally, the main problem lies in establishing during a part-session the slot(s) allocated to the grouped voting on texts: it is clearly not a solution that could be seriously considered to provide for the votes of the day's two sittings to be grouped together in the evening or for all the week's texts to be grouped together at the end of the part-session, on the Friday morning.

36. Moreover, if the Rules Committee were to examine in greater detail the idea of modifying the Assembly's procedure for voting on texts in plenary sittings, it would then have to consider at the same time the possibility of modifying the procedure for examining amendments so that they are no longer voted on in plenary sitting and only the committees would be entitled to examine them in the first and last instance. The Rules committee has so far considered all the aforementioned arguments sufficiently relevant not to proceed any further with the proposal.

3.2.3. Introducing the possibility of secret ballots

37. In adopting [Resolution 1529 \(2006\)](#) on open and transparent voting in the Parliamentary Assembly, the Assembly decided to publish information about members' votes, thus taking account of the growing public and media interest in knowing how parliamentarians vote within the Assembly on societal issues and their views on certain countries' failings where the Council of Europe's standards are concerned.

38. The Rules Committee examined the subject of lobbying in its report entitled "Code of conduct of members of the Parliamentary Assembly: good practice or a core duty?" ([Doc. 13000](#)). The Code of conduct of members of the Parliamentary Assembly, adopted by the Assembly in [Resolution 1903 \(2012\)](#), stipulates

24. See, in particular, [Doc. 11295](#), report on improving the participation of members in Assembly plenary sessions and committee meetings (rapporteur: Mr Andreas Gross, Switzerland, SOC), 2007, paragraphs 69 et seq.

25. It will be noted that all these arguments, whether for or against, were already put forward in 1984 when the Assembly Bureau examined a motion for a resolution on Assembly votes ([Doc. 5140](#)) aimed at putting all the texts under discussion to the vote during the same sitting.

among the general principles of conduct that members of the Parliamentary Assembly shall “take decisions solely in the public interest, without being bound by any instructions that would jeopardise members’ ability to respect the present code”.

39. In this context, some members of the Assembly recognised that they were being subjected to increased pressure, during plenary debates, within their national delegation or their political group. National media also regularly reported instances of political pressure brought upon members of national delegations in relation to major Assembly debates or particularly crucial decisions. It might therefore prove necessary to meet the need for the protection of voting, a crucial part of the functioning of the democratic system, in order to guarantee the free expression, without supervision, pressure or coercion, of personal beliefs, whatever they may be. Parliamentarians are mandated by their electorate to act in the public interest, in accordance with the political values that their party embodies, and to oppose policies which they regard as damaging.²⁶

40. In pursuance of the Assembly’s Rules of Procedure, secret ballots exist only for the appointments made by the Assembly (elections). Consequently, the possibility of amending Rule 39 on methods of voting so as to add to it the possibility of secret ballots when a certain number of members so request could be considered, with a view to ensuring members’ freedom of thought and freedom of political belief.

41. However, a majority of the members of the Rules Committee considered that transparency should remain the rule where voting in the plenary Assembly was concerned, and that there was consequently no reason to change the voting arrangements set down in the Rules of Procedure.

3.2.4. Setting up a more regular exchange of views with the Secretary General of the Council of Europe

42. At present, the Secretary General of the Council of Europe formally addresses the Assembly once a year, when he delivers his communication during the January part-session.²⁷ He is also present (or represented) at the meetings of the Bureau of the Assembly, where he reports on his activities and, sometimes, at meetings of the Standing Committee. Several members of the Assembly, drawing a parallel with the procedure for asking their government questions or with the right to ask questions in the national parliament, think that the Secretary General of the Council of Europe, as the Organisation’s “executive”, should be able to reply to members’ questions on a more regular basis. The committees could lend themselves to this if the Secretary General were to agree.²⁸ Some committees considered in this respect that this could help to get the Assembly’s recommendations better taken into account when the Secretary General defines the Organisation’s priorities.

3.2.5. Reviewing the structure of the Assembly organs

43. At the moment, the Rules of Procedure recognise the following organs: the Presidential Committee, the Bureau, the Standing Committee and the Joint Committee. Since October 2012 at initiative of the then President of the Assembly, Jean-Claude Mignon, a “Conference of Presidents”, which brought together the Presidential Committee and the chairs of the Assembly committees, has been convened before each part-session. Moreover, as already mentioned, the President of the Assembly convenes a meeting of the heads of the delegations during each part-session.

44. The Rules Committee has regularly examined the role and functions of these various organs.²⁹ At the time of the 2011 reform, some contributions, in the interests of rationalisation, called for a review of the structure, role and composition of the Assembly organs. More recently, some Assembly members have once again addressed these questions and expressed the view that the organs should be simplified, especially in

26. The Rules of Procedure of the European Parliament allow for a secret ballot to be held at the request of 20% of members (Rule 169.2: “Voting may also be by secret ballot if this is requested by at least one fifth of the component Members of Parliament. Such requests must be made before voting begins.”). Implementation of that provision was, for example, requested in February 2013 for the vote on the European Union budget, so that members could be freed from any national pressure.

27. It is open to the Secretary General to take the floor during a plenary debate under [Order 316 \(1971\)](#), paragraph 4.a. This happened recently during the debate on recent developments in Ukraine (9 April 2014). In 2013, the Secretary General delivered a second communication to the Assembly (at the October part-session).

28. This has been the case for several years now in respect of the presentation of the Organisation’s budgetary priorities to the competent committee by the Secretary General or Deputy Secretary General.

29. See in particular [Doc. 11431](#), report on the application and amendment of various provisions of the Assembly’s Rules of Procedure (rapporteur: Mr Erik Jurgens, Netherlands, SOC).

order to enhance the role of the committee chairs on the one hand and the heads of the delegations³⁰ on the other. However, it shall be rightly mentioned that the institutionalisation of new ad hoc bodies is not desirable in the current budgetary context.

3.2.6. Organising a “mini-session” during the meeting of the Standing Committee

45. On the initiative of the President of the Assembly, the Bureau of the Assembly, at its meeting on 29 June 2012, revisited the question of the organisation of the meetings of the Standing Committee raised in 2011 in the report on the reform of the Assembly. The President proposed that all Standing Committee meetings be held in Paris. The Bureau did not take up this proposal, stating that it continued to be in favour of the practice, followed since 2002, to hold one Standing Committee meeting in May and another in November in the country holding the rotating chairmanship of the Committee of Ministers, as well as a meeting in Paris in March.

46. The question of the format and frequency of Standing Committee meetings comes up regularly. The Bureau's position reiterated above is, however, not an obstacle to a new proposal being made. For example, some delegation heads have voiced their reservations about travelling to Paris in March to participate in a meeting now often lasting only half a day, especially in the light of the budgetary restrictions in force in their country.

47. It is therefore suggested, in the current tight budgetary situation, to hold future March meetings of the Bureau and the Standing Committee in Strasbourg from 2015, and to group together during the same week the committee meetings normally held in Paris at this time. As part of its reform, the Assembly also took the view that committee meetings should be grouped together “at specific times fixed one year in advance” and that the Palais de l'Europe provides the infrastructure needed to hold the meetings in question, including two simultaneous committee meetings on the same day.

4. Other questions involving amendment of the Rules of Procedure

48. The Rules Committee must now consider, in the context of this report, in addition to the proposals from national delegations already mentioned above (section 3), whether other provisions of the Rules of Procedure ought also to be amended, those concerned being the rules and procedures that no longer correspond to parliamentary practice.

4.1. Revising the procedure for challenging still unratified credentials on procedural grounds (Rule 7 of the Rules of Procedure)

49. Rule 7.1 of the Assembly's Rules of Procedure provides:

“Credentials may be challenged by at least ten members of the Assembly present in the Chamber, belonging to at least five national delegations, on stated procedural grounds based upon:

a. one or more of the relevant provisions of the Statute (in particular Articles 25 and 26);

b. the principles in Rule 6.2, that national parliamentary delegations should be composed so as to ensure a fair representation of the political parties or groups in their parliaments and should include in any case one member of the under-represented sex, appointed as a representative;

c. the absence of a solemn statement as mentioned in Rule 6.2.b.³¹

The authors shall state the reasons for the challenges.”

4.1.1. Clarifying the procedure for challenging individual members' still unratified credentials

50. At the opening of its January 2013 part-session, the Assembly had to deal with a motion contesting the still unratified credentials of two of its members on procedural grounds.³² In this connection, the Bureau of the Assembly, taking into consideration the concerns of Assembly members, asked the Rules Committee to

30. For example, the head of the Belgian parliamentary delegation in a letter to the President of the Assembly dated 26 April 2012.

31. Rule 6.2.b: “Credentials of members of a national delegation shall be accompanied by a signed written statement by the individual members reading as follows: ‘I, the undersigned, ..., hereby affirm and state that I will subscribe to the aims and basic principles of the Council of Europe, mentioned in the Preamble, in Article 1.a and in Article 3 of the Statute of the Council of Europe’.”

examine, the “[p]ossibility of sanctioning, in the context of Rule 7, the actions or words of a member where these seriously and persistently violate the principles and values defended by the Council of Europe” and “to examine the issue of the right to speak of a member whose still unratified credentials are challenged in accordance with Rule 7 of the Rules of Procedure”.

51. Rule 7, which has been in force in its current wording since 2000 ([Resolution 1202 \(1999\)](#)), provides for the challenging of the credentials of a delegation or an individual member. At the time, a distinction was clearly made depending on whether the challenge was based on technical – procedural – grounds (Rule 7) or on political – substantive – grounds (Rules 8 and 9). It was determined that, in the case of a challenge on political grounds, only the credentials of a delegation as a whole could be challenged and solely the procedure provided for in Rules 8 and 9 would be applicable.

52. Challenging the credentials of individual members must meet the criteria strictly laid down by the Rules of Procedure: Rule 7.1 provides for only three procedural grounds on which a challenge may be based, and a challenge to the credentials of an individual member clearly cannot be based on Rule 7.1.a (one or more of the relevant provisions of the Statute, relating to procedural obligations) or Rule 7.1.b (failure to comply with the principles that delegations should be composed so as to ensure fair political representation and representation of both sexes). A challenge to the credentials of a delegation may only be based on paragraphs a and b of Rule 7.1, Rule 7.1.c (absence of a solemn statement) being inoperative.

53. Consequently, when credentials were challenged in January 2013, the Rules Committee held that “the current wording of Rule 7.1.c does not make it possible to challenge the credentials of individual members in an effective manner, particularly so as to sanction the actions or words of a member where these seriously and persistently violate the principles and values defended by the Council of Europe”.³³

54. Before that, the Assembly had had occasion in 2005 to examine the question of challenging the credentials of individual members, especially parliamentarians whose actions or statements did not comply with the standards required. The report presented at the time by the Rules Committee analysed in detail the arguments both for and against the introduction of a procedure with a view to preventing members of national parliaments who have expressly identified themselves with the activities and programmes of parties opposing the values of the Council of Europe from becoming Assembly representatives and substitutes.³⁴

55. In [Resolution 1443 \(2005\)](#), the Assembly held that “if new Rules of Procedure were introduced allowing ... to challenge credentials of individual members of national parliaments who are accused of activities or statements persistently violating the basic principles of the Council of Europe, there would be a danger of abuse. The Assembly cannot have an interest in becoming the forum for political infighting”. It then decided to insert into its Rules of Procedure a provision stating that the credentials of members of a national delegation can be accepted only after each of them has signed a solemn statement affirming that they subscribe to the aims and basic principles of the Council of Europe ([Resolution 1503 \(2006\)](#) added Rule 6.2.b to this effect).³⁵

56. In 2005-2006, the Rules Committee considered that “a challenge to credentials in an individual capacity, on political grounds, could entail a risk of misuse for the pursuit of political battles, whether internal – between political parties represented in the national parliament, and even for settling personal scores – or at

32. See the opinion to the President of the Parliamentary Assembly adopted by the Committee on Rules of Procedure on 22 January 2013 (document AS/Pro (2013) 03 def), following the challenge of the credentials of Mr Tamás Gaudi Nagy and Ms Eleni Zaroulia by Ms Fiamma Nierenstein.

33. Similarly, the situation in Crimea and the violation of the territorial integrity and sovereignty of Ukraine raise the question of the compatibility of the actions and statements of certain Russian members of the Assembly – one of whom is the subject of restrictive measures adopted by the European Union on 17 March 2014 for, in his capacity as Chairman of the Commonwealth of Independent States Committee of the State Duma of the Russian Federation, “actively supporting use of Russian Armed Forces in Ukraine and the annexation of Crimea”.

34. See [Resolution 1443 \(2005\)](#) and the report by the Committee on Rules of Procedure and Immunities on challenging credentials of individual members of a national delegation to the Parliamentary Assembly on substantive grounds ([Doc. 10494](#)). See also [Resolution 1370 \(2004\)](#) on the contested credentials of the parliamentary delegation of Serbia and Montenegro, in which the Assembly said it considered it inappropriate not to ratify the credentials of the whole delegation for reasons concerning individual members, since such a decision would penalise all the members of the delegation and the parties represented. The Assembly regretted the fact that the Rules did not allow for challenging the credentials of individual members of a national delegation on substantive grounds, such as a serious violation of the Council of Europe’s basic principles by one or more members of a delegation.

35. See [Resolution 1503 \(2006\)](#) and the report by the Committee on Rules of Procedure and Immunities on the obligation of new members of the Assembly relating to the aims and basic principles of the Council of Europe ([Doc. 10865](#)).

the level of the Assembly, by opening up the possibility of pursuing at a procedural level political controversies (between political groups or representatives of different delegations, and so on)". The committee considered that "[t]he Assembly cannot have an interest in becoming the forum for political infighting".

57. However, the challenge to credentials in January 2013 clearly shows the limits to the present Rules of Procedure, since, in practice, only the refusal of a member to sign a solemn statement would result in a challenge to his or her credentials on an individual basis. The Rules Committee thus considered the possibility of amending Rule 7 of the Rules of Procedure and deciding:

- to draw a clear distinction between the procedure for challenging the credentials of individual representatives or substitutes from that for challenging on procedural grounds the still unratified credentials of a delegation as a whole;
- to lay down as a basis for challenging the credentials of individual representatives or substitutes the existence of actions or statements which seriously and persistently conflict with the aims and basic principles of the Council of Europe, set out in the Preamble to the Statute of the Council of Europe (ETS No. 1) and in Articles 1.a and 3 thereof;
- to align the conditions for challenging individual credentials with those provided for in Rule 8 (30 members belonging to at least 5 national delegations).

58. At its meeting on 15 May 2014, the Rules Committee decided, by a narrow majority, not to propose to establish such a procedure in the Rules.

4.1.2. Enabling the Committee on Equality and Non-Discrimination to be seized for an opinion in the event of a challenge to the still unratified credentials of a delegation on procedural grounds

59. Challenging the credentials of a delegation may be grounded on the lack of respect for the condition laid down in Rule 7.1.b following which any delegation should include one member of the under-represented sex, appointed as a representative. In the event of a challenge based on this ground, it sounds logical to enable the Committee on Equality and Non-Discrimination – whose members are most vigilant in monitoring the respect of this condition when credentials are submitted to the Assembly for ratification – to be seized for an opinion, the Committee on Rules of Procedure remaining seized for a report.

– Proposal

60. The Rules Committee supported the proposal to amend Rule 7 of the Rules of Procedure in order to enable the Committee on Equality and Non-Discrimination to be seized for an opinion in the event of a challenge to the still unratified credentials of a delegation on procedural grounds related to the representation of the sexes.

4.2. Making some minor changes of wording in Rules 6, 7, 8 and 9 of the Rules of Procedure relating to credentials

61. A subsidiary question is the need to standardise the wording of certain provisions relating to credentials and challenges to them. It is proposed to amend the following provisions:

- In Rule 7.2, replace the words "Any credentials so challenged at a meeting of the Assembly or of the Standing Committee shall be referred" by "Credentials challenged on procedural grounds at the start of a part-session or of a Standing Committee meeting shall be referred" (the point being to align the wording of Rule 7.2 with that of Rule 8.3, its counterpart provision on challenges to credentials on substantive grounds);
- In Rule 9.2, include the stipulation that the motion for a resolution to annul ratification of credentials shall be referred "without debate" to the appropriate committee for report;
- Combine Rules 7.3, 7.4, 8.5, 8.6, 9.4 and 9.5 in a new single rule on the proposed Assembly conclusions where it is seized of a challenge to still unratified credentials on procedural or substantive grounds or reconsideration of credentials on substantive grounds.

4.3. Clarifying the procedure for voting on amendments

62. On two occasions during its last two sessions, the Assembly has had to examine amendments which, were they to be adopted, would have the effect of converting a resolution into a recommendation – one relating to the report on the progress of the Assembly's monitoring procedure (June 2012) was rejected, while

the other, relating to the report on the functioning of democratic institutions in Bosnia and Herzegovina (October 2013) was adopted. Amendments of this kind also have the effect of substituting for the simple majority vote required for a resolution a vote by a majority of two thirds of the votes cast, the requirement for the adoption of a recommendation.

63. The current Rules of Procedure provides that “an amendment which would tend to delete, replace or render inoperative the whole of a draft text is not in order” (Rule 33.4). That is not the case for an amendment intended to add to the text under discussion a request for the Committee of Ministers to take action or a decision which is not within the responsibility of the Assembly. But it is easy to understand that the tabling of such an amendment to a draft resolution may prove to be a successful tactic in opposing a text whose rejection is desired, which, while it might indeed obtain a simple majority during the final vote as a resolution, would probably not obtain a two-thirds majority.³⁶

– *Proposal*

64. The Rules Committee therefore proposed the amendment of Rule 33.4 in order to include therein a provision stating that an amendment is also inadmissible if it seeks to change a draft resolution into a draft recommendation.

4.4. Encouraging a larger number of members to become rapporteurs and members of the bureaux of the committees and sub-committees

65. In its aforementioned report of 2007 on “Improving the participation of members in Assembly plenary sessions and committee meetings”, the Rules Committee looked at a number of measures which could increase the motivation of members to participate in the committees’ work.³⁷ This report could be the opportunity for the committee to reopen the discussion on this subject and consider the following new measures in order to foster better rotation of posts of responsibility within the Assembly.

4.4.1. Limiting the number of reports produced by the same parliamentarian

66. In [Resolution 1583 \(2007\)](#), the Assembly called on the committees “to strive for increased variety in rapporteurs” and “to avoid the appointment of members as rapporteurs when they are already responsible for two reports simultaneously within the same committee”. The committees have clearly complied fairly closely with this measure, but there is a tendency for parliamentarians to take on more than one role of rapporteur in the committees of which they are members. This is inconsistent with the aim that it is hoped to achieve.

67. Most of the committees consulted by the rapporteur were in favour of the proposal of setting a maximum limit to the total number of Assembly reports (for all committees) for which a single member may be responsible. The Committee on Social Affairs, Health and Sustainable Development said that it already limits the number of its members’ mandates (a maximum of one report and one opinion per member), as does the Committee on Political Affairs and Democracy (two reports or opinions).

68. The Rules Committee could therefore propose to limit the total number of reports for which any one member is simultaneously responsible to three reports or opinions for all committees, subject to a maximum of two reports or opinions per committee, and amend Rule 49.1 accordingly.

– *Proposal*

69. At its meeting on 15 May 2014, the Rules Committee decided to propose that any Assembly member who is simultaneously rapporteur for five reports or opinions being prepared in one or more committees may not be appointed rapporteur for a sixth report or opinion.

36. In the context of discussion of the report on “Refusing impunity for the killers of Sergei Magnitsky”, the Committee on Legal Affairs and Human Rights adopted an addendum to the report containing a draft recommendation ([Doc. 13356](#) addendum) which, while it was intended to inform the Assembly of the latest developments in the case, was also intended to prevent such a tactic from being used against its resolution.

37. See [Doc. 11295](#), report on “Improving the participation of members in Assembly plenary sessions and committee meetings” (rapporteur: Mr Andreas Gross, Switzerland, SOC) and [Resolution 1583 \(2007\)](#).

4.4.2. *Ban on combining the duties of rapporteur of an Assembly committee with those of chair of a committee or of a political group*

70. At the moment, and since January 2010, there is a para-regulatory provision that states that the position of chair-rapporteur of an ad hoc election observation committee is incompatible with that of rapporteur of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee). This measure was introduced in order to preserve the independence and impartiality of the chair of an ad hoc committee, a principle that must apply to the position in all circumstances.

71. The Rules Committee could therefore consider whether it would be worthwhile extending this incompatibility of the position of rapporteur, for the same reasons, to include other key Assembly positions, namely chair of a committee or chair of a political group. The chairs of the political groups have considerable responsibilities and act as the spokespersons of their group on issues under discussion and formally set out the group's position. The same applies to the committee chairs, who are expected to preside over debates in complete neutrality.³⁸

72. The exercise of the duties of rapporteur by committee chairs – some of them have been appointed before becoming chair but others have been appointed by their committee during their term of office – leads to sometimes absurd situations during committee debates, since it is generally (but not always) customary for chairs/rapporteurs to have themselves replaced *pro forma* in the chair by a vice-chair when they speak in committee on the subject for which they are rapporteur.

73. It is the practice in most committees for the chair to be appointed rapporteur in the case of reports which will have to be dealt with in an extremely short period of time (challenges to credentials, debates under the urgent procedure), or in order to take over from a rapporteur who has left the Assembly or is no longer able to be present on health grounds, when the report is at the finalisation and presentation to the Assembly stage, or when the subject is extremely controversial and needs to be dealt with impartially. Consequently, the committees have largely replied negatively to the proposal that the functions of rapporteur and committee chair should not be allowed to be combined. On the other hand, none has dismissed the proposal in respect of the chairs of political groups, one committee even regarding this as a case of conflict of interest.

74. With regard to the chairs of political groups, we would point out, by way of comparison, that Rule 12 of the Rules of Procedure of the Council of Europe Congress of Local and Regional Authorities states that “[a] president of a political group may not at the same time ... be a chair of a committee, or act as rapporteur or head of delegation during election observation exercises”. In the European Parliament, the chairs of the political groups are not members of the committees (and therefore never rapporteurs).

– Proposal

75. The Rules Committee therefore considered the advisability of prohibiting the combining of the functions of rapporteur and chair of a political group. In view of the fact that members were not unanimously in favour of the proposal, it finally agreed not to make any recommendation to the Assembly on this issue.

4.4.3. *Introduction of a waiting period at the end of a term as chair or vice-chair*

76. Finally, and always with the same aim in mind of encouraging an increase in interest and input among a larger number of members with regard to the committees' activities, the Rules Committee could consider whether it might be advisable to introduce a waiting period to apply to outgoing committee chairs and vice-chairs before they stand for election again to these positions on whatever committee it may be. In practice, it sometimes appears that the same parliamentarian carries on the position of chair and/or vice-chair from one committee or sub-committee to another.

77. On the other hand, former chairs or vice-chairs of committees or sub-committees should be allowed to stand for election to those same positions, subject to compliance with a waiting period.

38. In this connection, Rule 46.6 of the Rules of Procedure states that they do not participate in votes except in the case of a tie.

78. The committees are in favour of introducing greater flexibility in the rules relating to membership of their bureaux. In this context, it has been pointed out that the Rules of Procedure were amended in May 2013 so as to allow a former committee chair, ineligible according to the provisions in force at the time, to stand for election to the vacant chairmanship of a committee, in order to complete the current term of office.³⁹

– *Proposal*

79. The Rules Committee proposes the amendment of Rules 45.7 and 48.7 in order to set a waiting period of two years before the outgoing chair or vice chair of a committee or a sub-committee may stand again for election to such positions in another committee. That waiting period should be increased to four years before the outgoing chair or vice-chair of a committee or a sub-committee may stand again for election to those same positions in the same committee.

4.5. Status of immediate past presidents of the Parliamentary Assembly

80. On 11 April 2014, the Assembly referred a motion for a resolution on the “Status of immediate past presidents of the Parliamentary Assembly in the Committee on Political Affairs and Democracy” ([Doc. 13487](#)) to the Committee on Rules of Procedure to be taken into account in the preparation of the present report.

81. Under Rule 19.3 of the Rules of Procedure of the Assembly, the immediate past President, as long as he or she remains a representative or substitute in the Assembly without interruption, shall be an *ex officio* member of the Committee on Political Affairs and Democracy, “but may not take part in votes, nor be appointed rapporteur, nor be elected to the Bureau of that committee and its sub-committees”. The signatories to the afore-mentioned motion ask for the status of the immediate past president to be aligned with that of the chairs of political groups, who are *ex officio* members of the Committee on Political Affairs and Democracy and since January 2013 have had the same rights as the other members of that committee (right to vote, right to be a member of the committee's bureau, right to be a member of the sub-committees and their bureaux).⁴⁰

82. The rules on granting the status of member of the Political Affairs Committee to the immediate past president were incorporated into the Rules of Procedure in 2002 by [Resolution 1284 \(2002\)](#).⁴¹ They originated in a proposal by the Presidential Committee, approved by the Bureau, and were based (solely) on a reference – also made in [Resolution 1284](#) – to the political experience of the outgoing president from which the Assembly could benefit through his/her participation in the work of the Committee on Political Affairs and Democracy.

83. In 2012, on the occasion of the aforementioned review of Rule 18 with regard to the rights of chairs of political groups, the Rules Committee also examined briefly the situation of other *ex officio* members of certain committees, and in particular that of the outgoing president, though the committee did not see fit at the time to re-examine the latter's status.

84. It may be useful to point out that the Assembly's decision in 2002 was by way of an ad hoc measure benefiting the then outgoing president. All the outgoing Assembly presidents between 2004 and 2013 sat on the Political Affairs Committee – while still members of the Assembly – as representatives of their national delegations.

85. Moreover, no similar rule exists in the other inter-parliamentary assemblies granting the outgoing president a particular dispensatory status. The outgoing president of the Assembly may be granted the title of honorary president of the Assembly, to which a number of prerogatives attach.

39. See [Resolution 1937 \(2013\)](#) on the length of term of office and re-eligibility of committee chairpersons, and the report of the Committee on Rules of Procedure, Immunities and Institutional Affairs ([Doc. 13219](#)).

40. See [Resolution 1911 \(2012\)](#) on the status of the chairpersons of political groups in committees (Rule 18.5 of the Assembly's Rules of Procedure) and the report of the Committee on Rules of Procedure, Immunities and Institutional Affairs ([Doc. 13058](#)).

41. See also the report of the Committee on Rules of Procedure, Immunities and Institutional Affairs on granting membership of the Political Affairs Committee to the outgoing president of the Assembly and to the chairs of the political groups ([Doc. 9455](#)).

86. Lastly, underlying the granting of membership of the Political Affairs Committee to the outgoing president of the Assembly is the idea that the latter adopts a neutral stance. It is for this reason that he/she does not have the right to vote. Amending the Rules of Procedure on this point would be tantamount to allocating an extra seat on the committee to the national delegation from which the outgoing president comes, and would thus lead to imbalance in the representation of delegations.

– *Proposal*

87. The Rules Committee was asked to take position on the opportunity to grant additional rights to the immediate past president of the Assembly as *ex officio* member of the committee on Political Affairs and Democracy. Having regard to the above factors, it may consider either that there is no reason to amend the present provisions of Rule 19.3, or that the ad hoc status of outgoing president shall be aligned with that of chairpersons of political groups in the Political Affairs Committee. At its meeting on 15 May 2014, the Rules Committee followed the proposal made by the rapporteur and clearly opted for the latter approach.

4.6. Inclusion of a condition governing representation of the under-represented sex in observer delegations (Rule 60)

88. The Rules of Procedure require that a partner for democracy delegation “include at least the same percentage of the under-represented sex as is present in the parliament and in any case one representative of each sex”, “insofar as the number of its members allows” (Rule 61.4) – with reference of course to the identical condition which applies to the composition of national delegations to the Assembly (Rule 6.2.a). No such condition applies to observer delegations to the Assembly. This absence is due to the fact that this status dates from an earlier time (having been instituted in 1961 by [Resolution 195 \(1961\)](#)) compared with the very recent partner for democracy status, which consequently comprises more modern and more comprehensive criteria. There is therefore good reason to amend Rule 60.2 of the Rules of Procedure in order to standardise the rules on composition of delegations from non-member States of the Assembly.

4.7. Creation of a Committee on the Election of Judges to the European Court of Human Rights

89. At the Standing Committee meeting on 8 March 2013, there was an exchange of views with the chair of the Sub-Committee on the Election of Judges to the European Court of Human Rights, in the course of which the idea was raised of creating a Committee on the Election of Judges to the European Court of Human Rights to replace the present sub-committee, which would strengthen the Assembly’s decision-making process in this area, give it greater importance and improve the Assembly’s political visibility. In particular, it was pointed out that the 34 members of the sub-committee (17 full members and 17 alternates) were appointed by the political groups, but from among the members of the Committee on Legal Affairs and Human Rights, who were themselves appointed by the national delegations, which could considerably limit the actual choice of the political groups.

90. The Rules Committee should therefore study the proposal to set up a full committee to replace the present sub-committee. Such a committee might consist of members appointed by the political groups according to the D'Hondt system, chosen from their members with a high level of legal knowledge (while increasing the membership to 20 members and 20 alternates). The chairpersons of the Committee on Legal Affairs and Human Rights and the Committee on Equality and Non-Discrimination should be *ex officio* members of that new committee.⁴²

91. If the creation of a new full committee of the Assembly were decided (even beyond the difficult budgetary context which requires the reduction of the operating costs of Assembly committees), by way of exception, interpretation at its meetings should be only in the official languages, insofar as the interviews of candidates for the office of judge to the Court are conducted in English and French, in order to assess their knowledge of both languages, as required.

4.8. Amendment of the terms of reference of the Committee on Migration, Refugees and Displaced Persons

92. The committees concerned by the amendment of their terms of reference in 2012 have all expressed a positive opinion as regards the coherence of their terms of reference in the light of the implementation of their work programme in the past two years. However, the Committee on Migration, Refugees and Displaced

42. In due time, after the accession of the European Union to the European Convention on Human Rights, one member of the European Parliament (with an alternate) will be entitled to sit, *ex officio*.

Persons indicated (in a letter from its chair to the President of the Assembly in October 2012) its wish to extend its terms of reference to include “issues relating to population, nationality and stateless persons”, which, in its view, would fit better within its field of responsibility.

– *Proposal*

93. The Rules Committee proposes the amendment of the terms of reference of the Committee on Migration, Refugees and Displaced Persons in order to include therein issues relating to population, demography, nationality and stateless persons.

4.9. Modification of the arrangements for publication, in an addendum to the official report, of speeches which were not delivered

94. Rule 30.2 provides that speakers who were present during a debate but who were unable to speak for lack of time may submit the text of their speech for publication in the official report. That provision, together with specific complementary texts on the organisation of Assembly debates, deserves updating. As the rules now stand, a speech that is not delivered is equivalent to a delivered speech of 4 minutes (yet speaking time in the Assembly chamber is limited to 3 minutes most of the time), and has to be submitted within 24 hours after the list of speakers is interrupted (this time-limit being scarcely compatible with current practice for publication of reports of debates).

– *Proposal*

95. The Rules Committee proposes amending Rule 30.2 and the corresponding complementary texts to provide that non-delivered speeches must be sent electronically within four hours of the closure of the sitting concerned, and not exceed 400 words where speaking time in the Chamber was reduced to three minutes.

4.10. The addition of a rule on the minutes of committee meetings

96. The Rules of Procedure of the Assembly currently contain no provision on the minutes of committee meetings. It would therefore be desirable for the following provision to be included at the end of Rule 47: “The draft minutes of each committee meeting shall be distributed to all members of the committee, in the conditions stipulated in Rule 46.5, and shall be presented for the committee’s approval at the beginning of the following meeting.”

4.11. Clarification of the rules governing dissenting opinions when a draft report is examined in committee

97. The Assembly’s Rules of Procedure stipulate, in Rule 49.4, that “[a]ny dissenting opinions expressed in the committee shall be included therein at the request of their authors, preferably in the body of the explanatory memorandum, but otherwise in an appendix or footnote”. Committee practice in recent years shows some disparity in actual modes of application of this provision, whether the length of the dissenting opinion or the time-limit for its submission. Several delegations have therefore requested clarification on the interpretation of this rule.

– *Proposal*

98. It would be desirable to include a footnote to Rule 49.4 giving the requisite clarification: “A dissenting opinion shall be included in the report in the form laid down in Rule 49.4 as approved by the committee when adopting the report. The text, drafted in one of the Assembly’s two official languages and no longer than 500 words, shall be tabled by the committee member who expressed his/her dissenting opinion during the meeting, within 48 hours after the meeting.”

5. Conclusion

99. The Rules Committee considered all of the proposals relating to amendments which might be made to the Rules of Procedure presented by national delegations, committees and members of the Assembly. With regard to the following points, it decided to propose that the Assembly:

- revise the procedure for challenging still unratified credentials on procedural grounds – Rule 7 (see paragraphs 49 to 60), and:

. enable the Committee on Equality and Non-Discrimination to be seized for an opinion in the event of a challenge to the still unratified credentials of a delegation on procedural grounds related to the representation of the sexes;

. do not establish a procedure for challenging the credentials of individual representatives or substitutes (based on actions or statements which seriously and persistently conflict with the aims and basic principles of the Council of Europe), distinct from that for challenging on procedural grounds the still unratified credentials of a delegation as a whole;

- amend the conditions for the admissibility of amendments (Rule 33.4), in order to include therein a provision stating that an amendment is inadmissible if it seeks to change a draft resolution into a draft recommendation (see paragraphs 62 to 64);
- encourage the involvement of a larger number of members as rapporteurs and members of the bureaux of the committees and sub-committees (see paragraphs 65 to 79);

. limit the total number of reports, for all committees, for which a single member is responsible to five reports or opinions, subject to a maximum of two reports or opinions per committee (Rule 49.1);

. set a waiting period of two years before the outgoing chair or vice chair of a committee or a sub-committee may stand again for election to such positions in another committee. That waiting period should be increased to four years before the outgoing chair or vice-chair of a committee or a sub-committee may stand again for election to those same positions in the same committee (Rules 45.7 and 48.7);

- modify the status of the immediate past president of the Assembly as *ex officio* member of the Committee on Political Affairs and Democracy (Rule 19.3), which shall be aligned with that of chairpersons of political groups in this committee (paragraphs 80 to 87);
- set up a general Committee on the Election of Judges to the European Court of Human Rights to replace the present sub-committee, which would consist of 20 full members and 20 alternates appointed by the political groups according to the D'Hondt system, chosen from their members with a high level of legal knowledge, as well as the chairs of the Committee on Legal Affairs and Human Rights and the Committee on Equality and Non-Discrimination as *ex officio* members (see paragraphs 89 to 91);
- amend the terms of reference of the Committee on Migration, Refugees and Displaced Persons in order to include therein issues relating to population, demography, nationality and stateless persons (see paragraphs 92 and 93).
- include a condition governing representation of the under-represented sex in observer delegations (see paragraph 88).
- amend the provisions on the publication in an addendum to the official report of speeches which were not delivered (see paragraphs 94 and 95).
- include in the Rules of Procedure (Rule 47) a provision relating to the minutes of committee meetings (see paragraph 96).
- include in the Rules of Procedure (Rule 49.4) an explanatory footnote on the procedure for including a dissenting opinion in a report (see paragraph 98).