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Special Message of the Committee of Ministers transmitting to the Consultative assembly the programme of work of the Council of Europe

Opinion
Committee on Rules of Procedure, Immunities and Institutional Affairs
Rapporteur: Mr G. Morgan THOMSON, United Kingdom, Socialist Group

During the Fifteenth Sitting of the Sixth Session on 15th September, 1954, the Assembly referred to the Committee on Rules of Procedure for an Opinion the two draft Resolutions and Opinion contained in the preliminary Report of the Committee on General Affairs,Doc. 264.

The Committee on Rules of Procedure and Privileges duly examined the texts proposed by the Committee on General Affairs and, after hearing the views of the Rapporteur of that Committee, came to the following conclusions.

With regard to the Draft Resolution on relations between the Consultative Assembly and the national Parliaments, Your Committee felt that the terms of paragraph 4 were too strict and should be amended to enable each Representative to retain all necessary freedom of action within his own Parliament. Even though it may be desirable for Representatives to take steps in their own countries to secure speedier ratification of Council of Europe Conventions, it is hardly likely that the Governments would agree to being committed in advance by hard-and-fast lines of policy obliging them to adopt a specific attitude in the Committee of Ministers. Therefore, Your Committee presented an amendment containing a fresh draft of paragraph 4, though leaving intact the principle formulated at the beginning of this paragraph.

Subject to this amendment Your Committee approves the first draft Resolution.

Six amendments have been made to the second draft Resolution.

Your Committee approves the principle set out in paragraph 1 (a), which they have re-drafted in a more precise form. If the Assembly in its turn agrees with this principle, Your Committee will undertake a study of its detailed application in the Rules of Procedure.

I n paragraph 1 (&) your Committee proposes that after the words "part-session" the words "whenever possible" be inserted. Your Committee also recommends that the Secretariat should study ways and means of furnishing to Representatives all necessary documents as far in advance as possible of the debates to which those documents relate.

The amendment proposed to paragraph 1 (c) leaves its underlying principle intact and merely aims at simplifying the wording, on the understanding that the Committees shall have two methods of expressing to the Assembly their views on the effect given to Recommendations or inaction on the part of the Committee of Ministers — namely :

1. Debate on the Reply of the Assembly to the statutory Report of the Committee of Ministers ;
2. lDebate on a new Report bearing on a question already dealt with but on which the Committee feels that it should reconsider its attitude.

Your Committee proposes that the whole of paragraph 2 should be deleted, since the Bureau has already arranged for the provision of facilities for the political groups within the Consultative Assembly.

Paragraph 3 (b) has been amended to take account of the recent setting up of a Committee on Budgetary Affairs and Administration.

Lastly, paragraph 4 has also been slightly amended.

Subject to these provisos Your Committee approves this draft Resolution.

With regard to the draft Opinion, Your Committee feels that Chapter I of Section B should be re-worded having regard to the decision taken by the Bureau on 8th July, 1954, and to Rule 42 (9) of the Rules of Procedure and taking into account paragraph 77 of the Supplementary Report of the Committee of Ministers, Doc. 272. Your Committee accordingly proposes an amendment on this point. Otherwise, it fully approves the draft Opinion.

Your Committee accordingly unanimously submit for the approval of the Assembly the following amendments to the two draft Resolutions and the draft Opinion contained in the Report of the Committee on General Affairs, Doc. 264.

1. Amendment No. 1

I n the first Draft Resolution, leave out paragraph 4 and insert new paragraph 4 as follows :

4. Invites Representatives to co-operato with the Clerk to the Assembly in considering and putting into action suitable methods of inducing national Parliaments to support the Recommendations of the Assembly, the Secretariat- General being instructed to give all the necessary technical assistance to Representatives for this purpose.

2. Amendment No. 2

I n the second Draft Resolution, leave out paragraph 1 (a) and insert now paragraph 1 (a) as follows :

((a) to induce Representatives, by the abolition of the documents entitled "requests for inclusion in the agenda", to lay upon the table only "motions for a Resolution, Recommendation or Order" (the rest unchanged).

3. Amendment No. 3

I n the second Draft Resolution, paragraph 1 (b), after the words :

"part-Session"

insert the words :

' ' whenever possible".

4. Amendment No. 4

In the second Draft Resolution, paragraph 1, leave out sub-paragraph (c) and insert :

(c) to instruct the Committees of the Assembly to place on the Agenda of each of their meetings the item : Action taken on Recommendations within the terms of reference of the Committee, such supervisory functions ceasing only when each matter has been finally dealt with.

5. Amendment No. 5

I n the second Draft Resolution, leave out paragraph 2.

6. Amendment No. 6

I n the second Draft Resolution, paragraph 3, leave out sub-paragraph (b) and insert:

(b) instructs the Committee on Budgetary Affairs and Administration to prepare a report on the financial implications of this decision.

7. Amendment No. 7

In the second Draft Resolution, paragraph 4, leave out the words :

" t o amend the Rules of Procedure in pursuance of",

and insert the words :

" t o examine what alterations to the Rules of Procedure are necessary to carry out."

8. Amendment No. 8

In the Draft Opinion, Section B,

1. Leave out Chapter I and insert the following new text :

"Authorises the Bureau to communicate Committee documents, confidentially, to the Committee of Ministers."

2. In Chapter II, sub-paragraph (b), leave out the words :

" a s soon as they judge this possible."