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Means of giving effect to Resolution 61 on relations between the Consultative Assembly and national Parliaments

Report
Committee on Political Affairs and Democracy
Rapporteur: Mr Karl MOMMER, Germany

A. Draft Resolution

The Assembly,

Considering that, with a view to the effective implementation of Resolution 61, systematic relations should be established between the Consultative Assembly and the national Parliaments,

A. Invites the Representatives from each Member State :

1. to do their utmost—by setting up a Special Committee for questions concerning the Council of Europe, by intervention in general debates, by tabling a written question, by giving notice of an oral question or interpellation, by introduction of a Bill, etc.—to bring about, whenever appropriate, a discussion in their respective Parliaments of recommendations made by the Consultative Assembly which call on the Committee of Ministers or the national Parliaments to take a decision on a particular question;

2. to arrange for texts adopted by the Consultative Assembly on a given question to be brought to the attention of Parliament whenever there is any discussion of the same question;

3. to present to Parliament a report on the work of the Consultative Assembly after each Session or part-Session;

4. to make the necessary arrangements to ensure that action on these lines is taken in good time; to this end, Representatives from each Member country might appoint one or more Representatives who, assisted by a permanent secretary and with the co-operation of the Clerk of the Assembly, would be responsible for the implementation of the measures suggested above;

B. Invites the President of the Consultative Assembly to send to national Parliaments, with appropriate comments, those of the texts adopted by the Assembly which, in the opinion of the Bureau, it would be of particular value to bring to the attention of members of national Parliaments;

C. Instructs the Clerk of the Assembly to take all necessary steps towards the implementation of this Resolution, and, in particular, to provide Representatives with :

a. the texts which are to be sent to national Parliaments in accordance with Section A, paragraphs 1 and 2;

b. the information necessary for the preparation of the reports referred to in Section A, paragraph 3.

B. Explanatory Memorandum presented by M. MOMMER, Rapporteur

1.

1. Study of the practical implications of Resolution 61, adopted by the Assembly in September, 1954, shows the need to modify somewhat the rigid requirement that all the texts adopted by the Assembly which appear in the printed collection of documents should automatically be transmitted to national Parliaments. Many of the texts adopted are in fact of very little interest to national Parliaments and unsuitable for discussion in them. A glance at the printed collection of texts adopted in 1954 will substantiate this point.

2. National Parliaments can be associated with the work of the Consultative Assembly in three different ways :

(a) Discussion by national Parliaments of recommendations of the Assembly which call for a decision by the Committee of Ministers or national Parliaments

3. As long as national Parliaments do not support recommendations of the Assembly which call for a specific decision by the Committee of Ministers, there is little hope that Governments will give them the consideration which they deserve. It would therefore appear essential that such recommendations should be discussed in national Parliaments with as little delay as possible, and in any case before Governments have determined their attitude towards them. When a Resolution of the Assembly calls for a decision by national Parliaments-—- for example the ratification of a Convention—the need for the matter to be debated in Parliament is clear. It is for the Representatives to the Consultative Assembly to use all the means offered them by the rules of procedure of their Parliaments to see that such questions are discussed. These debates can be arranged in various ways : in the course of a general debate, by tabling a written question, by giving notice of an oral question or interpellation, or by introducing a Bill. Tho choice of procedure should be left entirely to the discretion of each national group of Representatives, whose members should agree among themselves upon the most appropriate method to adopt.

(b) Circulation to national Parliaments of texts adopted by the Assembly when the questions with which they are concerned are debated in those Parliaments

4. It is in the interests of the Council of , -Europe that, whenever a national Parliament debates a question on which the Consultative Assembly has adopted a Resolution, the text of the Resolution should be communicated to it. This is particularly true of texts adopted by the Assembly following debates on general policy.

5. If Governments have not communicated the texts in question to their parliaments, their distribution should be ensured by the members of the national groups of Representatives to the Assembly. Should this prove to be impossible, the texts could probably be communicated to the competent Committees.

(c) Regular transmission to national Parliaments of information on the work of the Consultative Assembly

6. Apart from those cases in which national Parliaments are asked to give their support to any particular Recommendation of the Assembly, it is desirable that they should be kept regularly informed of its activities. They would thus become better acquainted with the various aspects of the Assembly's work and its rôle in European politics.

7. Some of the national groups in the Assembly submit regular reports of their activities to their Parliaments. These reports give an analysis of the debates, reproduce in full the most important of the texts adopted and summarise the others. If every national group made similar reports, all Parliaments would be kept regularly informed of the work of the Assembly. By way of help in the preparation of these reports, Clerk of the Assembly might be requested to provide each national group with the necessary basic documentation.

8. In addition, the President of the Consultative Assembly would send to national Parliaments, with appropriate comments, those of the texts adopted by the Assembly which, in the opinion of the Bureau, it would be of particular value to bring to the attention of members of national Parliaments.

9. In order to give full effect to these suggestions the national groups of Representatives to the Assembly should organise themselves on a permanent basis. They should, for example, elect a Chairman or spokesman, and an administrative Secretary, and should meet whenever necessary for the implementation of Resolution 61. This would also enable Assembly Services to keep in constant touch with the national groups. There is clearly no question of imposing any rigid and uniform system of organisation on the national groups. Each group would organise itself as it considered best.

10. It has not been considered necessary to make any proposals regarding the translation into languages other than the official languages of the Council of texts adopted by the Assembly. Documents could be translated either in the Foreign Ministries or in the national Parliaments themselves; or, in exceptional cases, Assembly Services would be responsible for the necessary translation work.