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Application of Rule 45 to the hearing of officials by the Assembly

Opinion

Committee on Rules of Procedure, Immunities and Institutional Affairs

On 19th October 1956, during the 18th Sitting of the Eighth Session, the President of the Assembly, before allowing a high official representing the Foreign Minister of a member country to speak, expressly reserved the point of procedure which was raised in the allowing of "a person who was not a member of the Government to speak as its representative". The President of the Assembly laid the matter before the Committee on Rules of Procedure.

The Committee on Rules of Procedure examined the question during its meeting on 23rd October 1956, and instructed its Chairman to send the following letter to the President of the Assembly :

Strasbourg, 25th October 1956

Sir,

You have asked the Committee on Rules of Procedure and Privileges to express its opinion on the question whether, having regard to Rule 45 of the Rules of Procedure, in the event of a Minister being unable to attend, a senior official delegated by him should be allowed to represent him before the Assembly and address it on his behalf.

The Committee does not wish its reply to imply any criticism of the decision taken in the case which led to your request. Unforeseen circumstances can always arise, and the formal reservations with which you surrounded your decision were but the expression of the vigilance you exercise to ensure the respect of our Rules of Procedure.

The Committee on Rules of Procedure is, however, of the opinion that the solution adopted in the case under review should not be regarded as a precedent. It considers that if the Assembly wishes to remain true to its parliamentary traditions and, at the same time, not to jeopardise the excellent progress made in relations with the Ministers in connection with their co-operation in our work, Rule 45, para. 1, concerning access to the Assembly and participation in its debates should apply to Ministers alone.

I am, Sir,

Your obedient Servant,

Signed: F. VAN CAUWELAERT

