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Parliamentary scrutiny of international institutions

Reply to Recommendation¹: Recommendation 1567 (2002)
Committee of Ministers

1. The Committee of Ministers took note with interest of [Recommendation 1567](#) on parliamentary scrutiny of international institutions, which the Parliamentary Assembly adopted on 25 June 2002, and of [Resolution 1289](#) on the same subject, adopted on the same day.
2. Like the Parliamentary Assembly, the Committee of Ministers is convinced that the effectiveness of the Council of Europe's action depends largely on efficient co-operation between its two statutory organs, through which the governments and parliaments of member states are bringing their contribution to the building of a greater Europe without dividing lines.
3. In response to the specific proposals put forward by the Parliamentary Assembly in paragraph 2 of [Recommendation 1567](#), the Committee of Ministers agreed as follows:
 - i. With regard to **greater involvement of the Parliamentary Assembly in the budgetary process**, especially the determination of the ceiling of the Council of Europe's overall budget, the Committee of Ministers recalls that a procedure for consulting the Parliamentary Assembly has already been established, in accordance with the recommendations of the Committee of Wise Persons.
 - The draft budgetary calendar is set so as to enable the Assembly's opinion to be taken fully into account.
 - An exchange of views based on the Secretary General's proposals for priorities for the following year and their budgetary implications takes place with the Assembly before a decision is taken by the Deputies on the priorities and the level of member states' contributions.
 - The Assembly enjoys considerable budgetary freedom within its own financial package.

The Committee of Ministers believes that legitimate concerns of the Assembly in this area are thereby met.
 - ii. With regard to the establishment of a **co-decision-making process for the adoption of draft treaties**, the Committee of Ministers draws attention to the stand it took in connection with follow-up to the final report of the Committee of Wise Persons, which is to consult the Assembly on all draft treaties, save in exceptional cases where, for purely technical reasons, such consultation is not necessary. It observes that this principle has been strictly observed for over three years, and that in practice the Ministers' Deputies made an effort to take account of the positions adopted by the Assembly during the consultation process, before finally adopting conventions. In view of its positive assessment of this practice, which has been applied since May 1999, the Committee of Ministers intends to continue with it, without going so far as introducing a formal co-decision-making process as envisaged by the Assembly.

1. Adopted at the 825th meeting of the Ministers' Deputies (22 January 2003).



- iii. With regard to the proposal that **the President of the Assembly should officially participate in Committee of Ministers meetings**, the Committee of Ministers is pleased to inform the Assembly that, further to the invitations to President Schieder to attend the 110th (Vilnius, 3 May 2002) and 111th (Strasbourg, 7 November 2002) sessions, it has been agreed that the President of the Parliamentary Assembly will in future be systematically invited to attend formal Committee of Ministers sessions. This will supplement and reinforce the Assembly President's participation in informal ministerial meetings held the day before sessions at the Secretary General's invitation, to which Presidents Russell-Johnston and Schieder have been regularly invited since November 1999.
- iv. With regard to the idea of **reinforcing the monitoring procedures**, in particular by using comparative methods, the Committee of Ministers would point out that monitoring of the honouring of commitments entered into by member states remains an essential activity that must be properly implemented, as Ms Lydie Polfer, Minister of Foreign Affairs of Luxembourg and then Chair of the Committee of Ministers, recalled in Vilnius on 3 May 2002. The Committee of Ministers is still convinced that the monitoring procedures used by the Committee of Ministers and the Parliamentary Assembly, although they are different in nature, are complementary and reinforce each other, and it is willing to pursue recent efforts to exchange information and engage in dialogue in this respect. It will be remembered, in this connection, that the Committee of Ministers adopted, in October 2002, two new themes for the procedure for monitoring the honouring of undertakings, one concerning freedom of conscience and religion and the other equal rights for women and men in member states. These themes will be discussed by the Ministers' Deputies in July and October 2003 respectively. Moreover, a comparative study of freedom of expression and information in the 44 member states is being prepared and should be discussed by the Ministers' Deputies in April 2003.
- v. With regard to improving **transparency in the implementation of Assembly recommendations**, the Committee of Ministers would draw attention to the substantial efforts made in this area since 1998, particularly with the introduction of a nine-month deadline to be observed, as far as possible, for replying to Assembly recommendations. The Committee of Ministers is aware that this target has not always been attained, but would also like to draw the Assembly's attention to the many cases in which high priority has been given to the adoption of a reply well within the nine-month time limit, particularly in connection with the current political issues that are most important to the Council of Europe, in connection with which the Committee of Ministers usually communicates its views to the Parliamentary Assembly in time for the next part-session. In addition, information on the action the Committee of Ministers has taken on Parliamentary Assembly recommendations is regularly included in the written reports prepared by the chairmanship at each session, and a comprehensive report on this action is forwarded to the Assembly every year.

Against this background, the Committee of Ministers is ready to commit itself to making an additional effort so that replies can be adopted to Parliamentary Assembly recommendations in principal in time for the second part-session following that at which they were adopted, that is to say within a time-limit of less than six months (the nine-month time limit becoming a maximum for exceptional cases). It further considers that priority should go to giving more impetus to the already made efforts described above so that they can have their full impact in strengthening dialogue and communication between the Committee of Ministers and the Parliamentary Assembly, while being open to additional specific proposals for improvements.