

## Rules of Procedure of the Committee of Ministers of the Council of Europe (2 August 1951)

**Caption:** On 2 August 1951, the Committee of Ministers of the Council of Europe adopts its first Rules of procedure.

**Source:** Rules of procedure of the Committee of Ministers = Règlement intérieur du Comité des Ministres, Adopted by the Committee of Ministers on the 2nd August 1951 = Adopté par le Comité des Ministres le 2 août 1951. Strasbourg: Council of Europe = Conseil de l'Europe, 1951.

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## Rules of Procedure of the Committee of Ministers of the Council of Europe (2 August 1951)

### Article 1

(a) The Committee of Ministers shall be in session during the days immediately preceding and following the opening of the session of the Consultative Assembly. The Committee shall meet again as soon after the end of the session of the Assembly as it shall deem expedient.

(b) If any of the Members or the Secretary-General so request, the Committee may decide to meet in session at other times. If the Committee is not in session, the request shall be communicated by the Secretary-General to the Members and a decision in favour of holding a session shall be regarded as taken by the majority required under article 20 (d) of the Statute if two-thirds of the Members inform the Secretary-General of their agreement.

### Article 2

The Chairman shall, after consulting the representatives on the Committee, fix the exact date for the opening of each session and the Secretary-General shall notify it to Members.

### Article 3

When a session of the Committee has been arranged in accordance with the provisions of Articles 1 (b) and 2, any request for postponement shall be made at least fifteen days before the date fixed for the opening of the session ; a decision in favour of postponing the session shall be regarded as taken by the majority required under Article 20 (d) of the Statute if two-thirds of the Members inform the Secretary-General of their agreement at least seven days before the date originally fixed.

### Article 4

(a) For each session of the Committee the Secretary-General shall draw up a provisional Agenda, which he shall transmit to Members at the same time as the notification of the date of the opening of the session.

(b) The Agenda shall include:

(i) Any Resolutions of the Consultative Assembly of the kind mentioned in Article 29, paragraphs (i), (iii) and (iv) of the Statute.

(ii) Questions including any draft resolutions, put forward for consideration by a Member.

(iii) Administrative and financial matters concerning the working of the Council, set out in Articles 16 and 38 of the Statute, and submitted by the Secretary-General.

### Article 5

The Agenda shall be adopted by the Committee at the beginning of the session.

### Article 6

(a) Subject to Articles 7 and 8 below, the Chairmanship of each session of the Committee shall be held in turn by the representatives of the Members in the alphabetical order adopted for the signature of the Statute of the Council.

(b) The Chairman shall remain in office between sessions, until the opening of the next session.

#### **Article 7**

(a) During the session the Chairman may be replaced as such by another member of his Government.

(b) If and so long as the place of a Foreign Minister entitled to take the Chair is taken by an alternate under the provisions of Article 10 who is not a member of his Government, the Chairmanship shall pass to that representative who is a member of his Government and would take the Chair next in the order mentioned in the preceding article.

#### **Article 8**

If the Foreign Minister who is entitled to take the Chair at a certain session waives this right, the Chairmanship shall not revert to him at the subsequent session but shall pass on in the order mentioned in Article 6.

#### **Article 9**

(a) The Chairman shall guide the discussions, put proposals to the vote and announce decisions.

(b) He may speak and vote but shall have no casting vote.

#### **Article 10**

When a Minister for Foreign Affairs wishes to be replaced by an alternate, in accordance with Article 14 of the Statute, he shall inform the Secretary-General of the name and office of his alternate.

#### **Article 11**

There shall be a quorum if two-thirds of the representatives of the Members are present.

#### **Article 12**

(a) English and French shall be the official languages of the Committee.

(b) A representative may speak in any other language, but in that case he shall himself provide for his interpretation into one of the official languages.

#### **Article 13**

Any proposal for a resolution must be submitted in writing if any representative so requests. In that case the Chairman shall not put the proposal to the vote until it has been circulated.

#### **Article 14**

Where a recommendation of the Consultative Assembly is only partially acceptable to the Committee of Ministers, the latter shall refer it back to the President of the Assembly for further consideration and shall at the same time append its comments.

#### **Article 15**

Written questions submitted by representatives to the Assembly in pursuance of Article 48 of the Rules of Procedure of the Consultative Assembly shall first be examined by the Ministers' Advisers, meeting

immediately before the sessions of the Committee of Ministers. The Advisers shall then determine which questions shall be included in the Agenda of the Committee of Ministers, and shall decide what other action should be taken.

#### **Article 16**

(a) The Committee of Ministers may authorise one or more of the representatives on the Committee to make a statement to the Consultative Assembly presenting its views on any matter whether or not it is on the Agenda of the Assembly.

(b) The representative or representatives chosen shall limit themselves to statements previously approved by the Committee, unless the Committee authorises him or them to take part in the debates in the Assembly on the matter in question.

(c) The President of the Assembly and the Chairman of the Committee of Ministers shall settle the date on which the representatives of the Committee shall be heard by the Assembly.

#### **Article 17**

(a) If any representative on the Committee, being a member of the Government which he represents, wishes to speak as an individual and under his own name on any item on the Agenda of the Assembly, the request shall be addressed to the Committee of Ministers which is empowered to take a decision on it by a simple majority vote.

(b) If the Committee decides in the affirmative, the Chairman of the Committee shall notify the President of the Assembly, who shall settle with the representative the date on which he shall be heard.

#### **Article 18**

The Secretary-General shall be present at meetings of the Committee except during the discussion of any particular question when the Committee has decided otherwise.

#### **Article 19**

The Secretary General shall prepare a list of the resolutions of the Committee and distribute it to Members.

#### **Article 20**

(a) The Secretary-General shall prepare and submit to the Committee the reports provided for in Article 19 of the Statute. He shall transmit them to Members at the same time as the notification of the opening date of the appropriate session of the Committee.

(b) The Committee may also instruct the Secretary-General to prepare a report on any question. He shall prepare the material required by the representatives on the Committee and shall distribute it to them.

#### **Article 21**

The Secretary-General shall be the channel of communication between the Committee and the Consultative Assembly.

#### **Article 22**

The Secretary-General shall provide the Committee with the necessary staff, who shall form part of the Secretariat.

**Article 23**

The Secretary-General, being responsible to the Committee for the activities of the Secretariat, shall draw up an annual report on these activities, which he shall transmit to Members at the same time as the notification of the opening date of that session of the Committee which precedes the ordinary session of the Consultative Assembly.

**Article 24**

(a) Consideration of the admission to the Council of a Member or Associate Member must be initiated by a proposal put forward by at least one representative. The proposal must have been included in the Agenda of the session at which it is discussed.

(b) Any State which the Committee has decided to invite shall receive through the Secretary-General a notification of the invitation extended to it by the Committee. This notification shall set out the number of seats in the Consultative Assembly to which the prospective Member will be entitled, its proportion of the financial contribution and the amount of its contribution to the working capital fund. The Secretary-General shall notify the Members of the date of deposit of the instrument of accession of the new Member.

**Article 25**

All consideration of the suspension of a Member must begin by a proposal for suspension put forward by at least one representative. The proposal must have been included in the Agenda of the session at which it is discussed. The Member concerned shall receive through the Secretary-General a notification of the decision reached in its case. This notification shall set out the legal and financial consequences of the decision.

**Article 26**

The procedure specified in the preceding article shall be followed in the case of proposals that a Member that has been suspended shall cease to be a Member or cease to be suspended.

**Article 27**

The Secretary-General shall transmit to the Committee any notice of withdrawal received from a Member. The Committee shall discuss it at its next meeting and decide on its legal and financial consequences which shall be notified to the Member concerned by the Secretary-General.