

Rules of Procedure of the Council of Europe's Parliamentary Assembly (4 November 1999) — consolidated version (2001)

Caption: Rules of Procedure of the Council of Europe's Parliamentary Assembly adopted by the Standing Committee, acting on behalf of the Assembly, on 4 November 1999 and last amended in 2001.

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Rules of Procedure of the Parliamentary Assembly of the Council of Europe

Resolution 1202 (1999) adopted on 4 November 1999 as amended by Resolution 1234 (2000) and Resolution 1266 (2001)

Part I – Sessions of the Assembly

Rule 1 – Ordinary Sessions

1.1. The Assembly shall hold each year an Ordinary Session ⁽¹⁾, divided into several Part-Sessions.

1.2. The dates of the sessions shall be fixed by the Assembly or by the Standing Committee ⁽²⁾ or, failing that, by the Bureau in such a way that Representatives and Substitutes may be notified personally not less than three weeks beforehand.

Rule 2 – Extraordinary Sessions (3)

2. The Assembly may be convened in Extraordinary Session by agreement between the President of the Assembly and the Committee of Ministers, at the initiative of either.

Rule 3 – Place of meeting (4)

3.1. Ordinary Sessions of the Assembly shall be held at the seat of the Council of Europe unless the Assembly and the Committee of Ministers agree that they should be held elsewhere.

3.2. Extraordinary Sessions shall be held at such place as shall be decided by agreement between the President of the Assembly and the Committee of Ministers.

Rule 4 – Duration of Sessions (5)

4.1. The period during which the Assembly shall meet in Ordinary Session shall not exceed a total of 31 days unless the Assembly and the Committee of Ministers agree otherwise.

4.2. Extraordinary Sessions shall end when the Agenda is finished.

Part II – Representatives and Substitutes

Rule 5 – Provisional President

5.1. At the beginning of each Ordinary Session the oldest member of the Assembly present shall preside until the election of the President of the Assembly has been announced.

5.2. No debate may take place unless concerned with the examination of credentials or the election of the President of the Assembly, and no speeches may be made, while the Provisional President is in the Chair ⁽⁶⁾.

Rule 6 – Credentials (7)

6.1. The credentials of the Representatives and Substitutes, elected within the national or federal parliament or appointed from among the members of the national or federal parliament, shall be sent to the President of the Assembly by the President (Speaker) of the national Parliament or the President (Speaker) of a national Parliamentary Chamber or any person delegated by them. Each member State notifies the Secretary General of the Council of Europe of the competent authority it has appointed for the purpose ⁽⁸⁾. The credentials shall be transmitted, if possible, not less than one week before the opening of the Session.

6.2. Insofar as the number of their members allows, national delegations should be composed so as to ensure

a fair representation of the political parties or groups in their parliaments. Each parliament shall inform the Assembly of the method used to apportion seats on its delegation.

6.3. At the beginning of each Ordinary Session these credentials shall be submitted to the Assembly by the provisional President for ratification.

6.4. Credentials presented at a later date shall be submitted by the President to the Assembly or to the Standing Committee for ratification at the first sitting, or meeting, following the day of their receipt.

Rule 7 – Challenge of still unratified credentials on procedural grounds

7.1. Credentials may be challenged by any member of the Assembly present in the Chamber on stated procedural grounds based upon:

- a. one or more of the relevant provisions of the Statute (in particular Articles 25 and 26);
- b. the principle in Rule 6.2., that national parliamentary delegations should be composed so as to ensure a fair representation of the political parties or groups in their parliaments.

7.2 Any credentials so challenged at a meeting of the Assembly or of the Standing Committee shall be referred without debate to the Committee on Rules of Procedure and Immunities, which shall report to the Assembly within 24 hours if possible. These deadlines do not apply to the Standing Committee

7.3. Reports submitted to the Assembly or the Standing Committee under paragraph 2 shall recommend either:

- a. ratification of the credentials, or
- b. non-ratification of the credentials, or
- c. depriving or suspending the exercise of some of the rights of participation or representation of members of the delegation concerned in the activities of the Assembly and its bodies.

7.4. Any member whose credentials are challenged may sit provisionally with the same rights as other Representatives and Substitutes until the Assembly, or the Standing Committee acting on behalf of the Assembly, has reached a decision. However, such a member shall not vote in any proceeding relating to the examination of the credentials which concern him.

Rule 8 – Challenge of still unratified credentials on substantial grounds

8.1 The unratified credentials of a national delegation as a whole may be challenged on the substantial grounds set out in paragraph 2 by:

- a. at least ten members of the Assembly present in the Chamber, belonging to at least five national delegations, or
- b. a report of the Committee on the Honouring of Obligations and Commitments by Member States (Monitoring Committee).

8.2. The substantial grounds on which credentials may be challenged are:

- a. serious violation of the basic principles of the Council of Europe mentioned in Article 3 of, and the Preamble ⁽⁹⁾ to, the Statute; or
- b. persistent failure to honour obligations and commitments and lack of co-operation with the Assembly's monitoring procedure ⁽¹⁰⁾.

8.3. Credentials which are challenged on substantial grounds at the opening of a Part-Session or of a meeting of the Standing Committee shall be referred without debate to the appropriate Committee for report and to the Committee on Rules of Procedure and Immunities for opinion. They may also be referred, if necessary, to other Committees for opinion. The Committee shall report within 24 hours if possible and the Assembly shall consider it as soon as possible. These deadlines do not apply to the Standing Committee.

8.4. Any report of the Monitoring Committee calling into question the unratified credentials of a national delegation shall be placed on the order of business for a Part-Session, or the agenda of a meeting of the Standing Committee, to be debated no later than twenty four hours after the opening of the Part-Session or as one of the first items on the agenda of the Standing Committee.

8.5. Reports submitted to the Assembly or the Standing Committee under paragraph 3 and 4 shall recommend either:

- a. ratification of the credentials, or
- b. non-ratification of the credentials, or
- c. depriving or suspending the exercise of some of the rights of participation or representation of members of the delegation concerned in the activities of the Assembly and its bodies.

8.6. Any national delegation whose credentials are challenged may sit provisionally with the same rights as other members of national delegations until the Assembly, or the Standing Committee acting on behalf of the Assembly, has reached a decision. However, the members of such a national delegation shall not vote in any proceeding relating to the examination of credentials which concern them.

Rule 9 – Reconsideration of previously ratified credentials on substantial grounds

9.1. The Assembly may reconsider ratified credentials of a national delegation as a whole in the course of the same Ordinary Session either:

- a. on a motion for a resolution to annul ratification based on the grounds set out in Rule 8.2., or
- b. on the basis of a report by the Monitoring Committee containing a text which recommends that the credentials be reconsidered.

9.2. A motion for a resolution to annul ratification shall be tabled by at least twenty members, belonging to at least two political groups and five national delegations and be distributed ⁽¹¹⁾ at least two weeks before the opening of a Part-Session or a meeting of the Standing Committee. It shall be referred to the appropriate Committee for report and to the Committee on Rules of Procedure and Immunities for opinion. It may be referred, if necessary, to other Committees for opinion. The Committee shall report within 24 hours if possible and the Assembly shall consider it as soon as possible. These deadlines do not apply to the Standing Committee.

9.3. The Monitoring Committee may, in a report foreseen on the order of business of the Assembly or on the agenda of the Standing Committee, call into question the credentials of a national delegation. Such a report

shall, before being discussed by the Assembly or the Standing Committee, be referred to the Committee on Rules of Procedure and Immunities for opinion.

9.4. Reports submitted to the Assembly or Standing Committee under paragraphs 2 and 3 shall recommend either:

- a. confirmation of the ratification of the credentials, or
- b. annulment of the ratification of the credentials, or
- c. depriving or suspending the exercise of some of the rights of participation or representation of members of the delegation concerned in the activities of the Assembly and its bodies.

9.5. Members of the delegation concerned shall not vote on any motion to annul the ratification of their credentials, nor on any text concerning those credentials.

Rule 10 – Duration of term of office of Representatives and Substitutes (12)

10.1. The term of office of Representatives and Substitutes shall begin when their credentials are ratified.

10.2. Subject to the provisions of paragraphs 3 and 4, the term of office of Representatives and Substitutes shall expire at the opening of the next Ordinary Session.

10.3. Following parliamentary elections, the national parliament concerned or other competent authority shall make appointments to the Assembly within six months of the election. The credentials of the existing delegation shall expire at the opening of the first sitting of the Assembly or meeting of the Standing Committee following the appointment of the new delegation by the national parliament or competent authority.

10.4. If a seat becomes vacant through death or resignation, it may be provisionally filled in the Assembly by a Substitute, and in a Committee by another Representative or Substitute, of the same nationality, pending a new appointment by the national delegation concerned ⁽¹³⁾.

Rule 11 – Substitutes (14)

11.1. A representative prevented from attending a Sitting of the Assembly may arrange to be replaced by a Substitute of the same nationality duly designated by the national delegation.

11.2. Each Representative or, in his absence, each Substitute duly designated by the national delegation, shall sign the register of attendance before entering the Chamber for a Sitting ⁽¹⁵⁾.

11.3. By signing the register in place of a Representative, his Substitute shall prevent that Representative from voting and shall also exclude this Representative from acting as an ad hoc Substitute for other absent Representatives.

11.4. A Substitute who has signed the register shall have the same rights and the same obligations in the Assembly as a Representative for the duration of that sitting.

11.5. A Substitute who is a Committee Chairperson or Rapporteur may speak in that capacity, even if he is not sitting in place of a Representative. In that case, however, he shall not be entitled to vote.

Part III – Bureau and Standing Committee

Rule 12 – Bureau of the Assembly

12.1. The Bureau is responsible for the co-ordination of the activities of the Assembly and of its committees. It assists the President in his functions and guides the external relations of the Assembly.

12.2. The Bureau shall consist of the President, of eighteen Vice-Presidents of the Assembly elected according to the system of apportionment of Bureau seats ⁽¹⁶⁾ and the leaders of the political groups. The President does not participate in a vote except in the case of a tie.

Rule 13 – Election of the President

13.1. The President of the Assembly shall be elected after the credentials of the Representatives and Substitutes have been examined under Rule 6. No Representative may stand as a candidate for the office of President unless nominated in writing by ten or more Representatives or Substitutes at least 48 hours before the opening of the Session or Part-Session ⁽¹⁷⁾.

13.2. The President shall be elected by secret ballot. Two tellers chosen by lot shall count the votes cast, assisted by the Secretariat. If, after two ballots, no candidate has obtained an absolute majority of the Representatives of the Assembly, the candidate who on the third ballot receives the greatest number of votes shall be declared elected. In the event of a tie, the older candidate shall be declared elected.

13.3. If only one candidature is proposed to the Assembly, the candidate shall be declared elected without a ballot.

13.4. As soon as the President has been elected, the provisional President shall leave the Chair.

13.5. The President shall remain in office until the opening of the next Ordinary Session. Should the office of President fall vacant, it shall be filled by a Vice-President chosen by the Bureau who shall act until the election of a new President at the following Part-Session. The President so elected shall remain in office until the opening of the next Ordinary Session.

13.6. The President, if appointed a member of a government ⁽¹⁸⁾, shall immediately lose his office of President.

Rule 14 – Election of Vice-Presidents

14.1. After the election of the President, the election of the eighteen ⁽¹⁹⁾ Vice-Presidents shall, where appropriate, take place.

14.2. One Vice-President shall be elected in respect of each national delegation entitled to a seat under the system of apportionment of Bureau seats referred to in Rule 12.2. Where no candidature is proposed by a national delegation entitled to a seat, that seat shall remain vacant until such a candidature is proposed.

14.3. No Representative or Substitute may be elected Vice-President unless proposed in writing by the chairperson of the national delegation concerned, on behalf of that delegation.

14.4. The candidates proposed by the national delegations shall be declared elected without a ballot. However, if there is a request for a vote by at least 20 Representatives or Substitutes in respect of one or several candidates, they shall be elected by secret ballot. The request for a vote shall be made in the Chamber at the moment when the candidatures are presented.

14.5. In case of a vote, the candidates for Vice-President requested to be elected by vote shall be elected by secret ballot. Two tellers chosen by lot shall count the votes cast, assisted by the Secretariat. Those candidates who on the first ballot obtain an absolute majority of the Representatives of the Assembly shall be declared elected. If the number of those elected is less than the number of vacancies to be filled, a second ballot for the candidates not elected shall be held. Those candidates who then receive an absolute majority of the votes cast, with more than half the number of Representatives having voted, shall be declared elected.

Where a candidate is not elected after the second ballot, that seat shall remain vacant until a candidate presented by the national delegation in accordance with paragraph 3 above obtains the requisite majority.

14.6. The Vice-Presidents shall take precedence by age.

14.7. Except when the delegation to which a Vice-President belongs is renewed in the course of the Session, Vice-Presidents shall remain in office until the opening of the next Ordinary Session. Should it be necessary for a Vice-President to be replaced, his successor shall be elected in accordance with the above provisions. In the order of precedence he shall come after the Vice-Presidents previously elected.

Rule 15 – Standing Committee

15.1. The Standing Committee shall:

15.1.a. fix the date of the opening and resumption of Ordinary Sessions, subject to the provisions of Rule 1.2.;

15.1.b. prepare the work of the Assembly, ensure its continuity of action and, when the occasion arises, act on its behalf ⁽²⁰⁾, in particular by:

- considering and adopting, on behalf of the Assembly, texts contained in Committee reports placed on its Agenda, in accordance with paragraph 4 below or with Rule 51 on urgent procedure; and
- considering questions relating to credentials in accordance with the provisions of Rules 6 to 9.

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15.2. Before the close of the first part of an ordinary session, the Assembly shall constitute its Standing Committee.

15.3. The membership of the Standing Committee shall be as follows:

- i. President of the Assembly (who shall be Chairperson of the Standing Committee);
- ii. Vice-Presidents of the Assembly (who shall be the vice-chairpersons of the Standing Committee);
- iii. The leaders of the political groups or, in their absence, a member representing the group concerned;
- iv. The chairpersons of national delegations or, in their absence, a member of the delegation duly designated;
- v. The chairpersons of the general committees listed in Rule 43.1 or, in their absence, one of the vice-chairpersons of the committee concerned.

15.4. The Standing Committee shall be convened by the President of the Assembly whenever he deems it necessary and at least twice a year. It may not meet when the Assembly is in session. The draft Agenda for its meetings shall be submitted to the Bureau.

15.5. Subject to any provision to the contrary in this Rule or in Rule 40 (Majorities required) or 51 (Urgent

procedure in the Standing Committee) procedure in the Standing Committee shall be governed by Rule 46 (Procedure in Committee) and Rule 47 (Meetings of Committees).

15.6. A report placed on the draft Agenda of a meeting of the Standing Committee shall be distributed to all members of the Assembly at least two weeks beforehand.

15.7. During the adoption of the Agenda by the Standing Committee, a report may be withdrawn and referred to the plenary Assembly if such a request is made by the Chairperson of the Committee concerned or by at least ten members of the Standing Committee and adopted by a two-thirds majority of the votes cast. This provision shall neither apply to reports placed on the Agenda of the Standing Committee in accordance with the urgent procedure (Rule 51), nor to reports submitted to the Standing Committee by decision of the Assembly ⁽²¹⁾.

15.8. All members of the Standing Committee have the right to vote.

Part IV – National delegations and political groups

Rule 16 – National delegations

16. The Representatives and Substitutes appointed by the national parliaments of each member State shall form national delegations whose competencies shall be exercised in accordance with the present Rules of Procedure.

Rule 17 – Political groups

17.1. Representatives and Substitutes may form political groups. To be acknowledged by the Bureau, political groups should commit themselves to respect the promotion of the values of the Council of Europe, notably political pluralism, human rights and the rule of law.

17.2. A political group shall have no fewer than twenty members and shall consist of Representatives or Substitutes of at least six national delegations. No member may belong to more than one political group.

17.3. At the time of its formation, each political group shall submit to the Bureau of the Assembly a statement which shall include the title of the group, the list of its members and the composition of its bureau. It shall notify the Bureau of any subsequent changes as soon as possible.

17.4. The leaders of political groups shall be ex officio members of the Bureau and the Standing Committee with the right to vote.

17.5. Notwithstanding Rule 43.1.1, leaders of political groups who are not members of the Political Affairs Committee may participate in its meetings without the right to vote.

Part V – Duties of the President, discipline and order

Rule 18 – President

18.1. The President shall open, suspend and close Sittings, guide the debates of the Assembly, ensure observance of the Rules, maintain order, call on speakers, close debates, ascertain whether a quorum exists, put questions to the vote and announce the results of votes.

18.2. The President shall not vote on any matter on the Order of Business, including draft texts or elections. His duly designated substitute may exercise this right to vote. When in the Chair, the President shall not speak in debate. He may on that occasion be replaced by his duly designated substitute. If the President wishes to speak on an item on the Order of Business, he shall not occupy the Chair for any part of that item.

Rule 19 – Vice-Presidents

19.1. The duties of the President, as set out in Part V, may be discharged by one of the Vice-Presidents ⁽²²⁾.

19.2. The functions of a Vice-President are to replace the President when the latter is unavailable during a debate of the Assembly at one of its Part-Sessions. A Vice-President may furthermore be called upon by the President to fulfil certain representational obligations of the President.

Rule 20 – Maintenance of order

20.1. The President shall call to order any member of the Assembly who causes a disturbance during proceedings.

20.2. If the offence is repeated, the President shall again call the member to order, and this shall be recorded in the Minutes of Proceedings.

20.3. In the event of a further offence, the President shall direct the offender to resume his seat or may exclude him from the Chamber for the remainder of the Sitting.

20.4. In serious cases the President may propose to the Assembly a motion of censure, which shall involve immediate exclusion from the Chamber for two to five sitting days. The member upon whom a motion of censure is proposed shall have the right to speak for a maximum period of two minutes before the Assembly decides.

20.5. The vote on a motion of censure shall be taken without debate.

20.6. Words or expressions which affront human dignity or which may prejudice orderly debate may not be used. The President may order such words to be struck from the report of debates. He may similarly strike from the report words spoken by a member not called by him. The minutes of proceedings and the report of the debates shall record any such decision.

Rule 21 – Public order in the Chamber and Galleries

21.1. No person shall enter the Chamber without the authorisation of the Secretary General of the Assembly except Representatives, Substitutes, members of observer or special guest delegations, members of the Committee of Ministers, guests of the Assembly and members of the staff whose duties require their presence there.

21.2. Admission to the galleries shall be only on presentation of a card issued on the authority of the Secretary General of the Assembly ⁽²³⁾.

21.3. Persons admitted to the galleries shall not disturb proceedings. The President may order the expulsion of any person breaching this rule.

Part VI – Organisation of Assembly Business**Rule 22 – Official Documents**

22.1. The official documents of the Assembly shall be published and marked "Parliamentary Assembly".

22.2. The official documents of the Assembly are the following:

22.2.a. The Agenda for a Part-Session, the Order of Business, the daily order paper, the Minutes of Proceedings and the Official Reports of Sitings;

- 22.2.b. Reports, communications, requests for an opinion or further consideration transmitted by the Committee of Ministers;
- 22.2.c. Questions addressed to the Committee of Ministers by Representatives or Substitutes, and the answers of the Committee of Ministers;
- 22.2.d. Communications from the Secretary General of the Council of Europe;
- 22.2.e. Motions tabled by Representatives or Substitutes;
- 22.2.f. Reports of Committees and amendments and sub-amendments to the draft texts examined within the framework of these reports;
- 22.2.g. Reports of international organisations which are to be discussed in the Assembly or its committees;
- 22.2.h. Recommendations and Opinions addressed to the Committee of Ministers;
- 22.2.i. Resolutions and Orders;
- 22.2.j. Written declarations tabled by Representatives or Substitutes;
- 22.2.k. Any documents deemed to be official documents by the President of the Assembly.

Rule 23 – Tabling of motions for Recommendations, Resolutions and Orders

- 23.1.a. A Recommendation is a proposal by the Assembly addressed to the Committee of Ministers, the implementation of which is beyond the competence of the Assembly, but within that of Governments.
- 23.1.b. A Resolution embodies a decision by the Assembly on a question of substance which it is empowered to put into effect, or an expression of view for which it alone is responsible.
- 23.1.c. An Order is concerned with form, transmission, execution or procedure and cannot deal with the substance of the matter.
- 23.2. A motion for a Recommendation, Resolution or Order shall be signed by ten or more Representatives or Substitutes belonging to at least five national delegations.
- 23.3. The President shall decide whether such a motion is in order. He may consult the Committee concerned and possibly the Bureau. A motion which is in order shall be printed and distributed immediately.

Rule 24 – Reference to Committee

- 24.1. The Bureau shall reach a decision on all documents mentioned in Rule 22.2.b., d., e. and g., if necessary after consulting one or more Committees. It may propose that the documents shall be referred to one or more Committees, forwarded to one or more Committees for information, or that no further action be taken.

24.2. The Bureau shall submit a reference to committee for ratification as soon as possible, either by the Assembly or by the Standing Committee. A document may be referred to only one Committee for report, though it may be referred to any other Committee for an opinion.

24.3. A reference to committee shall lapse in two years or, at the request of the Committee concerned, by a decision of the Assembly.

Rule 25 – Agenda and Order of Business (24)

25.1. The Bureau shall adopt the Agenda for each Part-Session.

25.2. Any matter within the competence of the Assembly may be placed on the Agenda. The Progress Report of the Bureau and the Standing Committee shall be placed on the Agenda.

25.3. A Part-Session may include a debate on general policy.

25.4. Except for the holding of elections, the Agenda may be altered only in accordance with the provisions of Rules 50 and 52.

25.5. The Bureau shall draw up a draft order of business for each Part-Session, showing at which Sittings the items on the Agenda are to be considered.

25.6. The Agenda and draft order of business shall be communicated to all members of the Assembly at least two weeks before the opening of a Part-Session.

25.7. The draft order of business may be brought up to date by the Bureau and, where possible, shall also be submitted to the Standing Committee. It shall be submitted to the Assembly for approval at the first Sitting of a Part-Session. If the Bureau gives a favourable opinion on a request for a debate under urgent procedure or for a current affairs debate, it shall propose to the Assembly the necessary re-organisation of the draft order of business, principally where necessary by the withdrawal of one or more items of equivalent length.

25.8. Adoption of a motion to alter the draft order of business shall require a majority of the votes cast ⁽²⁵⁾. Adoption of any subsequent motions to alter the order of business shall require a two-thirds majority.

25.9. On any motion covered by paragraph 8 above, only the following shall be heard: the mover, one speaker against and a spokesman of the Committee concerned.

Part VII – Languages (26) and records

Rule 26 – Official and working languages

26.1. The official languages of the Assembly shall be English and French.

26.2. Documents of the Assembly shall be published in both official languages.

26.3. German, Italian and Russian shall be working languages.

Rule 27 – Interpretation in the Assembly

27.1. Words spoken in an official or working language shall be simultaneously interpreted into the other official and working languages.

27.2. Speeches may be made in a language other than the official or working languages. In such cases the speaker shall be responsible for arranging for simultaneous interpretation into one of the official or working languages, which shall be simultaneously interpreted into the other official and working languages.

Rule 28 – Interpretation in Committees

28.1. If interpretation is required in Committee, provision shall be made, as far as possible, for simultaneous or, failing that, consecutive interpretation, into the other official and working languages. Interpretation in sub-committees is in principle limited to two official or working languages.

28.2. Subject to the agreement of the Chairperson of the Committee, a speaker who cannot use one of the official or working languages may bring an interpreter. Interpretation shall then be provided, as far as possible, on the same conditions as in the Assembly.

Rule 29 – Minutes of Proceedings

29.1. The Minutes of Proceedings of each Sitting shall be distributed if possible before the opening of the following Sitting.

29.2. At the beginning of a Sitting, the President shall lay before the Assembly the Minutes of Proceedings of the preceding Sitting or Sittings for approval.

29.3. If the Minutes of Proceedings are objected to, their approval may be postponed to the following Sitting, at which the President may put to the Assembly any necessary modification.

29.4. The Minutes of Proceedings of the last Sitting of a Session shall be submitted to the Standing Committee for approval.

Rule 30 – Reports of Debates

30.1. A full official report of each Sitting shall be published in the official languages. A provisional report shall be distributed within as short a period as possible. The verbatim records of speeches delivered in any of the working languages shall also be distributed ⁽²⁷⁾.

30.2. The report shall also include texts submitted by Representatives and Substitutes entered on the list of speakers, but who were not able to speak because of lack of time. To be included, any such text shall be submitted in typescript within 24 hours of the interruption of the list of speakers, provided that the member concerned was present during the debate.

30.3. Any correction by a speaker to his or her speech in the provisional report shall be given to the Secretariat within 24 hours of the report's publication.

Part VIII – Conduct of Proceedings

Rule 31 – Public Sittings (28)

31.1. Sittings of the Assembly shall be public, unless the Assembly decides otherwise.

Rule 32 – Orders of the Day

32.1. At the end of each Sitting, the Assembly shall, on the proposal of the President, fix the date, time and Orders of the Day of the next Sitting.

Rule 33 – Debate and consideration of texts

33.1. Each item on the order of business shall be considered on the basis of a report ⁽²⁹⁾ from the relevant Committee or from the Bureau.

33.2. Subject to the provisions of Rules 7.2, 8.3, 9.2 and 64.3 and of paragraph 3 below, this report, except for the Progress Report of the Bureau, shall be distributed ⁽³⁰⁾ at least two weeks before the opening of the Part-Session. The main committee's report shall be made available to the committee for opinion in time for the latter to draw up its opinion if possible one week before the latter's meeting. If the report is not distributed within the time-limit laid down, and at least 10 Representatives or Substitutes belonging to at least five national delegations so request when the draft order of business is considered, the debate shall be postponed until a later Part-Session unless urgent procedure has already been requested with respect to that report.

33.3. In the case of a debate under urgent procedure, the Committee's report may not be considered until 24 hours after its distribution.

33.4. Following the debate on the Committee's report, the Assembly shall vote on the draft text or texts which it may contain. Amendments and sub-amendments to those draft texts may be tabled and considered in accordance with the provisions of Rule 34. When all amendments and sub-amendments have been considered, the Assembly shall vote on the text as a whole. After the announcement of the outcome of the vote, Representatives or Substitutes who have not spoken in the proceedings may speak for not more than one minute each to explain their votes.

Rule 34 – Amendments and sub-amendments

34.1. For amendments and sub-amendments to be tabled, they must be signed by at least five Representatives or Substitutes or approved by the Committee submitting the report or an opinion.

34.2. Amendments may relate only to texts submitted to the Assembly for adoption.

34.3. An amendment which would tend to delete, replace or render inoperative the whole of a draft text ⁽³¹⁾ is not in order.

34.4. Sub-amendments shall relate to an amendment previously tabled and may not contradict the sense of the amendment. A sub-amendment may not be further amended.

34.5. The President shall decide whether amendments and sub-amendments are in order. Unless the Bureau decides otherwise, amendments shall be tabled 24 hours, and sub-amendments 2 hours, before the opening of the Sitting at which the debate is to begin ⁽³²⁾.

34.6.a. The President may exceptionally declare an oral amendment or sub-amendment to be in order if, in his opinion, it is designed to make a clarification, to take account of new facts or to lead to conciliation. In coming to that decision, he may consult the Chairperson of the Committee concerned.

34.6.b. An oral amendment or oral sub-amendment judged to be in order by the President shall not be taken into consideration if ten or more members of the Assembly object.

34.7. Amendments and sub-amendments shall have priority over the texts to which they refer and shall be put to the vote before the text itself.

34.8. When an amendment or sub-amendment is called, one of its signatories shall be called to move it. If he does not do so, any Representative or Substitute may move it instead. An amendment or sub-amendment which is not moved shall not be considered. An amendment or sub-amendment which has been withdrawn by its signatories may be moved by any other member of the Assembly. A Rapporteur may not move any amendment which has been rejected by the Committee on whose behalf he is reporting.

34.9.a. If two or more contradictory amendments relate to the same paragraph, the amendment which differs most from the text shall have priority over the others and shall be taken first. If it is agreed to, the other amendments are thereby negated; if it is negated, the amendment which is next in priority shall be considered, and similarly for each of the remaining amendments. In case of doubt as to the order, the President shall give a ruling, if necessary after consulting the Chairperson of the Committee concerned.

34.9.b. The same procedure shall be followed if two or more contradictory sub-amendments relate to the same amendment.

34.9.c. The President can propose divided consideration and voting on complicated amendments unless the Chairperson of the Committee concerned objects.

Rule 35 – Right to speak

35.1. No member of the Assembly may speak unless called by the President. Members shall speak from their places and shall address the President.

35.2. Except as provided in Rules 36 and 37, members wishing to speak in a debate shall enter their names in the speaker's register. The speakers' list is the responsibility of the President ⁽³³⁾.

35.3. A speaker may not be interrupted, except that, with the permission of the President, he may give way during his speech, to allow another Representative to put a question to him on a particular point or to raise a point of order.

35.4. If a speaker departs from the subject, the President shall call him to order. If a speaker is called to order twice on the same item of business, the President may, on the third occasion, forbid him to speak on that item.

35.5. Rapporteurs on an item of business may be called when they so request.

35.6. A Representative who wishes to make a personal statement shall be heard for no more than two minutes at such time as the President may decide. No debate may arise on a personal statement.

35.7. Comments on the adoption of the Minutes of Proceedings, the settling of the Orders of the Day or on any other questions of procedure shall last not more than two minutes.

Rule 36 – Points of order (34)

36.1. A Representative shall have a prior right to speak if he asks leave to raise a point of order. This must be confined to raising questions of procedure for a ruling from the Chair. If the right to raise points of order is misused, the President may forbid the offending Representative to speak for the remainder of the item of business.

Rule 37 – Procedural motions

37.1. A member shall have a prior right to speak if he asks leave:

37.1.a. to move a dilatory motion ⁽³⁵⁾, which shall be in order only if notice has been given in writing to the President before the end of the previous Sitting or, in the case of the first Sitting of a Part-Session, two hours before the start of the Sitting;

37.1.b. to move the adjournment of the Assembly ⁽³⁶⁾ or of a debate ⁽³⁷⁾;

37.1.c. to move the closure of a debate ⁽³⁸⁾;

37.1.d. to move reference of the report back to Committee anytime before voting on the whole of any draft text begins ⁽³⁹⁾.

None of these procedural motions may be moved more than once during an item of business.

37.2. The above matters shall take precedence over the main question, the proceedings on which shall be suspended while they are being considered.

37.3. In debate on the above matters the following only shall be heard: the mover of the motion, one speaker against the motion, and the Rapporteur or the Chairperson of the Committee concerned.

Rule 38 – Organisation of Debates (40)

38.1. The Bureau may at its discretion propose to the Assembly the modalities and time-table for a sitting or an item of business.

38.2. The Assembly shall decide upon any such proposal without debate.

Part IX – Voting

Rule 39 – Methods of voting

39.1. Only those Representatives or, in their absence, the Substitutes duly designated by the national delegation, who have signed the register of attendance for a specific sitting, shall be entitled to vote.

39.2. The Assembly shall normally vote by using the electronic voting system.

39.3. If need be, the President may decide that the Assembly shall vote by show of hands or by sitting and standing.

39.4. Only affirmative and negative votes shall count in calculating the number of votes cast. In case of an electronic vote, the President shall announce the result displayed publicly, which may not subsequently be modified. In case of a show of hands or of a vote by sitting and standing, the President shall announce the result without giving the figures of the vote.

39.5. A vote shall be taken by roll-call if at least one sixth of the Representatives of the Assembly authorised to vote, belonging to at least five national delegations, so request ⁽⁴¹⁾.

39.6. A roll-call may be requested only for the whole of a draft text. It may be requested at any time during the debate but before the start of the vote on amendments or on the whole of the draft text if there are no amendments.

39.7. Voting by roll call shall begin after the warning bells have been run. The President asks if all members have voted before declaring the vote closed and announcing the result. The votes are recorded in the minutes of proceedings of the sitting in the alphabetical order of the Representatives' names. If the electronic voting system cannot be used for technical reasons when the Assembly is to proceed to a roll-call, the roll shall be called in alphabetical order, beginning with the name of a Representative drawn by lot. Voting shall be by word of mouth and shall be expressed by 'yes', 'no' or 'abstention' only.

35.8. Once the President has declared the vote closed, a member may not change his or her vote.

39.9. Nobody may be called to speak during a vote.

39.10. In the case of appointments, voting shall take place by secret ballot. Only those ballot papers bearing the names of persons who have been duly entered as candidates before the opening of the first ballot shall be taken into account in calculating the number of votes cast ⁽⁴²⁾.

Rule 40 – Majorities required (43)

40. The following majorities are required:

40.i. for the adoption of a draft Recommendation or a draft Opinion to the Committee of Ministers, for the adoption of urgent procedure, for an alteration to the order of business, for the setting up of a Committee and for the fixing of the date for the opening or resumption of ordinary Sessions, a majority of two-thirds of the votes cast ⁽⁴⁴⁾ ;

40.ii. in respect of appointments, subject to the provisions of Rules 13 and 14, an absolute majority of the votes cast ⁽⁴⁵⁾ at the first ballot and a relative majority at the second ballot ⁽⁴⁶⁾ ;

40.iii. for the adoption of a draft Resolution or a draft Order and for any other decision, a majority of the votes cast ⁽⁴⁷⁾, in the case of a tie the question being negated.

Rule 41 – Quorum (48)

41.1. The Assembly may deliberate, decide the orders of the day, approve the minutes of proceedings, decide upon procedural motions, and agree to adjourn, whatever the number of Representatives present.

41.2. All votes other than votes by roll call shall be valid whatever the number of members voting, unless, before the voting has begun ⁽⁴⁹⁾, the President has been requested to ascertain whether there is a quorum. At least one sixth of the Representatives authorised to vote ⁽⁵⁰⁾, belonging to at least five national delegations, have to vote in favour of the request. To ascertain whether there is a quorum, the President, before proceeding to a vote on the subject matter that prompted the request, invites Representatives to mark their presence in the Chamber using the electronic voting system.

41.3. The quorum is one third of the number of Representatives of the Assembly authorised to vote ⁽⁵¹⁾.

41.4. A vote by roll call shall not be valid, nor the result made public, unless one third of the Representatives authorised to vote ⁽⁵¹⁾ took part. The President may decide to ascertain whether there is a quorum, using the procedure of Rule 41.2., before proceeding to a vote by roll-call.

41.5. In the absence of a quorum, the vote shall be postponed until the next sitting or, on a motion from the Chair, until a subsequent sitting ⁽⁵²⁾. The Assembly proceeds to the next item on the orders of the day.

Rule 42 – Right to vote

42.1. The right to vote is an individual one. Voting by proxy is prohibited. A Substitute authorised to sit in place of an absent Representative shall vote in his own name.

Part X – Committees

Rule 43 – Appointment of Committees

43.1. At the beginning of each Ordinary Session the Assembly shall set up the following general Committees:

1. Political Affairs Committee (number of seats: 80 ⁽⁵³⁾),
2. Committee on Legal Affairs and Human Rights (number of seats: 80),
3. Committee on Economic Affairs and Development (number of seats: 80),
4. Social, Health and Family Affairs Committee (number of seats: 80),
5. Committee on Migration, Refugees and Demography (number of seats: 80),
6. Committee on Culture, Science and Education (80 seats);
7. Committee on the Environment, Agriculture and Local and Regional Affairs (number of seats: 80),
8. Committee on Equal Opportunities for Women and Men (number of seats: 49),
9. Committee on Rules of Procedure and Immunities (number of seats: 49)
10. Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) (number of seats: 76 ⁽⁵⁴⁾).

43.2. France, Germany, Italy, Russia and the United Kingdom shall have four seats in each of the first seven committees and two seats in the next two committees.

- Poland, Romania, Spain, Turkey and Ukraine shall have three seats in each of the first seven committees and one seat in the next two committees.

- Austria, Azerbaijan, Belgium, Bulgaria, the Czech Republic, Greece, Hungary, the Netherlands, Portugal, Sweden and Switzerland shall have two seats in each of the first seven committees and one seat in the next two committees.

- Albania, Andorra, Armenia, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Estonia, Finland, Georgia, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Norway, San Marino, the Slovak Republic, Slovenia and 'the former Yugoslav Republic of Macedonia' shall have one seat in each of the first nine committees.

43.3. On the basis of the candidatures proposed by the political groups, the Bureau shall nominate the 76 members of the Monitoring Committee by applying the apportionment ratio based on the so-called 'D'Hondt principle'. These nominations shall be submitted to the Assembly for ratification ⁽⁵⁵⁾. In the event of objection, the matter shall be referred back to the Bureau, which may submit revised nominations to the Assembly.

43.4. a. The Assembly may set up ad hoc committees for specific purposes. A motion to set up an ad hoc committee is considered by the Bureau. If the Bureau approves it, it refers the proposal to the committee concerned by the proposal's subject matter, for report, and to the Committee on Rules of Procedure and Immunities, for opinion.

43.4. b. An ad hoc committee shall cease to exist after its report has been considered by the Assembly.

43.4. c. Subject to ratification by the Assembly or the Standing Committee, the Bureau of the Assembly may

also set up ad hoc committees reporting to it, in which case it shall prescribe their duration, terms of reference and composition. An account of their work shall be given to the Assembly as part of the Progress Report of the Bureau and the Standing Committee ⁽⁵⁶⁾.

43.5. Substitutes, like Representatives, may be appointed members of a Committee. Besides the full members, an equal number of alternates of the same nationality shall be appointed for each Committee except for the Monitoring Committee ⁽⁵⁷⁾.

43.6. Without prejudice to Rule 43.3., candidatures for membership of the Committees shall be addressed to the President of the Assembly, who shall submit to the Assembly, the Standing Committee or, failing that, the Bureau proposals for their composition. Any disputed nomination shall be forwarded by the President of the Assembly to the national delegation concerned. If confirmed proposals or new proposals are disputed, the Assembly or the Standing Committee shall decide.

43.7. Where a seat is vacant on a committee other than the Monitoring Committee, it may be provisionally occupied by a Representative or Substitute from the national delegation to which the seat is allotted, the Representative or Substitute being appointed by the Chairperson of that delegation.

Rule 44 – Competence of Committees

44.1. Committees shall examine documents referred to them under Rule 24 and questions otherwise referred to them by the Assembly or the Standing Committee. They may examine any other matter within their terms of reference.

44.2. Committees shall examine the action taken on texts adopted by the Assembly on the basis of their reports.

44.3. Should a Committee declare a question to be outside its terms of reference, or should a conflict arise over the competence of two or more Committees, the question shall be submitted to the Bureau for decision which may refer it to the Assembly.

44.4. A Committee requested to give an opinion on a matter which has been referred to another Committee for report may table amendments to the draft text tabled by the latter Committee, in the manner specified in Rule 34.

44.5. Each Committee may develop relations with non-governmental organisations which carry out activities within the Committee's terms of reference.

Rule 45 – Bureaux of Committees

45.1. The Bureau of each Committee shall consist of the Chairperson and the three Vice-Chairpersons, normally elected at the first Committee meeting of each Ordinary Session on the basis of designations made by the political groups.

45.2. Until the Chairperson of the Committee is elected, the meeting shall be chaired by the oldest member present, under whose Chairpersonship no subject other than the election of the Chairperson may be considered.

45.3. Candidates for the office of Chairperson or Vice-Chairperson must be full members of the Committee and have been full member or alternate of the Committee concerned for at least one year ⁽⁵⁸⁾. A single candidate put forward for any office shall be declared elected without proceeding to a vote.

45.4. No Chairperson or Vice-Chairperson of a Committee may be Chairperson or Vice-Chairperson of

another Committee.

45.5. Elections shall be held by secret ballot. Two tellers chosen by lot shall count the votes, assisted by the Secretariat.

45.6. A candidate who obtains an absolute majority of the votes cast on the first ballot shall be declared elected. On the second ballot the election shall be by relative majority ⁽⁵⁹⁾. In the event of a tie, there shall be a third ballot; in the event of a further tie, the older candidate shall be declared elected.

45.7. The Chairperson of a Committee shall remain in office until the opening of the next ordinary Session of the Assembly. He may be re-elected for two further terms, consecutive or not. However, a Committee Chairperson elected in the course of a Session for an incomplete term may be re-elected for three further terms.

Rule 46 – Procedure in Committee

46.1. Except as otherwise provided, procedure in committee shall follow that in the Assembly.

46.2. Voting shall be by a majority of the votes cast ⁽⁶⁰⁾. A Committee shall vote by show of hands. Except on procedural matters, a vote shall be by roll-call if so requested by at least two members. The roll shall be called alphabetically beginning with the letter "A".

46.3. A Committee may deliberate and take decisions when one-third of its members ⁽⁶¹⁾ are present; however, if so requested by one-sixth of its members ⁽⁶²⁾ before voting begins on a draft opinion, recommendation, resolution or order as a whole, or on the election of the Chairperson or Vice-Chairpersons, the vote may be taken only if a majority of Committee members are present.

46.4. If no quorum exists when a committee begins a meeting which is taking place at the date, time and place which was notified to its members, the Chairperson shall have the power to close the meeting and forthwith open a subsequent one during which the Committee may deliberate and vote, irrespective of the number of members present. During such a meeting, the agenda sent out to committee members beforehand shall not be changed. The provisions on roll-call contained in paragraph 2 above shall not be applicable during such a meeting.

46.5. Except during Part-Sessions, documents relating to items on the Agenda of a Committee meeting shall be despatched to the members at least one week before the date of that meeting. If they are not, and if five or more members object, the items concerned shall be postponed to a later meeting.

46.6. The Chairperson may take part in the Committee's debates. He or she does not participate in a vote except in the case of a tie.

46.7. A full member of a Committee who is prevented from attending a meeting shall arrange to be replaced by his Alternate ⁽⁶³⁾. Failing that, the full member may inform the Chairperson of the Committee which other member of his national delegation is authorised to take his place.

46.8. Subject to Rule 45.3., the Alternate replacing a full member shall have the same rights in Committee as the member.

46.9. Unless the Committee decides otherwise, the only texts which shall be made public shall be the reports approved by the Committee and statements issued on the responsibility of the Chairperson.

Rule 47 – Meetings of Committees

47.1. A Committee shall meet when convened by its Chairperson on his own initiative, at the request of one-third of the Committee members or at the request of the President of the Assembly ⁽⁶⁴⁾.

47.2. Any two or more committees may hold a joint meeting for the examination of subjects coming within their competence, but may not reach a joint decision, except if it is unanimous or on procedural matters. The Chair shall be taken in turns by the Chairmen of each of the participating Committees, starting with the longest-serving Chairperson or, in the case of equal length of service, the elder.

47.3. Unless a Committee decides otherwise, Committee meetings shall be held in private.

47.4. Members of the Assembly may attend meetings of Committees of which they are not members but without the right to speak or vote⁽⁶⁵⁾.

47.5. Subject to paragraph 6. below, members of observer and special guest delegations appointed to a committee may take part in its committee meetings but without the right to vote. However, a Committee may decide in advance that members of such delegations may not attend a meeting or part of a meeting.

47.6. Meetings of the Joint Committee, the Committee on Rules of Procedure and Immunities and the Monitoring Committee shall not be open to members of observer and special guest delegations. Nor can these delegations attend meetings of the Committee on Economic Affairs and Development, or any of its sub-committees, when they are examining budgetary or administrative questions connected with the Council of Europe, or when they are discussing the powers of the Assembly in relation to the Council's budget.

47.7. The conditions on which any person who is not covered by sub-paragraphs 4 to 6 above may be heard by a Committee shall be decided by that Committee.

47.8. Secretaries of national delegations may attend the meetings of committees of the Assembly, except for those of the Monitoring Committee.

Rule 48 – Sub-Committees

48.1. Except as otherwise provided in this Rule, procedure in sub-committee shall follow that in committee.

48.2. A Committee may appoint standing or ad hoc sub-committees, whose exact composition and competence it shall determine at the time of appointment. National delegations and political parties or groups shall be fairly represented.

48.3. A committee of 79 seats may not appoint more than three standing sub-committees, and a committee of 48 seats may not appoint more than two, unless authorised by the Bureau of the Assembly with a two-thirds majority⁽⁶⁶⁾. In the case of the committees listed in Rule 43.1. as Nos. 6 and 7, the decision of the Bureau of the Assembly shall be taken by a majority vote.

48.4. An ad hoc sub-committee shall cease to exist once the Committee has considered its report.

48.5. A standing or ad hoc sub-committee not re-appointed during the first part of an Ordinary Session shall cease to exist.

48.6. The number of members of a sub-committee may not exceed one third⁽⁶⁷⁾ of the full membership of the Committee. An alternate from the same national delegation may be appointed for each full member. In addition, the Chairperson of the Committee shall ex officio be a full member of any of its sub-committees. No member of the Committee may be a member of more than two of its sub-committees.

48.7. The Bureau of a sub-committee shall include the Chairperson and the Vice-Chairperson. Elections shall be held in accordance with the procedures laid down in paragraphs 2 to 6 of Rule 45. A sub-committee Chairperson elected in the course of a session for an incomplete term may be re-elected for two further terms.

48.8. A sub-committee shall inform the appointing Committee of its work, which shall approve its decisions.

Rule 49 – Reports of Committees

49.1. A Committee shall appoint one Rapporteur for each subject, who shall be responsible for the preparation of the report of the Committee and for presenting it to the Assembly. The Monitoring Committee shall appoint two co-rapporteurs.

49.2. The report of a Committee shall normally contain one or more draft texts:

- recommendations or opinions addressed to the Committee of Ministers,
- resolutions or orders ⁽⁶⁸⁾.

Only these texts may be voted upon in Committee, and the results of such votes shall be included in the report. Only these texts may be voted upon by the Assembly or the Standing Committee.

49.3. A Committee seized for an opinion on the report of another Committee may submit its opinion in writing or orally. If in writing it should contain a chapter at the beginning entitled "Conclusions of the Committee", and an explanatory memorandum by the Rapporteur.

49.4. The report of a Committee shall also contain an explanatory memorandum by the Rapporteur. The Committee shall take note of it. Any dissenting opinions expressed in the Committee shall be included therein at the request of their authors, preferably in the body of the explanatory memorandum, but otherwise in an appendix or footnote.

49.5. The adoption of the draft text and taking note of the explanatory memorandum shall constitute the Committee's approval of the report as a whole. Any report thus approved shall be tabled and published as an official Assembly document.

49.6. Committees may table information reports, which shall not be subject to a vote in the Assembly.

Part XI – Exceptional Procedures

Rule 50 – Urgent procedure in the Assembly (69)

50.1. At the request of the Committee of Ministers, of the Committee concerned, or of twenty or more Representatives or Substitutes, a debate may be held on an item which has not been placed on the Agenda of the Assembly.

50.2. A request for urgent procedure shall be addressed to the President of the Assembly. The President shall submit it to the Bureau which shall make a proposal to the Assembly.

50.3. Only the following may speak on a request for urgent procedure: one speaker for the request, one speaker against, the Chairperson of the Committee concerned and a representative of the Bureau speaking in its name.

50.4. The adoption of urgent procedure shall require a two-thirds majority of the votes cast ⁽⁷⁰⁾. If urgent procedure is adopted, the Assembly shall decide the date for the debate.

Rule 51 – Urgent procedure in the Standing Committee

51.1. At the request of the Committee of Ministers, of a general Committee of the Assembly, or of ten or

more Representatives or Substitutes, a debate may be held on an item which has not been placed on the Agenda of the Standing Committee.

51.2. A request for urgent procedure shall be addressed to the President of the Assembly, no later than one week before the meeting of the Standing Committee.

51.3. The request shall be considered by the Bureau in the light of the other items already on the draft Agenda of the Standing Committee.

51.4. If the Bureau approves the request, it shall, subject to confirmation by the Standing Committee:

- refer the item to a general Committee of the Assembly for report,
- place the item on the draft Agenda on the Standing Committee.

51.5. The Standing Committee shall decide upon urgent procedure as the first order of the day. Only the following may speak: one speaker in favour, one speaker against, the Chairperson of the Committee concerned and a representative of the Bureau speaking in its name.

51.6. Confirmation of urgent procedure shall require a two-thirds majority of the votes cast.

Rule 52 – Current affairs debates

52.1. The Assembly may hold only one current affairs debate in the course of a Part-Session on a subject matter which is not on its Agenda and for which the Assembly has not decided on urgent procedure.

52.2. A request for a current affairs debate shall be addressed to the President of the Assembly by at least twenty Representatives or Substitutes, or by one political group or by one national delegation. It shall be submitted in writing not later than one week before the opening of the Part-Session.

52.3. The possible choice between several requests shall be made by the Bureau but it may decide not to propose any.

52.4. A current affairs debate may not exceed one and a half hours. It shall be opened by one of the members who requested the debate, chosen by the Bureau. The first speaker shall be allowed ten minutes; other speakers shall be limited to five minutes.

52.5. At the end of a current affairs debate, the Assembly shall not vote but the Bureau may subsequently propose that the subject be referred to the appropriate Committee for report.

Part XII – Written declarations

Rule 53 – Written declarations

53.1. Written declarations not exceeding 200 words on subjects within the competence of the Council of Europe may be tabled provided they have been signed by at least twenty Representatives or Substitutes of four national delegations and two political groups. They shall neither be referred to a committee nor debated in the Assembly.

53.2. Any Representative or Substitute may add his signature to a written declaration. In such a case the declaration shall be distributed again two weeks after the end of the Part-Session, together with the names of all members who have signed it.

53.3. A written declaration to which no new signature has been added by the opening of the next Part-Session shall not be opened for further signature.

Part XIII – Relations between the Committee of Ministers and the Assembly

Rule 54 – Access to the Assembly and Committees (71)

54.1. Members of the Committee of Ministers or, at its decision, any other Minister of the Government of a Member State shall have the right of access to the Assembly and its Committees. They may be called to speak if they so request but may not vote.

54.2. A Minister may, on the same conditions, be represented by a deputy at meetings of an Assembly Committee subject to the agreement of that Committee (72).

Rule 55 – Joint Committee (73)

55.1. The Joint Committee shall consist of a representative of each member government and a corresponding number of representatives of the Assembly (74), including the President. For the discussion of a particular item, the Bureau of the Assembly and the Committee of Ministers may decide by agreement to set up a mixed working party.

55.2. The President of the Assembly shall be President of the Joint Committee. The representatives of the Assembly on the Joint Committee shall be:

- the members of the Bureau;
- one representative of each parliamentary delegation of member states not represented on the Bureau.

55.3. If a Vice-President of the Assembly cannot attend a meeting of the Joint Committee, the delegation concerned may appoint another member.

55.4. The President of the Assembly may, in the light of the Agenda of the Joint Committee, co-opt members, in particular rapporteurs and the chairpersons of committees concerned.

Rule 56 – Reports of the Committee of Ministers

56.1. Reports of the Committee of Ministers on its activities, provided under Article 19 of the Statute, shall be presented and debated in the Assembly.

Rule 57 – Requests from the Committee of Ministers for opinion or further consideration

57.1. Requests from the Committee of Ministers for an opinion or further consideration shall be debated in the Assembly. At the end of the debate, the Assembly shall vote on either an Opinion or a new Recommendation to the Committee of Ministers.

Rule 58 – Questions to the Committee of Ministers

58.1. Representatives and Substitutes may at any time address to the Committee of Ministers, or to its Chairperson, written questions bearing on matters within the competence of the Committee of Ministers. The President of the Assembly shall decide whether those questions are in order and shall transmit them to the Committee of Ministers.

58.2. Following the presentation to the Assembly of a report of the Committee of Ministers on its activities, Representatives and Substitutes may table questions for oral answer by the Chairperson of the Committee of

Ministers ⁽⁷⁵⁾. The President of the Assembly shall decide whether these questions are in order; they shall be tabled so as to leave sufficient time for them to be printed and distributed before the opening of the debate. No Representative or Substitute may table more than one question for oral answer at any one Part-Session.

Part XIV – Special Guests, Observers (76) and other Guests

Rule 59 – Special Guests

59.1. The Bureau may grant special guest status to national Parliaments of European non-member states which have signed the Helsinki Final Act of 1 August 1975 and the Charter of Paris for a New Europe of 21 November 1990; accepted the other instruments adopted at the OSCE conferences; and signed and ratified the two United Nations Covenants of 16 December 1966 on Civil and Political Rights and on Economic, Social and Cultural Rights ⁽⁷⁷⁾.

59.2. Any formal request for special guest status shall be addressed to the President of the Parliamentary Assembly by the President of the Parliament concerned.

59.3. If the Bureau, having consulted the Political Affairs Committee, approves such a request, the President of the Parliamentary Assembly shall invite the Parliament concerned to assume special guest status.

59.4. The number of members of a special guest delegation, which shall not exceed eighteen, shall be the same (without substitutes) as the number of seats likely to be appropriate were the special guest State to become a full member of the Council of Europe. This number shall be fixed by the Bureau, on the proposal of the Political Affairs Committee.

59.5. In so far as the size of its delegation allows, a Parliament with special guest status shall appoint members so as to ensure a fair representation of the political parties or groups in that Parliament.

59.6. The credentials of members of special guest delegations shall be sent to the President of the Parliamentary Assembly if possible not less than one week before the opening of the Session. These credentials shall be submitted to the Parliamentary Assembly for ratification at the same time as those of Representatives and Substitutes ⁽⁷⁸⁾. Credentials of members of special guest delegations may be contested on stated grounds based on paragraph 1 above. Contested credentials shall be referred without debate to a joint meeting of the Political Affairs Committee and the Committee on Rules of Procedure and Immunities, presided over by the Chairperson of the Committee on Rules of Procedure and Immunities. These committees shall report to the Bureau as soon as possible.

59.7. Members of special guest delegations may sit in the Assembly but without the right to vote. They shall have the right to speak with the authorisation of the President of the Assembly ⁽⁷⁹⁾.

59.8. Members of special guest delegations may attend committee meetings as provided in Rule 47.5.

59.9. The Political Affairs Committee or at least twenty Members may request of the President that special guest status be suspended or withdrawn. The President shall immediately inform the Bureau of any such request. If the request was not made by the Political Affairs Committee, the President shall forthwith seek that Committee's opinion which shall forward it to the Bureau.

59.10. The members of the Bureau shall be informed of the consideration of such a matter at least two weeks before the meeting of the Bureau at which it will take place. The decision of the Bureau shall be taken by a two-thirds majority.

59.11. Where special guest status has been withdrawn, the Parliament concerned shall make a further formal request if it wishes to assume this status again. Suspension of special guest status may be lifted by the Bureau deciding by a two-thirds majority if it considers that the conditions having led to the suspension no longer exist.

Rule 60 – Observers (80)

60.1. The Assembly may, on the proposal of the Bureau, grant observer status to national Parliaments of non-member States of the Council of Europe which meet the conditions set out in paragraph 1 of Statutory Resolution (93) 26 of the Committee of Ministers on observer status ⁽⁸¹⁾.

60.2. The Assembly shall specify the number of members of observer delegations ⁽⁸²⁾. The Parliaments concerned are not required to submit credentials to the President of the Assembly but, in appointing their delegations, they should reflect the various currents of opinion within their Parliaments.

60.3. Members of such delegations may sit in the Assembly but without the right to vote. They shall have the right to speak with the authorisation of the President of the Assembly.

60.4. They may attend committee meetings as provided in Rule 47.5.

60.5. The Bureau may by a two-thirds majority, invite representatives of parliaments of other non-member States to attend a debate in the Assembly.

Rule 61 – Representatives of national or international organisations

61.1. The Assembly may, on the proposal of the Bureau, invite national or international organisations to present reports or communications.

Part XV – Petitions**Rule 62 – Petitions to the Assembly**

62.1. Petitions must be addressed to the President.

62.2. They must:

62.2.a. Show the name and address of each signatory whose signature must be authenticated in accordance with the internal legislation of the State in which he or she resides;

62.2.b. Bear on matters within the competence of the Council of Europe.

62.3. The Bureau of the Assembly shall examine the admissibility of petitions ⁽⁸³⁾, consulting relevant committees if necessary.

62.4. A petition declared admissible shall be referred by the Bureau to the competent Committees for examination.

62.5. When a committee has examined a petition, it shall inform the Bureau of the Assembly of its conclusions and recommendations. The Bureau shall decide on any further action.

Part XVI – Secretariat of the Parliamentary Assembly**Rule 63 – Secretariat of the Parliamentary Assembly**

63.1. The service of the Parliamentary Assembly shall be run by the Secretary General of the Assembly who is elected by it ⁽⁸⁴⁾ and shall be assisted by the administrative staff required for its work ⁽⁸⁵⁾.

63.2. The Secretary General of the Assembly shall perform his duties under the authority of the Assembly and shall be responsible and accountable to its Bureau.

Part XVII – Miscellaneous Provisions

Rule 64 – Waiver of the immunity of Representatives and Substitutes (86)

64.1. Any request addressed to the President by the competent authority of a member State for the waiver of immunity of a Representative or Substitute shall be transmitted to the Assembly and then referred without prior discussion to the Committee on Rules of Procedure and Immunities.

64.2. The Committee shall immediately consider the request but shall not make any examination of the merits of the case in question ⁽⁸⁷⁾. The Representative or Substitute concerned may, if he wishes, be heard by the Committee. The report of the Committee shall conclude with a draft Resolution for the retention or the waiver of the immunities.

64.3. The report of the Committee shall be the first item of business of the Assembly on the first sitting day after the report has been tabled.

64.4. The debate on the report shall be confined to arguments for or against the waiver of the immunity.

64.5. The President shall immediately communicate the decision of the Assembly to the authority which submitted the request.

Rule 65 – Revision of the Rules of Procedure

65.1. Motions for resolutions to amend the Rules of Procedure must be supported by twenty or more Representatives or Substitutes. They shall be referred without debate to the Committee on Rules of Procedure and Immunities which shall report on them as provided by Rule 49.

65.2. The Bureau may request the Committee on Rules of Procedure and Immunities to report on questions of interpretation or modification of the Rules of Procedure.

65.3. The examination of the report of the Committee shall be included in the Agenda in accordance with the provisions of Rule 25.

⁽¹⁾ Since 1994 the Parliamentary Assembly year coincides with the calendar year (see Progress Report, Doc. 6825, item II).

⁽²⁾ See Rule 15.1.a.

⁽³⁾ See Statute of the Council of Europe, Article 34.

⁽⁴⁾ See Statute of the Council of Europe, Article 33.

⁽⁵⁾ See Statute of the Council of Europe, Article 32.

⁽⁶⁾ This does not prevent the provisional President from addressing the Assembly for five minutes at the most.

⁽⁷⁾ See Statute of the Council of Europe, Articles 25 and 28.c.iv., and Rule 59 below.

⁽⁸⁾ Such authority may be the President (Speaker) of a parliamentary Chamber or any person delegated by them or the Minister for Foreign Affairs or any person delegated by him for that purpose. At present the credentials are established by the national parliaments of the following Member States: Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Germany, Hungary, Latvia, Liechtenstein, Lithuania, Luxembourg, Moldova, Netherlands, Norway, Poland, Romania, Russia, San Marino, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Ukraine and by the Foreign Affairs Ministers of the following Member States : Cyprus, France, Greece, Iceland, Ireland, Italy, Malta, Portugal, Turkey and the United Kingdom.

⁽⁹⁾ Preamble to the Statute, third paragraph: "Reaffirming their devotion to the spiritual and moral values which are the common heritage of their peoples and the true source of individual freedom, political liberty and the rule of law, principles which form the basis of all genuine democracy.

⁽¹⁰⁾ See paragraph 12 of Resolution 1115 (1997), which reads : "The Assembly may sanction persistent failure to honour obligations and commitments accepted, and lack of co-operation in its monitoring process, by adopting a resolution and/or a recommendation or by the non-ratification of the credentials of a national parliamentary delegation at the beginning of its next ordinary session, or by the annulment of ratified credentials in the course of the same ordinary session in accordance with Rule 6 of the Rules of Procedure. Should the member state continue not to respect its commitments, the Assembly may address a recommendation to the Committee of

Ministers requesting it to take the appropriate action in accordance with Articles 8 and 9 of the Statute of the Council of Europe."

(¹¹) In accordance with the interpretation of Rule 33.2., the date of distribution shall be that of the postmark.

(¹²) See Statute of the Council of Europe, Article 25.

(¹³) Concerning deprivation of the status of Member of the Assembly, the final decision rests with the Assembly in accordance with Article 25.b. of the Statute. See also the decision of the Bureau of 7 November 1997, approved by the Assembly on 26 January 1998 (Progress Report, Doc. 7978).

(¹⁴) See Statute of the Council of Europe, Article 25.c.

(¹⁵) See also Rule 18.2.

(¹⁶) See Appendix to Resolution 1105 (1996), p... below.

(¹⁷) See also paragraph 5.

(¹⁸) The Committee on Rules of Procedure and Immunities (Doc. 6656) held that "member of government" should be interpreted in the widest sense, including the office of Secretary or Under-Secretary of State.

(¹⁹) It is recalled that the delegation to which the President of the Assembly belongs may only propose an additional candidate to the Bureau if that delegation is any case represented on the Bureau following application of the appointment system for the Vice-Presidents of the Assembly (see progress report of the Bureau and the Standing Committee, Doc.6881, Appendix III, of which the Assembly took note on 28 June 1993, and Resolution 1043 (1994)).

(²⁰) In an Opinion of 10 January 1957 (Doc. 614) on the competence of the Standing Committee, the Committee on Rules of Procedure held that this terminology was to be interpreted in a liberal sense. This opinion was approved by the Assembly at the Sitting of 10 January 1957 (see 36th Sitting of the 8th Session).

(²¹) The decision normally results from the procedure of reference to committees, or from any other specific decisions taken by the Assembly.

(²²) The occupant of the Chair may at any time invite a member of the Bureau or, if none is available, any Representative to take the Chair for a period of not more than 20 minutes. Such temporary chairperson shall exercise the powers and shall be subject to the obligations set out in Part V, save that he may speak in a debate for part of which he has taken the Chair (see Progress Report of the Bureau and the Standing Committee, Doc. 6543, of which the Assembly took note on 3 February 1992).

(²³) See also Ruling on access to and movement and security within the Council of Europe premises during Parliamentary Assembly sessions, p..

(²⁴) See Article 28.c.iii. of the Statute of the Council of Europe.

(²⁵) Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 39.4.).

(²⁶) See Statute of the Council of Europe, Article 12.

(²⁷) At present, Russian has been introduced as a working language for interpretation purposes only.

(²⁸) See Statute of the Council of Europe, Article 35.

(²⁹) Except current affairs debates, elections, nominations, addresses by, and questions to, the Secretary General of the Council of Europe, communications from, and questions to, the Chairperson in office of the Committee of Ministers and speeches by invited guests.

(³⁰) If the Assembly is not in session, the date of distribution shall be that of the postmark. During Part-Sessions, it shall be that of the distribution order signed by the Secretary General of the Assembly or his representative.

(³¹) "The whole of a text" is the complete draft recommendation, opinion, resolution, or order submitted to the vote of the Assembly or the Standing Committee. There may be cases where an amendment formally speaking does not entirely replace a draft text but in substance does. It is up to the President to declare such an amendment admissible or not (Rule 34.5.). The Committee on Rules of Procedure and Immunities considers that in any case an amendment should not replace all paragraphs (sub-paragraphs) nor the great majority of the operative part of a draft text unless it consists of a single point (Doc.7418).

(³²) See also "Organisation of Debates", paragraph 6, p. ... below.

(³³) See also Rule 38 below (organisation of debates) and the rules governing the organisation of debates, pp. .. to .. below.

(³⁴) See also Rule 35.7.

(³⁵) The effect of adopting a dilatory motion is to defer the debate until such time as one or more conditions relating to the text under discussion are fulfilled.

(³⁶) The effect of adjourning the Assembly is to close the Sitting.

(³⁷) The effect of adjourning the debate is to bring up the next item on Orders of the Day for immediate discussion.

(³⁸) The effect of closure of a debate is to halt discussion, and where possible to have the text or texts before the Assembly voted on immediately.

(³⁹) This request may occur even during the consideration of amendments.

(⁴⁰) See the rules governing the organisation of debates, pp. ... to ... below.

(⁴¹) The number of Representatives of the Assembly authorised to vote shall correspond to the number of seats allocated to each of the member states under Article 26 of the Statute of the Council of Europe, and to which appointments were made in accordance with Article 25 of the Statute and Rules 6 to 11 of the Assembly's Rules of Procedure, excluding Representatives who have been deprived of their voting rights in the Assembly or whose voting rights have been suspended under Rule 7.3., 8.5. or 9.4. If the number of Representatives authorised to vote is not divisible by six, the number obtained as a result of the division is rounded down.

(⁴²) See also Regulations relating to the appointment of the Secretary General, Deputy Secretary General and Secretary General of the Assembly having the rank of Deputy Secretary General, pp... to .. below, Article 22 of the European Convention on Human Rights, p... below and Article 9 of Resolution (99) 50 of the Committee of Ministers on the Council of Europe Commissioner for Human Rights, p. ... below.

(⁴³) See Statute of the Council of Europe, Article 29.

(⁴⁴) Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 39.4.).

(⁴⁵) Only those ballot papers bearing the names of persons who have been duly entered as candidates shall be taken into account for the purpose of calculating the number of votes cast (Rule 39.10.).

(⁴⁶) See Regulations relating to the appointment of the Secretary General, Deputy Secretary General and Secretary General of the Assembly having the rank of Deputy Secretary General, pp. .. to .. below, Article 22 of the European Convention of Human Rights, p... below, Article 9 of Resolution (99) 50 of the Committee of Ministers on the Council of Europe Commissioner for Human Rights, p... below and the provisions relating to the appointment procedure in the Assembly, p. ... below.

(⁴⁷) Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 39.4.).

(⁴⁸) See Statute of the Council of Europe, Article 28.c.i.

(⁴⁹) A quorum request made for a draft text must be made before the start of the vote on amendments or on the whole of the draft text if there are no amendments.

(⁵⁰) See footnote 1 to Rule 39.5.

(⁵¹) The number of Representatives of the Assembly authorised to vote shall correspond to the number of seats allocated to each of the member states under Article 26 of the Statute of the Council of Europe, and to which appointments were made in accordance with Article 25 of the Statute and Rules 6 to 11 of the Assembly's Rules of Procedure, excluding Representatives who have been deprived of their voting rights in the Assembly or whose voting rights have been suspended under Rule 7.3., 8.5. or 9.4. If the number of Representatives authorised to vote is not divisible by three, the number obtained as a result of the division is rounded down.

(⁵²) If the Assembly is unable to vote on an item of business on the last sitting of a part-session, the vote is postponed until the next part-session.

(⁵³) See also Rule 17.5.

(⁵⁴) Plus the chairs of the Political Affairs Committee and the Committee on Legal Affairs and Human Rights, ex officio members

(⁵⁵) See Resolution 1115 (1997).

(⁵⁶) Except for reports on the observation of elections, which may be presented to the Assembly or the Standing Committee (see Bureau decision, 14 September 1998).

(⁵⁷) See Resolution 1115 (1997).

(⁵⁸) This requirement does not apply to members of the Bureaux of newly-formed Committees.

(⁵⁹) See also Rule 39.10.

(⁶⁰) Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 39.4.).

(⁶¹) If it is not possible to divide the number of members of a Committee by 3, the quorum shall be calculated on the basis of the next lower multiple of 3; for example the quorum for a Committee of 79 members shall be 26.

(⁶²) The number of members who constitute a Committee shall be the number of Representatives or Substitutes whose appointment to the Committee has been confirmed by the Assembly in pursuance of Rule 43.3. and 43.6. When vacant seats are occupied provisionally, account of this must be taken in the calculation of the quorum in accordance with Rule 43.7.

(⁶³) This provision does not apply to the Monitoring Committee which has no alternates.

(⁶⁴) Committee meetings shall be held in Strasbourg or Paris. For meetings held elsewhere, see Special Ruling, pp... and ...

(⁶⁵) This provision does not apply to the Monitoring Committee. See Resolution 1115 (1997).

(⁶⁶) This provision does not apply to the Monitoring Committee. See Resolution 1115 (1997).

(⁶⁷) At its meeting on 25 November 1991, the Standing Committee specified that "if it is impossible to divide the number of members of a committee by three, the third of the full membership shall be calculated on the basis of the next higher multiple of three" (see Progress Report of the Bureau and the Standing Committee, Doc. 6543).

(⁶⁸) See Rule 23 above.

(⁶⁹) On 27 June 1994 the Assembly took note of the proposals on urgent procedure made by the Bureau (Doc. 7080, item XXII): "Depending on their presentation, the Bureau shall examine requests for urgent procedure having due regard to the business in hand before the end of the Part-Session. The President shall present the Bureau's recommendation to the Assembly at its next sitting which will decide on the requests according to Rules 50.3. and 50.4. and fix the date and time of the debate(s). A committee may normally not submit more than one request for urgent procedure at any one Part-Session".

The Bureau also specified that the possibility should not be ruled out completely for a committee to present more than one request if this was justified by the events and if the committee's request was unanimous. See also Rule 25.7.

(⁷⁰) Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 39.4.).

(⁷¹) In an Opinion of 10 January 1957, Doc. 613, the Committee on Rules of Procedure and Immunities gave a strict interpretation of this Rule regarding access to the Assembly. Paragraph 1 may not therefore be stretched to apply to a person who is not a member of the Government. This Opinion was approved by the Assembly at the Sitting of 10 January 1957 (see 36th Sitting of the 8th Session).

(⁷²) See the Standing Committee's decision of 25 November 1987 on access for government representatives to Committees, page ... below and Article 27 of the Statute of the Council of Europe.

(⁷³) See Statutory Resolutions adopted by the Committee of Ministers in May 1951, pp. ...and ... below.

(⁷⁴) On 6 December 1963, the Committee of Ministers agreed that the Joint Committee should consist of one representative of each Government of the Member States (43 at present) and an equal number of representatives of the Assembly (see Docs. 1684 and 2016).

(⁷⁵) See the guidelines for questions to guest speakers, p. ... below.

(⁷⁶) See also Order No. 316 (1971), on addresses by guest speakers at plenary sittings of the Assembly, p. ... below.

(⁷⁷) This text covers all procedures by which a State has expressed its consent to be bound by the two UN Covenants (e.g. accession, notification of succession ...). Furthermore, this paragraph refers to the OSCE documents and the United Nations Human Rights Covenants and not to the European Convention on Human Rights, because the latter is not open to signature by non-member states of the Council of Europe; whereas all sovereign states are normally members of the United Nations and can thus accede to the United Nations Covenants and can also become participants of the OSCE if they are situated in the OSCE area.

(⁷⁸) On 28 February 1994 the Bureau approved an opinion of the Committee on Rules of Procedure and Immunities relating to the duration of the term of office of special guests, according to which article 25 of the Council of Europe's Statute shall apply, by analogy to special guests (see Progress Report of the Bureau and the Standing Committee, Doc. 7038).

(⁷⁹) See also Rule 35.

(⁸⁰) See also special rules governing relations with parliamentary and inter-parliamentary assemblies of non-member States, p. ... below.

(⁸¹) For the text of Statutory Resolution (93) 26 of the Committee of Ministers, see p. ... below.

(⁸²) Canada: 6; Israel: 3; Mexico: 6.

(⁸³) In Order No 342 of 22 January 1974, the Assembly:

"Instructs the Bureau of the Assembly, when examining the admissibility of a petition, to ascertain whether any identical petition has been previously submitted to the Assembly or to another European parliamentary body, in which case transmission to a Committee may be refused or postponed;

Further instructs the Bureau, in case the main subject of a petition raises an issue concerning human rights as defined by the Convention for the Protection of Human Rights and Fundamental Freedoms, to transmit the petition to the Assembly's Committee on Legal Affairs and Human Rights which shall, before examining it on its merits and after consulting the competent services of the Council of Europe Secretariat General, make sure that there is a legitimate Assembly interest in the matter, bearing in mind the control procedures set up by the Convention;

Instructs the Secretary General of the Assembly:

a. to register all petitions submitted to the Bureau for a decision as to admissibility, after carrying out a preliminary examination to ascertain in particular whether, in form, they accord with the relevant Rules of Procedure;

b. to notify the author or first signatory of a petition examined by the Bureau of the result of the examination as to admissibility and, where appropriate, of its transmission to a Committee."

(⁸⁴) See Explanatory memorandum (Doc. 8361), paragraph 15.

(⁸⁵) See Statute of the Council of Europe, Article 37.b.

(⁸⁶) See Statute of the Council of Europe, Article 40, and General Agreement on Privileges and Immunities, Articles 13 to 15, and Protocol thereto, Articles 3 and 5, pp. ... to ... below.

(⁸⁷) Guidance on the meaning of this phrase can be found in Rule 6.5. of the Rules of Procedure of the European Parliament which provides: "The Committee shall not, under any circumstances, pronounce on the guilt or otherwise of the Member nor on whether or not the opinions or acts attributed to him justify prosecution, even if, in considering the request, it acquires detailed knowledge of the facts of the case."