

Parliamentary Assembly Assemblée parlementaire



AS/Bur/PC (2005) 11
7 July 2005
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Bureau of the Assembly Presidential Committee

Organisation of the work of the Assembly and its committees Memorandum by the Secretary General of the Assembly

Outline for discussion

I. Introduction

Reasons for raising this issue now: the challenges

- Request by Bureau of the Assembly;
- Warsaw Summit and search for complementarities with EU and OSCE; focus on "core activities";
- Periodic re-examination of the role of the Assembly, last major reform in 2000;
- Concern over the level of participation in Assembly and committees (including ad hoc committees on the observation of elections), difference between signing-in and voting; motivation of members in joining national delegations and/or coming to meetings;
- Budgetary constraints at level of CE and national parliaments; situation of poorer national parliaments; focusing the work of the Assembly and its committees;
- Transparency of working methods; media impact;

II. Short description of current working methods of Assembly and its committees

- Plenary sessions, sittings, number of reports and adopted texts, attendance (with statistics);
- System of drawing up agenda and order of business;
- Two official languages and five working languages;
- Representatives and substitutes;
- Role of the Bureau;
- Role and composition of the Standing Committee;
- Functioning of committees, full members and alternates, terms of reference, work program largely determined by draft motions, system of election of Chairperson and Vice-Chairpersons;
- Role of national delegations and political groups

III. Possible proposals

Plenary Assembly

- Reform of system of substitutes (abolition, pairing by political group), possible raising of number of representatives;
- Replacement of annual OECD and EBRD debates by bi-annual debates;
- Grouping of votes;
- Abolition of Friday morning sitting;
- Sharing of plenary time between committees or at least one report per committee per part-session;
- Limiting guest speakers;
- Limiting Assembly debates and reports to "core business", strict scrutiny of references, use of general policy debate (Rule 25.3);

- Increase attractiveness of debates and guest speakers/media impact: spontaneous questions to the Chairperson of the CM; topical debates of interest to media either in the morning or before 4 pm;
- Aiming to end afternoon sittings at 7 pm;
- Increasing interplay with national delegations and political groups;

Standing Committee

- Increase attractiveness of Standing Committee, e.g. increasing political input by national host delegation, special guest speakers;
- Increase number of meetings per year and reports examined at Standing Committee level;

Committees

- Reform of system of alternates, possible raising of number of full members;
- Limiting accumulation of posts: limiting membership of one person to two committees; barring former Chairperson of one committee to become chairperson of another thereafter;
- Grouping of committee meetings, reduction in number of parallel committee or sub-committee meetings during Part-Sessions;
- Meetings outside Strasbourg or Paris;
- Possible reduction in number of committees, sub-committees and ad hoc committees;
- Open agenda item to allow for exchange of views on topical issues;
- Rationalisation of secretariat working methods; abolition or drastic reduction in length of minutes of committee meetings;

IV. Follow-up to discussion in the Presidential Committee, possible creation of a working group of parliamentarians to prepare proposals for the Bureau

V. Appendices: Statistics, structure of committees, terms of reference

Parliamentary Assembly of the Council of Europe European Democrat Group

THE ORGANISATION OF THE WORK OF THE ASSEMBLY AND ITS COMMITTEES

The National Delegations, Committees and Political Groups of the Parliamentary Assembly of the Council of Europe (PACE) have been asked to respond to a Memorandum dated 7th July 2005 (AS/Bur/PC (2005) 11) from the Secretary General of the Assembly. This paper is the response of the European Democrat Group (EDG).

OBJECTIVES OF ANY CHANGES

It is essential that any response begins by setting out what it is seeking to achieve. The EDG's objectives are as follows:

1. To avoid change for change's sake;
2. To ensure PACE focuses on its core issues (Human Rights, Democracy, Rule of Law);
3. To maximise member involvement (rather than reduce opportunities to take part);
4. To maximise topicality and thus increase desire of members to participate;
5. To maximise relevance to real world and thus increase media interest;
6. To maximise opportunity to hold Committee of Ministers to account;
7. To protect PACE against encroachment on its role by other organisations;
8. To enhance the role of the political groups within PACE

REASONS FOR THIS CONSULTATION

The memorandum sets out a list of reasons, to which we respond as follows:

1. No major changes since 2000

This sounds like wanting to make change for change's sake and is not a reason the EDG would support. New is not always better.

2. Focus on core activities and overlap with the EU and OSCE

The EDG agrees that core activities should be our focus but suspects that a body of opinion will argue that everything currently done is a core activity. If the Bureau wishes to pursue this issue we recommend that it is made the subject of a separate debate.

The EDG is concerned about the increasing encroachment of other organisations on the role and work of PACE. We do not support negotiating agreements that reduce the role of PACE and believe that a stand must be taken against plans by other organisations to duplicate the core work of the Council of Europe.

3. PACE needs to spend less

If the need to cut spending is a key issue then the Bureau needs to say so. If saving money is a major driver of change we all need to adopt a different approach to that taken in the memorandum. For the purposes of this response, the EDG assumes cutting costs is not the primary motive.

4. Low participation by individuals

Key activists routinely blame lack of interest and commitment by others on the individuals concerned. However, the EDG considers low attendance might be due to the lack of topicality, focus, relevance and importance of the PACE agenda.

5. Lack of media interest

It is tempting for politicians to accuse the media of bias and trivialisation when it fails to report the issues and activities that interest us. However, the EDG suspects that the media are better judges than politicians of what interests the general public. 300 journalists coming to Strasbourg to cover the debate on secret detention centres proves that PACE can be newsworthy when it is topical and relevant.

POSSIBLE PLENARY CHANGES LISTED IN MEMORANDUM

1. Representatives and substitutes

The EDG is opposed to any changes that reduce opportunities for individual participation or that reduce the numbers entitled to attend meetings.

2. OECD and EBRD debates

The EDG is opposed to making these bi-annual.

3. Grouping votes

The EDG is opposed to this as it would discourage attendance at debates and encourage voting without knowing the issues at stake.

4. Friday sittings

The EDG opposes this as it would lead to poor attendances on Thursday afternoons. An alternative is to arrange the agenda so that important business and votes take place on Friday mornings.

5. Committees and reports

The EDG wishes to see fewer rather than more constraints on flexibility and topicality. Committees should only be allocated time if they have relevant business.

6. Guest speakers

The EDG enthusiastically supports a substantial reduction and opposes any extension of the practice. It would release time for more and/or longer debates on topical issues, a relaxation of the far too rigid limits of some speaking time and more opportunities for political group meetings.

7. Assembly debates

The EDG supports a more rigorous focusing of all items included in plenary agendas. Speaking in debates should be restricted to those with a democratic mandate (i.e. elected representatives).

8. Questions to the Council of Ministers

The EDG believes that the ability to question the Council of Ministers is the key to effective accountability and that the current system is seriously ineffective. We would like to see short daily sessions at which not more than, say, three topics were raised. Notice of the questions would be given to the Council of Ministers 48 hours in advance and each questioner should have the right to one supplementary question.

9. National delegations and political groups

The EDG believes that the role of national delegations should be less important than it is now and that the political group involvement and activity should be enthusiastically encouraged. Time for daily group meetings should be provided and the number of political appointees on the Bureau and Standing Committee should be substantially increased.

POSSIBLE STANDING COMMITTEE CHANGES LISTED IN MEMORANDUM

1. Increasing attractiveness

The EDG supports this aim but opposes increasing the role of non-elected outsiders. The Committee's primary role is to oversee and organise the work of PACE and to address the concerns of its members. However, the EDG agrees that meetings held away from Strasbourg and Paris should allow for more time for interaction with the political parties and national politicians of the host country.

2. Increasing the number of meetings

The EDG *(someone who is a member needs to write this)*.

POSSIBLE COMMITTEE CHANGES LISTED IN MEMORANDUM

1. Reducing committees and their activity

The EDG is not opposed in principle to reducing the number of committees and sub-committees but would need to be reassured that any such changes do not weaken the ability of PACE to properly address its core functions.

2. Committee membership and posts

The EDG does not believe that reducing membership will increase attendance; rather, it may do the opposite. Nor does the EDG believe individuals who have just ceased to be chairmen of one committee should be barred from immediately being elected to another post; rather, chairmen should be nominated on merit rather than because it is someone else's turn.

3. Venues for meetings

The EDG has no wish to see its headquarters and Assembly moved from Strasbourg and is content with the facilities in Paris for routine committee meetings. It is supportive of holding occasional committee meetings elsewhere – provided there is a real working purpose and any additional cost is not excessive.

4. Agendas

The EDG would welcome any proposal that made agendas more topical and flexible. It would also support allowing the bureaux of committees to add to their agendas topics not raised by a motion referred to them and to appoint rapporteurs to prepare reports on them.

5. Secretarial support

The EDG greatly appreciates the help already provided and is conscious of the cost of providing additional support. However, the EDG would support the provision of additional facilities aimed at enabling individual members to do their own office work whilst away from their national parliaments.

POSSIBLE COMMITTEE CHANGES NOT LISTED IN MEMORANDUM

The EDG would also support the following changes not included in the lists of proposals in the memorandum:

1. Amending the powers of the Bureau and Standing Committee to allow the use of a “focus test” to determine whether a motion should be referred to a committee.
2. Amending the rules of debate in the Assembly to permit more spontaneous discussion and interaction between speakers and others (by permitting limited interventions that do not reduce the speaker’s allocated time).
3. Increasing the President’s powers to vary speaking times but preventing any speaker being allocated less than, say, four minutes on any occasion.
4. Providing procedural training and support for chairmen.

5. Charge an existing committee with monitoring and resisting possible encroachment on our core role by other organisations.
6. Take steps to develop better relationships with the national parliaments of member states and their members.
7. Require the Council of Ministers to notify PACE why its response to a Resolution has taken more than, say, six months to prepare.
8. Require a representative of the Council of Ministers to present in person to the appropriate committee and to answer oral questions on the response.
9. Change the administration and working of the committees to make them more party political and less national delegation focused.



**EPP/CD Group Reflections on the
ORGANISATION OF THE WORK OF THE PARLIAMENTARY ASSEMBLY**

RECOMMENDATIONS

1. Organisation of the Assembly's Work

a. Based on information received from the PACE Secretariat, the figures of attendance, presence for votes, committee meetings, etc., it is clear that there is (sometimes) a low participation, outcome, little or no media impact and PACE work going on in parallel to national parliaments but with little direct contact despite the fact that PACE members are all members of a national parliament.

b. The Committee of Ministers : institutional balance with the PACE and more transparency of the Committee (see also report P.Schieder). There should be a set time during each Part Session for a dialogue between the PACE and the Committee of Ministers. Need to look at whether current format of the Joint Committee meets the needs of either side.

1.2. Part Sessions / Standing Committee

- a. current Monday – Friday week might be shortened to conclude on Thursday as few members can afford to be absent from their constituencies for an entire week;
- b. to encourage better participation and media impact, try to ensure that every Part Session has reports that are 'impact making' and curtail more technical reports to Standing Committee meetings;
- c. political group meetings (Monday 10.00 – 13.00 hrs and Wednesday 08.30 – 10.00 hrs) is too little. If more time were available, it would enable us to advance further with our agenda and focus more on political issues; when and how ? Suggestion to have a short Group meeting on Monday morning from 10.00 – 11.00 hrs to enable Groups to discuss the Draft Order of Business and eventual current affairs debates or debates under urgent procedure. The Assembly would commence at 11.00 – 13.00 hrs with opening session, Progress Report, etc and political groups would start again from 14.00 – 19.00 hrs

- d. every Part Session should have a "Question and Answer" session with the Committee of Ministers (model of "Question Time" in several parliaments), where the deadline for introducing questions could be perhaps the morning for that afternoon debate. There is also a need for a maximum of transparency and more strict follow-up to be given to replies to Written questions to the Committee of Ministers including how long it sometimes takes for these replies;
- e. votes on Reports to be taken not following each debate but at say two set times during the week (Wednesday 15.00 hrs and Thursday 15.00 hrs for example);
- f. real political debates;
- g. fewer simultaneous committee meetings during part sessions (ref 2000 Report of Mr Vis). Not more than one meeting of each committee during the week with the exception of committees dealing with reports for urgent / current affairs debates and, if the case arises, those dealing with the recognition of credentials;
- h. possible reduction in number of Part Sessions to three per year – January, June and Sept/October. Committee meetings to be grouped together in April and November; new approach of the Standing Committee;
- i. an annual or bi-annual report in the PACE on every Member State including indications of that country's respect for human rights, record on implementing judgements of the ECHR, etc;
- j. an annual report on the 'state of democracy in Europe'

1.3. Committees – Reduction in Number

Participants felt that despite the reduction in the number of committees from 14 to the current 10, there remain too many committees and some subject matter might usefully be better covered by a different instance.

- a. Committee on the Environment, Agriculture and Local and Regional Affairs; some local / regional affairs might better be covered by the CLRAE. The remainder of its work be added to the remit of the Committee on Economic Affairs and Development and changed into a "Committee on Sustainable Development" ?
- b. Committee on Rules of Procedure and Immunities – while recognising that all parliaments need a committee to cover this work, given the frequency of meetings, could this committee not move to being a Sub Committee of the Legal Affairs Committee

If some or all of the above points were introduced, we might be looking at a reduction in numbers of committees from the current 10 to say 8. In such a case we would propose increasing the number of members of each committee (to maybe 105 representing 1/3 of the Assembly's members).

We need to look at the number, subject and operationally of Sub Committees and of Ad-Hoc Committees.

Committee meetings to be grouped together in April and November.

Assembly and Committee work methods are archaic and outdated. In order to have the interest of members, the media, NGO's etc, the relevant documents should be available on the web in advance as is the case with EP Committees and the limitations on who can attend meetings needs to be reconsidered (apart from confidential work naturally).

Most members felt that meeting at 19.30 hrs on the Monday night of the January part session for a ten minute meeting with the sole purpose of electing the Bureaux of Committees with full equips of interpreters etc, was a waste of time and energy. It would seem simpler to simply hold the first committee meetings on Tuesday morning with the first point on the agenda being the elections. If the candidates for election are agreed in advance between the political groups, this procedure should take no more than 15 minutes.

The Assembly has the greatest respect for its long-serving members but is fully aware that to grow and engage a new generation of young members we need to encourage their active participation in all aspects of the work of the Assembly. There should be no automatism for example in the nomination of Rapporteurs.

2. The Core Business of the PACE/CoE

Stress to be laid on the 'core business' of the CoE (human rights, democracy, rule of law, culture, sustainable development, quality of life, migration – intercultural dialogue).

3. Media

Reports to be more audacious. PACE members should have the courage to be more controversial and stop the current habit of starting every Recommendation by making reference to what the EU is doing / has done / is thinking on the subject. Perhaps in addition to Delegation Secretaries, the Press Attaché of the national parliaments be invited to Part Sessions. (see also report J. Mota Amaral on "Enhancing the Visibility of the CoE").

4. Relationship with National Parliaments

PACE to inform all national parliaments at the end of each year of dates of part sessions, Standing committees, etc for the upcoming year in order to avoid as much overlap as possible. Encourage PACE members to propose an annual debate on CoE matters in their national parliament.

(The newly elected German Bundestag has ensured in its calendar for 2006 that it will not sit during part sessions).

5. Relationship with the EU /OSCE

The joint meeting between the Presidencies of PACE and EP of 20th. October 2005 welcomed and encouraged future cooperation between committees/sub-committees on both sides, agreed to avoid duplication between the two institutions and to use each others experience.

Contacts have to be strengthened with the OSCE i.e. on election observation missions.

Luc Van den Brande