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## Follow-up by the Committee of Ministers to the work of the Parliamentary Assembly

### Report<sup>1</sup>

Committee on Rules of Procedure, Immunities and Institutional Affairs

Rapporteur: Mr Serhiy HOLOVATY, Ukraine, Alliance of Liberals and Democrats for Europe

### Summary

The Committee of Ministers and the Parliamentary Assembly have a joint responsibility with regard to the proper functioning of the Council of Europe. The Assembly's initiatives are vital to the Organisation, but they cannot become reality without the support of the Committee of Ministers. Enhancing dialogue between the two statutory organs and co-ordinating their activities and positions are essential to address the objectives of the Council of Europe's reform, in particular making the Organisation's external action and visibility more effective.

The fresh political boost given to inter-institutional relations, in particular through the 2009 joint agreement on "Enhanced dialogue between the Parliamentary Assembly and the Committee of Ministers", as well as the proposals from the 2010 report of the Secretary General of the Council of Europe on enhanced dialogue and co-operation between the Parliamentary Assembly and the Committee of Ministers, must now be put into practice.

The Assembly must undertake to introduce a number of good practices, in order to promote genuine, substantive and ongoing dialogue, to expand constructive co-operation, to strengthen interaction between the Assembly and the Committee of Ministers and to optimise the complementarity, impact and effectiveness of their work.

At the same time, the Committee of Ministers should, in particular, undertake to establish a formal procedure for consulting the Assembly on new draft legal instruments and to examine the Assembly's recommendations in depth and in detail, provide practical follow-up and give an early and substantial reply.

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1. Reference to committee: Doc. 11831, Reference 3541 of 29 May 2009.

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## A. Draft resolution<sup>2</sup>

1. Under Article 1 of the Statute of the Council of Europe, the Organisation performs its work through two organs: the Committee of Ministers and the Parliamentary Assembly. These two institutions have a joint responsibility with regard to the Organisation and their interaction is essential to ensure that it operates effectively and harmoniously.
2. The Assembly welcomes the improvement in inter-institutional dialogue marked by the agreement on “Enhanced dialogue between the Parliamentary Assembly and the Committee of Ministers” jointly adopted by both organs in 2009. The proposals it contains, supplemented by those of the Secretary General of the Council of Europe in his 2010 report “Enhanced dialogue and co-operation between the Parliamentary Assembly and the Committee of Ministers”, constitute a firm basis for promoting active, open and transparent dialogue. They must now be put into practice.
3. As stated in Resolution 1689 (2009) and Recommendation 1886 (2009) on the future of the Council of Europe in the light of its sixty years of experience, a change in working methods and the introduction of new practices do not necessarily entail changes to the Rules of Procedure, but depend on political will and action.
4. In the light of the above, with regard to improving its working methods, the Assembly resolves to establish a number of good practices and procedures to strengthen interaction between the Parliamentary Assembly and the Committee of Ministers and to optimise the impact, effectiveness and complementary nature of their work in order to raise the profile of the Organisation as a whole.
5. Accordingly, the Assembly undertakes:
  - 5.1. with regard to recommendations addressed to the Committee of Ministers, to:
    - 5.1.1. ensure that the issues referred to committees are of political relevance to the Organisation and its member States;
    - 5.1.2. without prejudice to its role of exploring new issues and initiating ideas, adopt recommendations, drafted clearly and succinctly, which set out coherent proposals in keeping with Council of Europe priorities, as defined, for example, in the action plan of the Third Summit of Heads of State and Government of the Council of Europe in 2005, and limited to areas where joint intergovernmental action is required;
  - 5.2. with regard to written questions addressed to the Committee of Ministers, ensure that its members make responsible use of them, consistent with the Assembly’s interests; it therefore resolves that the admissibility criteria laid down by the guidelines for questions to guest speakers adopted in Resolution 1658 (2009) on questions to the Committee of Ministers will apply to written questions for the Committee of Ministers, and in particular that they must be of general interest and fall within the competence of the Organisation and the sphere of responsibility of the Committee of Ministers;
  - 5.3. with regard to the follow-up by the Committee of Ministers to the Assembly’s recommendations and opinions, to:
    - 5.3.1. make it a matter of course for the committees to examine in detail the Committee of Ministers’ replies to Assembly recommendations and the follow-up to opinions, in particular by:
      - 5.3.1.1. employing the method used by the Committee on Legal Affairs and Human Rights and the Committee on Political Affairs and Democracy when they examine replies from the Committee of Ministers;
      - 5.3.1.2. preparing a report, where appropriate, on the follow-up to a statutory opinion or recommendation;
    - 5.3.2. develop genuine dialogue with the Committee of Ministers by taking advantage of the avenues open to Assembly members and committees, whether formal (written questions to the Committee of Ministers and oral questions to the Chair of the Committee of Ministers) or informal (letter from the committee chairperson; committee statement or press release), to seek clarification of its replies from the Committee of Ministers;

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2. Draft resolution adopted unanimously by the committee on 26 January 2012

5.4. with regard to working relations with the Committee of Ministers and the intergovernmental committees, to:

5.4.1. promote a proactive approach within Assembly committees towards developing working relationships with the relevant subsidiary bodies of the Committee of Ministers (rapporteur groups, thematic co-ordinators, working parties) by encouraging the Assembly committee chairpersons, rapporteurs and general rapporteurs to establish regular contacts with these bodies and follow their work;

5.4.2. to develop working relations with intergovernmental steering committees and groups of experts, and participation in their work by the Assembly's rapporteurs and general rapporteurs, in particular so that the Assembly can put forward its views at an early stage, especially on the matter of draft treaties;

5.5. with regard to developing institutional synergies and maximising the Council of Europe's work at national level, to:

5.5.1. in member States due to take over the chairmanship of the Committee of Ministers of the Council of Europe, call on the national delegations to the Assembly to initiate, within their own parliaments, debates with their governments on the setting of priorities and the follow-up thereto;

5.5.2. bearing in mind Resolution 1640 (2008) "Use by Assembly members of their dual parliamentary role – both national and European", as well as its members' commitments as part of the reform of the Assembly, call on its members to promote and raise the profile of the Assembly's work and, in general, to support Council of Europe activities in their own national parliaments.

6. At the same time, the Assembly expects the Committee of Ministers to:

6.1. undertake to establish a formal procedure for consulting the Assembly on new draft legal instruments. It is important that the Assembly be asked for a statutory opinion at least three months before the date of a draft's adoption; it must also be informed in writing of the follow-up to the amendments contained in the statutory opinion;

6.2. undertake to actively examine the Assembly's recommendations in depth and in detail, provide practical follow-up and give an early and substantial reply within a period of no more than six months;

6.3. participate substantively in the work of the Joint Committee in order to reach a common position on issues of importance for the functioning of the Organisation and enhancement of the Council of Europe's external action.

## B. Draft recommendation<sup>3</sup>

1. The Parliamentary Assembly reaffirms its commitment to the powers conferred on it by the Statute of the Council of Europe, which it has been able to develop since the Organisation was founded and which it intends to exercise fully by pursuing its mission as effectively as possible with regard to the expectations of the European citizens whom it represents. However, in order to achieve this end, the Assembly is equally committed to maintaining and expanding constructive co-operation with the Committee of Ministers. The Assembly's initiatives are vital to the Organisation, but they cannot become reality without the support of the Committee of Ministers.

2. Furthermore, better interaction between the two statutory organs would make it possible to avoid fragmentation and duplication of work and thus address core concerns of Council of Europe reform, namely optimisation and rationalisation of resources, as well as make the Organisation's external action more effective. Enhancing dialogue between the two statutory organs and co-ordinating their activities and positions are vital to the reform's success.

3. The Assembly welcomes the fresh political boost given to inter-institutional relations under the Slovenian Chairmanship, and later the Swiss Chairmanship, of the Committee of Ministers. The adoption in 2009 of the document on "Enhanced dialogue between the Parliamentary Assembly and the Committee of Ministers" marked a new stage in inter-institutional dialogue. The proposals made in this document, supplemented by measures suggested by the Secretary General of the Council of Europe in his 2010 report "Enhanced dialogue and co-operation between the Parliamentary Assembly and the Committee of Ministers", are in the process of being implemented. The Assembly reaffirms its commitment to continuing to work for a closer relationship with the Committee of Ministers and better mutual understanding.

4. In order to promote genuine, substantive and ongoing dialogue, strengthen co-operation between the two statutory organs and increase institutional synergies in order to ensure to raise the profile of the Organisation, the Assembly undertakes to introduce a number of practices set out in Resolution ... (2011) on follow-up by the Committee of Ministers to the work of the Parliamentary Assembly. At the same time, it recommends that the Committee of Ministers:

4.1. enhance the process of consulting the Assembly:

4.1.1. as regards new draft legal instruments, by institutionalising a formal procedure for consulting the Assembly, establishing, amongst other things, a specific timetable and setting a period of at least three months before the date of adoption of a draft instrument by the Committee of Ministers to ask the Assembly for a statutory opinion, as well as by undertaking to inform the Assembly in writing of the follow-up to the amendments contained in the statutory opinion;

4.1.2. as regards the setting of priorities for the chairmanship of the Committee of Ministers of the Council of Europe, by asking the relevant members of the Committee of Ministers to involve their national delegations to the Assembly by consulting them beforehand on the setting of those priorities;

4.2. undertake to actively examine the Assembly's recommendations in depth and in detail, provide practical follow-up and give an early and substantial reply within a period of no more than six months;

4.3. with regard to written questions from Assembly members, set a six-month time limit for replies and, if the Ministers' Deputies are unable to reach agreement, instruct the Chair of the Ministers' Deputies to notify the President of the Parliamentary Assembly in writing;

4.4. encourage the chairs of rapporteur groups and working parties and thematic co-ordinators to maintain and develop regular working relationships with the Assembly's committee chairs, rapporteurs and general rapporteurs operating in the relevant areas;

4.5. increase its involvement in the work of the Joint Committee in order to promote open and constructive dialogue so that a common position can be reached on issues of importance for the functioning of the Organisation and enhancement of the Council of Europe's external action.

5. Lastly, the Assembly considers that implementation of the above measures should be jointly evaluated by the Assembly and the Committee of Ministers at regular intervals in an appropriate framework.

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3. Draft recommendation adopted unanimously by the committee on 26 January 2012

## C. Explanatory memorandum by Mr Holovaty, rapporteur

### 1. Background

#### 1.1. Origins of the report

1. In February 2009, Mr Dick Marty and a number of his colleagues tabled a motion for a resolution (Doc. 11831) concerning the lack of appropriate follow-up, by the Committee of Ministers, to the work of the Parliamentary Assembly. The matter was referred for report to the Committee on Rules of Procedure, Immunities and Institutional Affairs, which appointed Mr Serhiy Holovaty as rapporteur.

2. The year 2009 was notable for a number of episodes which left members of the Assembly with the impression that the work and the proposals they produced had not been given proper consideration by the Committee of Ministers or taken into account in its decisions on the Organisation's political and strategic choices. There had, moreover, been disagreement between the Committee of Ministers and the Assembly over the election of the Secretary General, arising from the interpretation of Article 36 of the Organisation's Statute and the rules on elections, each organ having a different understanding of its role in this process. At the same time, there was a more general debate, on the occasion of the Council of Europe's 60th anniversary, regarding the place of the Organisation in the current institutional and political scheme of things; this debate highlighted the need to establish a true inter-institutional and constructive dialogue to ensure that the Organisation could operate effectively and harmoniously in the future.<sup>4</sup>

#### 1.2. Recent developments in institutional relations between the Committee of Ministers and the Parliamentary Assembly

3. It should be noted that ever since the Organisation was founded, the two statutory organs have, at regular intervals, looked at how to improve their working methods in such a way as to make their complementary operations as effective as possible, use each body's skills and expertise to the best possible effect and adapt these working methods to the ever-changing political and social climate. In May 2001, for example, the Committee of Ministers approved a document<sup>5</sup> which advocated enhanced co-operation between the Committee of Ministers and the Parliamentary Assembly, notably by improving communication and the exchange of information, and by promoting informal dialogue, transparency and understanding of each other's views.

4. In 2006, the Assembly adopted a recommendation on the institutional balance at the Council of Europe (Recommendation 1763 (2006)). The very comprehensive report that accompanied the recommendation (Doc. 11017) pointed to a number of positives but noted the inadequacy of the instruments available to the Assembly for influencing the agenda of the Committee of Ministers and the lack of information on the follow-up given to statutory opinions and the proposals contained therein.<sup>6</sup>

5. In its reply to the Assembly's recommendation (Doc. 11222), the Committee of Ministers restated its desire to co-operate with the Assembly while retaining a flexible approach, taking the view that there was no need to re-apportion responsibilities or codify existing practices.<sup>7</sup> The Assembly and the Committee of Ministers then explored new ways of forging a strategic partnership that would complement the formal exchanges already held on the basis of the Assembly's recommendations and statutory opinions. Worthy of mention here is the joint interpretative statement adopted in March 2010 concerning rules and procedures for the future elections of the Secretary General (CM(2009)195 final), a true inter-institutional agreement between the two bodies. The Committee of Ministers and the Assembly also recognised the value of holding regular informal meetings between the Bureau of the Committee of Ministers and the Presidential Committee of the Assembly, the first of which took place in May 2009.

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4. See the Political Affairs Committee report on the future of the Council of Europe in the light of its 60 years of experience (Doc. 12017), Resolution 1689 (2009) and Recommendation 1886 (2009), in particular paragraph 5 of the latter.

5. CM(2001)72.

6. A motion for a resolution tabled in May 2010 (Doc. 12252) on "The rule of law in Council of Europe member States: upholding the authority of the Parliamentary Assembly's recommendations", referred to the Committee on Legal Affairs and Human Rights for report, emphasised the need for better follow-up to the Assembly's recommendations and enhancement of the work done to assess their impact and ensure that they were in fact acted upon.

6. Inter-institutional relations received a fresh political boost under the Slovenian Chairmanship of the Committee of Ministers, and later the Swiss Chairmanship. The document entitled “Enhanced dialogue between the Parliamentary Assembly and the Committee of Ministers”,<sup>8</sup> adopted in September 2009, is the result of a joint agreement on proposals to intensify dialogue and co-operation between the two bodies. In addition to measures which will be detailed below, the Committee of Ministers and the Assembly agreed to instruct the Secretary General of the Council of Europe to draw up a report outlining further areas for discussion. In June 2010, the Secretary General of the Council of Europe published his report.<sup>9</sup>

7. In June 2011, the Assembly adopted Resolution 1822 (2011) on reform of the Parliamentary Assembly, calling for the enhancement of inter-institutional dialogue, notably through implementation of the measures set out in the Secretary General’s report.

8. The purpose of the present report is to look at the proposals mentioned above and flesh them out in practical terms, from the point of view of the follow-up given by the Committee of Ministers to the Assembly’s recommendations and statutory opinions. It does not seek to update the report on institutional balance at the Council of Europe, referred to earlier, though the rapporteur fully endorses its conclusion that wide-ranging institutional reform would improve the institutional balance within the Council of Europe and render its work more effective. The present report concerns itself with existing practice, where co-operation and efforts to improve working methods should not only be continued but intensified.

9. On 12 January 2012, at the invitation of its chair, Ms Ellen Berends, Permanent Representative of the Netherlands, the Ministers’ Deputies’ ad hoc Working Party on Institutional Reforms held an exchange of views with the rapporteur and the Chairperson of the Committee on Rules of Procedure as well as the Assembly’s rapporteur on reform of the Assembly and the future of the Council of Europe, Mr Jean-Claude Mignon. The Ministers Deputies’ were asked to respond to the proposals contained in this report. This exchange of views, which took place in a very constructive and particularly cordial atmosphere, provided helpful information for finalising this report.

## **2. Promoting active and effective dialogue between the Parliamentary Assembly and the Committee of Ministers under the statutory procedures**

10. The Assembly adopts resolutions, recommendations and opinions. Only recommendations and opinions are forwarded to the Committee of Ministers for action. However, all texts adopted by the Assembly, including resolutions, are placed on the agenda of the Committee of Ministers (Ministers’ Deputies). Given that normally the Committee of Ministers simply takes note of resolutions, this section will look only at texts to which the Committee of Ministers is required to respond.

### **2.1. Follow-up to recommendations of the Assembly**

11. The Statute of the Council of Europe and its own Rules of Procedure require the Committee of Ministers to consider recommendations (and statutory opinions), but it does not have to reply to them. In practice, however, the Committee of Ministers has chosen since 1963 to reply in detail to the Assembly’s recommendations (Doc. 1643, paragraph 8). Up to 1994, these replies by the Committee of Ministers had to be adopted unanimously. In November 1994, the Committee of Ministers decided that, in future, adoption of its

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7. The Committee of Ministers said, amongst other things, that it was willing to:

- see active participation by the Assembly’s representatives in the steering committees responsible for drawing up legal instruments;

- consider with the Assembly how co-operation on consultation could best be extended, for example to the establishment and implementation of the Organisation’s priorities (pointing out that the Assembly had been invited to take part in the preparatory work on the Declaration and Action Plan of the 2005 Warsaw Summit, and in work on follow-up to the Summit and the work of negotiating the Memorandum of Understanding with the European Union);

- consider any improvement to information supplied to the Assembly, but retaining a measure of flexibility in this flow in order to avert any bureaucratisation of such exchanges;

- transmit to the Assembly the External Auditor’s report and the annual report of the Internal Auditor;

- maximise the role of the Joint Committee and consider with the Assembly, in that Committee, how best to achieve closer understanding between the two bodies, including through informal joint groups on questions of common interest which could complement, if need be, existing forms of participation in each others’ institutions

8. CM(2009)142.

9. SG/Inf(2010)12, Enhanced dialogue and co-operation between the Parliamentary Assembly and the Committee of Ministers, report by the Secretary General of the Council of Europe.

replies to the Assembly would require a two-thirds majority, on the understanding that every effort would be made to achieve a consensus within a reasonable period of time. In 2003, the Ministers' Deputies gave an undertaking that recommendations by the Assembly would, as far as possible, receive a reply within a period of no more than six months.

12. When deciding on the follow-up to be given – communication to the governments of member States; communication for information and/or comments to steering committees, committees of experts and other appropriate bodies of the Council of Europe, where appropriate for preparation of a draft reply – the Committee of Ministers takes account of the Council of Europe's priority areas of action, its work, intergovernmental structures and available resources. In particular, it seems that the Committee of Ministers has no longer been inclined, for a few years now, to undertake any intergovernmental activity not already covered by the Council of Europe's work programme where the Assembly requests it to do so in a recommendation.

13. Thus the "Revised guidelines for the reform and modernisation of the Committee's working methods",<sup>10</sup> currently under discussion by the Ministers' Deputies' ad hoc Working Party on Institutional Reforms, seek in point 17 to set qualitative criteria for the content of replies (which must be concise and result-oriented). A measure of this kind should limit the Committee of Ministers' frequent practice of taking note of the Assembly's proposals but never actually acting on them. The rapporteur points out that the Committee of Ministers undertook in 2010 "to give an early and substantial reply" to texts submitted by the Assembly (see document CM(2009)142).<sup>11</sup>

14. The rapporteur also notes that the ad hoc Working Party on Institutional Reforms, in the revised guidelines previously mentioned, also suggested that the Chairperson of the Ministers' Deputies and/or the chairs of the rapporteur groups take the necessary steps to ensure, especially in the event of disagreement on substantive matters, that consultations with the delegations are held in order to move the work in question forward (point 19).

15. The rapporteur notes that, on several occasions, committees thought it vital to obtain more substantive replies from the Committee of Ministers, precisely identifying the stumbling blocks to dialogue and the obstacles to implementing the Assembly's proposals.

16. During an exchange of views in February 2010 between the Ministers' Deputies' ad hoc Working Party on Institutional Reforms and Mr Jean-Claude Mignon, rapporteur for the Assembly's Political Affairs Committee on the future of the Council of Europe in the light of its 60 years of experience, a number of permanent delegations, noting that some issues debated by the Assembly were not part of the Organisation's priorities, stressed the need to link proposals to those priorities, so that they would be more readily acted upon. Other delegations, however, emphasised the important role played by the Assembly in alerting the Committee of Ministers to new challenges.<sup>12</sup> Similar comments were made by the Ministers' Deputies during the above-mentioned exchange of views with the ad hoc Working Party on Institutional Reforms on 12 January 2012.

17. Linking recommendations to the Committee of Ministers to the Organisation's priorities is one of the measures called for in Resolution 1822 (2011) on reform of the Parliamentary Assembly (paragraph 5.1.1), which confirms the Assembly's intention to tighten the conditions for submitting motions for recommendations and resolutions. More rigorous preselection of motions by the Assembly's Bureau is recommended, and committees are asked to provide information reports on some issues, on which the Assembly would not need

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10. CM(2011)96 final. These guidelines were adopted by the Committee of Ministers on 15-16 February 2012.

11. Paragraph 5.1 of Recommendation 1886 (2009) referred to earlier calls on the Committee of Ministers "to review its working methods regarding the preparation of replies to Assembly recommendations to ensure that these replies are drafted more speedily (in principle, within six months) and with greater attention being paid to substance". In 2009, the rapporteur analysed the replies given by the Committee of Ministers to recommendations by the Parliamentary Assembly adopted in 2008 (see introductory note, document AS/Pro (2009) 16). It was found that:

- the Committee of Ministers had on average taken 10 months to reply to recommendations;
- the Committee of Ministers had wholly endorsed a quarter of the Assembly's proposals, but it was still not known what specific action had been taken on them;
- almost 40% of the Assembly's proposals were not specifically studied by the Committee of Ministers, or the Committee commented on them in general terms only;
- a year after their adoption, four of the 33 recommendations adopted in 2008 had not yet received a reply from the Committee of Ministers.

12. In the course of this discussion, Mr Mignon commented that however much the Assembly might favour a closer focus on matters arising from the Organisation's core activities, to strengthen coherence between the two bodies, its nature as a parliamentary body justified it in addressing all issues of concern to Europeans or matters of topical interest.

to vote. The report on which the resolution is based clearly points to the need to reduce the number of texts adopted, present more succinct and better quality texts, and limit recommendations to the Committee of Ministers to those areas where intergovernmental action is required.

18. The rapporteur hopes that the practice of filtering motions for recommendations will be made a part of the Assembly's working methods and that this will impact positively on the quality of the follow-up given by the Committee of Ministers. But the Assembly must not abandon its power of initiative and must continue to anticipate and drive forward ideas, because experience has shown it to be the source of many major advances by the Council of Europe.

### **2.2. Examination of the Committee of Ministers' replies to Assembly recommendations**

19. Regarding examination of the Committee of Ministers' replies to recommendations, the rapporteur is gratified to see that this practice is becoming more commonplace. The Committee on Political Affairs and Democracy<sup>13</sup> and the Committee on Legal Affairs and Human Rights already analyse the Committee of Ministers' replies to recommendations adopted on the basis of their reports.<sup>14</sup> This practice should be adopted by other Assembly committees, as indeed Resolution 1822 (2011) suggests. This committee work requires rapporteurs to be involved. It has also been suggested that examination of the Committee of Ministers' replies to recommendations should feature at the top of Assembly committee meeting agendas. Proper dialogue between the two organs would require more active follow-up by the Assembly, which could respond to the reply given by asking specific supplementary questions. This could be done via written questions to the Committee of Ministers, or in a letter from the committee chair to the Chairperson of the Ministers' Deputies.

20. Resolution 1822 (2011) also calls on the Assembly's committees to draw up an annual report on the follow-up given to adopted texts by the national parliaments and/or the Committee of Ministers and, where necessary, to make a public statement when the follow-up is not satisfactory (paragraph 5.2.2).

### **2.3. Consultation of the Assembly regarding the negotiation of new legal instruments**

21. The rapporteur notes that the question of consulting the Assembly on new conventions and additional protocols arises at regular intervals and is something on which there is still room for real inter-institutional progress. The Assembly's committees have sometimes been critical both of the procedure followed and of the content of the Committee of Ministers' replies to their proposals.<sup>15</sup> In Opinion 251 (2004) on draft protocol No. 14 to the Convention for the protection of human rights and fundamental freedoms, amending the control system of the Convention, and Opinion 270 (2008) on the draft Council of Europe Convention on Access to Official Documents, the Assembly urges the Committee of Ministers to submit requests for opinions on draft treaties to the Parliamentary Assembly at least three months before the meeting of the Committee of Ministers at which the text is to be examined and to take account of this three-month period in the deadlines assigned to the steering committees responsible for their preparation.<sup>16</sup> Two new opinions of the Assembly (Opinion 276 (2010) on the draft Convention of the Council of Europe on the counterfeiting of medical products and similar crimes involving threats to public health, and Opinion 277 (2010) on the draft protocol to the Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127)) again emphasise the need for

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13. Document AS/Pol (2011) 24 – Replies given by the Committee of Ministers to Assembly recommendations stemming from the [Political Affairs] Committee, adopted by the Assembly since January 2010: comments of the Political Affairs Committee.

14. See, for example, documents AS/Jur (2011) 16, 17, 18, 19, 20 and 21.

15. In Recommendation 1695 (2005) on the draft Council of Europe Convention on action against trafficking in human beings, the Assembly regretted the fact that two thirds of its amendments to the draft had been rejected by the committee of experts responsible for drafting the text. See also the report of the Committee on Equal Opportunities for Women and Men (Doc. 10474).

16. Paragraph 5.3 of Recommendation 1886 (2009) mentioned earlier calls on the Committee of Ministers to "provide for a reasonable timeframe (in principle, not less than three months) for the statutory consultation of the Assembly on draft conventions, and to keep the Assembly regularly informed of the follow-up given to the draft amendments contained in its statutory opinions".

the Assembly to be involved at an earlier stage when the Committee of Ministers asks for its opinion on the draft of a legal instrument.<sup>17</sup> In its Opinions 270 (2008) and 277 (2010) the Assembly asks the Committee of Ministers to inform it of the follow-up given to its proposals.

22. Treaties negotiated by the Council of Europe, frequently at the Assembly's instigation, are the base on which a common legal area is being built in Europe and beyond, and they help to establish a pan-European climate of trust. Proposals from the Assembly should not be seen as obstacles to the negotiation of an international treaty. They are, on the contrary, an extension of governments' efforts to find an acceptable common position. Firstly, the Assembly can free any political logjams by organising informal consultations.<sup>18</sup> Secondly, the quality of the follow-up given by the Committee of Ministers to statutory opinions will have a bearing on the efforts made by Assembly members to get the text in question ratified at national level. The number of treaties whose entry into force has been delayed because not enough countries have ratified them, shows that the process does not end when the text is adopted by the Committee of Ministers.

23. Consequently, the rapporteur believes that the Assembly's statutory opinions could carry greater weight if the Committee of Ministers were willing to involve the Assembly in the drafting of treaties at an earlier stage and if it drew up the minutes of meetings at which Assembly proposals are discussed along the same lines as the minutes recording the discussions on proposals submitted by States within intergovernmental groups of experts or committees.

24. The time allowed for consultation<sup>19</sup> and co-ordination arrangements could be decided in an agreement between the two organs<sup>20</sup> along the lines of the joint interpretative statement adopted in 2009 by the Assembly and the Committee of Ministers concerning rules and procedures for the future elections of the Secretary General of the Council of Europe.

25. Lastly, the rapporteur also thinks that the consultation procedure might likewise be extended to include member States, in respect of some draft recommendations.

#### **2.4. Consultation with the Assembly on budgetary matters**

26. In 1953, the Committee of Ministers allowed the Assembly to deliver an opinion on that part of the Organisation's budget which contains appropriations for the Assembly's operations, and in 1955 it allowed the Assembly to deliver an opinion on the Council's budget.<sup>21</sup> Every year the Assembly adopts an opinion on the Council of Europe's budgets and priorities, along with an opinion (since 2010 in the form of a resolution) on the Assembly's expenditure.

27. In Recommendation 1728 (2005) on the budgetary powers of the Parliamentary Assembly of the Council of Europe, the Assembly expressed regret that the machinery in place gave it no influence over the size of the Organisation's budget or the implementation of its activities. The Assembly believed it should have budgetary powers appropriate to its status as a parliamentary and political body of the Council of Europe, with the customary prerogatives of a parliamentary assembly, in particular the power to determine the amount of its own

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17. By contrast, in Opinion 280 (2011) on the draft Council of Europe Convention on preventing and combating violence against women and domestic violence, the Assembly notes that it had the opportunity to take part in the entire negotiation process in the ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO).

18. The Assembly rapporteur on the draft Protocol to the Convention on mutual administrative assistance in tax matters, Mr Pieter Omtzigt, held an informal consultation which produced a compromise wording for Article 22.1. The Ministers' Deputies' Rapporteur Group on Legal Co-operation welcomed the involvement of the rapporteur.

19. In his 2010 report referred to earlier, the Secretary General of the Council of Europe suggests that a timetable of preparatory work on treaty drafts be adopted, which would allow a period of at least three months for the Assembly to be consulted and would enable the drafting committee to take account of the Assembly's opinion prior to final adoption by the Committee of Ministers, it being understood that "in exceptional circumstances this timeframe for consultation could be set aside by common agreement".

20. The rapporteur notes that whilst the decision-making process of the European Union is not comparable to that of the Council of Europe, he believes that the European Union's practice of using inter-institutional agreements might perfectly well be transferrable to the Council's own working methods. Indeed, an inter-institutional agreement enables specific powers of either party to be adjusted without in any way breaching primary law in the form of the Statute and statutory resolutions.

21. Resolution (53) 38 of the Committee of Ministers; communication from the Committee of Ministers, Doc. 342, 9 May 1955.

operating expenses in a procedure to be agreed with the Committee of Ministers. It also asked that the Committee of Ministers be required to consult it before setting the size of the Council of Europe's budget for the year ahead.

28. Albeit with limited room for manoeuvre, an informal mechanism was set up to allow consultation between the two bodies. In 2010 and 2011, the Committee on Economic Affairs and Development's rapporteur on the Council of Europe's budgets was invited to a meeting of the Rapporteur Group on Programme, Budget and Administration (GR-PBA), to defend before the Deputies the proposals upheld by the Assembly in its opinion. The reports of the external and internal auditors are also communicated to this Group. Since 2009, the chair of the GR-PBA has accepted an invitation from the Committee on Economic Affairs and Development to take part, at the beginning of each year, in a meeting where the budgetary prospects for the year ahead are outlined. It will be important to maintain this practice in future in the Committee on Rules of Procedure, Immunities and Institutional Affairs, which has been dealing with budgetary and financial matters since 23 January 2012.

### **2.5. Written questions to the Committee of Ministers**

29. Written questions do not count towards the number of texts adopted by the Parliamentary Assembly, being individual initiatives by its members, but it is worth pointing out that the Committee of Ministers plans to deal with them in the same way as recommendations, specifically with regard to the time allowed for a reply; since 1984 this has been six months maximum. In the revised guidelines for the reform and modernisation of the Committee of Ministers' working methods, mentioned earlier, the Ministers' Deputies' ad hoc Working Party on Institutional Reforms wants the Committee of Ministers to give priority to questions of relevance to the Council of Europe's activities (point 20).<sup>22</sup> The suggestion is that if agreement is not possible amongst the Deputies, their Chairperson should notify the President of the Parliamentary Assembly by letter.

30. At the above-mentioned meeting with the ad hoc Working Party on Institutional Reforms on 12 January 2012, some Ministers' Deputies mentioned their reservations concerning the written questions procedure; they considered that the way in which the replies to these questions were handled necessitated the use of a cumbersome bureaucratic procedure often ill-matched to the political relevance of the questions raised by parliamentarians. The rapporteur would here like to point out that, in national parliaments, questions are a standard instrument of dialogue with the government as part of parliamentary supervision of government activities and that they are viewed in the same way in the Council of Europe. It is the task of parliamentarians to convey the public's queries and concerns, which are thus reflected in their questions. He also believes that written questions to the Committee of Ministers might serve more as an instrument of dialogue, on condition that they are used in a streamlined manner, meeting set criteria modelled on those applied to questions to the Chair of the Committee of Ministers and other guest speakers, notably regarding the subject of the question and its formulation.<sup>23</sup>

### **3. Strengthening interaction between the Parliamentary Assembly and the Committee of Ministers in order to promote better follow-up to texts adopted by the Assembly**

31. Whilst the work of the Assembly as covered by this report is understood as texts adopted by the Assembly and subsequently referred to the Committee of Ministers for action, in the view of the rapporteur it is also necessary to look at all procedures which might enable interaction between the two organs to be improved. Optimum follow-up to texts *a posteriori* also depends on the preparatory work done at the drafting stage. Recommendation 1886 (2009) on the future of the Council of Europe in the light of its 60 years of experience called on the Committee of Ministers to "step up dialogue with the Assembly in all the ways that have proved effective, such as the contacts between the President of the Assembly and the Chair of the Committee of Ministers, the informal meetings between the Presidential Committee of the Assembly and the Bureau of the Committee of Ministers, the working contacts between the Assembly committees and the Committee of Ministers' rapporteur groups". Thus this chapter deals with the means of communication, both official and informal, that exist between the two bodies.

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22. However, it is odd, to say the least, that in these revised guidelines the Committee of Ministers is called upon to give priority to questions tabled by groups of parliamentarians, inasmuch as such questions do not exist; questions to the Committee of Ministers are purely personal initiatives by parliamentarians – just like the questions put to governments in national parliaments – within the framework of their supervisory role.

23. Questions "must be of general interest and not relate to strictly personal matters" and questions to the Chair of the Committee of Ministers "must fall within the competence of the Organisation and the sphere of responsibility of the Committee of Ministers" (Rules of Procedure, January 2012 edition, p. 102).

### **3.1. Participation by the Assembly in the work of intergovernmental committees**

32. Under the revised general terms of reference of committees,<sup>24</sup> all Assembly committees have equal status when it comes to establishing working relations with the organs and bodies of the Council of Europe. Use should be made of this fact, so that Assembly rapporteurs can play a greater role in the work of the various groups of experts and steering committees, notably in the drafting of opinions on draft treaties, bearing in mind that the terms of reference and internal rules of most of these groups and committees already envisage a participatory role for representatives of the Assembly.<sup>25</sup>

33. The rapporteur notes that the responsibility which Assembly committees have to ensure the appropriate follow-up to their reports and the fact that a rapporteur can remain responsible for monitoring the action taken on a particular report during the year following its adoption, should make for greater interaction between the relevant working groups and committees of the two organs.

### **3.2. Liaison between Assembly committees and the Ministers' Deputies' rapporteur groups**

34. The rapporteur is pleased to note that the level of each organ's participation in the other's meetings has intensified (see also the appendix to this report). Particular mention may be made of specific meetings which gave rise to constructive exchanges. Thus Mr Mignon, rapporteur on follow-up to reform of the Council of Europe for the Political Affairs Committee, took part on 25 February 2010 in an exchange of views with the Committee of Ministers' ad hoc Working Party on Institutional Reforms. On 23 March 2010, Mr Omtzigt, rapporteur for the former Committee on Economic Affairs and Development, attended a meeting of the Rapporteur Group on Legal Co-operation, where he presented the Assembly's opinion on the draft Protocol to the Convention on Mutual Administrative Assistance in Tax Matters. On 18 December 2010, the Working Party on the Monitoring Process for the Interlaken Declaration met for discussions with Ms Marie-Louise Bemelmans-Videc, Chairperson of the Sub-Committee on Human Rights. On 8 November 2011 Ms Anne Brasseur, rapporteur on the situation in Tunisia for the Political Affairs Committee, was invited by the Rapporteur Group on External Relations to take part in the discussion on the Council of Europe's policy regarding neighbouring regions. On budgetary matters, dialogue is routine: Mr Erol Aslan Cebeci, rapporteur on budgets and priorities of the Council of Europe for the former Committee on Economic Affairs and Development, was invited to the meetings of the Rapporteur Group on Programme, Budget and Administration held on 17 June 2010 and 17 June 2011.

35. The rapporteur hopes that this trend towards constructive co-operation will intensify further in the future. In his 2010 report referred to earlier the Secretary General of the Council of Europe suggests that the chairs of the rapporteur groups should maintain regular informal contacts with the chairpersons of the Assembly's committees and should attend an annual meeting together with the committees. He also advocates continuing – and strengthening – the participation of rapporteurs in meetings of working parties of the Committee of Ministers and Council of Europe steering committees. At the exchange of views with the ad hoc Working Party on Institutional Reforms on 12 January 2012, the Ministers' Deputies were unanimously in favour of further efforts to develop this direct dialogue.

### **3.3. General rapporteurs**

36. The Assembly's general rapporteurs might be tasked with promoting Assembly decisions on specific issues, gathering information on them and reporting to the committees concerned. They would also be able to forge working relationships with the relevant subsidiary bodies of the Committee of Ministers (rapporteur groups, thematic co-ordinators, working parties, etc.)<sup>26</sup> and follow their work.

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24. Resolution 1842 (2011) on the terms of reference of Parliamentary Assembly committees – Implementation of Resolution 1822 (2011) on the reform of the Parliamentary Assembly.

25. Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods (point 7.a), adopted on 9 November 2011.

### **3.4. Joint Committee**

37. The Joint Committee, set up in 1951, is a statutory body linking the Committee of Ministers and Assembly members. It has long operated on the basis of a regular annual meeting. In 2004 it was suggested that it should meet once during every part-session. But because the calendar of meetings was set on the basis of part-session dates and not real needs, and because the format was not suited to the discussion of certain issues, both bodies suggested that the functioning of the Joint Committee should be reviewed.

38. In fact, the work of the two organs is now co-ordinated by the President of the Assembly and the Chair of the Committee of Ministers, and by the Presidential Committee of the Assembly and the Bureau of the Committee of Ministers, meeting regularly during part-sessions of the Assembly.

39. In Recommendation 1886 (2009) on the future of the Council of Europe in the light of its 60 years of experience, the Assembly said that the Committee of Ministers should “study, together with the Assembly, the ways and means of making the Joint Committee a genuine forum for substantive dialogue and effective consultation between the two organs, for example by convening it only when necessary and at the level of political decision makers”. The rapporteur agrees with the view, expressed by the Secretary General of the Council of Europe in his report referred to earlier, that the Joint Committee should meet only when there is a real institutional need for it to do so, for example to elect the Secretary General, the Deputy Secretary General or the Secretary General of the Assembly. Its meetings need to be carefully prepared so that it is a forum for constructive endeavour rather than a platform for opportunistic statements. The Joint Committee is also a unique structure in which all members of the Committee of Ministers and all national delegations to the Parliamentary Assembly take part on an equal footing. For this reason it remains a necessary tool of inter-institutional co-operation within the Council of Europe.

40. At the exchange of views with the ad hoc Working Party on Institutional Reforms on 12 January 2012, the Ministers’ Deputies unanimously reaffirmed their commitment to the Joint Committee as a discussion forum and wanted to see a continuation of the regular meetings held during Assembly part-sessions, with agendas carefully prepared in order that substantive issues might be discussed.

### **3.5. Identification and co-ordination of the priorities of future Chairs of the Committee of Ministers by involving and consulting the relevant national delegations in the Assembly**

41. In establishing the priorities of the Chair of the Committee of Ministers, account is taken of the national agenda but also of shared concerns of the Council of Europe’s member States. By virtue of their dual remit, both national and European, national delegations are well placed to identify pertinent issues and integrate at national level policies that are introduced during their country’s chairmanship. As the Secretary General of the Council of Europe proposes in his 2010 report, the government of the country due to take over the Chair of the Organisation should “consult the national delegation to the Parliamentary Assembly to involve it in the work of setting priorities”. The minister responsible and the national parliament of the country in question could hold a debate on priorities before the start of the chairmanship, along the lines of the recent debate in the United Kingdom between its Minister for Europe, Mr David Lidington, and the House of Commons. The future Albanian chairmanship has stated that it is pursuing the same approach.

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26. As a general rule, subsidiary bodies prepare decisions for the Committee of Ministers, ideally for adoption without debate.

– Current list of rapporteur groups: GR-DEM (democracy); GR-EXT (external relations); GR-PBA (budget); GR-C (education, culture, sport, youth and environment); GR-H (human rights); GR-J (legal co-operation); GR-SOC (social and health questions).

– Current list of thematic co-ordinators: Thematic Co-ordinator on Equality and Trafficking; Thematic Co-ordinator on Children; Thematic Co-ordinator on Information Policy. (Thematic co-ordinators are appointed to monitor certain subjects of importance to the Organisation in areas of responsibility allocated to them by the Committee of Ministers. They are supposed, as far as possible, to work without calling meetings.)

– Current list of working parties and liaison committees: CL-CEDH (Liaison Committee with the European Court of Human Rights); GT-REF.INST (ad hoc Working Party on Institutional Reforms); GT-REF.ECHR (ad hoc Working Party on reform of the Human Rights Convention system).

42. Moreover, at each of its part-sessions, the Assembly hears an address by the minister for foreign affairs of the country holding the chairmanship. It also holds a meeting of its Standing Committee in the country which has just taken up the chairmanship, at which that country's programme is presented. It would undoubtedly be helpful and worthwhile if the same minister could also present an assessment of his or her country's chairmanship once it had come to an end.

### **3.6. Follow-up to free debates**

43. In the framework of its reform, the Assembly decided to introduce a free debate during each part-session, in which members of the Assembly are able to speak on the topic of their choice. The first such exercise took place during the January 2012 part-session. On that occasion, during their speeches, members raised issues which undoubtedly would have requested a reply from institutional bodies of the Council of Europe responsible for the relevant areas mentioned. The Bureau of the Assembly therefore expressed the wish that an informal procedure for following up free debates be set up. The Secretary General of the Assembly sent some 20 letters to these institutions, requesting their co-operation in this initiative and inviting them to provide some answers to the questions raised.

## **4. Conclusions**

44. It is in the very nature of parliamentary systems to be based on an institutional balance between government and parliament, a balance guaranteed by the existence of equal and reciprocal means of pressure and action. Parliaments, vested with legislative and budgetary powers and the power to supervise the government, also constitute a driving force and offer a forum for public demands and protest. It was this democratic model *par excellence* that inspired the Council of Europe's founding fathers in 1949 to provide it with a parliamentary body that was a necessary complement, in terms of action and reflection, to the intergovernmental body. It is this feature of the Council of Europe that is its greatest asset. The Assembly's ideas and initiatives are vital to the Organisation, but they cannot become reality without the support of the Committee of Ministers. At a time when the Organisation has been undergoing reform (structures and working methods) for two years, enhanced dialogue between the two statutory organs and better co-ordination of their work and positions are essential if the exercise is to succeed.

45. This report contains a draft resolution and a draft recommendation, each comprising a number of proposals for improving inter-institutional dialogue. In particular, the Assembly is invited to develop working relations with intergovernmental steering committees and groups of experts, as well as with the appropriate subsidiary bodies of the Committee of Ministers. Moreover, the Assembly committees are encouraged to adopt good practice in their drafting of recommendations and opinions.

46. Finally, the document on "Enhanced dialogue between the Parliamentary Assembly and the Committee of Ministers" said that the Committee of Ministers and the Parliamentary Assembly should consider "establishing an inventory of best practice" in order to ascertain how existing arrangements for co-operation and informal dialogue might be improved or extended. In the current context of the Organisation, that item might be placed on the agenda, with a view to encouraging regular interaction and more effective co-operation between the Assembly and the Committee of Ministers. At the end of the meeting of the Ministers' Deputies' ad hoc Working Party on Institutional Reforms, on 12 January 2012, it was agreed to continue discussions during 2012 in order to evaluate actual implementation of the proposals put forward by the Committee on Rules of Procedure, Immunities and Institutional Affairs.

## **Appendix – Liaison between the committees of the Parliamentary Assembly and rapporteur groups of the Ministers' Deputies: 2006-2011**

### **Political Affairs Committee**

*Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers' groups:*

Mr Abdülkadir Ates (Turkey, SOC), Chairperson of the committee, participated in the meetings of the Follow-up Committee on the Third Summit (CM-SUIVI3) on 11 May 2006 and 19 September 2006.

MM. Adrian Severin (Romania, SOC), Andreas Gross (Switzerland, SOC) and Ms Tana de Zulueta (Italy, SOC) participated in the meeting of the Rapporteur Group on External Relations (GR-EXT) on 13 July 2006.

MM. Andreas Gross (Switzerland, SOC) and Abdülkadir Ateş (Turkey, SOC) participated in the meetings of the Follow-up Committee on the Third Summit (CM-SUIVI3) on 13 March 2007, 10 April 2007 and 7 May 2007.

Mr Jean-Claude Mignon (France, EPP/CD), rapporteur of the committee on the follow-up of the reform of the Council of Europe, participated on 25 February 2010 in an exchange of views with the Ad Hoc Working Party on Institutional Reforms (GT-REF-INST).

Mr Björn von Sydow (Sweden, SOC), Chairperson of the committee, participated in the meeting of the Rapporteur Group on Democracy (GR-DEM) on 7 October 2010.

On 8 November 2011, Ms Anne Brasseur (Luxembourg, ALDE), rapporteur of the committee on the situation in Tunisia, was invited by the Rapporteur Group on External Relations (GR-EXT) to take part in the discussion of the Policy of the Council of Europe towards neighbouring regions.

*Invitations to members/chairs of Committee of Ministers' rapporteur groups to address the committee or its sub-committees:*

5 November 2006 – Ambassador Joaquim Duarte, Permanent Representative of Portugal, Chair of GR-EXT, took part in the meeting of the Sub-Committee on External Relations.

24 June 2008 – Ambassador Daryal Batibay, Permanent Representative of Turkey, Chair of GR-EXT, took part in the plenary committee.

14 November 2011 – Ambassador Urszula Gacek, Permanent Representative of Poland, Chair of GR-DEM, and Ambassador Euripides Evriviades, Permanent Representative of Cyprus, Chair of GR-EXT, took part in the plenary committee.

### **Committee on Legal Affairs and Human Rights**

*Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers' groups:*

On 18 December 2010, the Ad Hoc Working Party on the follow-up process to the Interlaken Declaration (GT-SUIVI.Interlaken) held an exchange of views with Ms Marie-Louise Bemelmans-Videc (Netherlands, EPP/CD), Chairperson of the Sub-Committee on Human Rights.

*Invitations to members/chairs of Committee of Ministers' rapporteur groups to address the committee or its sub-committees:*

On 24 January 2012, the British Chairmanship of the Committee of Ministers (Rt Hon. David Lidington, Minister for Europe, and Ambassador Eleanor Fuller, Chair of the Ministers' Deputies) were invited to the committee meeting for an exchange of views on 2020 Vision of the European Court of Human Rights.

### **Committee on Economic Affairs and Development**

*Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers' groups:*

Dialogue takes place on a regular basis on budgetary matters: Mr Erol Aslan Cebeci (Turkey, EPP/CD), rapporteur of the committee on budgets and priorities of the Council of Europe, was invited to meetings of the Rapporteur Group on programme, budget and administration (GR-PBA) on 16 June 2009, 17 June 2010 and 17 June 2011.

Mr Pieter Omtzigt (Netherlands, EPP/CD), rapporteur of the committee, participated in the Rapporteur Group on Legal Co-operation (GR-J) on 23 March 2011 in order to present Assembly Opinion 277 (2010) on the draft protocol to the Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127).

*Invitations to members/chairs of Committee of Ministers' rapporteur groups to address the committee or its sub-committees:*

The Chairperson of the Rapporteur Group on Programme, Budget and Administration (GR-PBA) took part in the committee meetings on 12 March 2009, 19 March 2010 and 16 March 2011.

### **Social, Health and Family Affairs Committee**

23 June 2011, the committee held an exchange of views with Ambassador Joseph Licari, Chair of the Rapporteur Group on Social and Health Questions (GR-SOC), on subjects of common interest in the social affairs and health fields.

4 October 2011, Ms Liliane Maury Pasquier, Chairperson of the committee, and Ms Carina Ohlsson, Chairperson of the Sub-Committee on Children, had a working lunch with Ms Anica Djamic, Croatian Ambassador, Thematic Co-ordinator on Children (TC-ENF).

### **Committee on Culture, Science and Education**

27 February 2007: the committee held a colloquy on questions related to State and religion with the participation of Ambassador Guido Bellatti Ceccoli, Chair of the Ministers' Deputies, and Ambassador Eleonora Petrova-Mitevaska, Chair of the Rapporteur Group on education, culture, sport, youth and environment (GR-C).

### **Committee on Migration, Refugees and Population**

*Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers' groups:*

Ms Corien Jonker (Netherlands, EPP/CD), Chairperson of the committee, took part in a meeting of the Ministers' Deputies on 9 September 2009 to present the background to Recommendations 1857 (2009) and 1869 (2009) on the humanitarian consequences of the war between Georgia and Russia and the associated Resolutions 1648 (2009) and 1664 (2009) on the same issue.

Mr John Greenway (United Kingdom, EDG), Chairperson of the committee, participated in a meeting of the Rapporteur Group on Human Rights (GR-H) on 30 September 2010 to present the work of the committee and in particular the work on detention of irregular migrants and asylum seekers.

*Invitations to members/chairs of Committee of Ministers' rapporteur groups to address the committee or its sub-committees:*

Antalya (Turkey), 22-23 October 2007: Mr Yevhen Perelygin, Permanent Representative of Ukraine, Chair of the Rapporteur Group on Social and Health Questions (GR-SOC), took part in the Euro-Asian/Euro-Mediterranean Parliamentary Forum on Migration, organised by the Sub-Committee on Migration.

Paris, 14 December 2007: Mr Yevhen Perelygin, Permanent Representative of Ukraine, Chair of the Rapporteur Group on Social and Health Questions (GR-SOC), took part in an exchange of views.

### **Committee on the Environment, Agriculture and Local and Regional Affairs**

*Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers groups:*

The committee held an exchange of views with a representative of the country holding the chairmanship of the Committee of Ministers on their presidency priorities, in December 2005, in Paris, with Mr Daniel Tanase, Deputy Permanent Representative of Romania, and during the January 2008 part-session with Ambassador Emil Kuchár, Permanent Representative of the Slovak Republic.

### **Committee on Equal Opportunities for Women and Men:**

#### *Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers' groups:*

On 22 March 2011, the committee's Chairperson, Mr José Mendes Bota (Portugal, EPP/CD), presented the Assembly's opinion on the Draft Council of Europe Convention on preventing and combating violence against women and domestic violence to the Rapporteur Group on Legal Co-operation (GR-J) and participated in an exchange of views.

#### *Invitations to members/chairs of Committee of Ministers' rapporteur groups to address the committee or its sub-committees:*

26 June 2006: the committee was informed by Ambassador Peteris Elferts (Latvia), Thematic Co-ordinator on Equality and Trafficking (TC-ET), of the approval by the Committee of Ministers of the guidelines for the Council of Europe pan-European campaign to combat violence against women, including domestic violence.

19 October 2006: the committee held a Co-ordination meeting of the contact parliamentarians involved in the parliamentary dimension of the Council of Europe campaign to combat violence against women, including domestic violence (2006-2008) with the participation of Ambassador Peteris Elferts, Thematic Co-ordinator on Equality and Trafficking (TC-ET).

16 and 17 April 2007: the committee held an exchange of views with Ambassador Pēteris Elferts (Latvia), Thematic Co-ordinator on Equality and Trafficking (TC-ET) on gender equality principles in the Parliamentary Assembly's internal work, decision-making mechanisms and election procedures (Rapporteur: Ms Ana Catarina Mendonça, Portugal, SOC; Rapporteur for opinion: Ms Lydie Err, Luxembourg, SOC).

22 June 2009: the committee held an exchange of views on the mechanisms of the Convention on Action against Trafficking in Human Beings with Ambassador Pēteris Elferts, Chair of the Committee of Parties to the Convention.

12 April 2011: on the occasion of the Meeting of the Network of contact parliamentarians committed to combating violence against women, the committee held an exchange of views on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence with Ambassador Emil Kuchar, Permanent Representative of the Slovak Republic and Chair of the Rapporteur Group on Legal Co-operation (GR-J).

### **Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)**

Paris, 8 March 2006: exchange of views with Ambassador Stephen Howarth, Chair of the Rapporteur Group on Democracy (GR-DEM).

### **Committee on Rules of Procedure, Immunities and Institutional Affairs**

#### *Participation of rapporteurs/chairs of the committee in meetings of Committee of Ministers' groups:*

10 November 2009: the Chairperson of the committee, Mr John Greenway (United Kingdom, EDG), participated in the first meeting of the Ad Hoc Working Party on Rules and Procedures for future elections of the Secretary General (GT-SG) in the framework of the "Follow-up to Resolution 1665 (2009) on the election process for the Secretary General of the Council of Europe".

12 January 2012: the Chairperson of the committee, Mr Egidijus Vareikis (Lithuania, EPP/CD), participated in the meeting of the Ad Hoc Working Party on Institutional Reforms (GT-REF.INST), with the rapporteur of the committee on the follow-up to the work of the Parliamentary Assembly by the Committee of Ministers, Mr Serhiy Holovaty (Ukraine, ALDE), and the rapporteur of the Assembly on the reform of the Parliamentary Assembly, Mr Jean-Claude Mignon (France, EPP/CD).

*Invitations to members/chairs of Committee of Ministers' rapporteur groups to address the committee or its sub-committees:*

1 June 2006: the committee held an exchange of views with Ambassador Jean-Claude Joseph, Permanent Representative of Switzerland, Chair of the Ad Hoc Working Party on Institutional Reforms, on "The institutional balance at the Council of Europe" (Rapporteur: Mr Peter Schieder, Austria, SOC).

4 June 2007: the committee held an exchange of views with Ambassador Jean-Claude Joseph, Permanent Representative of Switzerland, Chair of the Ad Hoc Working Party on Institutional Reforms, on the follow-up to Recommendation 1763 (2006) on the institutional balance at the Council of Europe.

25 June 2008: the committee held an exchange of views with Ambassador Judit József, Permanent Representative of Hungary, Chair of the Ad Hoc Working Party on Institutional Reforms, on the dialogue between the Committee of Ministers and the Parliamentary Assembly (follow-up to Recommendation 1763 (2006) on the institutional balance at the Council of Europe).

8 December 2009: the committee held an exchange of views with Ambassador Paul Widmer, Permanent Representative of Switzerland, Chair of the Ministers' Deputies, and with Ambassador Meta Bole, Permanent Representative of Slovenia, Chair of the Ad Hoc Working Party on Rules and Procedures for future elections of the Secretary General (GT-SG).

11 January 2010: the committee held an exchange of views with Ambassador Paul Widmer, Permanent Representative of Switzerland, Chair of the Ministers' Deputies, on the "Draft joint (Committee of Ministers/Parliamentary Assembly) interpretative statement concerning Rules and procedures for the future elections of the Secretary General of the Council of Europe [follow-up to Resolution 1665 (2009)]".

12 October 2010: the committee held an exchange of views with the Chair of the Ad Hoc Working Party on Institutional Reforms, Ambassador Zohrab Mnatsakanian, Permanent Representative of Armenia, on the proposals made by the committee on the "Follow-up by the Committee of Ministers to the work of the Parliamentary Assembly" (Rapporteur: Mr Serhiy Holovaty, Ukraine, ALDE).

12 January 2012: the Chair of the committee and the rapporteur on the follow-up by the Committee of Ministers to the work of the Parliamentary Assembly, Mr Serhiy Holovaty (Ukraine, ALDE), held an exchange of views with the Ad Hoc Working Party on Institutional Reforms.