



Resolution 1880 (2012)¹

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

Parliamentary Assembly

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 60 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 3rd 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;

1. Assembly debate on 26 April 2012 (17th Sitting) (see [Doc. 12887](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Holovaty). Text adopted by the Assembly on 26 April 2012 (17th Sitting). See also [Recommendation 1999 \(2012\)](#).

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 parliamentarians 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;

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. develop working relations with intergovernmental steering committees and groups of experts, and the 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. call on the national delegations to the Assembly in member States due to take over the Chairmanship of the Committee of Ministers of the Council of Europe, to initiate, within their own parliaments, debates with their governments on the setting of priorities and the follow-up thereto;

5.5.2. 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, bearing in mind [Resolution 1640 \(2008\)](#) on 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.

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, give them concrete 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.