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## **Budgetary powers of the Parliamentary Assembly of the Council of Europe**

Recommendation 1728 (2005)

**and**

## **The institutional balance at the Council of Europe**

Recommendation 1763 (2006)

Reply from the Committee of Ministers  
adopted at the 990<sup>th</sup> meeting of the Ministers' Deputies (21 March 2007)

1. The Committee of Ministers has examined with the greatest attention Parliamentary Assembly Recommendations 1728 (2005) and 1763 (2006) on the budgetary powers of the Parliamentary Assembly and on the institutional balance at the Council of Europe. It appreciates the Assembly's efforts to put forward a thoroughly researched set of proposals. In particular it notes with satisfaction the desire for co-operation between the two organs which is clearly shown in the recommendations. Through its Working Party on Institutional Reform it had a detailed exchange of views with the Rapporteur, Mr Peter Schieder, on 16 January 2007.

2. It recognises that the Parliamentary Assembly contributes fully to the promotion of fundamental European values thus opening the way for a Europe without dividing lines. In particular it notes the important part which the Assembly has played in the enlargement of the Organisation and in preparing the ground for the admission of new members. It greatly appreciates the Assembly Monitoring Committee's detailed work on monitoring of undertakings and the importance of Assembly members' participation in election observation missions. These actions have made a significant contribution to stabilising and reinforcing democracy in the member states. In addition the Assembly is invaluable as a forum for training in pluralist democracy. Lastly, the Committee considers that the freedom of expression enjoyed by Assembly members enables it usefully to complement its own work.

3. In order to enhance the effectiveness of the Council of Europe, the Committee of Ministers considers it essential to optimise complementarity between the Organisation's organs. To that end, it will consider openly and constructively any proposal for improving co-operation between them. In that spirit it is prepared to give positive follow-up to a number of the proposals. It is prepared to consider with the Assembly how the various forms of consultation and the quality of the information supplied can be substantially improved. It does not however agree with the idea that institutional balance at the Council of Europe requires a reapportionment of responsibilities, in particular in budgetary matters.

4. With regard to paragraph 20 of Recommendation 1763 (2006), the Committee of Ministers counts on active participation by the Assembly's representatives in the steering committees responsible for drawing up legal instruments, thereby ensuring that Assembly ideas are taken into account in the early stages of drafting. It further considers that the Assembly already carries out useful work in monitoring commitments undertaken by member states in respect of the Organisation's conventions and other legal instruments, taking into account as it does the specialist work of the Council of Europe's committees of experts. The Committee of Ministers points out in addition that, as regards major declarations, the Assembly was invited to take part in the preparatory work on the Declaration and Action Plan of the Warsaw Summit. The same applies to the work on follow-up to the Summit and the work of negotiating the Memorandum of Understanding with the European Union. The Committee of Ministers intends to continue this form of co-operation and will consider with the Assembly how best it can be extended – for example, to the

establishment and implementation of the Organisation's priorities. Furthermore, the Committee of Ministers will transmit to the Assembly the External Auditor's report, and is willing to do the same with the Internal Auditor's annual report.

5. The Committee of Ministers further notes that before any major decision is taken on new Council of Europe bodies or institutions, the Assembly is duly informed and consulted. It is generally disposed to consider any improvement to information supplied to the Assembly, but takes the view that this flow must remain as flexible as possible in order to avert any bureaucratisation of such exchanges.

6. On paragraph 23 of Recommendation 1763 (2006), which contains a wide range of ideas, the Committee of Ministers observes that the Council of Europe de facto constitutes a pan-European political platform for dialogue between all the member states, whether or not members of the European Union. It attaches importance to the Assembly playing fully its role in the preparation and conduct of and follow-up to the Forum for the Future of Democracy. It respects the sovereignty of each of the member states as regards the funding source for contributions to the Organisation's budgets. It notes with satisfaction the high level of participation in the Council of Europe's Conferences of Specialised Ministers and welcomes the contribution which the conferences make to the Organisation's priority work.

7. As regards the European Court of Human Rights, the Committee of Ministers attaches as much importance as the Assembly to the effectiveness of the Council of Europe's judicial institution. It welcomed the report of the Group of Wise Persons mandated by the Warsaw Summit and has forwarded it to the Assembly for its views.

8. The Committee of Ministers welcomes the close co-operation it has with the Congress of Local and Regional Authorities of the Council of Europe. It also maintains close co-operation with the Conference of INGOs.

9. The Committee of Ministers shares the Assembly's view on the important role which the Joint Committee can play in tackling problems of co-operation between the two bodies. Within the Joint Committee it stands ready to consider with the Assembly how best to achieve closer understanding, including through informal joint groups on questions of common interest which could complement, if need be, existing forms of participation in each others' fora.

10. Lastly, the Committee of Ministers has carefully considered the Assembly's desire for codification of a whole range of current practices. It does not however consider it essential to put existing practice in writing.