Parliamentary **Assembly**
Assemblée parlementaire

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COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Doc. 11295
6 June 2007

Improving the participation of members in Assembly plenary sessions and committee meetings

Report
Committee on Rules of Procedure and Immunities
Rapporteur: Mr Andreas GROSS, Switzerland, Socialist Group

Summary

The continuing budgetary constraints at the Council of Europe make it necessary for its organs to constantly improve their functioning. With regard to the Parliamentary Assembly, a series of measures have already been agreed. In this connection it is important to improve the participation of members in Assembly plenary sessions, particularly in debates and votes and in committee meetings.

This report examines attendance at plenary sessions and committee meetings and indicates some reasons for the current tendency. It gives a short survey of reform discussions in other international parliamentary forums, most of which also experience participation problems. The Committee on Rules of Procedure and Immunities presents proposals for remedies at the level of the Assembly. They mostly aim at making plenary sessions and committee meetings more attractive and lively and at streamlining their organisation. This should make it somewhat easier for members to take an active role in the plenary and in committees.

Furthermore, the relevant Assembly bodies are invited to observe the situation during the year following the adoption of the resolution with a view to proposing additional measures if necessary.

F – 67075 Strasbourg Cedex, e-mail: assembly@coe.int
tel : + 33 3 88 41 2000, fax + 33 3 88 41 2776

I. Draft Resolution

1. The Presidential Committee and the Bureau of the Parliamentary Assembly have initiated a process for improving the functioning of the Assembly and its organs. A series of measures has already been agreed, some are still under discussion.

2. One aspect of these initiatives is improving participation of members in Assembly plenary sessions and committee meetings. A regular and significant presence of members is important for the credibility of a parliamentary institution.

3. The dual mandate of Assembly members and their commitments at both national and European level does not make it any easier for them to attend all Assembly and committee activities. Some members also serve simultaneously as delegates to other international or regional interparliamentary institutions. Furthermore, it is not easy for very small national delegations in the Assembly, some including only four members, to be represented at all these activities.

4. The Assembly considers that it should be possible to improve the participation of its members through new provisions in the Rules of Procedure and other measures which would make it easier for members to take an active role in the Assembly and its organs.

5. Current efforts to have Assembly debates on topical political or controversial subjects and on issues of general interest should be enhanced. In this connection the Assembly recalls that in Resolution 1547 (2007) on the state of human rights and democracy in Europe it has resolved to mandate itself with respect to future work with a higher degree of priority to human rights, the rule of law and democracy. Questions related to Council of Europe bodies and to the Council of Europe's place in the European institutional architecture should also be the subject of in-depth debates.

6. Consequently, the Assembly decides, with respect to its Rules of Procedure:

6.1. at the end of Rule 11.2, to add: "The register of attendance shall be made public";

6.2. after Rule 35.5, to insert a new paragraph worded as follows: "For a period not exceeding 15 minutes the President may, on the first day of a part-session, give the floor to members for one minute to draw the Assembly's attention to a matter of political importance which is not the subject of a report by an Assembly committee. They shall indicate beforehand the subject of their statement to the Table Office. If time permits, the President may allow similar shorter speaking periods later during the same part-session. A member shall not be given the right by virtue of this provision to speak more than once during the same part-session.";

6.3. in Rule 43.1, to replace points 9 and 10 by the following text:

> "9. Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) (84 seats),
>
> 10. Committee on Rules of Procedure, Immunities and Institutional Affairs (27 seats).";

6.4. to replace Rule 43.3, first sentence, by the following text: "On the basis of the candidatures presented by the political groups and taking into account gender balance and regional balance, the Bureau shall nominate the 84 members of the Monitoring Committee and 25 of the 27 members of the Committee on Rules of Procedure, Immunities and Institutional Affairs by applying the apportionment ratio based on the so-called 'D'Hondt principle'. The remaining two members of the latter Committee are nominated by the Bureau from among the Assembly representatives or substitutes not belonging to a political group.";

6.5. to adapt rules 43.2, 43.4, 43.5 and 43.7 accordingly;

6.6. after Rule 43.6, to insert a new paragraph worded as follows: "If, without prejudice to Rule 43.3, no candidatures for membership of a committee are submitted by a national delegation by the end of the June part-session of a parliamentary year, the President of the Assembly shall bring this to the attention of the Chairperson of the national delegation concerned.";

6.7. after Rule 43.7, to insert a new paragraph worded as follows: "If, without prejudice to Rule 43.3, in the course of a parliamentary year[1] the average level of participation of a national delegation in the meetings of a committee is below 33%, the Secretary General of the Parliamentary Assembly shall inform the President of the Assembly, the Chairperson of the Committee on Rules of Procedure, Immunities and Institutional Affairs and the chairperson of the national delegation concerned. The President of the Assembly shall bring this to the attention of the speaker of the national parliament concerned and the Bureau of the Assembly.";

[1 If during the reference year, parliamentary elections are held, the national delegation concerned may request that the reference time be prolonged by the Bureau up to a maximum of two years.]

6.8. in Rule 48.3, to replace "51 seats" by "27 seats";

6.9. in the other relevant provisions of the rules and of the complementary texts to the rules, to replace the terms "Committee on Rules of Procedure and Immunities" by "Committee on Rules of Procedure, Immunities and Institutional Affairs".

7. The Assembly:

7.1. invites its Secretary General to continue observing closely the level of participation of members of national parliamentary delegations at plenary sessions, including during votes, and in the general committees of the Assembly, and to inform the Bureau of the Assembly and the Committee on Rules of Procedure and Immunities regularly thereon;

7.2. invites the President of the Assembly to examine, with the speakers and political groups of the parliaments concerned, the possible consequences if, during one year following the adoption of this resolution, the average level of participation of national delegations in Assembly sittings, as shown by signatures in the register of attendance, falls below 50% of their nominal strength;

7.3. resolves to review the Assembly's committee structure, including the possible merger of committees, if, during the same period, there is no improvement in the level of participation in committees.

8. The Assembly invites its Bureau with respect to the complementary texts to the rules:

8.1. to insert in the Additional provisions relating to Assembly debates, section iii on the order of speakers, a new paragraph 9, worded as follows: "The ten members who, during the previous Assembly part-session, have participated in the highest number of votes taken in plenary shall be moved up three positions on a list of speakers on which they have been placed.";

8.2. to replace in the additional provisions relating to Assembly debates, section iv on speaking time, at the end of paragraph 5, the words "one minute" by "thirty seconds".

9. Furthermore, the Assembly invites:

9.1. its members, committees and political groups to join their efforts so that during its part-sessions the Assembly debates topical political or controversial subjects as well as issues implying concrete Assembly responsibilities;

9.2. the committees:

9.2.1. to prepare, where appropriate, information reports for final discussion at committee level and to submit them only exceptionally for debate in the Assembly and the Standing Committee;

9.2.2. to strive for increased variety in rapporteurs;

9.2.3. to avoid the appointment of members as rapporteurs when they are already responsible for two reports simultaneously within the same committee;

9.3. the Bureau and committees to give consideration to group committee meetings outside Strasbourg, in the member states, so as to increase participation and to promote links with the national parliaments and their committees;

9.4. the political groups, when making proposals for committee chairpersons and vice-chairpersons, to bear in mind the merits of the candidates and the level of their involvement in the relevant committees;

9.5. national delegations and political groups to take action with the appropriate national bodies to:

9.5.1. promote the conclusion of pairing agreements[1] among the main parliamentary groups with a view to facilitating participation of members at Assembly part-sessions and meetings of its committees;

9.5.2. draw attention to the dates of Assembly plenary sittings when the national calendars of parliamentary sessions are drawn up;

9.6. rapporteurs, where appropriate, to avail themselves of the possibilities foreseen in Rule 35.5 to reply after the first round of speakers of political groups, for a time to be decided by the President;

9.7. its members, where appropriate, to make use of Rule 35.3 to put a question, with the permission of the President, to a speaker in a debate on a particular point of the speech.

10. The Assembly decides that the changes proposed shall enter into force on the first day of the January 2008 part-session.

1. Pairing is an arrangement whereby the name of a member of parliament from the majority is linked with an opposition member in the event of a vote arising in a national parliament. The practice is that under such an agreement neither member votes in parliament while the agreement is valid. This would enable these members to participate in Assembly debates in Strasbourg while important votes take place in their national parliaments.

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I. INTRODUCTION

1. The budgetary constraints at the level of the Council of Europe (COE) and national parliaments have become more acute for some time. Furthermore, the level of participation in Assembly sessions and Committee meetings has given rise to concern.

2. This concern has in particular been expressed in a motion tabled by Mr Marty and others on 4 July 2005 (Doc. 10634). The motion notes mainly that:

- the number of members taking part in votes in plenary seldom reaches half of the number of members composing the Assembly;
- the situation at committee meetings is hardly better;
- the scores obtained at such votes are therefore often the result of the fortuitous attendance of a few members who are present in the chamber or the committee room at a given time;
- the decisions voted in such circumstances cannot be seen as representing any overall opinion;
- such a situation seriously harms the image and credibility of the Assembly and the COE as a whole.

3. Following the reference of this motion to the Committee on Rules of Procedure and Immunities, a draft questionnaire was prepared. Seventeen members/delegations have replied to it. Furthermore, statistics on Assembly work and Assembly participation which had been prepared for the Bureau of the Assembly (Presidential Committee) were made available to the Committee on Rules of Procedure and Immunities.

4. This report will:

- deal with attendance at plenary sessions and in committee meetings and its consequences;
- indicate some possible reasons for the present tendency;
- make proposals for possible remedies;
- give a short survey of reform discussions in other inter-parliamentary forums.

5. The key problem is the credibility of the Parliamentary Assembly (PACE), which is the “engine” and the “backbone” of the COE. If the Assembly wants to keep this role, it should stop the erosion of the participation of members in debates and votes. If we continue to accept that many members do put their names on the register of the Assembly at the beginning of a sitting, but only 10 or 20 percent of them participate in the final vote and some minutes later one finds more members at a reception than the number of those in the register, then PACE has a real credibility problem and will lose its role in the Council of Europe and weaken the institution as a whole.

6. A major effort has been made to focus the Council of Europe’s and the Assembly’s activities on the core priorities of the Organisation. This was one of the results of the Third Summit of Heads of State and Government of the COE (Warsaw, 16 and 17 May 2005) which has launched the Organisation on a new course but also given a fresh impetus to its reform process concerning the structure and the working methods.

7. At Assembly level, the Presidential Committee and the Bureau have initiated a process for improving the functioning of the Assembly and its organs. A series of measures has already been agreed, some are still under discussion.

II. CURRENT PARTICIPATION IN ASSEMBLY PLENARY SESSIONS AND COMMITTEE MEETINGS

8. All replies to the afore-mentioned questionnaire received so far agree that participation in plenary sessions and committee meetings raises a problem. This is confirmed by the statistics.

9. The rapporteur should like to underline that, generally, a cautious approach concerning the interpretation of participation statistics is appropriate. Because there may be good reasons for the absence of members, such as important work in the national parliament, activities related to a further international mandate of members, budgetary restrictions, heavy workload in the Assembly for

members of very small national delegations, election campaigns etc. As will be showed below, participation is generally higher when debates take place on major reports or if votes are important (e.g. credentials of national delegations, election of Secretary General of the Council of Europe). Finally, also the dates of part-sessions and meetings have a certain influence on participation in plenary and in committee.

i. Statistical information

a. Participation in committee plenary meetings (2001-2006) and breakdown by committees

10. The tables received show firstly the number of plenary meetings of the ten Assembly committees held respectively in Strasbourg, in Paris and elsewhere.

11. During the six years (2001-2006) a total of 582 plenary committee meetings were held (97 on average per year). 250 meetings (41,6 on average per year) took place in Strasbourg, 217 in Paris, (36 on average per year) and 114 elsewhere than in Strasbourg or Paris (19 on average per year). The number of meetings in Strasbourg remained stable and also that of meetings in Paris (with the exception of 2004 where it considerably increased). Whereas the number of committee meetings elsewhere than in Strasbourg or Paris was between 20 and 24 in 2001 to 2003, it decreased to 13 in 2004 and went up to 19 in 2006.

12. Secondly, the tables give the average level of participation in plenary meetings held by the ten Assembly committees respectively in Strasbourg, Paris and elsewhere. The average annual participation in committee meetings altogether decreased from about 50% in 2002 to 43,15% in 2005. It remained stable in 2006 (42,91%).

13. Attendance is best at meetings in Strasbourg (average level of 55,12% in 2006). The participation level at meetings elsewhere than in Strasbourg or Paris was until 2004 generally (with the exception of 2005) the same as in Paris. The average level of participation at all meetings of the ten committees in Paris was 40,58% in 2001 and amounted to 34,87% in 2005 and 31,78% in 2006. The corresponding figures for meetings outside Strasbourg and Paris were 40,88% in 2001, 37,59% in 2005 and 36,42% in 2006.

14. The three committees with the best average level of participation at all plenary meetings in 2006 are: Committee on Migration, Refugees and Population (54,04%), Political Affairs Committee (49,51%) and Committee on Legal Affairs and Human Rights (49,16%). The three committees with the lowest participation in 2006 were: Committee on Environment, Agriculture and Local and Regional Affairs (39,56%), Committee on Equal Opportunities for Women and Men (36,63%) and Committee on Rules of Procedure and Immunities (22,55%).

b. Participation in committee meetings by delegations (2001-2006)

15. The figures concerning the level of participation of national delegations in the meetings of nine Assembly committees (except the Monitoring Committee) show great variations during the period 2001-2005. In 2002 one delegation participated in only three of 98 meetings whereas the level of participation in all committee meetings of the most active delegation was 80,45 %. In 2003, 2005 and 2006, the minima and maxima were respectively 12,96% (2003) / 6,69% (2005) / 5,25 % (2006) and 80,88% (2003) / 77,67% (2005) / 79,59 % (2006).

16. The committees which had the best attendance from the point of view of national delegations during the six years were the Political Affairs Committee and the Committee on Legal Affairs and Human Rights. In the years 2001 to 2005 between five (2005) and ten delegations (2004) attended meetings of 6 (or fewer) committees. With the exception of one country in 2003, the Political Affairs Committee was the only one where during the five years all national delegations were represented during at least one meeting per year. In the Rules Committee and the Committee on Equal Opportunities for Women and Men respectively on average (per annum) 17 and 7 delegations did not participate in their meetings at all. To a certain extent the absence of some delegations of committee meetings is also due to the fact that they did not appoint any members to these committees. This was the case for eight delegations at the Committee on Rules of Procedure and Immunities in 2006.

17. No statistics concerning participation in the meetings of the Standing Committee have been submitted to the Committee on Rules of Procedure and Immunities.

c. Signing by members of the register of attendance for Assembly sittings and number of voting members

18. Members of the Committee on Rules of Procedure and Immunities received statistics relating to five Assembly part-sessions between June 2005 and June 2006.

19. During these five part-sessions on average 170 members (about 54 %) signed the register for a morning or afternoon sitting of the Assembly. The average number of members who participated in votes on (the whole of) draft texts (opinions to the Committee of Ministers, recommendations and resolutions) during the same part-session was 54 (17% of members), which is relatively low. However there was a positive tendency with respect to the number of voting members in June 2006. Furthermore, during the January 2006 part-session, which was particularly successful, the average was 77 voting members.

20. The figures available show that declared participation (number of those who have signed the register) in plenary sittings is the best on Monday afternoon (highest number of signatures for three of the five part-sessions and also in October 2006). They also indicate that attendance diminishes in general significantly as from Thursday afternoon. This does not mean automatically that participation of members in sittings on Friday mornings is poor (100 signatures on the list of presence of Friday, 27 January 2006).

21. An astonishing feature is that whereas on average 170 members signed the register of presence for a morning or afternoon sitting of the Assembly during the five part-sessions, less than one third of them namely 54 (on average) voted on draft texts later in the day.

22. The most striking differences between signatures in the list of presence of members for a given sitting and the number of members who voted during that sitting were:

- 171 signatures of members in the register, 11 votes on Recommendation 1709 on disappearance and murder of a great number of women and girls in Mexico;

- 236 signatures, 29 votes on Resolution 1492 on poverty and the fight against corruption in COE member states poverty;

- 197 signatures, 34 votes on Recommendation 1721 on functioning of democratic institutions in Moldova;

- 163 signatures, 19 votes on Recommendation 1760 on the position of the Parliamentary Assembly as regards COE member and observer states which have not abolished the death penalty.

23. Less than 10% of members (between 2,56% and 9,87%) voted on 18 draft texts during the afore-mentioned five part-sessions. However, thirteen draft texts were voted by more than hundred members. The highest number was 176 (56% of members) for the resolution on the challenge of the credentials of the delegation of Azerbaijan.

24. During the October part-session 2006 sixteen final votes on draft texts were held, with an average participation of 72 voting members. With the exception of one vote on Friday morning (23 voters) more than 55 members took part in all other final votes on draft texts. In two cases there were more than 110 voters. 130 members participated in the vote on a procedural motion. During the January 2007 part-session 20 final votes on draft texts were held with an average of 80 voting members. More than 100 members participated in nine of these votes. About 50 % of the members (153) participated in a procedural vote on 22 January and respectively 149 and 151 members in the final votes on the two draft texts on Kosovo. Six draft texts were adopted by about 13 % of the members (between 34 and 40 members). Fifteen final votes on draft texts took place during the April part-session 2007 with an average of 75 voting members. More than 100 members took part in six of these votes. The highest number was 126 for the two votes on the draft resolution and draft recommendation on the state of human rights and democracy in Europe. Less than 50 members voted six final draft resolutions or recommendations on Thursday afternoon and Friday morning. Regrettably, this included the opinions to the Committee of Ministers on the memorandum of understanding

between the Council of Europe and the EU and the draft convention on the protection of children (21 votes only). Respectively 103 and 72 Assembly members had signed the register of attendance on Thursday afternoon and Friday.

25. The figures concerning participation in final votes on texts during the three last part-sessions (October 2006 - April 2007) show that the average number of voting members increased from 54 (June 2005-June 2006) to 75. This is probably due to the increasing attractiveness of the majority of subjects debated by the Assembly. The rapporteur welcomes this development but underlines that further efforts are necessary to improve the situation.

26. It is recalled that in 2006 and 2005 up to 160 members voted in the elections for judges to the European Court of Human Rights. On 4 and 5 October 2005 more than 230 members participated in the votes on the election of the Secretary General of the Assembly and of the COE Commissioner for Human Rights. In June 2004, 301 members voted in the election of the Secretary General of the COE.

ii. Consequences of limited participation in Assembly sittings and committee meetings

27. The motion tabled by Mr Marty lists such consequences (see paragraph 2 above): votes may be the result of the fortuitous attendance of few members present, such voting results may not be seen as representing an overall opinion and this does harm the image and credibility of the Assembly.

28. It is sometimes argued at the level of members of the Ministers' Deputies that Assembly texts adopted by a larger number of members would have greater "authority". The negative effects of public perception of an empty Assembly chamber do not need to be underlined.

29. The rapporteur should like to recall in this connection, that according to Rule 41.1 of the Assembly's Rules of Procedure all votes other than votes by roll call shall be valid whatever the number of members voting, unless before the voting has begun, the President has been asked to ascertain whether there is a quorum.

30. Furthermore it happens in all parliaments that certain debates are held with few members present. Also international parliamentary institutions regularly have problems with poor participation. In a statement published in "Agence Europe" of 7 March 2006 the then President of the European Parliament (EP) indicated that he would submit proposals to the Conference of Presidents of the EP aiming *inter alia* at ensuring better attendance.

iii. Possible reasons for limited participation

a. Political reasons

31. Some replies to the questionnaire of the Committee on Rules of Procedure and Immunities indicate reasons of a political nature such as:

- the non-binding character of most of the Assembly's decisions and limited visibility of its work in national parliaments and constituencies
- insufficient importance and lack of political impact of COE
- lesser political relevance of the COE and the Assembly in the European context.

Moreover, some members consider that the presence of distinguished guest speakers during a part-session has generally a positive impact on participation. However, some of the personalities invited to part-sessions were either not sufficiently known in international affairs or their statements lacked substance.

32. At the committee meeting on 6 December 2006 it was observed that several of these arguments missed the point. From the outset the COE as an intergovernmental Organisation and its main organs have, with very few exceptions (e.g. Art. 4 and 8 of the Statute of the COE, Art.32.4. of the former text of the European Convention of Human Rights (ECHR) and Article 46.1 of the current text), not been able to take major binding decisions. Therefore the Organisation has always lived with this problem. Furthermore, only during a few periods in the history of the COE was its Committee of Ministers a body which took decisions of genuine political relevance for the member States. It should also be underlined that the COE has other strengths. It works in its fields of excellence for a Greater

Europe without dividing lines and the ECHR is the essential reference point for the protection of human rights of 800 million Europeans.

33. The arguments made following the questionnaire should, in the view of the rapporteur, also encourage members to think about the advantages and limits of "soft politics" at Assembly level and the choice of the issues dealt with by the Council of Europe. A member of the Assembly has rightly stated hat the answer to the problem of the COE's political relevance is in the hands of the European Governments and less within the hands of the Assembly. However, in accordance with the provisions of the COE's Statute and other statutory texts the Assembly determines its relevance within the COE. Some replies to the questionnaire have proposed more controversial and topical debates in the Assembly (see in this connection also the proposal made in Assembly Resolution 1498 on enhancing the visibility of the COE). Other replies have underlined that arguments already made in committee are repeated in plenary. The conclusions of reports are too often based on consensus. One member has proposed that the Assembly's political groups should be involved at an even more early stage in the establishment of the draft agendas of part-sessions. More recently it has been suggested that parliaments of the member states should be able to propose subjects for debates. It is also recalled that the Joint Committee is entitled to make proposals for Assembly part-sessions. Obviously, everything should be done at all Assembly levels to debate more reports on topical political or controversial subjects. In this respect the recent January and April 2007 part-session were quite successful. The Assembly should also discuss more issues implying its concrete responsibilities.

34. During the Committee meeting in Paris in 1 June 2006 some members observed that there were budgetary concerns behind some of the reform proposals made in connection with improving the participation of members in sessions and meetings. While everyone agreed on supporting the idea of streamlining the schedule of meetings and the committee's work programmes there was no consensus on other reform proposals (such as restructuring the Assembly's committee system) when they were debated in the political groups.

b. Reasons linked to the organisation of the Assembly's work

35. In their replies to the questionnaire members state that:

- it is impossible to combine the presence in Strasbourg for a whole week with ongoing work in national parliaments
- meetings and sittings on Fridays are problematic as members want to travel back to their homes and constituencies
- part-sessions in general last too long (3 days would be sufficient; in this connection it was also proposed to replace the current system by either six part-sessions of three full days or five part-sessions consisting of four full days)
- meeting programmes of Committees are not sufficiently foreseeable and meetings should be better planned; it happened that different Assembly committees met at the same time in different places;
- during part-sessions too many Assembly committees meet at the same time.

36. More generally, the rapporteur considers that there is a clear contradiction between the considerable number of motions tabled by members, the growing need for speaking time in plenary debates, time available to discuss and the decreasing interest of members to attend sittings and to vote.

c. Practical and other reasons

37. Some replies underline the problems which stem from members' dual mandate or additional obligations in other international forums (increasing number of international meetings and difficulty to avoid overlapping meetings in national parliaments and the Parliamentary Assembly). It is noteworthy that a report (Doc.06-000 923-1, June 2006) on rationalising inter-parliamentary cooperation in Europe, which was submitted to the Conference of the Speakers of the EU parliaments in Copenhagen (30 June-1 July 2006) contains interesting figures on the number of sitting days in national parliaments and on meeting days of inter-parliamentary Organisations in Europe. The section on the Parliamentary Assembly of the COE includes sessions/other plenary meetings and committee meetings and individual journeys.

38. The rapporteur should like to observe that budgetary reasons prevent some national delegations from allowing members to attend Committee meetings and, more rarely, plenary meetings (for substitutes). In this connection it has been proposed at the meeting of the Committee on Rules of Procedure and Immunities on 6 December 2006 that after the necessary inquiries the "richer" member States and/or national parliaments could envisage making special financial contributions to improve the situation.

39. Members of small delegations underline their heavy workload to follow Assembly and committee activities. It has also been argued that the work in Assembly committees was much more interesting than the plenary sittings.

40. Members who do not get the floor in a debate are dissatisfied and may not attend Assembly sittings. It is recalled that members are authorised to speak at most in three debates per part-session.

41. Finally, it should not be underestimated that members sometimes simply do not attend plenary sittings for practical reasons. At the Committee meeting on 7 September 2006 one member said that session weeks in Strasbourg meant for him also work with committee secretaries to prepare documents and having contacts with INGOs.

III. POSSIBILITIES FOR CHANGE

42. The information given notably in paragraphs 19 to 26 above shows that -in principle- a considerable number of members is present in Strasbourg during Assembly part-sessions. However, these members are not necessarily "visible" in the Assembly chamber and less than one third of them votes (on average) on draft Assembly texts as a whole (final vote). The essential question is therefore what could be done to increase the interest and motivation of members to participate and vote in committee meetings and plenary sittings of the Assembly. Furthermore, different measures might make it easier for members to participate in sittings and meetings and to speak and vote in plenary. In this connection it is noteworthy that currently an active member of a major Assembly Committee who is also a member of the Standing Committee may easily spend annually seven weeks on business for the Assembly and these committees.

43. Consequently, in the view of the rapporteur, it should be considered if and how the situation could be improved by

- incentives to members to participate in the final vote on draft texts
- changes in the organisation of debates and votes in the plenary
- reviewing the organisation of committee work and meetings
- giving more possibilities for participation to members and facilitating their attendance
- other measures of a general character to achieve this result.

44. Obviously, participation at Assembly part-sessions may also be improved if coincidences between plenary sittings of national parliaments and Assembly part-sessions could be reduced. Initiatives to this end have been taken in particular in the early 90s. It could be useful to invite national delegations and political groups to take action with the appropriate national bodies with a view to drawing more attention to the dates of Assembly part-sessions when the national calendars of Assembly part-sessions are drawn up. Some national parliaments indicate in the European or international sections of their websites the dates of Parliamentary Assembly part-sessions.

45. Where possible, the conclusion of pairing agreements among the main national political parties should be promoted to facilitate participation of Assembly members at part-sessions and committee meetings.

i. Possible incentives for members

a. Increasing motivation of members to participate and vote in debates

46. It has been proposed to privilege active members when establishing the list of speakers. However, some members consider that this could raise problems. According to one reply to the questionnaire it could be envisaged to give a bonus to members who have at least voted twice during the previous part-session. However, it was also underlined in another reply that some members (e.g. those of smaller delegations, or members with major national functions) have indeed problems to

participate in the Assembly's work. Rewarding other members and making it more difficult for prominent national members to speak in debates could pose problems. Furthermore, members who are absent from a session week or a committee meeting but have instructed a substitute (alternate) to participate in these activities and to vote are fully in conformity with the Rules of the Assembly.

47. Currently, many members have a particular interest to speak before the Assembly and also to table motions for recommendations or resolutions. One might therefore envisage linking the right to table a motion or to be included in the speakers' list of a debate to an additional condition, namely to have participated (either personally or by substitution) at least in five, or if this made it easier to reach a consensus, in three of the last ten votes in the Assembly on the whole of a draft text. As this is a major change of the Assembly's practice, and in the interest of debates, the President should be able to grant exceptions when the number of speakers on the list is insufficient.

48. The rapporteur is aware of the importance of motions for the Assembly's programme of activities. He therefore proposes not to make their admissibility dependent of voting by the respective members in the Assembly. With respect to linking the right to speak in plenary to the "duty" of voting in the Assembly, there are unfortunately major practical problems. It would not be easy to check if members have voted three or five times during the last ten votes on the whole of draft texts. It happens that during a part-session only 11 final votes on draft text take place (e.g. April 2006). This makes it harder to participate in five votes. Furthermore there would be the problem of substitution.

49. Because of these difficulties the rapporteur has wondered if it would not be preferable to suggest another system to the Bureau. It could be invited to consider introducing a system of points which would be allotted for participation of members in votes during part-sessions, but also for attendance at committee meetings. The Bureau could establish that only members having reached a certain quota in the preceding year would be taken into account when registering on the list of speakers. A corresponding proposal had been included in the previous version of the draft resolution contained in this report. However, the discussions in the Committee on Rules of Procedure and Immunities showed that such a system would not be accepted by all members. With a view to finding a common denominator and, in particular, to simplify the method, the rapporteur proposes to insert a new paragraph 9 in the additional provisions relating to Assembly debates, section (iii) of the Rules on "order of speakers", worded as follows: "The ten members who during the previous Assembly part-session have participated in the highest number of votes taken in plenary shall be moved up three positions higher on a list of speakers on which they have been placed".

The current database "Electronic vote statistics" indicates automatically the number of votes in which members have participated during a part-session, which allows therefore to establish a list of top-ten members.

b. Increasing participation at committee level

50. To promote participation in committees, newcomers could be more frequently appointed as rapporteurs. More generally, a wider circle of committee members should be given the task of rapporteur. Committees should therefore avoid the appointment of members as rapporteurs when they already are responsible for two reports at the same time within the same committee. It would probably be useful also to reward assiduous members by taking their candidature into consideration for other main functions in committees. Furthermore, one reply to the questionnaire suggests allowing national delegations to make proposals for rapporteurs.

ii. Changes in the organisation of plenary debates and committee meetings

51. It is obvious that certain changes in the organisation and working methods of the Assembly such as shorter speaking time, less time spent on the examination of amendments, could result in allowing members to have more opportunities for speaking in plenary debates and promote a more active participation.

a. List of speakers and speaking time

52. Since the d'Hondt system was introduced for establishing the order of speakers on the list, the number of members complaining about their position on the list has declined considerably.

53. Some members consider that if more speakers were allowed in certain debates this could improve the attendance, also for voting time. One means would be to reduce speaking time. Currently the normal speaking time of members in debates is 5 minutes. However, at times, when the list of speakers is long and when many amendments have been tabled, the speaking time is limited to four, and rarely, to three minutes. It would not be very helpful to introduce a general speaking time of 4 minutes but to prolong it to five minutes on Friday mornings or on other occasions when there are few speakers.

54. It is interesting to note that in connection with possible measures to increase members' attendance in plenary (see paragraph 30 above) the President of the European Parliament has also suggested to provide for more possibilities of spontaneous contributions of members in debates. In the European Parliament members may already, at given periods, make "one minute statements" on matters of political importance (Rule 144 of the EP's Rules of Procedure). A comparable provision could be introduced in the Parliamentary Assembly and included in a new paragraph 6 of Rule 35. However, a member should not speak more than once under this Rule during a part-session.

b. Simplifying the procedure for voting on amendments

55. Some replies to the questionnaire have mentioned the heavy and time-consuming procedure for voting on the same amendments, first in committee and then in plenary. At the meeting of the Committee on Rules of Procedure and Immunities on 1 June 2006 it was suggested to reduce speaking time on amendments from one minute to 30 seconds. In the meantime a more far-reaching proposal has been made, namely that only the rapporteur should give an opinion on amendments and no longer the committee. This would be a major change in the working methods of the Assembly and its committees and reduce considerably the meeting time needed by committees during part-sessions. The rapporteur suggests as a first step to limit speaking time on amendments to 30 seconds. More far-reaching measures for streamlining the procedure concerning the examination of amendments in committee and in plenary could be discussed in Mr Jurgens' report on the application and amendment of various provisions of the Assembly's Rules of Procedure. In this connection the proposal has been made to allow for the tabling during a debate of a procedural motion to authorise only the rapporteur or the committee chairperson to speak on amendments.

c. Giving more information to members on the beginning of votes

56. Since the Committee on Rules of Procedure and Immunities started its work on this subject it was agreed to inform members at the beginning of each sitting day of the time schedule for votes (on amendments/final votes on draft text).

d. Publishing lists with the names of members who have voted in the Assembly debates

57. This issue has been dealt with in a separate report of the Committee on Rules of Procedure and Immunities (See Doc. 11076, "Open and transparent voting in the Parliamentary Assembly", rapporteur: Mr Cebeci). On the basis of this report the Standing Committee has adopted Resolution 1529 on 17 November 2006. Consequently, as from the January 2007 part-session, full information is given on members' votes. The Bureau of the Assembly has decided earlier to put on Internet the names of members who voted in debates as from October 2006.

58. It is hoped that publishing the list with names of members who have voted will improve their participation in debates.

e. Members who sign attendance lists for Assembly sittings but do not participate in votes; making these lists public

59. According to Rule 11.2 of the Assembly's Rules of Procedure "Each representative or, in his absence, each substitute duly designated by the national delegation, shall sign the register of attendance before entering the chamber". A similar register exists for attendance at committee or sub-committee meetings. The registers of attendance at plenary Assembly sittings could be made public. This has been done in the meantime and Rule 11.2 of the Rules of Procedure should be adapted accordingly.

60. The Assembly has no Rule which makes it an official duty for members to attend plenary sittings or to vote. It is therefore not possible to affirm that members who sign in must also vote. There is thus a certain lack of accountability of members for their presence/absence or voting/not voting. Because of this situation it would be more appropriate to find ways for motivating members to vote. When presenting reform proposals in the EP (see paragraph 30 above) concerning *inter alia* absenteeism, the President of the EP said that he did not opt for radical solutions but favoured making debates more interesting and motivating members.

61. It has also been suggested that national delegations and political groups should more actively encourage their members to vote. One committee member said that national delegations should take action in the case of representatives who are Assembly members only "on paper". The committee proposes that the Secretary General of the Assembly be invited to observe closely the participation of members of all national delegations at plenary sessions. The Bureau and the Committee on Rules of Procedure and Immunities should be regularly informed about the results. If during one year following the adoption of the resolution included in this report the average level of participation of national delegations in Assembly sittings falls under 50% of their nominal strength, the President of the Assembly should examine the consequences with Presidents/Speakers and the political groups of the parliaments concerned[2]. Another possibility would be for the President of the Assembly to propose to the Bureau that the competent committee be instructed to report on a possible re-allocation of seats on the Parliamentary Assembly. However, in the light of comments received from some national delegations and because of practical difficulties to follow up such a proposal (see paragraphs 76 to 78 below), the rapporteur has renounced to include it in the draft resolution.

62. The absence of members and non-participation in meetings and sittings of national parliaments may raise problems of party discipline and have political consequences. In a number of parliaments the Rules of Procedure make provision for the publication of members' absences and, where appropriate, excuses. According to information by committee members, in some countries data on members' absences may be given to the media.

f. Absenteeism in committees and organisation of committee meetings

63. Concerning participation in Parliamentary Assembly committee meetings, a Rule existed for many years saying that "if a Committee seat remains empty for three consecutive meetings, the Chairman of the Committee shall inform so the Bureau of the Assembly". The idea behind this provision was to allow Committee chairpersons, with a view to reducing absenteeism, to ask the Bureau to replace a defaulting member. However, it was considered that this went too far and it was left to the Bureau, which coordinates the work of all committees, to take any appropriate action following a request from the committee chairperson. In the 90s this provision was hardly ever applied and therefore cancelled in connection with the 1999 general revision of the Rules.

64. However its underlying principle still is relevant and the committee proposes to insert the following two new provisions in the Rule:

- if by the end of the June part-session of a parliamentary year no candidatures for membership of a general Assembly committee are made (except the Monitoring Committee with its different composition) the President of the Assembly shall bring this to the attention of the Chairperson of the national delegation concerned

- if during a parliamentary year the average level of participation of a national delegation in the meetings of a committee is below 33% the President of the Assembly shall inform the Speaker of the national parliament concerned and the Bureau.

65. The Secretary General of the Assembly could also be invited to regularly inform the Bureau and the Committee on Rules of Procedure and Immunities about the evolution of participation at committee meetings. In case there are no improvements until one year after the adoption of the draft resolution the Assembly's committee structure should be reviewed, including a possible merger of committees (see below paragraph 90).

[2] At its meeting on 30 May 2007, the Committee on Rules of Procedure and Immunities agreed that the reference time of one year may be prolonged by the Bureau up to a maximum of two years at the request of the national delegation concerned, in case parliamentary elections were held.

66. It is generally admitted that it is difficult for members to cope with a large number of committee and sub-committee meetings. The idea of streamlining the schedule of meetings is supported by many members. Several replies to the questionnaire of the Committee on Rules of Procedure and Immunities underline the problem of clashes between committee meetings during Assembly part-sessions in Strasbourg. Major Assembly committees (and their sub-committees) need to meet almost during every sitting day. However, the number of meeting possibilities for the ten Assembly committees is limited and, in addition, many Assembly Representatives are members of several committees.

67. Outside Assembly part-sessions it happens that due to their different work and meeting programmes and availability of their main actors, Assembly committees meet in the same week but at different places. This makes it difficult for members involved in more than one committee to participate and complicates the situation of members belonging to parliaments with budgetary restrictions.

68. These issues have been considered by the President of the Assembly and the chairpersons of the political groups and by the Bureau of the Assembly. It is mainly suggested to increase the grouping of committee meetings outside Strasbourg during certain weeks of the year, taking into account plenary sessions and meetings of the Standing Committee. Some members consider that certain committees do not need to meet a whole day in Paris. This would allow two committees to meet one after the other on the same day. The rapporteur proposes that current efforts to group meetings in Paris should be reinforced. He also welcomes that in March 2007 efforts were made to hold several major committee meetings in Strasbourg.

g. Grouping of votes in the Assembly

69. If during the next part-sessions low participation in votes continues despite appeals to national delegations and political groups to improve the situation, it could be considered trying out the proposal to group votes at a single sitting during a part-session. The method of the single “voting time” is a longstanding practice in the EP and it has already been proposed in the past to use it in the Assembly (see e.g. motion for a resolution, Doc. 5140). This has led to the elaboration of a working document for the Bureau and it is useful to recall its main elements:

- under the current procedure each debate forms a whole, with the result that all those involved (members of the Assembly, as well as the public, the press etc.) are “mobilised” from beginning to end before another subject is debated
- the advantage of “voting time “ is that it would in principle enable members of the Assembly to be present in sufficient numbers for a limited pre-scheduled period
- it remains to be seen if the system of summing-up of Assembly debates and of considering amendments needs to be reviewed
- as voting time would probably be unfeasible on the last day of a part-session, special measures may need to be foreseen for debates at the end of a part-session
- under the Assembly’s system of substitutes; a Representative will occasionally give up his place to a substitute for a debate on a subject of particular interest to the latter; if voting on almost all items on the Assembly’s agenda took place at one and the same sitting of a part-session this could complicate substitution
- members who participated in the debate will not necessarily be those who vote
- grouping together votes and separating them from the relevant debates could affect media coverage by the Assembly.

Obviously, there would be no guarantee that many members would be present during grouped votes and this would also not put an end to poor attendance during debates.

70. The rapporteur’s personal view is rather critical, because he thinks that when votes are separated from the debate, the impact of the debate and the will to speak and to listen to others’ arguments will decrease. More people will vote without having listened to the debate and this would not be in the interest of a thoughtful decision. At the committee’s meeting on 7 September 2006 members’ opinions on grouping of votes were quite divided.

71. In the meantime, the Portuguese delegation has proposed that grouped votes should be held twice a day, at the end of the sittings. The Committee on Rules of Procedure and Immunities has considered this proposal on 6 December 2006 and concluded that it would probably not significantly improve the situation. During the morning sittings of the Assembly rarely more than one debate and

vote take place. In case a grouped vote was organised at the very end of the afternoon sittings there would be a risk of poor participation of members.

h. Making Assembly debates more lively and more attractive

72. It has been suggested to liven up Assembly debates both from members' and from the spectators' point of view. To have more colourful exchanges of views it could be considered allowing for occasional interruptions of a speaker and/or the possibility for an immediate short reply by the rapporteur on individual interventions. This is in principle already possible, according to Rules 35.3. and 5 of the Assembly's Rules of Procedure, but no use is made of it. It has also been suggested that rapporteurs should have the possibility to reply immediately after the first round of speakers on behalf of political groups. This would also be admissible under Rule 35.5 and should be tried out.

73. Obviously, the agenda /order of business of a part-session is important for a member's decision to participate in it. Ways should be found for the Assembly to debate even more reports on topical political or controversial subjects. In its Resolution 1547 (2007) on the state of human rights and democracy in Europe the Assembly has resolved to mandate itself with respect to future work with a higher degree of priority to human rights, the rule of law and democracy. The Assembly should also discuss more issues implying concrete Assembly priorities. The relevance of this aspect was proven by the good participation in the vote relating to the credentials of the delegation of Azerbaijan on 25 January 2006.

74. Another "classic" proposal is to make the Assembly's relations with the Committee of Ministers somewhat livelier (e.g. by allowing spontaneous questions to the Chairperson of the Committee of Ministers). The Assembly suffers to a certain extent from the fact that there is not -like in national parliaments- a kind of permanent contact between the government and members. This matter will be considered in connection with the mid-term review of the Assembly's Rules of Procedure (Jurgens report).

iii. Measures of a general character likely to influence members' participation

75. To influence members' participation, some more radical means exist to change the organisation of the Assembly and its committees, such as modifying the size of national delegations to the Assembly, changing the Assembly's system of substitution, changing the requirements for checking the quorum of the Assembly, reviewing the number of committees and sub-committees, reducing the number of reports submitted to the plenary etc.. However, such changes could also have a direct or indirect impact on the very nature of the Assembly. Currently, some essential features of the Assembly are

- except the European Parliament it is the international parliamentary institution in Europe which meets most continuously and has the most complete structures
- its pronounced political character
- the relevance and impact of the Assembly's work on the profile of the COE as a whole.

a. Modifying the size of national delegations

76. Three replies to the questionnaire raise the problem of the size of national delegations. It is to be noted that neither the Statute nor the Assembly's Rules or complementary texts to the Rules fix the criteria for the size of delegations. The aim of the Founding Fathers of the COE was to limit the number of Assembly members for the ten Founding States to the reasonable number of less then hundred. This aim could be achieved and when the Statute was signed the Assembly had 87 members only. The criteria for allotting seats to member states were, on the basis of the compromise found in the Statute, developed by the Assembly when dealing with requests for membership and they are part of a longstanding practice. The criteria are essentially based on the population figures. Furthermore, Assembly Recommendation 1247 (1994) establishes that the minimum size of delegation is 2 seats and the maximum is 18 seats. For an Assembly representing about 800 million Europeans, 318 representatives (and 318 substitutes) appear to be a fair number. It is recalled that the size of national delegations was changed for the last time in 1977/78 (see Recommendation 824 (1977) and Resolution (78) 1 of the Committee of Ministers).

77. When a State accedes to the Council of Europe the Assembly according to its standing practice submits a proposal to the Committee of Ministers for the number of seats to be allotted to the new member state in the Assembly and at the same time (implicitly) approves a corresponding modification of the Statute of the COE. Art.26 of the Statute, which is the only provision where the number of seats in the Assembly is mentioned, can only be modified by approval of both the Assembly and the Committee of Ministers.

78. At the Committee meeting on 1 June 2006 it has been rightly underlined that any modification of the number of seats in the Assembly is a very sensitive issue. In the meantime, the rapporteur has received a reply from the Belgian parliamentary delegation taking position on several of the main items examined in this report. Concerning the number of seats in the Assembly, the Belgian delegation and also the Italian delegation have expressed themselves against any reduction of its size.

b. Substitutes

79. In connection with reform proposals for the organisation of Assembly work it is sometimes proposed to abolish the system of substitutes which *inter alia* complicates certain procedural operations at Assembly level (e.g. voting). At the meeting of the Committee on Rules of Procedure and Immunities held on 1 June 2006 the consequences of such possible abolition for the representation in the Assembly of political parties or political groups present in national parliaments were discussed. Small political groups in national delegations to the Assembly had generally more substitutes than full members. Furthermore, in those parliaments where national minorities have seats, the existence of substitutes may facilitate them to be represented in the delegation. The abolition of substitutes would therefore in some cases make it impossible to achieve that a delegation reflects proportionally not only the main political forces in the national parliament (see in this connection Rule 6.2 of the Assembly's Rules of Procedure).This aspect was also underlined in the above-mentioned reply of the Belgian delegation to the Committee's questionnaire which expressed itself against the abolition of the system of substitutes. The Italian delegation has the same position.

80. Several national parliaments/delegations make de facto no difference between titular members and substitutes concerning participation in part-sessions. In some instances this is explicitly stipulated in the relevant regulations (e.g. in Belgium).

81. It is to be noted that Assembly substitutes may become Vice-Presidents of the Assembly, Chairpersons and Vice-Chairpersons of committees and political groups. This has frequently happened in the past (see the examples given in Doc AS/Bur (1996) 90). A non negligible number of substitutes carry out the task of rapporteur.

82. Finally, it is recalled that as substitutes are mentioned in Art.25 of the COE's Statute, their complete abolition would require approval by both the Committee of Ministers and the Assembly.

83. Discussions at the committee meeting on 1 June and 7 September 2006 have shown that members' opinions on substitutes are divided.

84. Some committee members have underlined the sometimes frustrating situation of substitutes. One problem mentioned in this connection is the notification of substitution which is currently possible only for sittings. A better solution would be allowing substitution for debates.

c. Quorum requirements in the Assembly

85. Before 2001 the quorum in the Assembly was half the number of representatives plus one. The number of Representatives corresponded to the number of seats allocated to each of the member states under Article 26 of the Statute of the COE and to which appointments were made in accordance with Article 25 of the Statute and Rules 6-9 of the Assembly's Rules of Procedure. Ten members present in the Chamber could request the President to ascertain if the quorum was present.

86. In October 2000 following a request from the Bureau, in the light of difficulties encountered in carrying out the procedure for establishing whether a quorum is present, a report was prepared which dealt *inter alia* with the quorum in the Assembly (Doc.8870). This report and Resolution 1234 (2000) form the basis of the Rules in force concerning the quorum. Under Rule 41.3 the quorum is one third of the number of Representatives of the Assembly authorised to vote. One sixth of the

Representatives authorised to vote belonging to at least five delegations may request the President to ascertain whether there is a quorum. The reasons for these provisions were given as follows in the afore-mentioned report (Doc. 8870):

- electronic voting had revealed that in the vast majority of case fewer than half the Assembly's representatives had voted
- there were two possibilities of reacting to this finding: to keep the quorum at its present level to encourage members to attend more frequently or to reduce the quorum
- the Assembly decided to reduce the quorum to one third of the Assembly's Representatives authorised to vote and to set the number of Representatives to support such a request to one sixth of the Assembly members authorised to vote.

87. The committee is not in favour of stricter quorum requirements. In its view this would give those who want to avoid an Assembly decision (vote), the possibility of preventing members who participate in debates from voting on a draft text.

d. Number and size of Assembly committees

88. The number and size of Assembly committees has last been globally reviewed and modified by Resolution 1220 (2000) on reform of the Assembly's working methods and its committee structure. It is recalled that one of the principles guiding the reform was that every Assembly member (currently, according to the Statute, 636) should be able to be a full member of at least one committee. This is also the reason why delegations with 36 members have four seats in the major committees. Admittedly, for smaller national delegations it is very difficult to be represented actively in all ten general committees. Sometimes, they have not appointed any members to certain committees. Since 2000 the number of seats of the Monitoring Committee (Resolution 1356 (2003)) and of the Committee on Equal Opportunities for Women and Men (Resolution 1445 (2005)) was increased to be equal to those of the other major Assembly committees. In reply to the questionnaire of the Committee on Rules of Procedure and Immunities the Belgian delegation stated that in general members would not like to see a diminution of the number of committees. The Italian delegation has the same position. Several Assembly members clearly underline that they prefer work in committee to participation at plenary debates. They observe also how essential efficient preparatory work by committees is for successful plenary debates.

89. Of all general committees the Committee on Rules of Procedure and Immunities has the most serious participation problems. Some delegations do not appoint members on it, others never are represented at its meetings. In the last years the committee has increased its advisory functions for the Bureau and its specialisation in such matters as immunities of members and institutional issues. Because of this evolution three changes are proposed:

- reduce the committee's membership to 27;

- 25 members should be proposed by the political groups according to the D'Hondt principle, like for the Monitoring Committee; two additional members would be nominated by the Bureau from the Assembly representatives and substitutes not belonging to a political group;

- institutional affairs should be explicitly mentioned in the Committee's title.

90. The rapporteur considers that the evolution of participation at committee meetings should be followed closely by the Bureau of the Assembly until the October 2008 part-session. As already indicated (see paragraph 65) above, if by then there are no improvements, the Assembly should ask the competent Committee to review the Committee structure including the merger of committees.

e. Sub-committees

91. As from 1990 the Assembly introduced the principle that Assembly Committees should, unless authorised by the Bureau, not set up more than three sub-committees (Rule 48.3).

92. For the 2006 and 2007 sessions respectively 25 and 24 sub-committees were set up by eight Assembly general committees. The Monitoring Committee and the Committee on Rules of Procedure and Immunities have not created sub-committees. By way of comparison it is recalled that in 1976 twenty-eight sub-committees existed. Meetings of sub-committees serve different purposes.

They allow a limited number of members to broaden and deepen work on specific issues, to specialize and to take over functions. Particularly in the past, reports on difficult matters were prepared in sub-committees. One of the sub-committees set up by a general committee may hold one meeting elsewhere than in Strasbourg or Paris once a year. Sub-committees are also an efficient means to ensure the co-operation of a committee with or its representation at a conference organised by other Council of Europe bodies or other International Organisations. Finally, sub-committees may reduce the interpretation expenses for meetings held separately from the full committee elsewhere than in Strasbourg or Paris, as interpretation would then only have to be provided in two languages.

93. An overview of the 2004, 2005 and 2006 sessions shows that the majority of sub-committees, namely 20 have - on average - met less than four times a year. Some of them have just held one or two meetings during a part-session. The sub-committees of four committees issue documents other than programmes of meetings etc. In 2006 there were 21 sub-committee meetings held separately from the full committee, 16 of which took place elsewhere than in Strasbourg/Paris. During the same year the general committees held 19 meetings outside Strasbourg and Paris.

94. According to the reply of the Belgian delegation to the questionnaire of the Committee on Rules of Procedure and Immunities, some members favour a reduction of sub-committees. They argue that the important number of sub-committees does not always allow for an efficient planning of meetings. The Belgian members also mention that recently, a sub-committee and an ad hoc sub-committee of a committee had met on the same day, one in New York and the other in Moscow. They consider that fewer sub-committees should be created and the preference be given to setting up ad hoc sub-committees where appropriate.

95. On 15 December 2006 the Bureau of the Assembly has proposed to reduce the number of sub-committees. The rapporteur considers that the reduction of sub-committees would not have a significant effect on participation. Most sub-committees only meet when this is strictly necessary and sometimes replace meetings of the full committee. It is true however, that the planning of meeting dates for sub-committees can always be improved.

f. Number and duration of part-sessions

96. In 1992 the fourth part-session was introduced. However, it has already happened occasionally before 1992 that a (short) fourth part-session had been held (e.g. in 1989/90; 1988/1989; 1964/1965). According to Article 32 of the COE Statute the duration of an ordinary Assembly session shall in no circumstances exceed one month, unless both the Assembly and the Committee of Ministers concur. Since January 2007 the Assembly's part-sessions start on Mondays at 11.30 a.m. and generally end on Fridays between 12 noon and 1 pm.

97. At its meeting on 7 September 2006 the committee discussed on the pros and cons of Assembly sittings on Friday mornings. One member said that if fundamental reports were presented on Friday mornings, attendance would no doubt improve. The rapporteur considers that the decision taken in recent years to ensure greater rotation of the various committee reports on Friday mornings was a move in the right direction. This is also proven by the fact that more frequently more than fifty members participate in votes on Friday mornings. However, participation in final votes on Friday 6 January 2007 (less than 39 members) and Friday 20 April 2007 (less than 34 members) was not so good. Abolishing the Friday morning sitting would also increase the pressure on shortening the sitting on Thursday afternoons.

g. Assembly activities, including number of reports submitted to the plenary

98. An attractive Assembly work programme and lively debates are often regarded as important means to increase members' attendance. It has sometimes been argued that the Assembly should concentrate more on the core business of the COE and there is now consensus on streamlining the Assembly committees' work programmes.

99. In the past the Assembly has tried on several occasions to establish priorities in the choice of subjects to be dealt with, to harmonize committee activities and possibly dropping some activities.

100. In October 2005 the President of the Assembly asked the chairpersons of Assembly committees to inform him of their committees' priorities for 2006. On the basis of the contributions received a Bureau document was prepared and on 10 April 2006 the Bureau approved priorities for

the Assembly for 2006 (AS/Bur (2006) 42). On 6 October 2006 the Bureau approved the priorities for 2007 (see also par. 73 *in fine*). In this connection the Bureau has fixed one main issue for each of the four part-sessions to be held in 2007. These new initiatives aiming at planning major Assembly activities more in advance have so far led to more lively Assembly debates.

101. More than 80% of the Committee reports are prepared following motions for resolutions and recommendations. By referring or not motions to committees the Bureau and the Assembly have therefore an important instrument to guide and channel committee activities. The remaining Committee reports are essentially based on requests for opinion of the Committee of Ministers, on instructions to committees contained in resolutions adopted by the Assembly and on requests for topical and urgent debates. It could be considered if it should not be possible for the Bureau, subject to ratification by the Assembly to propose (under certain conditions) issues of high importance for discussion and reporting by committees and to indicate deadlines for finalising the report.

102. On 15 December 2006 the Bureau of the Assembly agreed on reducing the number of motions referred for report to general committees. The Bureau also encouraged committees to present information reports to the Assembly (Rule 49.6). A further proposal is to agree on a ceiling of reports to be debated annually by the Assembly and, on this basis, fixing quotas for committees.

103. While underlining that information reports often are not an appropriate solution for Assembly business, the rapporteur considers that their preparation should be encouraged. Many of them could be submitted for final discussion at committee level. Others would be presented to plenary sessions or to the Standing Committee. Fixing a ceiling for reports to be debated annually by the Assembly and report quotas for committees, should result in increasing the time for debates. The rapporteur should like to propose that such ceilings and quotas provide for some flexible application in case there are justified additional requests by committees.

IV. REFORM EFFORTS BY OTHER INTERNATIONAL PARLIAMENTARY INSTITUTIONS

104. The President of the Interparliamentary Union has set up a working group on reform which has finalised its proposals in July 2006. They include recommendations on the functioning of IPU and its committees:

- inviting more Presidents of Parliaments (Speakers) to the first annual session and to hold a high level debate on the promotion of democracy
- to organize hearings with the Secretaries General of multilateral Organisations
- to discuss at the second annual session/meeting a major political question
- to strengthen the role of the President of IPU
- to involve members better in the decision-making concerning the programme and the activities of IPU
- preparation, by national delegations to IPU, of a report to their national parliament at the latest six weeks after an IPU session
- IPU Committees should discuss more specific questions and present a shorter final document
- to prolong the deadlines for amendments.

105. Furthermore, it was proposed that IPU should increase its contacts with the Association of Secretaries General of Parliaments *inter alia* for the joint organisation of meetings and seminars on questions related to democracy and the functioning of parliaments.

106. The NATO Assembly is reviewing the overall effectiveness of its work. Also regional inter-parliamentary institutions have recently adapted their working methods (Baltic Assembly, Nordic Council,…) or are about to do so.

107. On 9 March 2006 the President of the EP, Josep Borrell (see also paragraph 30 above) has submitted a 4 page document to the Conference of Presidents of the EP with proposals for internal reform aiming *inter alia* at making Parliament's work more lively and sessions better attended. On 28 September 2006 the EP political group leaders approved the reform package sponsored by the then President of the EP, to make the EP "more efficient and more visible". A further objective of this reform is to bring the EP up to date with its political role, growing influence and decision-making capacity. The package includes in particular the following changes at EP level:

- extra two-hour mini-plenary sessions in Brussels every month to debate topical EU issues
- a 'set the agenda' debate each year giving members the chance to shape the political priorities for the year ahead
- carry on inviting heads of government to engage with the plenary on the future of Europe
- headline debates on important issues at every plenary
- boosting the EP's role outside the EU's borders
- a series of measures aimed at sharpening up committees' legislative work (more own initiative reports, better strategic planning…).

108. On 15 February 2007 the European Parliament's Conference of Presidents set up a working group on reform of the EP. It will deal *inter alia* with the following matters:

- parliamentary committees: working practice, structure, mandate, composition (including up-grading of the sub-committee on human rights into a full committee)
- plenary sessions: ways and means to make them more lively and interesting, more efficient handling of amendments in plenary, annual debate on the EP's priorities, measures to increase the presence of members
- calendar, working methods
- inter-institutional relations.

An interim report will be available in September 2007 and the final report before June 2008.

109. During its Brussels session (3-7 July 2006) the OSCE Assembly adopted a resolution on enhancing the role and increasing efficiency of the OSCE Parliamentary Assembly (i.e. more flexible decision-making, closer cooperation with OSCE's executive branch, closer co-operation with national parliamentary delegations etc).

V. FINAL REMARKS

110. The Committee of Rules of Procedure and Immunities has unanimously adopted the draft resolution contained in this report. The proposed mix of new provisions in the Rules of Procedure and of a set of other measures should make it somewhat easier for members to take an active role in the Assembly and its committees. For their implementation the support by the various Assembly bodies and individual members would be important.

Doc. 11295

Reporting committee: Committee on Rules of Procedure and Immunities

Reference to committee: Doc. 10634, Reference No. 3192 of 17 March 2006

Draft resolution unanimously adopted by the Committee on 30 May 2007

Members of the Committee: Mr Andreas **Gross** (Chair), Mr Andrea Manzella (1st Vice-Chair), Mrs Maria Postoico (2nd Vice-Chair), Mr Erol Aslan Cebeci (3rd Vice-Chair), Mr Miloljub Albijanić, Mrs Edita Angyalová, Mr Birgir Ármansson, Mr Lars Barfoed, Mrs Anne Brasseur, Mr Jonas **Čekuolis**, Mrs Helen d'Amato, Mr Miljenko Dorić, Mr Vangjel Dule, Mr Herbert Frankenhauser, Mr John Greenway, Mrs Arlette Grosskost, Mr Attila Gruber, Mr Gerd **Höfer**, Mr Serhiy **Holovaty**, Mr Ali Huseynov, Mr Luchezar **Ivanov**, Mr Morgan Johansson, Mr Armand Jung, Mr Erik **Jurgens**, Mrs Mojca Kucler-Dolinar, Mrs Irine Kurdadzé, Mr Jan Filip **Libicki**, Mr Alan **Meale**, Mr Miloš **Melčák,** Mrs Ana Caterina Mendonça, Mr Peter Mitterer, Mr Nikolaos Nikolopoulos, Mme Kristiina Ojuland, Mr Alexey Ostrovsky, Ms Eli Sollied Øveraas, Mr Julio **Padilla**, Mr Christos Pourgourides, Mr Armen Rustamyan, Mr Yuri **Sharandin**, Mrs Tuulikki Ukkola, Mr Vasile **Ungureanu**, Mr Giuseppe Valentino, Mr Karim Van Overmeire, Mr G. V. Wright, Mr Blagoj **Zasov**

N.B.: The names of the members who took part in the meeting are printed in **bold**

Secretariat of the Committee: Mr Heinrich, Mrs Clamer

Parliamentary **Assembly**
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Parliamentary Assembly
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COUNCIL OF EUROPE CONSEIL DE L'EUROPE

Doc. 11295 Addendum
20 November 2007

Improving the participation of members in Assembly plenary sessions and committee meetings

Addendum to the report[1]
Committee on Rules of Procedure and Immunities
Rapporteur: Mr Andreas Gross, Switzerland, Socialist Group

The report on "improving the participation of members in Assembly plenary sessions and committee meetings" (Doc. 11295) was adopted by the Committee on Rules of Procedure and Immunities on 30 May 2007. Since that date, apart from the need to provide Assembly members with updated statistics and figures on the participation in part-sessions held thereafter, some further interesting developments occurred which need to be mentioned in order to update the report.

I. CURRENT PARTICIPATION IN ASSEMBLY PLENARY SESSIONS - STATISTICAL INFORMATION (cf. paragraphs 18-26 in the report)

1. During the Assembly part-sessions held in June and October 2007 the average number of voting members was 79 and 56 respectively (i.e. 25 and 18 % respectively of the total number of Assembly representatives). The average number of members who signed the register for a morning or afternoon sitting was 156 and 158 respectively (i.e. 49 and 50 % respectively). The participation rates spanned between 24 members (resolution for a European drug convention on promoting public health policy in drug control) and 169 members (resolution on secret detentions and illegal transfers of detainees involving Council of Europe member states: second report). In analogy with previous part-sessions, participation rates reached their lowest points during the Friday sessions. It may also be noted that 190 members participated in the election of judges to the European Court of Human Rights on 2 October 2007, an election that took place during two sittings.

II. REFORM EFFORTS BY OTHER INTERNATIONAL PARLIAMENTARY INSTITUTIONS

2. On 15 February 2007 the European Parliament's Conference of Presidents set up a working group on reform of the EP (cf. paragraphs 107 and 108 in the report). The aim is to make the EP's work more efficient and more attractive to the public. The working group is to issue three reports, dealing with plenary business, committee work, and external issues and the EP's organisation after 2009. The first report, adopted on 25 October 2007, dealt with plenary business.

3. The adopted proposals, which will apply from the beginning of 2008, covered the following five areas:

[1] unanimously approved by the Committee on 16 November 2007

F – 67075 Strasbourg Cedex, e-mail: assembly@coe.int
tel : + 33 3 88 41 2000, fax + 33 3 88 41 2776

- Agenda-setting and the structure of plenary activities (e.g. the division of Strasbourg part-sessions into several clearly-defined slots, including four slots for priority debates on Tuesdays and Wednesdays based on a continuously updated, rolling three-month programme of subjects; a "cooling-off" period of at least one month between the vote on any legislative report in committee (on first reading) and the subsequent vote in plenary; the scheduling of debates on important issues immediately prior to the relevant voting session whenever possible);

- Priority-setting and the format of specific annual debates (debates on the European Commission's two key documents: the Annual Policy Strategy, and the Annual Legislative and Work Programme);

- Organisation of debates (e.g. additional speaking time for rapporteurs; a round of Political Group Speakers at an early stage of debate, and immediately before important votes where appropriate; increased time for spontaneous interventions and questions by members);

- Organisation of votes and treatment of amendments (e.g. voting time at noon Tuesday-Thursday during Strasbourg part-sessions);

- Chamber seating (e.g. members are invited to speak from the front rows of the chamber).

4. During its 16th annual session, held in Kiev 5-9 July 2007, the OSCE Assembly issued a resolution on its role and status within the organisation (cf. paragraph 109 in the report). The views offered to the OSCE Ministers concerned *inter alia* the status and role of the Assembly as an integral part of the organisation; the rights and treatment of persons acting on behalf of the Assembly; and election monitoring as a joint exercise between the Assembly and the Office for Democratic Institutions and Human Rights (ODIHR).

5. Furthermore, it is to be noted that during an official visit of the Secretary General of the OSCE to the Luxembourg chamber of deputies on 19 September 2007 the future of the OSCE was at the centre of the discussion.