



13 September 2019

## Meeting of Secretaries General of Parliament

# How to ensure a better participation and greater involvement of parliamentarians in the work of the Parliamentary Assembly of the Council of Europe

## Background document for the Secretaries General in the context of the European Conference of Presidents of Parliament

### Functioning of the Parliamentary Assembly

1. The Parliamentary Assembly of the Council of Europe meets four times a year in plenary session in Strasbourg (“part-sessions”) and three times in the format of the Standing Committee (once in Paris and two times in the capitals of the countries holding the Presidency of the Committee of Ministers of the Council of Europe). The dates of part-sessions are fixed 2-3 years in advance and they take place the last full working week in January, April, and June and usually the first week in October. In addition, there are nine permanent committees which meet both during the part-sessions in Strasbourg and once in-between part-sessions, usually in Paris. Committees have one “annual ticket” which allows them to meet outside Strasbourg or Paris in a country which is a member State of the Council of Europe.
2. The 324 representatives and 324 substitutes, members of the Assembly, all enjoy the same rights and obligations.<sup>1</sup> They notably have the following rights:
  - to speak in the plenary and in committees;
  - to vote on draft texts adopted first in committee and then in the plenary Assembly or the Standing Committee;<sup>2</sup>
  - to vote for the senior officials of the Council of Europe: the Secretary General and Deputy Secretary General of the Council of Europe, the Secretary General of the Assembly, the Commissioner for Human Rights and the Judges to the European Court of Human Rights;
  - to table amendments and written declarations;
  - to ask questions to invited VIPs during part-sessions;
  - to ask questions to the Chairperson of the Committee of Ministers;
  - to take part in the observation of parliamentary or presidential elections if nominated by their political group;
  - to table motions to initiate a report on a topical issue.

<sup>1</sup> In 2018, there were actually 305 registered representatives and 305 substitutes, as some seats were left vacant.

<sup>2</sup> Substitutes have voting rights only in case when representatives they substitute for, are absent.

### **Some facts and figures on the current level of participation**

3. While all members of the Assembly are equal, their level of involvement differs. For example, in 2018, out of a possible total of 340 votes in the plenary Assembly (draft texts, motions, amendments), two members participated in 99% of all votes, three members in over 80% and 25 members in over 50%. At the other end of the spectrum, 38 members participated in less than 1% of all votes. However, approximately 140 members never voted at all in 2018, some of whom have probably not attended any part-session in Strasbourg<sup>3</sup>, or have not been authorized to vote (being substitutes).
4. Participation in elections for senior officials also varies considerably. For the election of the Commissioner for Human Rights in January 2018, there were 231 members voting from among 305 authorised. The lowest figure in 2018 was in June when there were 143 members voting (of 305 authorised) for a judge to the European Court of Human Rights.
5. As far as speaking in plenary debates is concerned, on average in 2018 there were 635 speakers per part-session, with some members speaking more than once. As regards amendments in 2018, 423 were tabled in total for the year, an average of just over 100 per part-session. A total of 57 motions for new reports were tabled in 2018.
6. As regards the observation of elections in 2018, 113 members from 39 national delegations observed elections in seven countries.

### **Role and responsibilities of Assembly members**

7. Assembly members have a fair amount of latitude how active they wish to be in the Parliamentary Assembly. There is no formal obligation to vote, to speak, to table amendments or motions, to ask questions or to take part in the observation of elections.
8. To what extent their activity (or inactivity) becomes a matter of public scrutiny depends on the applicable rules or practice with respect to each activity. For example, the names of those members who voted, and how they voted, during part-sessions is published on the Assembly's website virtually immediately after each vote. Similarly, the speakers' list for each debate is published on the special website of the part-session just before the opening of the debate in question.
9. For those who wish to become active, various roles are open to them in addition to exercising the rights listed in paragraph 2 above. One of the most visible and active roles is to volunteer to become a rapporteur in a committee to take responsibility for a report. Not only does the rapporteur carry the political responsibility for the drafting and adoption of the report in committee and plenary, they also have the duty to ensure the implementation of the text adopted at the end of this process for one year after the adoption.
10. Some of the other high-visibility roles in the Assembly depend on the support which political groups will give to individual parliamentarians for nominations to the following positions: President of the Assembly, Chairperson and Vice-Chairperson of a committee, Chairperson and Vice-Chairperson of a political group, membership in the Monitoring, Rules of Procedure and Election of Judges to the European Court of Human Rights Committees, and participation in the observation of elections.

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<sup>3</sup> For further statistics on the level of participation by national delegation in 2018, please see document [AS/Pro \(2019\) 01def.](#)

11. Over the last few years, the Assembly has added an obligatory ethics framework to which all members must submit. This includes the obligation to sign a solemn declaration that the member subscribes to the aims and basic principles of the Council of Europe and to fill in a declaration of interests, with the latter being made public. Candidates to observe elections must sign a written declaration on any possible conflict of interest with respect to the country where they will observe the elections. Finally, candidates for a rapporteurship must make an oral declaration on the absence of any conflict of interest. For all these areas, there are codes of conduct outlining appropriate behaviour and expectations, the procedure for investigating alleged breaches and steps to be taken in the event of non-compliance.

### **Increasing the attractiveness of the Assembly**

12. Increasing the attractiveness of the Assembly for its members is clearly an objective which would increase their participation and involvement. However, there are no simple answers how this can be done. Numerous questionnaires have been addressed to the members in the past via the national delegations and political groups of the Assembly. Ad hoc committees on reform have been set up and led to changes in the working methods and Rules of Procedure of the Assembly.<sup>4</sup>

### **Greater participation and involvement of Assembly members**

13. At the outset, it should be specified that efforts are already made to avoid the clash of dates between Assembly plenary and committee dates and those of national parliaments. Not only are plenary dates fixed years in advance, Assembly committee dates are also known for the whole calendar year. Equally unavoidable is the issue of the absence of national parliamentarians due to their dual mandate and thus competing national election commitments.<sup>5</sup>

14. Similarly, budgetary restrictions of national parliaments have meant that not all members of the national delegation are funded to participate in Assembly activities. Finally, it is a fact that there is an overlap of dates of meetings by other international or regional parliamentary assemblies (e.g. OSCE, IPU, NATO PA, PABSEC).

15. While accepting the realities of this international parliamentary framework, in order to obtain some fresh ideas and orientate the discussion of the Secretaries General under this item, it would be interesting for them to reflect on some of the questions listed below. Secretaries General are of course encouraged to think “out of the box”, novel ideas are always welcome!

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<sup>4</sup> For the most recent examples, see the report by Mr Mignon on “the reform of the Parliamentary Assembly” and the report by Mr Nicoletti on “the call for a Council of Europe Summit to reaffirm European unity and to defend and promote democratic security in Europe”, respectively [Doc. 12627 \(2011\)](#) and [Doc. 14396 \(2017\)](#).

<sup>5</sup> For further details on this issue, see the report by Lord Tomlinson on the “use by Assembly members of their dual parliamentary role – both national and European”, Doc. 11684 (2008). [Doc. 11684](#)

➤ **Questions for discussion:**

- *What are the expectations and needs of the members of your national delegation as members of the Assembly?*
- *How can the work in the Assembly be made more useful to the members of your delegation?*
- *How can the impact of the activities of the Assembly be increased (in national parliaments, in the media)?*
- *Should there be more investigative reports undertaken by the Assembly, such as the report by Mr Marty on CIA secret detention centres?<sup>6</sup>*
- *How can the Assembly better communicate the “success stories” of its activities?*
- *Which aspects of the Assembly’s work (including practical ones) do you see as problematic from the point of view of the members of your national delegation?*
- *How can the members of the Assembly be made more responsible for the work they undertake as members of the Assembly?*

➤ **Useful reference documents:**

1. *Parliamentary Assembly Members [Handbook, January 2018](#)*
2. *[Presentation by the Secretary General of the Parliamentary Assembly](#) on “how do national parliaments take forward the work of parliamentarians who attend international parliamentary assemblies?”, Association of Secretaries General of Parliaments, 7 October 2013.*

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<sup>6</sup> See [Doc. 10957 \(2006\)](#).