

Appendix to the draft resolution “Restructuring and streamlining of the Assembly’s Rules of Procedure”

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A. Basic Principles of the Assembly

I. NATURE, AIMS AND PRINCIPLES

Article A.1 – Nature

A.1.1. The Parliamentary Assembly is the deliberative organ of the Council of Europe and is one of its two statutory organs.

Article A.2 – Aims and principles

A.2.1. The Parliamentary Assembly brings together parliamentarians from the Council of Europe member States and from parliaments sharing the values of the organisation, to debate matters of common concern, in a spirit of mutual tolerance and respect and mindful of human dignity.

A.2.2. The Statute of the Council of Europe and the European Convention on Human Rights inform the objectives of the Parliamentary Assembly.

A.2.3. As one of the two statutory organs of the Council of Europe, the Parliamentary Assembly aims to contribute to:

A.2.3.1. promoting the pursuit of peace based upon justice and international co-operation, and closer unity between all like-minded countries of Europe;

A.2.3.2. safeguarding and further realising the values, ideals and principles that are common to the peoples of Europe, including the rule of law, human rights and fundamental freedoms, justice, political liberty, genuine, pluralist and inclusive democracy based on free and fair elections, and the facilitation of economic and social progress.

A.2.4. In all of its activities, the Assembly shall fully respect the human rights and fundamental freedoms enshrined in the European Convention on Human Rights and the values enshrined in the Council of Europe's Statute. Nothing in the Assembly's Rules of Procedure may be interpreted as implying for any group or person any right to engage in any activity or perform any act aimed at undermining the Assembly's aims and principles.

II. FUNCTIONS

Article A.3 – Functions

A.3.1. The functions of the Parliamentary Assembly include:

A.3.1.1. debating questions of common concern, with the exception of national defence;

A.3.1.2. adopting resolutions thereon;

A.3.1.3. presenting its conclusions to the Committee of Ministers in the form of recommendations;

A.3.1.4. debating and voting on opinions to the Committee of Ministers on:

- a. draft treaties of the Council of Europe;
- b. requests for membership or associate membership of, or observer status with, the Organisation;
- c. application of Article 8 of the Statute of the Council of Europe;
- d. the budget and priorities of the Council of Europe;
- e. any other matters referred to it by the Committee of Ministers.

A.3.1.5. initiating and/or participating in the complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations;

A.3.1.6. proposing subjects for agreements, common action and international co-operation in respect of economic, social, cultural, scientific, legal and administrative matters, and to safeguard and further realise human rights, democracy and the rule of law;

A.3.1.7. promoting and monitoring progress in relation to the Council of Europe's core values of democracy, human rights and rule of law;

A.3.1.8. electing the following:

- a. the Secretary General of the Council of Europe;
- b. the Secretary General of the Parliamentary Assembly;
- c. the Deputy Secretary General of the Council of Europe;
- d. the Judges to the European Court of Human Rights; and
- e. the Commissioner for Human Rights of the Council of Europe;

A.3.1.9. participating in election observation missions.

III. COMPOSITION

Article A.4 – Composition

A.4.1. The Assembly shall be composed of members of national parliaments of Council of Europe member states, who have been elected or appointed by their parliament and whose credentials have been ratified by the Assembly, whether as representatives or substitutes, in accordance with the Statute and the Rules of Procedure. Representatives and substitutes whose credentials have been ratified are "members of the Assembly".

A.4.2. The Assembly may grant the status of special guest, observer or partner for democracy to delegations of parliaments of non-member states of the Council of Europe under certain conditions. The Assembly may also invite other guests to participate in its work.

IV. ETHICS, PRIVILEGES AND IMMUNITIES

Article A.5 – Ethics, privileges and immunities

A.5.1. In the exercise of their duties, the members of the Assembly shall undertake to comply with the principles and rules set out in the Code of Conduct for members of the Parliamentary Assembly and other ethical regulations.

A.5.2. In order to fulfil their functions, members of the Parliamentary Assembly benefit from privileges and immunities that are reasonably necessary for those functions, and which are set out in the Statute of the Council of Europe and the General Agreement on Privileges and Immunities and its First Protocol.

V. SESSIONS OF THE ASSEMBLY

Article A.6 – Ordinary sessions

A.6.1. The Assembly shall hold each year an ordinary session, divided into several part-sessions. Ordinary sessions of the Assembly shall be held at the seat of the Council of Europe in Strasbourg and shall not exceed a total of thirty-one days, unless the Assembly and the Committee of Ministers agree otherwise on location or duration.

A.6.2. The dates of the sessions and part-sessions shall be fixed by the Assembly, the Standing Committee or the Bureau of the Assembly. Members of the Assembly shall be notified, with at least three weeks' notice, of these dates.

Article A.7 – Extraordinary sessions

A.7.1. The Assembly may be convened in extraordinary session by agreement between the President of the Assembly and the Committee of Ministers, at the initiative of either, at a jointly decided location and date.

A.7.2. Extraordinary sessions shall end when the agenda is finished.

Article A.8 – Hybrid and remote sessions

A.8.1. In exceptional circumstances which do not allow a part-session to be held under normal conditions, namely in the physical presence of all members, the Bureau of the Assembly may convene a part-session to be held in a hybrid manner (combined remote and in-person participation of members) or by electronic means of remote communication.

VI. BODIES AND OFFICES OF THE ASSEMBLY

Article A.9 – Assembly bodies

A.9.1. The Assembly's bodies are:

- a. The Bureau
- b. The Presidential Committee
- c. The Standing Committee
- d. General Committees

A.9.2. The Assembly may also set up special committees, and networks.

A.9.3. The national delegations and political groups contribute to the functioning of the Assembly.

Article A.10 – Assembly office-holders and rapporteurs

A.10.1. The Assembly and its bodies elect and/or appoint the following officers of the Assembly:

- a. The President of the Assembly
- b. Vice-Presidents of the Assembly
- c. Chairs and Vice-Chairs of general committees
- d. If set up, the Chairs and Vice-Chairs of *ad hoc* committees, special committees, sub-committees and networks.

A.10.2. Rapporteurs of the Assembly include General Rapporteurs, Co-Rapporteurs and Youth Rapporteurs.

Article A.11 – Composition and competences of Assembly bodies, and procedure for election, appointment and/or dismissal of its office-holders

A.11.1. The composition and the competences of the Assembly's bodies, and the procedure for election, appointment and/or dismissal of its office-holders, are regulated by the Rules of the Assembly and the Rules of the Committees.

VII. RELATIONS BETWEEN THE COMMITTEE OF MINISTERS AND THE ASSEMBLY

Article A.12 – Joint Committee

A.12.1. The Joint Committee is the organ of co-ordination of the two statutory organs of the Council of Europe. It shall consist of a representative of each member government and a corresponding number of representatives of the Assembly, including the President, who shall preside over it.

A.12.2. The composition of the Assembly's representation is regulated by the Rules on the functioning of the Assembly.

Article A.13 – Communication of the Committee of Ministers

A.13.1. Reports of the Committee of Ministers on its activities, provided under Article 19 of the Statute, shall be presented and debated in the Assembly.

A.13.2. Following the presentation to the Assembly of a report of the Committee of Ministers on its activities by the Presidency of the Committee of Ministers, members of the Assembly may submit oral questions for oral answer by the Presidency of the Committee of Ministers.

A.13.3. Members of the Assembly may also submit written questions on this occasion. The Presidency of the Committee of Ministers shall answer them orally or in writing.

Article A.14 – Questions to the Committee of Ministers

A.14.1. Members of the Assembly may at any time address to the Committee of Ministers, or to its Presidency, written questions that have a bearing on matters within the competence of the Committee of Ministers.

VIII. EXTERNAL RELATIONS

Article A.15 – External relations

A.15.1. The Parliamentary Assembly's external relations with other interparliamentary assemblies, regional and national parliaments (including the European Parliament), and with other international organisations as applicable, shall be guided by the Bureau of the Assembly.

A.15.2. The Assembly also provides a platform for the enlarged debates on the activities of the Organisation for Economic Co-operation and Development.

IX. SECRETARIAT OF THE PARLIAMENTARY ASSEMBLY

Article A.16 – Secretariat of the Parliamentary Assembly

A.16.1. The Secretariat of the Parliamentary Assembly shall be run by the Secretary General of the Assembly who is elected by it and has the rank of Deputy Secretary General of the Council of Europe. The Secretary General of the Assembly shall be assisted by the administrative staff required for the Assembly's work.

A.16.2. The functions of the Secretary General of the Assembly shall be performed under the authority of the Assembly and the Secretary General of the Assembly shall be responsible and accountable to the Bureau of the Assembly.

X. THE PARLIAMENTARY ASSEMBLY'S RULES OF PROCEDURE

Article A.17 – The Assembly's Rules of Procedure

A.17.1. The Assembly's Rules of Procedure comprise:

- a. The Basic Principles;
- b. The Rules on the Functioning of the Assembly;
- c. The Rules on the Functioning of Committees; and
- d. The Code of Conduct.

A.17.2. The Assembly's Rules of Procedure are supplemented by complementary texts relating to the modalities of Assembly procedure.

XI. THE AMENDMENT OF THE BASIC PRINCIPLES

Article A.18 – Amendment of the basic principles

A.18.1. The amendment of these basic principles requires a two-thirds majority of votes cast, following the procedure set out in the Rules on the Functioning of the Assembly.

B. Rules on the Functioning of the Assembly

Chapter I. – Membership

Rule B.1 – Credentials

B.1.1. The credentials of the members of the Assembly, elected within the national or federal parliament or appointed from among the members of the national or federal parliament, shall be sent to the President of the Assembly by the President (Speaker) of the national parliament or the President (Speaker) of a national parliamentary chamber or any person delegated by them or by another competent authority.

The credentials shall be transmitted not less than one week before the opening of the Session, except in exceptional circumstances.

B.1.2.a. Insofar as the number of their members allows, national delegations should be composed so as to ensure a fair representation of the political parties or groups in their parliaments. Each parliament shall inform the Assembly of the methods used to appoint seats on the delegation, of the political party affiliation and the gender of the members of its delegation.

B.1.2.b. Each national delegation shall include at least 40% men and 40% women in both its overall composition and amongst the representatives, while striving for equal representation. For the following delegations, specific provisions apply, as follows:

- delegations with 4 members (2 representatives and 2 substitutes) shall have a minimum of one woman and one man, including at least one woman and one man as representatives;
- delegations with 6 members (3 representatives and 3 substitutes) shall have a minimum of 2 women and 2 men, including at least one woman and one man as representatives;
- delegations with 8 members (4 representatives and 4 substitutes) shall have a minimum of 3 women and 3 men, including at least one woman and one man as representatives.¹

B.1.2.c. Credentials of members of a national delegation shall be accompanied by a signed written statement by the individual members reading as follows:

“I, the undersigned, ..., hereby affirm and state that I subscribe to the aims and basic principles of the Council of Europe and its Assembly, mentioned in the preamble, in Article 1.a. and in Article 3 of the Statute of the Council of Europe, and Article A.2 of the Basic Principles of the Assembly. I declare that I have read and understood the Code of conduct for members of the Parliamentary Assembly and I undertake to abide by its provisions”

B.1.3. At the beginning of each ordinary session these credentials shall be submitted to the Assembly by the Provisional President for ratification.

B.1.4. Credentials presented at a later date shall be transmitted to the President of the Assembly, not less than one week before the first sitting of a part-session or a meeting of the Standing Committee, except in exceptional circumstances. The President shall submit the credentials to the Assembly or the Standing Committee for ratification.

Rule B.2 - Challenge of still unratified credentials on procedural grounds

B.2.1. Credentials may be challenged by at least 10 members of the Assembly present in the Chamber, belonging to at least five national delegations, on stated procedural grounds based upon:

B.2.1.a. one or more of the relevant provisions of the Statute (in particular Articles 25 and 26);

¹ Pursuant to Resolutions 1113 (1997) and 1376 (2004), the delegation of Cyprus can only fill 4 of the 6 seats to which it is entitled; it should be considered as a 4-member delegation.

B.2.1.b. the conditions set out in Rule B.1.2.a. and Rule B.1.2.b.;

B.2.1.c. the absence of a solemn statement as mentioned in Rule B.1.2.c.
The authors shall state the reasons for the challenge.

B.2.2. Credentials challenged on procedural grounds at the opening of a part-session or a meeting of the Standing Committee shall be referred without debate to the Rules Committee. They may be referred for opinion to the Committee on Equality and Non-Discrimination, where credentials are challenged in relation to the representation of the sexes in the membership of the delegation concerned.

The Rules Committee shall report within twenty-four hours if possible. These deadlines do not apply to the Standing Committee.

If the Rules Committee concludes that the credentials should be ratified, it may submit an opinion to the President of the Assembly, who shall read it out in the plenary sitting of the Assembly or the Standing Committee, without debate. If the Rules Committee concludes that the credentials should not be ratified or that they should be ratified but that some rights of participation or representation should be denied or suspended, the Rules Committee's report shall be placed on the agenda for debate within the prescribed deadlines.

Rule B.3 - Challenge of still unratified credentials on substantive grounds

B.3.1. The unratified credentials of a national delegation as a whole may be challenged on the substantial grounds set out in paragraph 2 by:

B.3.1.a. at least 30 members of the Assembly present in the Chamber, belonging to at least five national delegations, or

B.3.1.b. a report of the Monitoring Committee.

The authors shall state the reasons for the challenge.

B.3.2. The substantive grounds on which credentials may be challenged are:

B.3.2.a. serious violation of the basic principles of the Council of Europe mentioned in Article 3 of, and the preamble to, the Statute; or

B.3.2.b. persistent failure to honour obligations and commitments and lack of co-operation in the Assembly's monitoring procedure.

B.3.3. Credentials which are challenged on substantive grounds at the opening of a part-session or of a meeting of the Standing Committee shall be referred without debate to the appropriate committee for report and to the Committee on Rules, Ethics and Immunities for opinion. They may also be referred, if necessary, to other committees for opinion. The committee shall report within twenty-four hours if possible and the Assembly shall consider it as soon as possible. These deadlines do not apply to the Standing Committee.

B.3.4. Any report of the Monitoring Committee calling into question the unratified credentials of a national delegation shall be placed on the agenda for a part-session, or the agenda of a meeting of the Standing Committee, to be debated not later than twenty-four hours after the opening of the part-session or as one of the first items on the agenda of the Standing Committee.

Rule B.4 – Reconsideration of previously ratified credentials on substantive grounds

B.4.1. The Assembly may reconsider ratified credentials of a national delegation as a whole in the course of the same ordinary session either:

B.4.1.a. on a motion for a resolution to annul ratification based on the grounds set out in Rule B.3.2., or

B.4.1.b. on the basis of a report by the Monitoring Committee containing a text which recommends that the credentials be reconsidered.

B.4.2. A motion for a resolution to annul ratification shall be tabled by at least 50 members of the Assembly, belonging to at least two political groups and five national delegations, and be distributed at least two weeks before the opening of a part-session or a meeting of the Standing Committee. The list of signatories may not include more members of a delegation than the number of seats held by that delegation in the Assembly. The motion for a resolution shall state the reasons for it. Once tabled, a motion cannot be withdrawn by its authors, and no signature may be withdrawn or added to it. It shall be referred without debate to the appropriate committee for report and to the Committee on Rules, Ethics and Immunities for opinion. It may be referred, if necessary, to other committees for opinion. The committee shall report within twenty-four hours if possible and the Assembly shall consider it as soon as possible. These deadlines do not apply to the Standing Committee.

B.4.3. The Monitoring Committee may, in a report foreseen on the agenda of the Assembly or on the agenda of the Standing Committee, call into question the credentials of a national delegation. Such a report shall, before being discussed by the Assembly or the Standing Committee, be referred to the Committee on Rules, Ethics and Immunities for opinion.

Rule B.5 - Decision of the Assembly on a challenge or reconsideration of credentials

B.5.1. Reports submitted to the Assembly or the Standing Committee under Rules B.2.2, B.3.3., B.3.4., B.4.2. and B.4.3. shall contain a draft resolution proposing in its operative part one of the following three options:

B.5.1.a. ratification of the credentials, or confirmation of ratification of the credentials;

B.5.1.b. non-ratification of the credentials, or annulment of ratification of the credentials;

B.5.1.c. ratification of the credentials, or confirmation of ratification of the credentials together with depriving or suspending the exercise of some of the rights of participation or representation of members of the delegation concerned in the activities of the Assembly and its bodies.

The members' rights to vote, to speak and to be represented in the Assembly and its bodies shall not be suspended or withdrawn in the context of a challenge to or reconsideration of credentials.

B.5.2. The provisions on amendments Rule B.36 (Amendments and Sub-Amendments) shall apply. Any amendments to the operative part of the draft resolution may propose only one of the three options above.

B.5.3. The members of a national delegation whose credentials are challenged may sit provisionally with the same rights as other Assembly members until the Assembly, or the Standing Committee acting on behalf of the Assembly, has reached a decision. However, those members shall not vote in any proceedings relating to the examination of credentials which concern them.

Rule B.6 - Duration of the term of office of members of the Assembly

B.6.1. The term of office of members of the Assembly shall begin when their credentials are ratified.

B.6.2. Subject to the provisions of paragraphs 3 and 4, the term of office of members of the Assembly shall expire at the opening of the next ordinary session.

B.6.3. Following parliamentary elections, the national parliament concerned or other competent authority shall make appointments to the Assembly within six months of the election. If the national parliament cannot make all such appointments in time for the opening of a new ordinary session of the Assembly, it may decide, for a period of not more than six months after the election, to be represented in the Assembly by members of the existing delegation. The credentials of the existing delegation shall expire at the opening of the first sitting of the Assembly or meeting of the Standing Committee following the appointment of the new delegation by the national parliament or competent authority or following the expiry of the six-month period after the election date.

B.6.4. If a seat becomes vacant through death or resignation, it may be provisionally filled in the Assembly by a substitute, and in a committee by another representative or substitute, of the same nationality, pending a new appointment by the national delegation concerned. Concerning deprivation of the status of member of the Assembly, the final decision rests with the Assembly.

Rule B.7 – Substitutes

B.7.1. A representative prevented from attending a sitting of the Assembly may arrange to be replaced by a substitute of the same nationality duly designated by the national delegation.

B.7.2. A substitute duly designated shall have the same rights and the same obligations in the Assembly as a representative.

B.7.3. A substitute who is a committee chairperson or rapporteur may speak in that capacity, even if that substitute is not sitting in place of a representative. In that case, however, the substitute shall not be entitled to vote.

B.7.4. Substitutes, like representatives, may be appointed members of a committee.

Chapter II. – Special guests, observers, partners for democracy and other guests

Rule B.8 – Special guests

B.8.1. The Assembly, on the proposal of the Bureau, may grant special guest status to national parliaments of European non-member States which have applied for membership of the Council of Europe. Special guest status can be suspended or withdrawn.

B.8.2. Members of special guest delegations may sit in the Assembly but without the right to vote. They shall have the right to speak with the authorisation of the President of the Assembly.

B.8.3. The Specific Rules on special guests, observers, partners for democracy and other guests contain relevant modalities relating to the participation of special guest delegations.

Rule B.9 – Observers

B.9.1. The Assembly, on the proposal of the Bureau, may grant observer status to national parliaments of non-member States of the Council of Europe which meet the conditions set out in paragraph 1 of Statutory Resolution (93) 26 of the Committee of Ministers on observer status. Observer status can be suspended or withdrawn.

B.9.2. Members of observer delegations may sit in the Assembly but without the right to vote. They shall have the right to speak with the authorisation of the President of the Assembly.

B.9.3. The Specific Rules on special guests, observers, partners for democracy and other guests contain relevant modalities relating to the participation of observer delegations.

Rule B.10 – Partners for democracy

B.10.1. The Assembly, on the proposal of the Bureau, may grant partner for democracy status to national parliaments of non-member States of the Council of Europe in neighbouring regions, which meet the conditions set out in the Specific Rules on special guests, observers, partners for democracy and other guests.

Partner for democracy status can be suspended or withdrawn in accordance with the Specific Rules on special guests, observers, partners for democracy and other guests.

B.10.2. Members of delegations with partner for democracy status may sit in the Assembly but without the right to vote. They shall have the right to speak with the authorisation of the President of the Assembly.

The Assembly may decide to grant additional rights to partner for democracy delegations which have shown outstanding results in achieving the goals of the partnership and participate fully in the work of the Assembly.

B.10.3. The Specific Rules on special guests, observers, partners for democracy and other guests contain relevant modalities relating to the participation of partner for democracy delegations.

Rule B.11 – Other guests

B.11.1. The President of the Assembly may invite representatives of non-member parliaments, without special guest, observer or partner for democracy status, to attend a debate in the Assembly.

B.11.2. The Bureau of the Assembly may, subject to ratification by the Assembly, invite representatives of non-member parliaments, without special guest, observer or partner for democracy status, to participate in the work of the Assembly and its committees.

B.11.3. In the framework of its external relations, the Assembly may, on the proposal of the Bureau, conclude cooperation agreements.

B.11.4. The Bureau of the Assembly shall, in agreement with the relevant organ of the European Parliament (Conference of Presidents), decide the arrangements for co-operation of both institutions.

Chapter III. – President, Vice-Presidents, Bureau, Presidential Committee and Standing Committee

Rule B.12 – Provisional President

B.12.1. The longest-serving member of the Assembly shall open the ordinary session and shall preside until the election of the President of the Assembly has been announced.

B.12.2. While the Provisional President is in the Chair, no debate may take place unless concerned with the examination of credentials or the election of the President of the Assembly, and no speeches may be delivered. The Provisional President may address the Assembly for not more than five minutes.

Rule B.13 – Election of the President

B.13.1. The President of the Assembly shall be elected after the credentials of the members of the Assembly have been examined under Rule B.1. No member of the Assembly may stand as a candidate for the office of President unless nominated in writing by 10 or more members of the Assembly at least forty-eight hours before the opening of the session or part-session.

B.13.2. If only one candidature is proposed to the Assembly, the candidate shall be declared elected without a ballot. When there are several candidates, the President shall be elected by secret ballot in accordance with Rules B.45.8 and B.46.1.c.

B.13.3. As soon as the President has been elected, the Provisional President shall leave the Chair.

B.13.4.a. The President shall remain in office until the opening of the next ordinary session. Should the office of President fall vacant, or if the President is unable to discharge the duties of President, the most senior Vice-President shall act until the election of a new President at the following part-session.

If the most senior Vice-President is unable to assume the functions of the President, the task will be entrusted to the next most senior Vice-President.

The President so elected shall remain in office until the opening of the next ordinary session.

B.13.4.b. The President may be re-elected once for a further term, consecutive or not. However, where it is necessary to replace a President in the course of a session, an election for an incomplete term does not count as a full term for the purposes of this provision.

B.13.5. The President, if appointed a member of a government, shall immediately lose the office of President.

Rule B.14 – Duties of the President

B.14.1. The President shall:

- open, suspend and close sittings,
- direct the debates of the Assembly,
- rule on the admissibility of motions for recommendations and resolutions, amendments and written declarations tabled by members,
- ensure observance of the Rules, maintain order, call on speakers, close debates, ascertain whether a quorum exists, put questions to the vote and announce the result of votes.

The President shall perform a similar role in relation to the Standing Committee and the Bureau and chair the Presidential Committee and the Joint Committee. The President shall represent the Assembly in its external and international relations.

B.14.2. The President shall not vote on any matter on the agenda, including draft texts or elections.

When in the Chair, the President shall not speak in debate. If the President wishes to speak on an item on the agenda, the President shall not occupy the Chair for any part of that item.

Except when the President is speaking on an item on the agenda, the President's substitute may participate in debates and exercise the right to vote.

Rule B.15 – Election of Vice-Presidents

B.15.1. After the election of the President, the election of the Vice-Presidents shall take place.

B.15.2. One Vice-President shall be elected in respect of each national delegation entitled to a seat under the system of apportionment of Bureau seats. Where no candidature is proposed by a national delegation entitled to a seat, that seat shall remain vacant until such a candidature is proposed.

B.15.3. No representative or substitute may be elected Vice-President unless proposed in writing by the chairperson of the national delegation concerned, on behalf of that delegation while taking into account the principle of gender equality. For every three successive Vice-Presidents proposed by a national delegation, at least one must be a woman, and one must be a man.

B.15.4. The candidates proposed by the national delegations shall be declared elected without a ballot. However, a vote shall be held by secret ballot in respect of one or several candidates in accordance with Rules B.45.8 and B.46.1.b, if so requested in the Chamber, at the moment when the candidatures are presented, by at least 20 members of the Assembly. Where a candidate is not elected after the second ballot, that seat shall remain vacant until a candidate presented by the national delegation in accordance with Rule B.15.3. obtains the requisite majority. The holding of a secret ballot does not suspend the proceedings.

B.15.5. The Vice-Presidents shall take precedence by length of service in the Assembly. However, Vice-Presidents elected at the opening of a part-session pursuant to Rule B.15.6., shall come after the Vice-Presidents previously elected.

B.15.6. Vice-Presidents shall remain in office until the opening of the next ordinary session. A Vice-President shall be replaced in the course of the session when that person is no longer a member of the Assembly, in the event of death, resignation or dismissal pursuant to Rule B.17, or when the delegation to which they belong is renewed. A new Vice-President shall be elected, in accordance with the above provisions, at the opening of a part-session.

Rule B.16 – Duties of Vice-Presidents

B.16.1. The duties of the President, as set out in Rule B.14, may be discharged by one of the Vice-Presidents.

B.16.2. The functions of a Vice-President are to replace the President when the latter is unavailable during a debate of the Assembly at one of its part-sessions or at the Standing Committee. A Vice-President may furthermore be called upon by the President to fulfil certain representational obligations of the President.

B.16.3. The occupant of the Chair may at any time invite a member of the Bureau or, if none is available, any member of the Assembly, to take the Chair for a period of not more than twenty minutes. Such temporary chairperson shall exercise the powers and shall be subject to the obligations set out Rule B.14, save that the temporary chairperson may speak in that debate.

Rule B.17 - Procedure for dismissing the President and Vice-Presidents of the Parliamentary Assembly

B.17.1. The Assembly may terminate the functions of the President or a Vice-President of the Assembly on the ground that that person no longer enjoys the confidence of the Assembly, be it that the President or Vice-President:

- i. no longer fulfils the conditions required for the exercise of that office, or
- ii. fails to honour one or more undertaking in the Code of Conduct for members of the Parliamentary Assembly, including if the President or Vice-President failed to declare any relevant interests or made an untruthful declaration, or
- iii. is guilty of serious misconduct by seriously or repeatedly violating the provisions of the Code of Conduct for members of the Parliamentary Assembly.

A motion for dismissal concerning the same person and based on the same grounds may be tabled only once in the course of an ordinary session of the Assembly.

B.17.2. A motion for dismissal shall be presented in both official languages and signed by at least one tenth of the component members (representatives and substitutes) of the Assembly belonging to at least three political groups and 10 national delegations.

The motion for dismissal shall be published as an official document within twenty-four hours (during the working week), forwarded to the member concerned and referred to the Rules Committee, which shall give an opinion on its admissibility. The Rules Committee hears the member concerned; the absence of the duly invited member at the Rules Committee meeting is not a valid ground for postponing the committee's decision. The Rules Committee's opinion shall be approved within twenty-four hours following the reference, if it is decided in the course of a part-session of the Assembly, or otherwise at the meeting of the Rules Committee which immediately follows the reference. The motion for dismissal shall be debated and put to the vote of the Assembly within twenty-four hours after the approval of the Rules Committee's opinion if it is issued in the course of a part-session of the Assembly, or otherwise at the opening of the part-session which immediately follows the approval of the Rules Committee's opinion.

B.17.3. A motion for dismissal, presented in both official languages, may also be signed by at least one fifth of the component members (representatives and substitutes) of the Assembly belonging to a least three political groups and 15 national delegations.

The motion for dismissal shall be published as an official document within twenty-four hours (during the working week) and forwarded to the member concerned. It shall be debated and put to the vote of the Assembly within twenty-four hours after its publication, if it is issued in the course of a part-session of the Assembly, or otherwise at the opening of the part-session which immediately follows its publication.

B.17.4. After the publication of the motion for dismissal and until the final decision on the motion is taken, the President or Vice-President ceases to chair the meetings of the Assembly.

B.17.5. The provisions of Rules B.27.5. (alteration of the agenda), B.35 (debate and consideration of texts), B.36 (amendments and sub-amendments) and B.39 (procedural motions) shall not apply.

B.17.6. Only the first signatory of the motion, the chairperson of the Rules Committee or a representative appointed by the Rules Committee, the chairperson of each political group or a representative appointed by the group, and the member to whom the procedure relates may be heard in the debate.

B.17.7. The Assembly shall decide by using the electronic voting system, in accordance with the quorum conditions laid down in Rule B.47.3. and by a two-thirds majority of the votes cast.

B.17.8. The voluntary resignation of the member concerned from the office of President or Vice-President shall terminate the procedure.

B.17.9. The dismissal of the President or Vice-President of the Assembly shall take effect immediately after the announcement that the motion has been carried.

B.17.10. A President or Vice-President of the Assembly who has been dismissed shall not be eligible for re-election to the office of President or for election to the offices of Vice-President of the Assembly, or of chairperson or vice-chairperson of a committee.

A President of the Parliamentary Assembly who has been dismissed or who has resigned may not rely on the provisions of Rule C.1.6.b. of the Rules on the Functioning of Committees.

A President or Vice-President of the Assembly who has been dismissed from office may not be granted honorary status with the Parliamentary Assembly.

Rule B.18 – Bureau of the Assembly

B.18.1.a. The Bureau shall consist of the President and the Vice-Presidents of the Assembly and the chairpersons (or their representatives) of the political groups and of the Assembly's general committees. The President does not participate in a vote except in the case of a tie.

B.18.1.b. Chairpersons of the national delegations of the member States holding the current, the previous and the next two presidencies of the Committee of Ministers shall be *ex officio* members of the Bureau entitled to vote. They may not be the Bureau's rapporteurs for its reports. They cannot be replaced.

B.18.2. The Bureau is responsible for the co-ordination of the activities of the Assembly and of its committees. It assists the President in the conduct of the President's functions and guides the external relations of the Assembly.

B.18.3. The Bureau shall take decisions on the organisation of part-sessions and plenary sittings. It shall carry out other duties assigned to it under the Rules of Procedure, the complementary texts or in decisions taken by the Assembly.

B.18.4. In exceptional circumstances which do not allow a meeting to be held under normal conditions, namely in the physical presence of all members, the President of the Assembly may convene a meeting of the Bureau to be held in a hybrid manner (combined remote and in-person participation of members) or by electronic means of remote communication.

B.18.5. The Bureau of the Assembly may decide, in the same circumstances and for a defined period of time, that the meetings of the Bureau, the Standing Committee and of committees will be held in a hybrid manner (combined remote and in-person participation of members) or by electronic means of remote communication. The decision of the Bureau shall be taken by a simple majority of the votes cast with a quorum of one third of the members.

Rule B.19 – Presidential Committee

B.19.1. The Presidential Committee shall consist of the President of the Assembly, the chairpersons of the political groups (or their representatives) and the Secretary General of the Assembly.

B.19.2. The Presidential Committee is a consultative body for the Bureau and the President of the Assembly. It shall prepare meetings of the Bureau and may be entrusted by it with liaison tasks.

Rule B.20 – Standing Committee

B.20.1. The membership of the Standing Committee shall be as follows:

B.20.1.a. President of the Assembly (who shall be Chairperson of the Standing Committee);

B.20.1.b. Vice-Presidents of the Assembly (who shall be the Vice-Chairpersons of the Standing Committee);

B.20.1.c. the chairpersons of the political groups or, in their absence, a member representing the group concerned;

B.20.1.d. the chairpersons of national delegations or, in their absence, a member of the delegation duly designated;

B.20.1.e. the chairpersons of the general committees listed in Rule C.1.2 and C.1.3 of the Rules on the Functioning of Committees or, in their absence, one of the vice-chairpersons of the committee concerned.

B.20.2. All members of the Standing Committee have the right to vote, except the President or Vice-President presiding over the meeting.

B.20.3. The chairpersons of partner for democracy delegations or, in their absence, a member of the delegation duly designated may attend meetings of the Standing Committee without the right to vote.

B.20.4. The Standing Committee shall:

B.20.4.a. fix the date of the opening and resumption of ordinary sessions, subject to the provisions of Article 6.2. of the Basic Principles;

B.20.4.b. prepare the work of the Assembly, ensure its continuity of action and, when the occasion arises, act on its behalf, in particular by:

- considering and adopting, on behalf of the Assembly, texts contained in committee reports placed on its agenda, in accordance with paragraph 6 below or with Rule B.42 (Urgent procedure in the Standing Committee); and
- considering questions relating to credentials in accordance with the provisions of Rules B.1 to B.4.

B.20.5. Before the close of the first part of an ordinary session, the Assembly shall constitute its Standing Committee.

B.20.6. The Standing Committee shall be convened by the President of the Assembly whenever the President deems it necessary and at least twice a year. It may not meet when the Assembly is in session. The draft agenda for its meetings shall be submitted to the Bureau.

B.20.7. A report placed on the draft agenda of a meeting of the Standing Committee shall be distributed to all members of the Assembly at least two weeks beforehand, unless it is considered in accordance with the urgent procedure (Rule B.42).

B.20.8. Subject to any provision to the contrary in this Rule or in Rule B.46 (Majorities required) or Rule B.42 (Urgent procedure in the Standing Committee), procedure in the Standing Committee shall be governed by the Rules on the Functioning of Committees.

B.20.9. During the adoption of the agenda by the Standing Committee, a report may be withdrawn and referred to the plenary Assembly if such a request is made by the chairperson of the committee concerned or by at least 10 members of the Standing Committee and adopted by a two-thirds majority of the votes cast. This provision shall neither apply to reports placed on the agenda of the Standing Committee in accordance with the urgent procedure (Rule B.42), nor to reports submitted to the Standing Committee by decision of the Assembly.

Chapter IV. – National delegations and political groups

Rule B.21 – National delegations

B.21. Members appointed by the national parliaments of each member State shall form national delegations whose competences shall be exercised in accordance with the Rules of Procedure.

Rule B.22 – Political groups

B.22.1. Members may form political groups according to their political affinities. As a condition for recognition by the Bureau, political groups shall undertake, in particular in their political charter, statutes and activities, to promote and respect the values of the Council of Europe and its Assembly, including political pluralism, human rights and the rule of law.

B.22.2. A political group shall have no fewer than 26 members of at least eight national delegations. No Assembly member may belong to more than one political group.

B.22.3. At the time it is formed, each political group shall submit to the Bureau of the Assembly a statement which shall include the name of the group, the list of its members, the composition of its bureau, a political charter setting out the purpose of the group, and its statutes or rules of procedure, which shall all conform to the European Convention on Human Rights. All members of the group shall declare in writing in an appendix to the statement that they share the same political and ideological affinities.

Each group shall notify the Bureau of any subsequent changes to the information submitted in its statement as soon as possible.

B.22.4. Any political group which no longer satisfies the conditions set out in Rule B.22.2 on the date of 30 June, or which has fewer than 20 members for a period of three successive months, shall cease to exist for the purposes of the Rules of Procedure. This shall be notified to the Bureau by the Secretary General of the Parliamentary Assembly. The Bureau shall take note thereof at its subsequent meeting.

B.22.5. For each ordinary session, the date of 30 June of the previous year will serve as a reference date to verify that the conditions stipulated in Rule B.22.2 are met, as well as for establishing the number of members of each political group, which is necessary for calculating their budgetary allocation, the allocation of committee chairmanships and seats on the Monitoring Committee, the Rules Committee and the Election of Judges Committee and for establishing the order of speakers in debates.

B.22.6. The competences of political groups shall be exercised in accordance with the Rules of Procedure and the complementary texts.

Chapter V. – Organisation of Assembly business

Rule B.23 – Official documents

B.23.1. The official documents of the Assembly shall be published and marked "Parliamentary Assembly".

B.23.2. The official documents of the Assembly are the following:

B.23.2.a. the agenda for a part-session and the official report of debates;

B.23.2.b. questions addressed to the Committee of Ministers by members, and the replies of the Committee of Ministers;

B.23.2.c. motions tabled by members;

B.23.2.d. reports and opinions of committees and amendments and sub-amendments to the draft texts examined within the framework of the reports;

B.23.2.e. recommendations and opinions addressed to the Committee of Ministers and the replies of the Committee of Ministers thereto;

- B.23.2.f.** resolutions;
- B.23.2.g.** progress reports of the Bureau and the Standing Committee;
- B.23.2.h.** election observation reports;
- B.23.2.i.** written declarations tabled by members of the Assembly;
- B.23.2.j.** any documents deemed to be official documents by the President of the Assembly.

Rule B.24 - Tabling of motions

B.24.1.a. A recommendation is a proposal by the Assembly addressed to the Committee of Ministers, the implementation of which is beyond the competence of the Assembly, but within that of governments.

B.24.1.b. A resolution embodies a decision by the Assembly on a question of substance which it is empowered to put into effect, or an expression of view for which it alone is responsible. In addition, a resolution may deal with a question of form, transmission, execution or procedure (with due respect to the competences of the Bureau).

B.24.2. A motion for a recommendation or resolution not exceeding 300 words shall be signed by at least 20 members belonging to at least five national delegations or be adopted by a committee in accordance with Rule C.9.5 of the Rules on the Functioning of Committees, provided that the motion comes within the committee's specific terms of reference.

A motion for dismissal of the President or a Vice-President of the Assembly requires the number and type of signatures specified in Rule B.17.2 and Rule B.17.3.

A motion for recommendation to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations shall be presented in both official languages and signed by at least one fifth of the component members (representatives and substitutes) of the Assembly, belonging to at least three political groups and 15 national delegations.

Once tabled, a motion cannot be withdrawn by its authors, and no signature may be withdrawn or added to it.

Motions shall not contain propaganda for commercial purposes or on behalf of persons or associations whose ideas or activities are incompatible with the Council of Europe's principles.

They shall also address areas falling within the Council of Europe's sphere of competence and shall not contain racist, xenophobic or intolerant language or words and expressions whose meaning constitutes an affront to human dignity.

B.24.3. The President shall decide whether motions are in order. The President may consult the committee concerned and possibly the Bureau.

A motion which the President rules to be in order shall be published as soon as possible.

If a motion for dismissal under Rule B.17.2 or B.17.3 or a motion for a recommendation to initiate a complementary joint procedure under Rule B.24.2. is ruled in order, it shall be published within 24 hours (during the working week).

Rule B.25 – Reference to committee

B.25.1. The Bureau shall reach a decision on all documents mentioned in Rule B.23.2.c. (motions tabled by members) and, if appropriate, B.23.2.j. (official documents – e.g. references from the Committee of Ministers), if necessary after consulting one or more committees, and may decide that the documents shall be referred to:

- i. one committee for report,
- ii. one committee for report, and one or more committees for opinion on that report,
- iii. transmitted to one or more committees for information, or
- iv. that no further action be taken.

A document forwarded for information may not give rise to a committee report to the Assembly.

If a draft report adopted by a committee proposes any amendments to the European Convention on Human Rights, the Bureau shall request an opinion from the Committee on Legal Affairs and Human Rights on this draft report.

B.25.2. The Bureau may refer a specific matter to a committee for a report to the Assembly, particularly as part of the action to be taken on an adopted text, provided that the matter has not already been referred to it.

B.25.3. The Bureau shall submit these decisions for ratification as soon as possible, either by the Assembly or the Standing Committee.

These decisions shall become available to members through the Progress Report of the Bureau and the Standing Committee or in a separate document. Rule B.35.5., second and third sentences, shall apply *mutatis mutandis*.

B.25.4. The provisions of Rules B.25.1 and B.25.3 shall not apply to a motion for dismissal of the President or a Vice-President of the Assembly, which shall be automatically referred to the Rules Committee – nor to a motion to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations, which shall be automatically referred to the Committee on Political Affairs and Democracy for report.

B.25.5. A reference to committee shall lapse in two years or, at the request of the committee concerned, by a decision of the Assembly. References to the Monitoring Committee for periodic review, as defined in paragraph 8 of the terms of reference of the Assembly Monitoring Committee, shall lapse after three years.

Rule B.26 – Organisation of debates

B.26.1. The Bureau may at its discretion propose to the Assembly the modalities and timetable for a sitting or an item of business.

B.26.2. The Assembly shall decide upon any such proposal without debate.

Rule B.27 - Agenda

B.27.1. Any matter within the competence of the Assembly may be placed on the agenda.

The Progress Report of the Bureau and the Standing Committee shall be placed on the agenda.

The report of the Committee on Political Affairs and Democracy on the initiation of a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations shall also be placed on the agenda.

B.27.2. A part-session may include a debate on general policy.

B.27.3. On the basis of a list of reports already approved by committees but not yet debated and of reports to be approved in time for the part-session, the Bureau shall draw up a draft agenda for each part-session showing at which sittings the items are to be considered. The draft agenda shall be communicated to all members of the Assembly at least two weeks before the opening of a part-session.

B.27.4. The draft agenda may be brought up to date by the Bureau and, where possible, shall also be submitted to the Standing Committee. It shall be submitted to the Assembly for approval at the first sitting of a part-session. If the Bureau gives a favourable opinion on a request for a debate under urgent procedure or for a current affairs debate, it shall propose to the Assembly the necessary re-organisation of the draft agenda, principally where necessary by the withdrawal of one or more items of equivalent length.

B.27.5. Adoption of a motion to alter the draft agenda shall require a majority of the votes cast. Adoption of any subsequent motions to alter the agenda shall require a two-thirds majority.

B.27.6. On any motion covered by paragraph 5 above, only the following shall be heard: the mover, one speaker against and a spokesperson of the committee concerned.

Rule B.28 – Official and working languages

B.28.1. The official languages of the Assembly shall be English and French.

B.28.2. Documents of the Assembly shall be published in both official languages.

B.28.3. The working languages of the Assembly shall be those of the member States which are major contributors to the Council of Europe budget, provided that the necessary appropriations for their funding are entered in the Assembly's budget.

Rule B.29 – Interpretation in the Assembly

B.29.1. Words spoken in an official or working language shall be simultaneously interpreted into the other official and working languages.

B.29.2. Speeches may be made in a language other than the official or working languages. In such cases the speaker shall be responsible for arranging for simultaneous interpretation into one of the official or working languages, which shall be simultaneously interpreted into the other official and working languages.

Rule B.30 – Reports of debates

B.30.1. An official report of the debates of each part-session shall be issued. A provisional report of each sitting shall be distributed as soon as possible. The verbatim records of speeches delivered in any of the working languages shall also be made available.

B.30.2. In addition to the speeches delivered, the report shall include texts submitted by those on the list of speakers who were unable to speak for lack of time, provided that their author was present during the debate.

Rule B.31 – Written declarations

B.31.1. Written declarations not exceeding 200 words on subjects within the competence of the Council of Europe may be tabled provided they have been signed by at least 20 members of the Assembly of four national delegations and two political groups.

They shall be published unless the President has ruled that they are inadmissible in accordance with the criteria outlined below.

Written declarations shall neither be referred to a committee nor debated in the Assembly.

B.31.2. Written declarations shall not contain propaganda for commercial purposes or on behalf of persons or associations whose ideas or activities are incompatible with the Council of Europe's principles.

They shall also address areas falling within the Council of Europe's sphere of competence and shall not contain racist, xenophobic or intolerant language or words and expressions whose meaning constitutes an affront to human dignity.

B.31.3. Any representative or substitute may sign a written declaration up to the close of the next part-session, after which no further signatures may be added.

The declaration shall be issued with the names of all members who have signed it.

No signature may be withdrawn.

Chapter VI. – Conduct of proceedings

Rule B.32 – Public sittings

B.32.1. Sittings of the Assembly shall be public, unless the Assembly decides otherwise.

Rule B.33 – Maintenance of order

B.33.1. The President shall call to order any member of the Assembly who causes a disturbance during proceedings.

B.33.2. If the offence is repeated, the President shall again call the member to order, and this shall be recorded in the report of the debates.

B.33.3. In the event of a further offence, the President shall direct the member to resume that member's seat or may exclude that member from the Chamber for the remainder of the sitting.

B.33.4. In serious cases the President may propose to the Assembly a motion of censure, which shall involve immediate exclusion from the Chamber for two to five sitting days. The member upon whom a motion of censure is proposed shall have the right to speak for a maximum period of two minutes before the Assembly decides.

B.33.5. The vote on a motion of censure shall be taken without debate.

B.33.6. Words or expressions which affront human dignity, undermine the right to respect for private life, or which may prejudice orderly debate may not be used. The President may order such words to be struck from the report of debates. The President may similarly strike from the report words spoken by a member not called by the President. The report of the debates shall record any such decision.

Rule B.34 – Debate and consideration of texts

B.34.1. Each item on the agenda shall be considered on the basis of a report from the relevant committee or from the Bureau, except current affairs debates, elections, nominations, addresses by, and questions to, the Secretary General of the Council of Europe, communications from, and questions to, the President of the Committee of Ministers and speeches by, and questions to, invited guests.

B.34.2. Subject to the provisions of Rules B.2.2, B.3.3., B.4.2. (concerning challenges to credentials), B.35.2 (concerning debates under the urgent procedure) and B.48.4 (relating to a request for waiver of immunity), reports for debate, except for the Progress Report of the Bureau and the Standing Committee, shall be distributed at least two weeks before the opening of the part-session.

The main committee's report shall be made available to the committee for opinion in time for the latter to draw up its opinion, if possible one week before the latter's meeting.

If the report is not distributed within the time-limit laid down, and at least 10 members belonging to at least five national delegations so request when the draft agenda is considered, the debate shall be postponed until a later part-session unless urgent procedure has already been requested with respect to that report.

However, if at least 10 members belonging to at least five delegations object, the postponement may be overruled by the Assembly through a vote by a two-thirds majority.

B.34.3. In the case of a debate under urgent procedure, the committee's report may not be considered until twenty-four hours after its distribution.

B.34.4. Following the debate on the committee's report or on the report of an ad hoc committee of the Bureau on the observation of an election, the Assembly shall vote on the draft text or texts which it may contain.

Amendments and sub-amendments to those draft texts may be tabled and considered in accordance with the provisions of Rule B.36.

When all amendments and sub-amendments have been considered and voted, the Assembly shall vote on the text as a whole.

After the announcement of the outcome of the vote, members who have not spoken in the proceedings may explain their votes, through written submission of a text of no more than 200 words.

B.34.5. The Progress Report of the Bureau and the Standing Committee may contain a special section or an appendix listing the decisions to be ratified by the Assembly, in particular decisions taken on the basis of Rule B.25 concerning official documents.

Adoption of a motion by a member to change a Bureau decision shall require a majority of the votes cast. On any such motion only the mover, one speaker against and the rapporteur of the Bureau shall be heard.

Rule B.35 – Amendments and sub-amendments

B.35.1. For amendments and sub-amendments to be tabled, they must be signed by at least five members of the Assembly or approved by the committee submitting the report or an opinion.

B.35.2. Amendments may relate only to texts submitted to the Assembly for adoption.

B.35.3. Except where an amendment is self-explanatory, it may be accompanied by an explanatory note of no more than 50 words to facilitate better understanding or clarify the scope of the amendment.

B.35.4. An amendment which would tend to delete, replace or render inoperative the whole of a draft text or which seeks to convert a draft resolution into a draft recommendation is not in order.

B.35.5. Sub-amendments shall relate to an amendment previously tabled and may not contradict the sense of the amendment.

A sub-amendment may not be further amended.

B.35.6. The President shall decide whether amendments and sub-amendments are in order. Unless the Bureau decides otherwise and except for debates under urgent procedure, amendments and sub-amendments shall be tabled in accordance with the deadlines enshrined in the Modalities on the Organisation of Debates.

If the Assembly adopts changes to the draft agenda, the President may, if necessary, propose different deadlines to the Assembly.

B.35.7.a. The President may exceptionally declare an oral amendment or sub-amendment to be in order if, in the President's opinion, it is designed to make a clarification, to take account of new facts or to lead to conciliation. The President chairing a sitting shall interpret this Rule strictly. In coming to that decision, the President may consult the chairperson of the committee concerned.

B.35.7.b. An oral amendment or oral sub-amendment judged to be in order by the President shall not be taken into consideration if 10 or more members of the Assembly object.

B.35.8. Amendments and sub-amendments shall have priority over the texts to which they refer and shall be put to the vote before the text itself.

B.35.9.a. When an amendment or sub-amendment is called, only the following shall be heard: one of the signatories (or, if none of them do so, any other member of the Assembly) in order to move it, one member to speak against and the chairperson or rapporteur of the committee seized for report to express the committee's opinion.

B.35.9.b. If a committee has not been able to take a position on amendments to its report that have been tabled, the floor shall be given to the rapporteur.

B.35.9.c. An amendment or sub-amendment which is not moved shall not be considered.

B.35.9.d. An amendment or sub-amendment which has been withdrawn by its signatories may be moved by any other member of the Assembly.

B.35.9.e. A rapporteur may not sign or move any amendment or sub-amendment to a draft text presented by the committee on whose behalf the rapporteur is reporting except for amendments or sub-amendments tabled on behalf of that committee.

B.35.10. Before the first amendment is called, the President or any member may move a motion that only the rapporteur or the committee chairperson should speak on amendments. On any such motion only the mover, one speaker against and the chairperson of the committee concerned shall be given the floor.

B.35.11. Following a proposal presented by the chairperson of the committee seized for report, amendments which have been unanimously approved by the committee shall be declared as adopted by the Assembly, unless 10 or more members of the Assembly object.

In these circumstances Rules B.36.7 and B.36.8. shall not be applied.

This paragraph shall also apply to discussion of a report presented by a committee to the Standing Committee.

B.35.12. Any amendment which has been rejected by the committee seized for report by a two-thirds majority of the votes cast shall not be put to the vote in plenary and shall be declared as definitively rejected, unless 10 or more members of the Assembly object.

B.35.13.a. If two or more contradictory amendments relate to the same paragraph, the amendment which differs most from the text shall have priority over the others and shall be taken first. If it is agreed to, the other amendments thereby fall; if it is rejected, the amendment which is next in priority shall be considered, and similarly for each of the remaining amendments.

In case of doubt as to the order, the President shall give a ruling, if necessary, after consulting the chairperson of the committee concerned.

B.35.13.b. The same procedure shall be followed if two or more contradictory sub-amendments relate to the same amendment.

B.35.13.c. The President can propose that complicated amendments be considered and voted upon in parts, unless the chairperson of the committee concerned objects.

Rule B.36 – Right to speak

B.36.1. No member of the Assembly may speak unless called by the President. Members shall speak from their places and shall address the President.

B.36.2. Except as provided in Rules B.38 and B.39, members wishing to speak in a debate shall enter their names in the speakers' register. The speakers' list is the responsibility of the President.

B.36.3. A speaker may not be interrupted, except that, with the permission of the President, the speaker may give way during a speech, to allow another representative to put a question to the speaker on a particular point or to raise a point of order.

During a debate, the President may give the floor to the rapporteur(s) and to members speaking on behalf of their political groups who indicate, by raising a blue card, their intention to ask another member not belonging to the same political group, in response to that member's speech, a question lasting no more than thirty seconds, directly related to the speech and the subject of the debate. The member to whom the question is put may respond within the same time limit. The rapporteur(s) may make use of at most two blue cards per debate, and members speaking on behalf of their political groups one blue card per debate. This procedure shall not apply to exchanges with guest speakers.

B.36.4. If a speaker departs from the subject, the President shall call the speaker to order. If a speaker is called to order twice on the same item of business, the President may, on the third occasion, forbid the member to speak on that item.

B.36.5. Rapporteurs on an item of business may be called when they so request.

B.36.6. A representative who wishes to make a personal statement shall be heard for no more than two minutes at such time as the President may decide. No debate may arise on a personal statement.

Rule B.37 – Points of order

B.37.1. A member shall have a prior right to speak if that member asks leave to raise a point of order. This must be confined to raising questions of procedure for a ruling from the Chair.

Comments on any questions of procedure shall last not more than 30 seconds.

If the right to raise points of order is misused, the President may forbid the offending member to speak for the remainder of the item of business.

Rule B.38 – Procedural motions

B.38.1. A member shall have a prior right to speak if that member asks to move one of the following procedural motions:

B.38.1.a. a dilatory motion to defer the debate until such time as one or more conditions relating to the text under discussion are fulfilled;

B.38.1.b. the adjournment of the Assembly to close the sitting, or the adjournment of a debate to bring up the next item on the agenda for immediate discussion;

B.38.1.c. the closure of a debate to halt discussion, and where possible to have the text or texts before the Assembly voted on immediately;

B.38.1.d. reference of the report back to committee either during the opening sitting when the draft agenda is adopted, or when the report is debated any time before the vote on the whole of any draft text begins.

None of these procedural motions may be moved more than once during a debate.

If these procedural motions are moved in the course of the first sitting of a part-session, notice must be given in writing to the President two hours before the start of the sitting.

The procedural motions mentioned in paragraphs a. to c. shall be in order only if notice has been given in writing to the President before the end of the previous sitting.

B.38.2. The above procedural motions shall take precedence over the main question, which shall be suspended while the procedural motion is being considered.

B.38.3. In debate on a procedural motion, only the following shall be heard: the mover of the motion, one speaker against the motion and the rapporteur or the chairperson of the committee concerned.

Rule B.39 – Free debate

B.39.1. The Assembly may hold a free debate lasting for not more than one hour.

The President shall call the members of the Assembly or the members of delegations of special guests, observers or partners for democracy registered to speak on any subject of their choice not appearing on the agenda of the part-session.

The Assembly may hold only one such debate during a part-session.

This debate shall not give rise to a vote.

Rule B.40 – Urgent procedure in the Assembly

B.40.1. At the request of the Committee of Ministers, of the committee concerned, of one or more political groups, or of 20 or more members of the Assembly, a debate may be held on an item which has not been placed on the draft agenda as approved by the Bureau.

A recommendation to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations cannot be the subject of a request for urgent procedure.

The urgent procedure should not be used for a statutory opinion unless there are exceptional circumstances justifying its use.

B.40.2. A request for urgent procedure shall be addressed to the President of the Assembly in time for the last Bureau meeting before the opening of the part-session.

The President shall submit it to the Bureau which shall make a proposal to the Assembly.

B.40.3. Only the following may speak on a request for urgent procedure: one speaker for the request, one speaker against, the chairperson of the committee concerned and a representative of the Bureau speaking in its name.

B.40.4. The adoption of urgent procedure shall require a two-thirds majority of the votes cast.

If the urgent procedure is adopted, the Assembly shall decide the date for the debate and refer the item to a committee of the Assembly for report and, if appropriate, to one or several committees for opinion.

Rule B.41 – Urgent procedure in the Standing Committee

B.41.1 At the request of the Committee of Ministers, of a committee of the Assembly, or of 10 or more members of the Assembly, a debate may be held on an item which has not been placed on the agenda of the Standing Committee.

A recommendation to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations cannot be the subject of a request for urgent procedure.

The urgent procedure should not be used for a statutory opinion unless there are exceptional circumstances justifying its use.

B.41.2. A request for urgent procedure shall be addressed to the President of the Assembly, not later than one week before the meeting of the Standing Committee.

B.41.3. The request shall be considered by the Bureau in the light of the other items already on the draft agenda of the Standing Committee.

B.41.4. If the Bureau approves the request, it shall, subject to confirmation by the Standing Committee:

- refer the item to a committee of the Assembly for report;
- place the item on the draft agenda of the Standing Committee.

B.41.5. The Standing Committee shall decide upon urgent procedure as the first order of the day. Only the following may speak: one speaker in favour, one speaker against, the chairperson of the committee concerned and a representative of the Bureau speaking in its name.

B.41.6. Confirmation of urgent procedure shall require a two-thirds majority of the votes cast.

Rule B.42 – Current affairs debates

B.42.1. The Assembly may hold one or two current affairs debates on a subject matter which is not on the draft agenda of the part-session as approved by the Bureau and for which the Assembly has not decided on urgent procedure.

B.42.2. A request for a current affairs debate shall be addressed to the President of the Assembly by at least 20 members of the Assembly, by one political group, by one national delegation or by one committee. It shall be submitted in writing in time for the last meeting of the Bureau before the opening of the part-session.

B.42.3. The Bureau of the Assembly may decide to accept only one request, to accept two requests or to reject all requests.
This decision shall be voted upon by the Assembly. Confirmation shall require a majority of votes cast.

B.42.4. At the end of a current affairs debate, the Assembly shall not vote but the Bureau may subsequently propose that the subject be referred to the appropriate committee for report.

B.42.5. Rules B.43.1. to B.43.4. shall apply *mutatis mutandis* to a current affairs debate which may be requested to be held at the Standing Committee.

Chapter VII. – Voting and elections

Rule B.43 – Right to vote

B.43. The right to vote is individual.

Voting by proxy is prohibited.

A substitute authorised to sit in place of an absent representative shall vote in that substitute's own name.

Rule B.44 – Methods of voting

B.44.1. Only those representatives or, in their absence, the substitutes duly designated by the national delegation not later than 24 hours before the debate concerned, shall be entitled to vote.

B.44.2. The Assembly shall normally vote by using the electronic voting system.

B.44.3. If need be, the President may decide that the Assembly shall vote by show of hands or by standing up.

B.44.4. Only affirmative and negative votes shall count in calculating the number of votes cast.

The President shall declare the voting closed and announce the result, which may not subsequently be modified.

Once the President has declared the vote closed, a member's vote may not be changed.

B.44.5. In case of an electronic vote, the numerical result shall be displayed publicly in the Chamber; the numerical results of votes on draft resolutions, recommendations and opinions to the Committee of Ministers shall be recorded in the reports of the debates of the sitting; and members' individual votes shall be made public.

B.44.6. Voting by roll call can only be requested if the electronic system cannot be used for technical reasons.

It will be taken if at least one sixth of the representatives of the Assembly authorised to vote, belonging to at least five national delegations, so request.

B.44.7. Nobody may be called to speak during a vote.

B.44.8. In the case of appointments, voting shall take place by secret ballot. Only those ballot papers bearing the names of persons who have been duly entered as candidates before the opening of the first ballot shall be taken into account in calculating the number of votes cast.

Rule B.45 – Majorities required

B.45.1. The following majorities are required:

B.45.1.a. for the adoption of a draft recommendation or a draft opinion to the Committee of Ministers, for the adoption of urgent procedure, for an alteration to the agenda, for the setting up of a committee, for the fixing of the date for the opening or resumption of ordinary sessions and a decision to dismiss the holder of an elective office, a majority of two thirds of the votes cast.

B.45.1.b. for the adoption of a draft recommendation on the initiation of a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations, a majority of two thirds of the votes cast and a number of votes in favour equivalent to at least one third of the total number of members of the Assembly authorised to vote;

B.45.1.c. in respect of appointments of the Secretary General, Deputy Secretary General and Secretary General of the Assembly having the rank of Deputy Secretary General, judges to the European Court of Human Rights and the Council of Europe Commissioner for Human Rights:

- i. an absolute majority of the votes cast at the first ballot;
- ii. a relative majority at the second ballot;
- iii. in the event of a tie-vote between candidates in the second ballot, successive ballots shall be held until one candidate obtains a relative majority;
- iv. when only one candidature is submitted to the Assembly, members are invited to indicate their choice by "yes" or "no" on the ballot paper mentioning the name of the candidate.

B.45.1.d. for the adoption of a draft resolution and for any other decision, a majority of the votes cast, in the case of a tie the question being rejected.

Rule B.46 - Quorum

B.46.1. The Assembly may deliberate, decide upon procedural motions, and agree to adjourn, whatever the number of representatives present.

B.46.2. All votes other than votes by roll call shall be valid whatever the number of members voting, unless, before the voting has begun (i.e. before voting on amendments, if any), the President has been requested to ascertain whether there is a quorum.

At least one sixth of the representatives authorised to vote, belonging to at least five national delegations, have to vote in favour of the request.

To ascertain whether there is a quorum, the President, before proceeding to a vote on the subject matter that prompted the request, invites representatives to mark their presence in the Chamber using the electronic voting system.

B.46.3. The quorum is one third of the number of representatives of the Assembly authorised to vote.

B.46.4. A vote by roll call shall not be valid, nor the result made public, unless one third of the representatives authorised to vote took part. The President may decide to ascertain whether there is a quorum, using the procedure of Rule B.46.2., before proceeding to a vote by roll call.

B.46.5. In the absence of quorum, the vote shall be postponed until the next sitting or, on a motion from the Chair, until a subsequent sitting (whether in the same part-session or the next). The Assembly proceeds to the next item on the agenda.

B.46.6. If, owing to the absence of quorum, the Assembly is unable to take a decision on one of the procedural motions specified in Rule B.39, the President shall declare that motion to be null and void.

Chapter VIII – Relations between the Committee of Ministers and the Assembly

Rule B.47 – Relations between the Committee of Ministers and the Assembly

Access to the Assembly and Committees

B.47.1.a. Members of the Committee of Ministers or any other minister of the government of a member State shall have the right of access to the Assembly and its committees. They may be called to speak if they so request but may not vote.

B.47.1.b. A minister may, on the same conditions, be represented by a deputy at meetings of an Assembly committee subject to the agreement of that committee.

Assembly representation on the Joint Committee

B.47.2.a. The representatives of the Assembly on the Joint Committee shall be:

- the members of the Bureau; and
- one representative of each parliamentary delegation of member States not represented on the Bureau.

B.47.2.b. If a Vice-President of the Assembly cannot attend a meeting of the Joint Committee, the delegation concerned may appoint another member.

B.47.2.c. The President of the Assembly may, in the light of the agenda of the Joint Committee, co-opt members, in particular rapporteurs.

Establishment of a mixed working party

B.47.3. For the discussion of a particular item, the Bureau of the Assembly and the Committee of Ministers may decide by agreement to set up a mixed working party, under the auspices of the Joint Committee.

Hybrid or remote Joint Committee meetings

B.47.4. In exceptional circumstances which do not allow a meeting to be held under normal conditions, namely in the physical presence of all members, the President of the Assembly may convene a meeting of the Joint Committee to be held in a hybrid manner (combined remote and in-person participation of members) or by electronic means of remote communication.

Modalities concerning questions to the Committee of Ministers

B.47.5.a. Written questions to the Committee of Ministers submitted under Article A.13.3 of the Basic Principles must be tabled at least one week before the opening of the part-session.

B.47.5.b. No member of the Assembly may put more than one question under Articles A.13.2 and A.13.3 of the Basic Principles at any one part-session.

B.47.5.c. The President of the Assembly shall decide whether questions submitted to the Committee of Ministers or its Presidency under Articles A.13.2, A.13.3 and A.14.1 of the Basic Principles are in order. If the questions are in order the President of the Assembly shall transmit them to the Committee of Ministers.

B.47.5.d. Oral and written answers from the Committee of Ministers shall be published.

Chapter IX. – Petitions to the Assembly

Rule B.48 – Petitions to the Assembly

B.48.1. The Assembly may receive petitions, which must be addressed to the President.

B.48.2. The Bureau shall examine the admissibility of petitions. If the Bureau declares a petition to be admissible, it shall refer the petition to the competent committee for examination.

B.48.3. The competent committee shall examine the petition and inform the Bureau of its conclusions and recommendations.

B.48.4. The Bureau shall decide on any further action.

Chapter X. – Immunities

Rule B.49. – Immunities of members of the Assembly

B.49.1. The immunities of members of the Parliamentary Assembly are granted in order to preserve the integrity of the Assembly and to safeguard the independence of its members in exercising their European office.

B.49.2. Any request for the waiver of immunity of a member of the Assembly shall be addressed to the President by a competent authority of a member State. It shall be announced in a plenary sitting or Standing Committee meeting and then referred to the Rules Committee.

B.49.3. The Rules Committee shall immediately consider the request. In particular:

B.49.3.a. as a preliminary matter, the Rules Committee may issue an admissibility opinion on the competence of the requesting authority and on the formal admissibility of this request.

B.49.3.b. the Rules Committee shall not make any examination of the merits of the case in question. The Rules Committee shall not, under any circumstances, pronounce on the guilt or otherwise of the member, or on whether or not the opinions or acts attributed to that member justify prosecution;

B.49.3.c. at the earliest opportunity, the Rules Committee shall provide the member concerned by the request, or another member of the Assembly representing the member, with an opportunity to be heard. The member concerned may submit any document which that member deems relevant.

B.49.3.d. the Rules Committee may ask the competent national authorities to provide it with any information and details it considers necessary to determine whether or not immunity should be waived.

B.49.3.e. the report of the Rules Committee shall conclude with a draft resolution for the retention or the waiver of immunity. No amendment to that decision will be admissible.

B.49.4. The report shall be the first item of business of the Assembly on the first sitting day after the report has been tabled. The debate on the report shall be confined to arguments for or against the waiver of immunity. In the event of the request to waive immunity relating to more than one accusation, each of these may be the subject of a separate decision.

B.49.5. The President shall immediately communicate the decision of the Assembly to the authority which submitted the request.

B.49.6. In the event of a member of the Assembly being arrested or deprived of freedom of movement in supposed violation of that member's privileges and immunities, the President of the Assembly may take the initiative of confirming the privileges and immunities of the member concerned, where applicable following consultation of the competent Assembly bodies. The President of the Assembly may ask the competent national authorities to provide any information and details considered necessary. A member or former member may address a request to the President of the Assembly to defend that member or former member's immunity and privileges. At the request of the President, the Bureau may, subject to ratification by the Assembly, refer the case to the Rules committee.

B.49.7. When dealing with requests for the waiver of the Council of Europe immunity, or with requests to defend the immunity of an Assembly member, the competent Assembly organs shall interpret the General Agreement on Privileges and Immunities of the Council of Europe as follows:

B.49.7.a. members of the Assembly (representatives and substitutes) are immune from prosecution, arrest and deprivation of their free movement in the exercise of their functions as Assembly members or when travelling on Assembly business, whether this is inside or outside of their national territory. If they are not active within this meaning or not travelling on Assembly business, the national regime shall apply within their country;

B.49.7.b. the terms "deprivation of their free movement" include measures that contain administrative, legal, judicial or other restrictions on an Assembly member's free movement and includes detention, house arrest, curfew, surrender of passport and travel ban (whether an absolute travel prohibition or a travel ban requiring judicial authorisation for travel). It does not include a measure that explicitly allows travel in the exercise of their functions as a member of the Assembly;

B.49.7.c. the terms "in the exercise of their functions" include all official duties discharged by Assembly members in the member States on the basis of a decision by a competent Assembly body and, if necessary, with the consent of the appropriate national authorities. It includes (but is not limited to) travel to attend:

- Assembly sessions (for all members of the Assembly);
- meetings of the Standing Committee (for all members of the Assembly);
- meetings of the Presidential Committee (for members of the Presidential Committee or those covering for them);
- meetings of the Bureau of the Assembly (for members of the Bureau or those covering for them);
- meetings of general committees, ad hoc committees (including ad hoc committees on the observation of elections), sub-committees and ad hoc sub-committees (for both full members and, where applicable, alternate members of those committees or sub-committees);
- meetings of networks, platforms and alliances of the Assembly;
- travel on a mission as a rapporteur of the Assembly;
- travel on a representative mission on behalf of the Assembly or a committee;

B.49.7.d. in case of doubt, the Bureau of the Assembly shall decide if Assembly members' activities took place in the exercise of their functions.

B.49.8. In cases where there are concerns that the immunities and privileges protected under the General Agreement in Privileges and Immunities have not been fully respected, the President may make a statement during the next part-session. This statement should note any recent interference with such privileges and immunities, and, if necessary, may remind the competent authorities of their obligations set out under the General Agreement on Privileges and Immunities.

Chapter XI – Revision of the Rules on the Functioning of the Assembly

Rule B.50 – Revision of the Rules on the Functioning of the Assembly

B.50.1. Motions for resolutions to amend the Rules on the Functioning of the Assembly, the Rules on the Functioning of Committees or the Code of Conduct for Members of the Parliamentary Assembly must be supported by 20 or more members of the Assembly.

They shall be referred to the Rules Committee which shall report on them as provided in the Rules of Procedure.

B.50.2. The Bureau of the Assembly may request the Rules Committee to report on questions of interpretation or modification of the Rules of Procedure.

B.50.3. The examination of the report of the Rules Committee shall be included in the agenda in accordance with the provisions of Rule B.27.

C. Rules on the Functioning of Committees

I. APPOINTMENT AND COMPOSITION OF COMMITTEES

Rule C.1 – Appointment and composition of committees

Establishment of general committees

C.1.1. At the beginning of each ordinary session, the Assembly shall set up its general committees, which include thematic committees and institutional committees.

Establishment of thematic committees

C.1.2. The Assembly's thematic committees are:

1. Committee on Political Affairs and Democracy (81 seats);
2. Committee on Legal Affairs and Human Rights (81 seats);
3. Committee on Social Affairs, Health and Sustainable Development (81 seats);
4. Committee on Migration, International Protection and Economic Co-operation (81 seats);
5. Committee on Culture, Science, Education and Media (81 seats);
6. Committee on Equality and Non-Discrimination (81 seats).

Establishment of institutional committees

C.1.3. The Assembly's institutional committees are:

1. Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) (85 seats);
2. Committee on Rules, Ethics and Immunities (Rules Committee) (32 seats);
3. Committee on the Election of Judges to the European Court of Human Rights (Elections of Judges Committee) (20 seats).

Appointments to thematic committees

C.1.4.a. Appointments to thematic committees are made by national delegations. The delegations shall have the following number of seats:

- Four seats: *France, Germany, Italy, Türkiye and the United Kingdom*
- Three seats: *Poland, Romania, Spain and Ukraine*
- Two seats: *Austria, Azerbaijan, Belgium, Bulgaria, the Czech Republic, Greece, Hungary, the Netherlands, Portugal, Serbia, Sweden and Switzerland*
- One seat: *Albania, Andorra, Armenia, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, Estonia, Finland, Georgia, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Republic of Moldova, Monaco, Montenegro, North Macedonia, Norway, San Marino, the Slovak Republic and Slovenia.*

C.1.4.b. For each seat, the national delegation shall appoint a full member and an alternate. Delegations shall strive for equal representation between women and men, while ensuring a minimum of one third of each sex in their appointments to each committee. No member of the Assembly can be appointed as a full member of more than two thematic committees.

C.1.4.c. National delegations shall address their appointments to thematic committees to the President of the Assembly, who shall submit them to the Assembly or the Standing Committee for ratification. Any disputed appointments shall be forwarded by the President of the Assembly to the national delegation concerned, which shall make new appointments.

C.1.4.d. Where a seat is vacant on a thematic committee, it may be provisionally occupied by a member from the national delegation to which the seat is allotted, the member being appointed by the chairperson of that delegation.

C.1.4.e. If, in the course of a parliamentary year the average level of participation of a national delegation in the meetings of a thematic committee is below 33%, the Secretary General of the Parliamentary Assembly shall inform the President of the Assembly, the chairperson of the Rules Committee 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 in due course.

This provision shall not apply if parliamentary elections were held in the course of that parliamentary year (or within three months of the start or end of that year).

Appointments to institutional committees

C.1.5.a. For the institutional committees, the Bureau of the Assembly shall appoint full members (and in the case of the Election of Judges Committee also alternates), on the basis of candidatures presented by the political groups, by applying the apportionment ratio based on the “D'Hondt principle”, taking into account gender balance and regional balance.

Two of the Bureau's appointments to the Rules Committee are allocated to members of the Assembly who do not belong to any political group.

Not more than four members of any national delegation, and specifically, not more than two members of a national delegation from a State under monitoring procedure or involved in a post-monitoring dialogue, may sit on the Monitoring Committee.

C.1.5.b. At the beginning of each ordinary session, each political group shall present candidatures to each of these committees, striving for a fair representation of national delegations and equal representation between women and men, while ensuring at least one third of each sex in their nominations to each committee.

The Bureau of the Assembly shall appoint members in accordance with these criteria.

C.1.5.c. These appointments shall be submitted to the Assembly or the Standing Committee for ratification. In the event of objection, the matter shall be referred back to the Bureau of the Assembly, which may submit revised appointments to the Assembly.

Ex officio members

C.1.6.a. The chairpersons of the political groups shall be *ex officio* members of the thematic committees, the Monitoring Committee, and the Rules Committee.

C.1.6.b. A member of the Assembly who is its immediate past president shall be an *ex officio* member of the Committee on Political Affairs and Democracy, the Monitoring Committee and the Rules Committee.

C.1.6.c. The chairpersons (or in their absence, a vice-chairperson) of the Committee on Legal Affairs and Human Rights and the Committee on Political Affairs and Democracy shall be *ex officio* members of the Monitoring Committee.

C.1.6.d. The chairpersons (or in their absence, a vice-chairperson) of the Committee on Legal Affairs and Human Rights and the Committee on Equality and Non-Discrimination shall be *ex officio* members of the Election of Judges Committee.

C.1.6.e. *Ex officio* members shall have the right to speak and vote in committees, as well as to be appointed rapporteur. However, they cannot stand for or be elected to a post of member of a bureau of a committee, general rapporteur or youth rapporteur, or become members of sub-committees. Their presence does not count when calculating the number of seats of a committee or the quorum.

Rule C.2 – Special committees: composition and rules

C.2.1. The Bureau of the Assembly may establish up to two special committees at any given time; each with a clear, time-limited mandate addressing priority or transversal issues requiring focused parliamentary consideration.

C.2.2. Each special committee shall be established for a mandate of one year, which may be renewed once by a decision of the Bureau of the Assembly.

C.2.3. The mandate, composition, duration and specific tasks of each special committee shall be defined by the Bureau of the Assembly upon its establishment.

C.2.4. Special committees shall submit their reports and recommendations within the timeframe set by the Bureau of the Assembly and shall automatically cease to exist upon completion of their mandate, the expiry of the one-year period, or at the end of the renewal period.

C.2.5. Members of special committees shall be appointed by the Bureau of the Assembly, taking into account political, geographical, and gender balance.

C.2.6. Special committees shall operate under the general rules applicable to the general committees, unless otherwise specified by the Bureau of the Assembly.

Rule C.3 – Appointment and composition of *ad hoc* committees of the Bureau of the Assembly

C.3.1. Subject to ratification by the Assembly or the Standing Committee, the Bureau of the Assembly may also set up *ad hoc* committees reporting to it, in which case it shall prescribe their duration, terms of reference and composition.

An *ad hoc* committee should include at least 40% of each sex, while striving for equal representation between women and men.

An account of their work shall be given to the Assembly as part of the Progress Report of the Bureau and the Standing Committee.

Specific provisions apply to *ad hoc* committees on the observation of elections, as detailed in the Guidelines on the observation of elections by the Parliamentary Assembly.

II. COMPETENCE OF COMMITTEES

Rule C.4 – Competence of committees

C.4.1. Committees shall examine documents and questions referred to them by the Assembly or the Standing Committee. They may draw up a report, or an information report, for presentation to the Assembly or to the Standing Committee on anything referred to them, propose to merge references or propose to take references into account in the preparation of other reports, or take no action on a reference.

In the last three cases, they shall inform the Bureau of the Assembly accordingly.

They may examine any other matter within their terms of reference.

C.4.2. Committees may examine the action taken on texts adopted by the Assembly on the basis of their reports.

C.4.3. Should a committee declare a question to be outside its terms of reference, or should a conflict arise over the competence of two or more committees, the question shall be submitted for decision to the Bureau, subject to ratification by the Assembly or Standing Committee.

C.4.4. Only a committee requested to give an opinion on a matter which has been referred to another committee for report may table amendments to the draft text tabled by the latter committee.

III. OFFICE-HOLDERS OF COMMITTEES

Rule C.5 – Office holders of committees

C.5.1. The office holders of a committee shall be:

1. the bureau of the committee – which comprises the chairperson and the vice-chairpersons;
2. the rapporteurs, including co-rapporteurs, general rapporteurs and youth rapporteurs of that committee; and
3. the chairperson and the vice-chairperson of the committee's sub-committees and networks.

C.5.2. The bureau of each committee shall consist of the chairperson and the three vice-chairpersons, normally elected at the first committee meeting of each ordinary session. The Assembly shall strive for equal representation between women and men in such appointments.

This meeting shall be chaired by the longest-serving member of the Assembly present until the chairperson of the committee is elected or, in the absence of agreement among the political groups or of any candidate put forward for the position of chair, until the vice-chairpersons are elected. The election of the bureau must be the first item on the agenda.

C.5.3. In the absence of a committee chairperson or vice-chairperson, meetings shall be chaired by a chairperson or vice-chairperson of one of its sub-committees, a former chairperson or vice-chairperson of the committee, or by the longest-serving member present.

C.5.4. Committee members who have been members for at least one year (including as an *ex officio* member) may be candidates for the office of member of the committee's bureau. They must belong to the political group to which the chairperson or a vice-chairperson has been allocated on the basis of a consensus reached among the political groups, or, in the absence of consensus, by a qualified majority of two thirds.

A single candidate put forward for any office shall be declared elected by acclamation, i.e. without proceeding to a vote, only if the candidature fully respects the agreement reached.

C.5.5. No bureau member of a committee or sub-committee may be a bureau member of another Assembly committee or sub-committee. This does not apply to special committees and ad hoc sub-committees.

C.5.6. Unless a single candidate is elected by acclamation, office-holders of committees shall be elected by secret ballot. Two tellers chosen by lot shall count the votes, assisted by the Secretariat.

A candidate who obtains an absolute majority of the votes cast on the first ballot shall be declared elected. On the second ballot the election shall be by relative majority.

In the event of a tie, there shall be a third ballot; in the event of a further tie, the longest-serving member of the Assembly shall be declared elected.

C.5.7.a. The bureau members of a committee shall remain in office until the opening of the next ordinary session of the Assembly. They may be re-elected for one further term, consecutive or not.

Where it is necessary to replace a chairperson in the course of a session, an election for an incomplete term does not count as a full term.

C.5.7.b. A former chairperson of a committee may stand for the office of bureau member of the same or any other committee only on expiry of a period of two years.

A former vice-chairperson of a committee may stand for the office of vice-chairperson of the same committee only on expiry of a period of two years.

Rule C.6 – Termination of office

C.6.1.a. A committee may terminate the office of its chairperson or a vice-chairperson at the written request of one third of the full members of the committee belonging to at least three political groups and five national delegations on the ground that the chairperson or vice-chairperson:

- no longer enjoys the confidence of the committee,
- no longer fulfils the conditions required for the exercise of that office,
- fails to honour one or more undertaking in the Code of Conduct for members of the Parliamentary Assembly, including if the chairperson or vice-chairperson failed to declare any relevant interests or made an untruthful declaration, or
- is guilty of serious misconduct by seriously or repeatedly violating the provisions of the Code of Conduct for members of the Parliamentary Assembly.

C.6.1.b. A motion for dismissal concerning the same person and based on the same grounds may be presented only once in the course of an ordinary session of the Assembly.

C.6.2. The motion for dismissal shall be sent to the members of the committee at least one week before the date of the meeting for which its signatories have requested it be placed on the agenda.

C.6.3. After the motion for dismissal has been sent to the members and until the final decision on the motion is taken, the chairperson or vice-chairperson is suspended from fulfilling that function.

C.6.4. The dismissal shall be pronounced by the committee under the quorum conditions laid down in Rule 9.3., and by a two-thirds majority of the votes cast.

It shall have immediate effect.

C.6.5. The voluntary resignation of the chairperson or vice-chairperson concerned from that office shall terminate the procedure.

C.6.6. A committee chairperson or vice-chairperson who has been dismissed shall not be eligible for election or re-election to the position of bureau member of a committee.

IV. MEETINGS OF COMMITTEES

Rule C.7 – Meetings of committees

The timing of committee meetings

C.7.1. A committee shall meet when convened by its chairperson on the initiative of the chairperson, at the request of one third of the committee members or at the request of the President of the Assembly.

Except during part-sessions, the convocation to the meeting shall be sent to members at least seven days before the meeting.

The location of committee meetings and hybrid meetings

C.7.2.a. In principle, committees and sub-committees shall meet in Strasbourg or Paris, except when the relevant ruling on meetings of committees and sub-committees elsewhere than in Strasbourg or Paris applies.

C.7.2.b. In exceptional circumstances which do not allow committee meetings to be held under normal conditions, namely in the physical presence of all participating members, the Bureau of the Assembly may decide, for a defined period of time, that committee meetings will be held in a hybrid manner (combined remote and in-person participation of members) or by electronic means of remote communication.

C.7.2.c. The existing rules governing the functioning of committees shall fully apply to their meetings held in a hybrid manner or remotely, unless otherwise stipulated.

When, in exceptional circumstances, a committee meets in a hybrid manner or remotely, it may take decisions when one fourth of its members are present. For any such decision, the committees shall use the available electronic voting system.

The Rules on access to and movement and security within the Council of Europe buildings during sessions of the Parliamentary Assembly and meetings of Assembly committees shall apply *mutatis mutandis*.

Joint meetings of committees

C.7.3. Any two or more committees may hold a joint meeting for the examination of subjects coming within their competence, but may not reach a joint decision, except if it is unanimous or on procedural matters.

The chair shall be taken in turns by the chairpersons of each of the participating committees, starting with the longest-serving chairperson or, in the case of equal length of service, the chairperson who has been a member of the Assembly the longest.

Public, private and in camera meetings

C.7.4.a. Unless a committee decides otherwise, committee meetings shall be held in private.

In principle, a decision to hold a committee meeting or part thereof in public or in camera shall be taken at the preceding meeting. If this has not been possible, this decision shall be taken at the beginning of the meeting.

C.7.4.b. The Monitoring Committee and the Election of Judges Committee meet in camera. The Rules Committee considers individual cases in camera.

C.7.4.c. Other than for in camera meetings, members of the Assembly may attend meetings of committees of which they are not members without the right to vote. They can speak if called by the committee chairperson.

C.7.4.d. In this Rule, the following definitions apply:

- when a committee meets “in camera”, only members of the committee and the Assembly Secretariat may be present;
- when a committee meets “in private”, only members of the Assembly entitled to be present in that committee meeting, and members of the Assembly secretariat, may be present, subject to the provisions in Rules C.7.5., C.7.6. and C.7.7. below;
- when a committee meets “in public”, members of the Assembly, the secretariat, the press and the public may be present, subject to the usual rules on the access to the Council of Europe’s premises and to individual committee rooms.

Participation of members of special guests, observers, partners for democracy and other guests in committee meetings

C.7.5. Subject to Rule C.7.4 above and the specific provisions on special guests, observers, partners for democracy and other guests, members of such delegations may participate in meetings of thematic committees and speak if called by the committee chairperson; they shall not have the right to vote. However, a committee may decide in advance that members of such delegations may not attend a meeting or part of a meeting.

Meetings of the Joint Committee and the institutional committees shall not be open to members of special guests, observers, partners for democracy and other guests.

C.7.6. The conditions on which any person who is not covered by sub-paragraphs C.7.4.c and C.7.5 above may be heard by a committee shall be decided by that committee.²

Attendance of secretaries of political groups and of national delegations in committee meetings

C.7.7. Secretaries of political groups may attend the meetings of committees of the Assembly, except for those of the Election of Judges Committee.

Secretaries of national delegations may attend the meetings of committees of the Assembly, except for those of the Election of Judges Committee and of the Monitoring Committee.

V. PROCEDURE IN COMMITTEE

Rule C.8 – Principle of following Assembly procedure in committee

C.8.1. Except as otherwise provided, procedure in committee shall follow that in the Assembly.

Rule C.9 – Voting and quorum

C.9.1.a. Voting shall be by a majority of the votes cast.

A committee shall vote by show of hands.

For decisions relating to persons, voting shall require the majorities of Rule C.5.6. and shall take place by secret ballot.

C.9.1.b. Only full committee members or alternates replacing a full member in line with Rule C.12.1., can vote.

C.9.1.c. Where fraud is established, voting results shall be declared null and void and a fresh vote shall be held immediately; the chairperson of the committee concerned shall refer the matter to the Rules Committee for any action deemed necessary.

C.9.2.a. A committee shall endeavour to take position on all amendments and sub-amendments tabled to its reports.

C.9.2.b. When an amendment or sub-amendment is called in committee, only the following shall be heard: one of the signatories (or, if none of them do so, any other member of the committee), one member to speak against and the rapporteur to express their opinion.

Should an oral amendment or sub-amendment be proposed in committee, it can only be debated if it is designed to make a clarification, to take account of new facts or to lead to conciliation.

It shall be recorded when a committee unanimously approves an amendment or rejects it by a two-thirds majority of the votes cast.

C.9.3. A committee may deliberate and take decisions when one third of its members are present, i.e. 27 in the case of a committee of 81 members. If it is not possible to divide the number of members of a committee by 3, the quorum shall be calculated on the basis of the next lower multiple of 3.

² The participation of elected representatives of the Turkish Cypriot community in committee work is regulated in accordance with Resolution 1376 (2004) and relevant decisions of the Bureau of the Assembly. The participation of the members of the delegation of the Assembly of Kosovo* in the work of the Assembly and its committees is defined in the relevant decisions taken by the Bureau of the Assembly.

If no quorum exists at a committee meeting which is taking place at the date, time and place which was notified to its members, the committee may deliberate and take decisions notwithstanding a lack of quorum, but it may not, without quorum:

- adopt a committee declaration,
- adopt a motion for a recommendation or a resolution, or
- amend the agenda sent out to committee members beforehand.

The number of members who constitute a committee shall be the number of representatives or substitutes whose appointment to the committee has been confirmed by the Assembly pursuant to Rule C.1.4.c and C.1.5.c. When vacant seats are occupied provisionally, in accordance with Rule C.1.5.d, account of this must be taken in the calculation of the quorum.

C.9.4. If so requested by one sixth of its members, i.e. 14 in the case of a committee of 81 members, before voting begins on a preliminary draft opinion to the Committee of Ministers, recommendation or resolution as a whole, or on the election or dismissal of the chairperson or vice-chairpersons, the vote may be taken only if a majority of committee members are present.

C.9.5. Notwithstanding Rule C.9.3, a thematic committee or the Monitoring Committee may adopt a motion for a recommendation or resolution with no fewer than 20 members voting in favour of the motion.

Rule C.10 – Deadlines for the dispatch of documents

C.10.1.a. Except during part-sessions, documents relating to items on the agenda of a committee meeting shall be dispatched to the members at least one week before the date of that meeting.

If they are not, and if five or more members object, the items concerned shall be postponed to a later meeting. The objection may be overruled by the committee by a two-thirds majority of the members present.

C.10.1.b. The draft minutes of each committee meeting shall be distributed to all the members of the committee and shall be presented for the committee's approval at the opening of the next meeting.

Rule C.11 – Functions of committee chairpersons

C.11.1. The chairperson shall open, suspend and close the meeting and shall direct the committee's debates.

The chairperson may take part in the committee's debates but does not (except in the Election of Judges Committee) participate in a vote except in the case of a tie.

The chairperson shall ensure observance of the Rules and maintain order.

Rule C.12 – Committee alternates

C.12.1. A full member of a thematic committee or the Election of Judges Committee who is prevented from attending a meeting shall arrange to be replaced by that full member's alternate.

In the case of a thematic committee, when this is not possible, the secretariat of the national delegation shall inform the committee secretariat in writing before the opening of the meeting which other member of the national delegation is authorised to take the place of the full member.

C.12.2. The alternate replacing a full member shall have the same rights in committee as the full member.

C.12.3. An alternate may attend a committee meeting, and have the right to speak, even if the full member is present.

However, an alternate only has the right to vote in a committee when replacing a full member.

Rule C.13 – Interpretation in committees

C.13.1. Interpretation during the meetings of the committees and the Bureau of the Assembly shall be provided in the official languages and, for working languages, under the conditions stipulated in Rule B.28.3. of the Rules on the Functioning of the Assembly. Interpretation at meetings of the Election of Judges Committee and in sub-committees shall be limited to official languages.

C.13.2. Subject to the agreement of the chairperson of the committee, a speaker who cannot use one of the official or working languages may bring an interpreter. Interpretation shall then be provided, as far as possible, on the same conditions as in the Assembly.

Rule C.14 – Status of committee documents

C.14.1. Unless the committee decides otherwise, the only texts which shall be made public shall be the reports approved by the committee, motions for a resolution or a recommendation approved by the committee, synopses of committee meetings, and statements issued under the responsibility of the chairperson.

VI. REPORTS OF COMMITTEES

Rule C.15 – Appointment of rapporteurs (including co-rapporteurs, general rapporteurs and youth rapporteurs)

C.15.1.a. A committee shall appoint one rapporteur for each subject, who shall be responsible for the preparation of the report of the committee and for presenting it to the Assembly. The Monitoring Committee shall appoint two co-rapporteurs.

C.15.1.b. For the appointment of rapporteurs, the committees shall take into consideration the following criteria by order of priority:

- i. competence and availability,
- ii. fair representation of political groups (based on the “D’Hondt system”),
- iii. gender-balanced representation,
- iv. geographical and national balance.

A committee shall include at least one third of each sex among its rapporteurs, while striving for equal representation between women and men.

No member may be appointed to prepare more than three reports simultaneously, excluding reports prepared in the Monitoring Committee, under the urgent procedure, opinions on the reports of other committees and those for which the chairperson of a committee is required to act as rapporteur.

No member may hold more than one general or youth rapporteurship at any one time.

A chairperson of a committee or of a sub-committee cannot hold the position of general rapporteur in the same committee.

C.15.1.c. A rapporteur shall remain in charge of the follow-up to that report for a term of one year after the adoption of the text by the Assembly. This Rule does not apply to co-rapporteurs, general rapporteurs or youth rapporteurs.

C.15.1.d. Committees may appoint up to four general rapporteurs whose terms of reference and term of office they shall determine beforehand.

The terms of reference shall be submitted to the Bureau of the Assembly for approval and its decision shall be subject to ratification by the Assembly.

A general rapporteur shall be appointed for a mandate of two years, renewable a maximum of once. The appointment of a general rapporteur is subject to the criteria set out in Rule C.15.1.b.

C.15.1.e. All general committees (other than the Election of Judges Committee) may appoint one youth rapporteur, whose role is to present a youth perspective, as relevant, in discussions on reports for which that committee is seized for report. A youth rapporteur for a given committee shall be appointed for a mandate of two years, renewable a maximum of once for that committee. The appointment of a youth rapporteur is subject to the criteria set out in Rule C.15.1.b., with the additional criterion of seeking to encourage young members of the Assembly to take on such roles.

Rule C.16 – Reports and opinions

C.16.1. The report of a committee shall normally contain one or two draft texts:

- a recommendation or an opinion addressed to the Committee of Ministers;
- a resolution.

Only these texts may be voted upon in committee in the context of deliberations on a report, and it shall be recorded if the report is unanimously adopted.

C.16.2.a. The report of a committee shall contain an explanatory memorandum by the rapporteur(s). A report prepared under the urgent procedure should contain an explanatory memorandum only if it relates to a statutory opinion. The committee shall take note of the explanatory memorandum.

C.16.2.b. Any dissenting opinions expressed in the committee shall be included in the report at the request of their authors, preferably in an appendix or otherwise in a footnote of the explanatory memorandum.

C.16.3. The adoption of the draft text and taking note of the explanatory memorandum shall constitute the committee's approval of the report as a whole. Any report thus approved shall be tabled and published as an official Assembly document.

If, after the tabling of a report, important developments occur, the committee may approve an addendum to it.

C.16.4. A committee seized for an opinion on the report of another committee may submit its opinion in writing or orally. If in writing it should contain a chapter at the beginning entitled "Conclusions of the committee" and an explanatory memorandum by the rapporteur. The main committee's report shall be made available to the committee for opinion in time for the latter to draw up its opinion, if possible one week before the latter's meeting.

C.16.5. Committees may table information reports, which shall not be subject to a vote in the Assembly.

VII. SUB-COMMITTEES

Rule C.17 – Sub-committees: appointment, membership, Bureaux and functioning

C.17.1. Except as otherwise provided in this Rule, the rules for committees shall also apply to sub-committees.

C.17.2. Thematic committees and the Monitoring Committee may appoint standing or ad hoc sub-committees, whose exact composition and competence they shall determine at the time of appointment. National delegations, women and men, and political parties or groups shall be fairly represented.

A committee cannot delegate decision making to sub-committee. A sub-committee shall inform the appointing committee of its work.

C.17.3. Thematic committees and the Monitoring Committee may not appoint more than three standing sub-committees, unless authorised by the Bureau of the Assembly with a two-thirds majority, and subject to the availability of resources.

C.17.4. An ad hoc sub-committee shall cease to exist once it has reported back to the committee on the completion of its work.

C.17.5. A standing or ad hoc sub-committee not re-appointed during the first part of an ordinary session shall cease to exist.

C.17.6. The number of members of a sub-committee may not exceed one third of the number of seats of the committee, the third being calculated on the basis of the next higher multiple of three.

For thematic committees, an alternate from the same national delegation may be appointed for each full member.

In addition, the chairperson of the committee shall *ex officio* be a full member of all of its sub-committees.

No member of a committee may be a member of more than two of its sub-committees.

C.17.7. The bureau of a sub-committee shall include the chairperson and the vice-chairperson.

Elections shall be held in accordance with the procedures laid down in paragraphs 2, 5 to 6 of Rule C.5 while taking into account the principle of gender equality.

Full members of the sub-committee who have been members of the sub-committee for at least one year may be candidates for the office of chairperson or vice-chairperson of the sub-committee.

A single candidate put forward for any office shall be declared elected without a vote.

The bureau members of a sub-committee may be re-elected for one further term, consecutive or not.

A former chairperson of a sub-committee may stand for the office of bureau member of the same sub-committee on expiry of a period of two years.

A former vice-chairperson of a sub-committee may stand for the office of vice-chairperson of the same sub-committee on expiry of a period of two years.

Where it is necessary to replace a chairperson in the course of a session, an election for an incomplete term does not count as a full term.

VIII. NETWORKS

Rule C.18 – Networks: creation and terms of reference

C.18.1. The Assembly may decide, in accordance with an Assembly Resolution, to create a parliamentary network (whether called network, alliance, platform or otherwise). A committee or the Bureau of the Assembly may prepare the terms of reference for that network.

The terms of reference shall be transmitted to and approved by the Bureau of the Assembly before its creation, and include the aims, composition, working methods and funding.

C.18.2. Unless otherwise provided in the terms of reference, the provisions of the Rules of Procedure applicable to sub-committees and the members of their bureaux shall apply, *mutatis mutandis*, to networks established by the Assembly, with the exception of Rules relating to their composition. Specifically, a committee should not have more than three sub-committees or networks, without explicit authorisation from the Bureau.

D. Code of Conduct for Members of the Parliamentary Assembly

I. PURPOSE, SCOPE AND APPLICATION OF THE CODE OF CONDUCT

Rule D.1 – Purpose and scope of the Code

D.1.1. The purpose of this Code is to provide a framework of reference for members of the Parliamentary Assembly of the Council of Europe in the discharge of their duties. By adhering to the general principles and rules of behaviour, members can maintain and strengthen the openness and accountability necessary for trust and confidence in the Parliamentary Assembly.

D.1.2. This Code applies to members in all aspects of their public life relevant to their duties as members of the Parliamentary Assembly.

Rule D.2 – Application of the code

D.2. The application of this Code shall be a matter for the Assembly. Guidance on all matters covered by this Code of Conduct and situations which may arise from its application may be sought from the Secretary General of the Parliamentary Assembly.

II. GENERAL PRINCIPLES OF MEMBERS' CONDUCT

Rule D.3 – General principles and rules of behaviour

D.3. In the exercise of their functions as members of the Parliamentary Assembly, members shall abide by the following principles and rules.

D.3.1. Respect for human dignity and the values of the Council of Europe:

Members shall:

- respect the values of the Council of Europe and the principle of human dignity;
- refrain from any form of sexism, racism, harassment and sexual violence and misconduct; and
- treat others with respect.

D.3.2. Respect for their public office and the reputation of the Assembly:

Members shall:

- not act in such a way as to bring the Assembly into disrepute or damage the reputation and integrity of the Assembly or its members; and
- use resources available to them responsibly and ensure that their use of expense claims, allowances, facilities and services provided by the Council of Europe is strictly in accordance with the relevant regulations.

D.3.3. Integrity:

Members shall:

- act responsibly, honestly and with integrity;
- avoid any situation that could appear to be a conflict of interest;
- avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work;
- not act as a paid advocate or consultant in any work relating to activities of the Assembly;
- not act or take decisions in order to gain financial, material or other benefits for themselves, their family or their friends; and
- not accept any gifts or benefits whose nature and/or value is not strictly within the bounds of parliamentary protocol or practices regarding hospitality.

D.3.4. Acting in the public interest:

Members shall:

- not use their position as a member of the Assembly improperly, for example to further their or any person or entity's private interests;
- act solely in the public interest and not be bound by any instructions that would jeopardise it; and
- use information with discretion, and in particular shall not make personal use of information acquired confidentially in the course of their duties.

D.3.5. Transparency and openness:

Members shall:

- act and take decisions in an open and transparent manner;
- declare any relevant interests and relationships; they must identify and manage any potential, perceived or actual conflicts of interest in a way that protects the public interest.

D.3.6. Leadership in promoting and demonstrating ethical standards:

Members shall:

- promote and support these principles in their conduct and behaviour.

III. DECLARING, IDENTIFYING AND MANAGING INTERESTS

Rule D.4 – Written declarations of interest

D.4.1. Members shall be personally responsible for submitting, at the opening of each session of the Parliamentary Assembly, a declaration of interests by means of the appropriate form. Members shall update their declarations of interest, within thirty days, to include any relevant new information, including any gifts or similar benefits (such as travel expenses, accommodation, subsistence, meals, or entertainment expenses) of a value in excess of €200 that they accept in the performance of their duties as Assembly members. The declaration shall be published on the Assembly's website.

D.4.2. In their declarations of interest, members shall identify any actual, perceived or potential conflicts of interest between their personal interests and the public interest in the work of the Assembly. Once an actual, potential or perceived conflict of interest has been identified, members should set out in their declarations of interest, remedial steps that will be taken to avoid that conflict unduly affecting their work in the Assembly. Examples of remedial steps are set out in the explanatory note on completing the annual declaration of interests.

D.4.3. The declaration shall include a specific entry for every specific role that member has within the Assembly, including Officer of the Assembly, chairperson of a political group, rapporteur, member of an ad hoc committee for the observation of elections or a role representing the Assembly or a committee. Such entries shall identify any interests specific to that role and shall set out how any perceived, potential or actual conflicts of interest that might arise would be managed.

Rule D.5 – Oral declarations of interest relevant to a debate

D.5. Any member with interests relevant to a debate that are not yet adequately reflected in that member's written declaration must set them out in an oral declaration when speaking in any proceedings of the Assembly or its committees, or in any relevant communications.

Rule D.6 – Consequences of a failure to submit a written declaration of interests

D.6.1. Any member who has not submitted an annual declaration of interests for the relevant year:

D.6.1.1. shall not be entitled to apply for, be granted, or continue to hold, any role as an Officer of the Assembly, rapporteur, member of an ad hoc committee for the observation of elections or a role representing the Assembly or a committee. In case of the late submission of a declaration, this prohibition shall cease two months after the submission of that member's declaration for that year.

D.6.1.2. when speaking in any proceedings of the Assembly or its committees, or in any relevant communications, must start any intervention with an oral declaration of interests.

D.6.2. Upon the second consecutive year of a failure to submit a declaration of interests by a given member, the President shall write to the Speaker of the relevant parliament highlighting the continued absence of a declaration of interests for that member, and asking the Speaker to consider (in accordance with national procedures and in consultation with the competent persons) whether that member is suitable to remain a member of the national delegation given the continued failure to provide a declaration of interests.

Rule D.7 – Advice relating to interests

D.7. Advice should be sought from the Council of Europe Ethics Officer who can provide confidential advice to members in assisting them in identifying and managing potential conflicts of interest. Advice may also be sought from the Secretary General of the Parliamentary Assembly who is responsible for the application of the code of conduct. It remains the responsibility of the member to declare any interests and to identify and appropriately resolve any conflicts of interest. Conflicts of interest should be resolved in favour of the public interest and must be disclosed.

Rule D.8 – Definitions relating to interests

D.8. For the purposes of this code, the following definitions shall apply:

D.8.1. A personal "interest" is something that could lead to a personal advantage to oneself or one's close connections. The interest can arise in relation to one's occupation, finances, business interests, relationships (family and friends), liabilities or other interests.

D.8.2. "Close connections" includes one's household, immediate family members and close friends.

D.8.3. A "conflict of interest" can be actual, perceived or potential. It is situation where a person has a personal interest which is such as to influence or appear to influence, the impartial and objective performance of that person's duties.

IV. RULES OF CONDUCT FOR OFFICERS OF THE ASSEMBLY, CHAIRPERSONS OF POLITICAL GROUPS AND RAPPOREURS

Rule D.9 – Rules of conduct applicable to Officers of the Assembly, Chairpersons of Political Groups and rapporteurs

D.9. Rules of conduct applicable to Officers of the Assembly, the chairpersons of political groups and rapporteurs:

D.9.1. principle of neutrality, impartiality and objectivity, including in particular:

D.9.1.1. obligation to update their declaration of interests to declare any interests relevant to that role, to identify any potential, perceived or actual conflicts of interest and to record how any such conflicts will be managed;

D.9.1.2. undertaking not to seek or accept instructions from any government or governmental or non-governmental organisation, or pressure group or individual;

D.9.1.3. undertaking not to accept any reward, honorary distinction, decoration, favour, substantial gift or remuneration from a government or governmental or non-governmental organisation, a pressure group or an individual in connection with activities carried out in the exercise of their duties;

D.9.1.4. undertaking to refrain from any act which may cast doubt on their neutrality;

D.9.2. undertaking of availability, in particular undertaking to attend Assembly sessions, Standing Committee meetings, and meetings of the Bureau and of committees, sub-committees, network, platforms and alliances, in connection with their duties;

Rule D.10 – Additional rules of conduct applicable to rapporteurs

D.10. The following rules of conduct additionally apply to rapporteurs (where relevant to the type of rapporteur role):

D.10.1. undertaking on the conduct of reports:

D.10.1.1. undertaking to report to the committee;

D.10.1.2. undertaking to present a timetable of action to the committee in keeping with the mandate, together with a deadline for submitting the draft report;

D.10.1.3. obligation, unless there are good reasons for not doing so, to publish the list of individuals, experts and representatives of governmental or non-governmental organisations consulted, met or received in the process of drafting the report;

D.10.2. undertaking on the conduct of fact-finding missions:

D.10.2.1. undertaking to carry out all necessary fact-finding visits;

D.10.2.2. undertaking that any fact-finding mission should be consistent with and take place within the framework of the rapporteur's mandate;

D.10.2.3. undertaking to act in a manner respectful of the laws and regulations of the country in which the fact-finding mission takes place;

D.10.3. obligation to sign an undertaking, when updating their declaration of interests, to abide by the obligations of neutrality, impartiality, objectivity, discretion and availability as part of that role;

D.10.4. obligation, for a youth rapporteur, to recuse themselves from intervening as a youth rapporteur in respect of any report in which they may have a perceived, potential or actual conflict of interest that cannot be adequately addressed through a declaration of interests or through taking specific measures.

Rule D.11 – Penalty for breaching the rules for rapporteurs

D.11. Penalty for breaching the rules applicable to rapporteurs:

Should a rapporteur fail to honour one or more undertakings, including if the rapporteur failed to declare any relevant interests or made an untruthful declaration, the committee shall withdraw the rapporteur's mandate and replace the rapporteur. The matter may also be referred to the Committee on Rules, Ethics and Immunities (hereafter "the Rules Committee") for consideration.

V. OBSERVANCE OF THE CODE OF CONDUCT

Rule D.12 – Implementation of the code and reporting concerns

D.12.1. Implementation of this code is the responsibility of the President of the Assembly, the Committee on Rules, Ethics and Immunities and the Assembly, in accordance with the powers and responsibilities granted to them by the Rules of Procedure and this Code of Conduct.

D.12.2. Concerns about wrongdoing affecting the public interest, including breaches of the Assembly's Code of Conduct, or inaccurate declarations of interest, can be reported to the President of the Assembly or the Rules Committee.

D.12.3. If a member is believed to have acted in breach of the Code of Conduct, the President of the Assembly may seek clarification and further information from the member concerned, the chairperson of the member's national delegation, the chairperson of the member's political group or the chairperson of the member's committee. The President of the Assembly may rule on minor breaches of the Code of Conduct if the Rules Committee has not been called upon to consider the same facts.

Rule D.13 – Procedure in cases concerning harassment

D.13. For all the cases concerning any form of sexism, harassment and sexual violence and misconduct that involve members of the Parliamentary Assembly, a recommendation or decision taken under the Council of Europe procedures in the framework of its anti-harassment policy shall be forwarded to the Rules Committee for final determination of the case.

Rule D.14 – Examination and investigation by the Rules Committee

D.14.1. The Rules Committee shall examine alleged breaches of the Code of Conduct by members of the Assembly brought to its attention by the President of the Assembly or by at least 20 members of the Assembly representing at least five national delegations (using the appropriate investigation request form). It may also start an investigation of its own motion. The Rules Committee may avail itself of the expertise of internal and national experts to assist in such an investigation.

D.14.2. Where the committee decides to open an investigation, it may refer the matter to the Conduct Investigation Panel of the Parliamentary Assembly to gather evidence and to establish the facts on its behalf. The Conduct Investigation Panel of the Parliamentary Assembly is composed of seven former judges of the European Court of Human Rights and supported by a secretariat composed of Council of Europe staff members. For each referral, three of those former judges will serve as the panel for that matter. The provisions of Rules D.15 and D.16 below apply to the Conduct Investigation Panel of the Parliamentary Assembly, as if it were the committee. Any final determination shall remain for the Rules Committee itself.

Rule D.15 – Procedure in the Rules Committee

D.15. The Rules Committee meets in camera and shall act with due respect for confidentiality:

D.15.1. if it decides to open an investigation, it shall notify the member concerned and send him or her a copy of the evidence submitted to it in support of the allegations, inform the member of his or her rights and request the member's preliminary observations;

D.15.2. it shall hear the member concerned together with any witnesses; the records of these interviews or hearings shall be confidential;

D.15.3. it shall give the member concerned, at all stages of the proceedings, the opportunity to comment on all the evidence gathered during the investigation in support of the allegations, including evidence that has led to identification of possible further breaches of the Code; it may consider any evidence provided by the member concerned and hear any witness proposed by the member concerned who is able to provide evidence relevant to the investigation;

D.15.4. before finalising its conclusions, it shall give the member the opportunity to comment on the factual parts of the draft report.

Rule D.16 – Duty of cooperation with the Rules Committee

D.16. Members shall co-operate with the Rules Committee at all stages of the investigation. They must disclose any information or documents requested.

Rule D.17 – Committee findings

D.17.1. If the committee finds that the allegations have no basis, it will inform the complainants and the member concerned.

D.17.2. If the Rules Committee finds that there has been a minor breach of the Code of Conduct, owing to negligence for example, it will inform the member concerned and ask him or her to take the necessary steps. The Rules Committee shall decide whether the decision shall be published on the Assembly's website.

D.17.3. If the Rules Committee finds that there has been a serious breach of the Code of Conduct, it will prepare a report containing all the evidence gathered in the course of the investigation, the observations of the member concerned, and its conclusions. This report will be published on the Assembly's website. The committee shall decide whether to impose a sanction and determine the appropriate sanction, in accordance with Rule D.18.

D.17.4. If the Rules Committee finds that acts or omissions being investigated could constitute a violation of the criminal law of a member State, it will notify the relevant national authorities. It may decide to suspend the proceedings in the Assembly if it turns out that the national authorities are conducting an investigation into the same facts.

Rule D.18 – Measures in the event of non-compliance with the Code

D.18. In cases of serious or repetitive breaches of the Code of conduct by a given member, the Rules Committee may take one or several of the following measures:

D.18.1. temporary deprivation of the right to speak and to be enrolled on the list of speakers;

D.18.2. temporary deprivation of the right to sign an amendment, a motion for a resolution or recommendation or a written declaration;

D.18.3. temporary deprivation of the right to address questions to the Committee of Ministers;

D.18.4. temporary deprivation of the right to be appointed rapporteur or temporary ban on acting as a committee rapporteur;

D.18.5. temporary ban on being a member of an ad hoc election observation committee;

D.18.6. temporary deprivation of the right to stand as a candidate for President of the Assembly or chairperson or vice-chairperson of a committee or sub-committee; and

D.18.7. temporary deprivation of the right of institutional representation of the Assembly and its committees.

Rule D.19 – Members who have left the Assembly

D.19.1. In respect of a member who has left the Assembly, where allegations arise of significant breaches of the Code of Conduct, or Conduct likely to bring the Assembly into disrepute through association with that former member, the Rules Committee may examine alleged breaches of the code of conduct as for current members.

D.19.2. Where a member leaves the Assembly following allegations of serious or repetitive breaches of the Code of Conduct, the President of the Assembly or the President of the Rules Committee, should send information concerning those concerns to the Speaker of the relevant national assembly, inviting them to consider taking appropriate action pursuant to their national ethical standards and enforcement mechanisms and to keep the President and the Rules Committee informed.

D.19.3. In cases of serious or repetitive breaches of the Code of Conduct by a former member, or of conduct by that member likely to bring the Assembly into disrepute through association with that former member, the Rules Committee may remove that former member's honorary status and may ban the former member from attending the Council of Europe's premises.