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Progress Report of the Assembly's Bureau and Standing Committee (25 June – 4 October 2010)

Progress report¹

Bureau of the Assembly

Rapporteur: Mr David WILSHIRE, United Kingdom, European Democrat Group

A. Introduction

1. The Bureau met on 25 June and 8 September 2010. On 25 June it appointed me rapporteur for this report. The Standing Committee has not met since the last part-session.
2. This is the first time I have prepared this report. It gives me the opportunity to make what I consider are some long-overdue changes.
3. Consideration of these reports occupies a prime position in a part-session's agenda but, typically, much of its content is simply lists of decisions taken and routine information – which is never referred to in debate. I have put all of this in appendices. In future it could simply be circulated in advance and then omitted from the report itself.
4. Removing these lists and general information from the report provides an opportunity to use it to report on the important issues that have arisen since the last part-session and on the decisions that only the Assembly can take. This would provide an opportunity on the first day of each part-session to hold a mini current affairs debate. I believe this would be of great value.

B. Important issues arising since the June 2010 Part-Session requiring decisions by the Assembly

I. Roma

5. Perhaps the most important issue arising since the last part-session is the serious concerns that have been publicly expressed in a number of member states about the human rights of Roma communities.
6. There is no need to rehearse the issues and concerns in this report as the Bureau has recommended the holding of an urgent debate during the part-session. The Assembly will be asked to take a decision under a different agenda item.

II. Election of new Secretary General of the Parliamentary Assembly

7. I am pleased to be able to report that, unlike the appointment of a new Secretary General of the Council of Europe, the process of appointing a new Secretary General of the Parliamentary Assembly has gone smoothly. Following consultations with the Committee of Ministers, the Bureau received a list of two candidates. The Assembly now has to decide who to appoint. A secret ballot will be held during the part-session.

1. [Instantiation]



8. Selecting the person entrusted with overseeing all aspects of the Parliamentary Assembly is a crucially important decision – especially this time since the person appointed will have to implement the changes that will need to be made as a result of the Council of Europe Secretary General's fundamental review of the organisation.

III. Kosovo²: implementation of paragraph 18.2 of Resolution 1739 (2010)

9. In response to paragraph 18.2 in Assembly Resolution 1739 (2010) on "The situation in Kosovo and the role of the Council of Europe", the Bureau instructed the Secretariat to prepare a memorandum on ways of initiating a dialogue with representatives of the elected Kosovo Assembly on issues of common interest and decided to invite the Chairperson of the Serbian delegation to the Assembly to attend a meeting for an exchange of views.

10. On 8 September, the Bureau held the exchange of views with the participation of Mr Dragoljub Mićunović, Chairperson of the Serbian delegation to the Assembly. It then approved the proposals contained in the memorandum, for subsequent ratification by the Assembly within the framework of the Progress Report, as they appear below.

"Kosovo: Practical implementation of paragraph 18.2 of Resolution 1739 (2010)²

It would appear to be advisable that, for the purposes of Resolution 1739 (2010), a step-by-step approach be followed as regards the initiation of a dialogue between the PACE and the Kosovo Assembly. Hence, as a first step, such a dialogue could be initiated at the level of Assembly committees, subject to the following conditions:

- As paragraph 18.2 mentions that the dialogue should be on "issues of common interest", representatives elected to the Kosovo Assembly could be invited to attend committee meetings whenever a question directly concerning Kosovo is on the agenda;*
- As paragraph 18.2 refers to "representatives of the political forces elected to the Kosovo Assembly" only "elected" representatives "to the Kosovo Assembly" could be invited. To ensure that the different "political forces" are represented and in accordance with long-standing PACE practice, the committee concerned should invite one representative from the majority and one from the opposition (to be decided by the respective groups within the Kosovo Assembly themselves);*
- Participation of "representatives of the political forces elected to the Kosovo Assembly" in committee meetings should be at no cost for the Parliamentary Assembly.*

An evaluation of the above procedure could be made at the latest one year after the adoption of Resolution 1739 (2010), namely at a Bureau meeting during the June 2011 part-session."

11. When considering whether to ratify the Bureau's recommendation, the Assembly will need to reflect on two recent developments – the decision of the Serbian government to hold talks with Kosovo politicians and "Accordance with International Law of the Unilateral Declaration of Independence In Respect of Kosovo" (the advisory opinion of International Court of Justice requested by the UN General Assembly which concluded that international law has not been broken).

12. The Assembly will also need to consider whether representation within PACE of representatives from the Northern Cyprus and Palestine communities amount to precedents in respect of the decision to be taken.

13. Finally, the Assembly will need to consider whether its decision will have consequences for other issues of dialogue, representation and recognition (including in Northern Cyprus, Nagorno Karabakh, Transnistria, Abkhazia and South Ossetia).

IV. "Partner for Democracy" status: Relations with the Palestine National Council

14. On 25 June, the Bureau discussed the request by the Palestine National Council (PNC) to obtain "Partner for Democracy" status with the Assembly. As Assembly Resolution 1680 (2009) on the "Establishment of a 'Partner for Democracy' status with the Parliamentary Assembly" made specific reference

2. Throughout this text, all reference to Kosovo, whether to the territory, institutions or population shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

² Proposal submitted for ratification by the Assembly.

to the Palestinian Legislative Council, it was necessary to interpret the resolution to decide whether the request submitted by the Palestine National Council was admissible. The Bureau felt that the request was admissible. The Assembly is invited to ratify this decision.

15. When considering this matter, the Assembly will need to consider the issues arising from the previous item – precedents already set and possible consequences for other controversial matters.

16. If the Assembly ratifies the Bureau's decision, the President of the PNC will need to be informed of this decision so he can submit a formal request based on the terms of Article 60 of the Rules of Procedure of the Assembly. If/when such a request is received, the Assembly will need to decide whether to grant this status. Ratification of the current Bureau decision will not grant this status.

C. Important issues arising since the June 2010 part-session not requiring decisions by the Assembly

I. Members' rights to attend official meeting

17. By the time the Assembly considers this report, the Bureau will have considered a letter from the Chairperson of the Legal Affairs and Human Rights Committee. It reports that a committee member was refused entry to Georgia to attend a formal committee meeting in Tbilisi. After the facts have been researched and legal advice taken, the Assembly will need to decide whether this episode amounts to a breach of Article 13 of the General Agreement on Privileges and Immunities of the Council of Europe. If it does so decide, this will become a very serious matter.

II. Co-operation with the European Parliament

18. Following a Presidential Committee meeting with the European Parliament's Conference of Presidents in Brussels, the Bureau has discussed possible terms of reference and composition of a joint European Parliament–Parliamentary Assembly informal body to coordinate information sharing regarding the proposed accession of the European Union to the European Convention of Human Rights. Important and controversial issues arise. The Bureau plans to return to this matter during this part-session. In due course the Assembly will need to debate and decide on these matters.

III. Council of Europe reform: measures to enhance the Assembly

19. On 25 June, the Bureau asked the Political Groups to discuss how the Assembly could respond to the Council of Europe Secretary General's comprehensive review. The President is suggesting that the Bureau sets up an ad hoc Committee to consider the groups' proposals and prepare a report.

IV. Responsibility of the parliaments of member states of the Council of Europe as regards their representation in the Assembly

20. On 25 June, the Bureau considered the potentially harmful effects of attendance rule changes being made by a growing number of national delegations. It asked the President of the Assembly to remind Speakers of national parliaments of the duty of member states to bear the expenses of their representation in the Assembly, in line with Article 38 of the Statute of the Council of Europe.

D. Other issues requiring Assembly decision

References of motions to committees

i. References to committees

21. On 8 September, the Bureau approved the following references to committees, subject to ratification by the Assembly:

- a. [Doc. 12306](#), Motion for a resolution presented by Mrs Bemelmans-Vidéc and others, Accession of the European Union to the European Convention on Human Rights: election of judges, to the Committee on Legal Affairs and Human Rights *for report*

- b. [Doc. 12312](#), Motion for a resolution presented by Mr Badré and others, Reaffirming the universal nature of human rights, to the Political Affairs Committee *for report* and to the Committee on Legal Affairs and Human Rights and to the Committee on Equal Opportunities for Women and Men *for opinion*
- c. Bureau Decision, Recent rise in national security discourse in Europe: the case of Roma, to the Political Affairs Committee *for report*, and to the Committee on Legal Affairs and Human Rights and the Committee on Migration, Refugees and Population *for opinion*

ii. Transmission to committees for information

22. On 8 September, the Bureau approved the following transmission for information, subject to ratification by the Assembly:

- a. [Doc. 12314](#), Motion for a resolution presented by the Earl of Dundee and others, The need for the creation of a better measure of national well-being than Gross Domestic Product (GDP), to the Committee on Economic Affairs and Development *for information*

iii. Decisions of no further action

23. On 8 September, the Bureau approved the following decisions of no further action, subject to ratification by the Assembly:

- a. [Doc. 12311](#), Motion for a recommendation presented by Mr Toshev and others, Need for political and civil rehabilitation of people who have suffered repression from the communist regimes in Europe, no further action
- b. [Doc. 12315](#), Motion for a resolution presented by Mr Reimann and others, Elderly drivers: transnational harmonisation of driving aptitude, no further action
- c. [Doc. 12316](#), Motion for a resolution presented by Mr R. Huseynov and others, Soviet political repressions as a crime against humanity, no further action
- d. [Doc. 12230](#), Motion for a resolution presented by Mrs Stump and others, More gender equality in Parliamentary Assembly positions, no further action

In a letter dated 1 July 2010, the Committee on Rules of Procedure, Immunities and Institutional Affairs informed the Bureau that it considered that there was no need to prepare a further report on this issue.

The Assembly is invited to approve these recommendations.

Appendix 1 – Routine Bureau Decisions since 25 June 2010

I. Composition of the Committee on Rules and Procedure, Immunities and Institutional Affairs

1. The Bureau has nominated Mr Joseph Debono Grech (Malta, SOC) as a new member (replacing Mr Rudy Vis (UK, SOC)).

II. Issues raised by committees

a. Committee on Legal Affairs and Human Rights

1. The Bureau has taken note of the decision of the Committee on Legal Affairs and Human Rights to deal with two motions for a Resolution referred to it – “The definition of political prisoners” (Doc. 11922) and “The follow-up to the issue of political prisoners in Azerbaijan” (Doc. 11468) – in a single report.

b. Committee on Equal Opportunities for Women and Men

1. The Bureau has authorised Ms Err to attend a United Nations Summit on the Millennium Development Goals to be held in New York from 20 to 22 September 2010, for the purposes of her report “Fighting the global backlash against women’s human rights”.

III. European Court of Human Rights: Election of judges to the European Court of Human Rights

1. The Bureau has referred an initiative by the President of the Court to the Committee on Legal Affairs and Human Rights for a report in time for the Assembly’s October 2010 part-Session.

IV. Budgetary matters

1. The Bureau has approved a report submitted by the Committee on Economic Affairs and Development on the use made by the Assembly’s political groups on the allocations for 2009.

V. Meetings elsewhere than in Strasbourg and Paris

1. The Bureau has authorised the following meetings:
 - a. Sub-Committee on the Europe Prize (of the Committee on the Environment, Agriculture and Local and Regional Affairs): Kharkiv (Ukraine), 23 August 2010;
 - b. Political Affairs Committee: Belgrade (Serbia), 6-7 September 2010;
 - c. Sub-Committee on the Media (of the Committee on Culture, Science and Education): Vilnius (Lithuania), 15-16 September 2010;
 - d. Sub-Committee on Youth and Sport (of the Committee on Culture, Science and Education): Budapest (Hungary), 18-20 October 2010.

VI. Appointments of Assembly Representatives for official activities

1. The Bureau has made the following appointments:
 - a. Mr Mendes Bota (Portugal, EPP/CD): Regional Workshop for Arab Parliaments on implementing the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and ending violence against women, Beirut (Lebanon), 27-29 July 2010, at no cost for the Assembly;
 - b. Ms Vėsaitė (Lithuania, SOC): 19th Baltic Sea Parliamentary Conference, Mariehamn (Finland), 29-31 August 2010;
 - c. Mr Wille (Belgium, ALDE): 20th Economic Forum, Krynica (Poland), 8-11 September 2010;
 - d. Mr Dalgaard (Denmark, EDG): 9th Conference of Parliamentarians of the Arctic Region, Brussels (Belgium), 13-15 September 2010;
 - e. Mr Kimmo Sasi (Finland, EPP/CD): Parliamentary Panel within the framework of the WTO Public Forum, Geneva (Switzerland), 16 September 2010;

- f.* Ms Cecilia Keaveney (Ireland, ALDE): 18th Council of Europe Informal Conference of Ministers responsible for Sport, Baku (Azerbaijan), 22 September 2010;
- g.* The Chairperson of the Committee on Legal Affairs and Human Rights or his representative: Conference on “Strengthening Subsidiarity: Integrating the Court’s Case Law Into National Law and Judicial Practice”, Skopje (“the former Yugoslav Republic of Macedonia”), 1-2 October 2010;
- h.* Mr Jean-Charles Gardetto (Monaco, PPE/DC): 2010 OSCE PA Fall Meetings, Palermo (Italy), 8-10 October 2010, at no cost to the Assembly;
- i.* Mr Denis MacShane (United Kingdom, SOC), NATO Parliamentary Assembly Fall Session, Warsaw (Poland), 12-16 November 2010, at no cost to the Assembly;
- j.* On 8 September, the Bureau appointed Mr Denis MacShane as a new member of the Parliamentary Assembly’s institutional representation to the European Commission against Racism and Intolerance (ECRI) in 2010.

Appendix 2 – Other Information

I. Bureau ad hoc election and referenda monitoring committees

1. The Bureau has made the following appointments:

a. Constitutional referendum in Moldova (5 September 2010)

30 members, in accordance with the D'Hondt system. Mr Andreas Gross (Switzerland, SOC) was appointed Chairman. Mr Gross, was unable to attend due to exceptional circumstances so Mr Egidijus Vareikis (Lithuania, EPP/CD) was appointed to replace him. On 8 September, the Bureau heard a statement by Mr Olsson, member of the observation mission, and decided to return to this matter at its meeting in Strasbourg on 4 October on the basis of the report from the observation mission.

b. Parliamentary elections in Bosnia and Herzegovina (3 October 2010)

On 25 June, the Bureau approved the list of members and appointed Mr Kox (The Netherlands, UEL) as its Chairperson.

c. Parliamentary elections in Azerbaijan (7 November 2010)

On 25 June, the Bureau approved the list of members and appointed Mr Wille (Belgium, ALDE) as its Chairperson.

II. Other Bureau ad hoc Committees

1. On 25 June the President reported on his contacts with the national delegations directly involved in the work of the Ad Hoc Committees for promoting dialogue between the Russian and Georgian delegations. The Bureau has received reports on the following and on the implementation of [Resolution 1416 \(2005\)](#) on the conflict over the Nagorno-Karabakh region dealt with by the OSCE Minsk Conference.

2. On 25 June, the Bureau approved the composition of an Ad Hoc Committee to participate in the Forum for the Future of Democracy, Yerevan (Armenia) 19-20 October 2010. On 8 September, it took note of the report of the meeting of the Advisory Board for the Forum held on 18 June 2010.

III. Reports by Assembly representatives on participation in official activities

1. On 25 June, the Bureau took note of the report by Mr de Puig (Spain, SOC) on his participation in the events to celebrate the 20th anniversary of the Council of Europe North-South Centre in Lisbon.

IV. Meetings of the Standing Committee and the Bureau in 2011

1. On 8 September, the Bureau approved the schedule of meetings as it appears in Appendix 3.

V. Other business

1. The Bureau has taken note of the final declaration of the Fifth Summer University for Democracy (Strasbourg, 28 June – 2 July 2010).

2. The Bureau approved a draft Declaration to be published in connection with the International Day of Democracy, 15 September 2010 (Inter-Parliamentary Union).

3. The Bureau has discussed the Proposed Joint Conference – Interparliamentary Assembly of the Commonwealth of Independent States and the Parliamentary Assembly of the Council of Europe: Nevsky International Ecological Congress, Saint Petersburg (Russian Federation), 16 – 17 May 2011. It decided to return to this matter at a forthcoming meeting on the basis of a Secretariat memorandum dealing with past experiences of these Joint Conferences.

VI. Date and place of the next meetings

1. On 25 June, the Bureau decided to hold forthcoming meetings as follows:

– Monday 4 October 2010, Strasbourg, at 8 am;

- Friday 8 October 2010, Strasbourg, at 8.30 am.

Appendix 3 – Meetings of the Standing Committee and the Bureau in 2011

Monday 24 January, 8.00 am Strasbourg (part-session): Bureau

Friday 28 January, 8.30 am Strasbourg (part-session): Bureau

Thursday 10 March, 3.00 pm, Paris: Bureau

Friday 11 March, 9.00 am, Paris: Standing Committee

Monday 11 April, 8.00 am, Strasbourg (part-session): Bureau

Friday 15 April, 8.30 am, Strasbourg (part-session): Bureau

May, Ukraine (date and place to be confirmed): Bureau and Standing Committee (CM Presidency)

Monday 20 June, 8.00 am, Strasbourg (part-session): Bureau

Friday 24 June, 8.30 am, Strasbourg (part-session): Bureau

Monday 5 September, 9.30 am, Paris: Bureau

Monday 3 October, 8.00 am, Strasbourg (part-session): Bureau

Friday 7 October, 8.30 am, Strasbourg (part-session): Bureau

November, United Kingdom (date and place to be confirmed): Bureau and Standing Committee (CM Presidency)

Monday 12 December, 9.30 am, Paris: Bureau