Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1081 (1996)[1]

Challenge of credentials of national delegations in the course of an ordinary session

Parliamentary Assembly

1. The Assembly notes that its Rules of Procedure do not provide explicitly for the re-examination of ratified credentials of a national delegation in the course of the ordinary session (parliamentary year).

2. It considers that it should be able to challenge ratified credentials when urgent action is deemed necessary.

3. The Assembly therefore decides to insert in Rule 6, after paragraph 6, the following new paragraphs:

"7. Ratified credentials may be reconsidered in the course of the same ordinary session if a motion for a resolution has been tabled with a view to annulling the ratification. Such a motion must state the reasons and shall be based:

– on a serious violation of the basic principles of the Council of Europe mentioned in Article 3 and the preamble of the Statute; or

– on paragraph 9 of Order No. 508 (1995).[2]

The motion must be tabled by at least two political groups and two national delegations and be distributed at least two weeks before the opening of a part-session.

8. The motion shall be referred to the Political Affairs Committee for report and to the Committee on Legal Affairs and Human Rights and the Committee on Rules of Procedure for opinion. The report including a draft text shall be submitted to the Assembly or the Standing Committee, if necessary under urgent procedure.

9. The draft text shall, if appropriate, justify annulling the ratification of credentials of a delegation and submit proposals with respect to the consequences such as:

– depriving the members of the delegation concerned of tabling official documents in the sense of Rule 23 of the Rules of Procedure, taking on duties and voting in the Assembly and its bodies, while maintaining those members' rights to attend and to speak at Assembly part-sessions and meetings of its bodies; or

– depriving the members of the delegation concerned of the exercise of the full rights of participation in the activities of the Assembly and its bodies.

10. Members of the delegation concerned shall not vote on any request to annul the Assembly's ratification of their credentials."

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1. *Assembly debate* on 22 April 1996 (9th Sitting) (see Doc. 7481, report of the Committee on Rules of Procedure, rapporteurs: Mr Cummings and Sir Anthony Durant). *Text adopted by the Assembly* on 22 April 1996 (9th Sitting).
2. Paragraph 9 of Order No. 508 (1995) reads: "The Assembly may sanction persistent failure to honour commitments, and lack of co-operation in its monitoring process, by the non-ratification of the credentials of a national parliamentary delegation at the beginning of its next ordinary session, in accordance with Rule 6 of the Rules of Procedure. "The motion must be tabled by at least two political groups and two national delegations and be distributed at least two weeks before the opening of a part-session.