



Resolution 1412 (2004)¹

Progress of the Assembly's monitoring procedure

Parliamentary Assembly

1. [Resolution 1115 \(1997\)](#), which created the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) and defined its term of reference, was adopted in January 1997.
2. In April 2000, the Parliamentary Assembly approved the Bureau's progress report, which included the decision to set up a mechanism for post-monitoring dialogue. Under the arrangements for this mechanism, which were approved at the same time, the leading role in conducting post-monitoring dialogue with the countries concerned is assigned to the Monitoring Committee's Chair.
3. As the Assembly's decision to set up post-monitoring dialogue extended the prerogatives of the Monitoring Committee, the terms of reference appended to [Resolution 1115](#) need to be formally adapted to ensure that the committee is able to carry out its responsibilities in a coherent and efficient manner.
4. The main difficulties encountered are related to requests for the reopening of the monitoring procedure with regard to countries involved in post-monitoring dialogue.
5. In accordance with paragraph 9 of [Resolution 1115](#) and paragraph 3 of the appended terms of reference, the Monitoring Committee shall appoint two of its members as co-rapporteurs for the purpose of preparing a written opinion to the Bureau on whether a monitoring procedure should be opened or not.
6. In the case of countries involved in post-monitoring dialogue, this appointment is in contradiction with the arrangements for this dialogue, under which the leading role is assigned to the Monitoring Committee's Chair. The appointment of two separate co-rapporteurs is likely to undermine the credibility and efficiency of the post-monitoring dialogue and may result in conflicting evaluations, with all the negative political and legal consequences that entails.
7. The Assembly decides, in view of the above, that it would be appropriate to formally integrate the arrangements for post-monitoring dialogue in the terms of reference of the Monitoring Committee. The Assembly instructs its Committee on Rules of Procedure and Immunities to implement this decision.
8. The Assembly instructs its Committee on Rules of Procedure and Immunities to examine, in the framework of the elaboration of its report on the opening of a monitoring procedure, the procedure to be followed when an application to reopen a monitoring procedure is submitted with respect to a state still involved in post-monitoring dialogue.

1. (see [Doc. 10250](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur: Ms Durrieu). Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 November 2004

