Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1711 (2010)[1]
Final version

Rules and procedures for the future elections of the Secretary General of the Council of Europe – Draft joint (Committee of Ministers-Parliamentary Assembly) interpretative statement

Parliamentary Assembly

1. The Parliamentary Assembly refers to the Regulations of 1956, as amended in 1962, relating to the appointment of the Secretary General, Deputy Secretary General and Secretary General of the Assembly.

2. It also refers to paragraph 9 of Assembly Resolution 1665 (2009) on the election process for the Secretary General of the Council of Europe, which invites the Bureau of the Assembly to instruct the relevant committee to submit to the Bureau any possible changes to these regulations, and to the Bureau's decision of 11 May 2009 entrusting the Committee on Rules of Procedure, Immunities and Institutional Affairs to prepare proposals to this effect.

3. The Assembly refers to the proposals for enhanced dialogue and co-operation (Doc. 12028, Part II) where the Assembly and the Committee of Ministers agreed, *inter alia*, that the rules for future elections of the Secretary General of the Council of Europe need to be clarified in respect of the consultation process between the Assembly and the Committee of Ministers and that the gender equality aspects need to be strengthened.

4. It has examined the appended draft joint interpretative statement on rules and procedures for the future elections of the Secretary General of the Council of Europe prepared by a Ministers' Deputies ad hoc working party (GT-SG) and approved by the Ministers' Deputies on 13 January 2010.

5. The Assembly:

5.1. welcomes the numerous possibilities offered for contact and dialogue, both in late 2009 and early 2010, with representatives of the Ministers' Deputies on all relevant questions relating to the election of the Secretary General;

5.2. appreciates the clear wish of the Ministers' Deputies to find a common understanding with the Assembly on the rules for the future elections of the Secretary General;

5.3. acknowledges the efforts of the Ministers' Deputies, reflected in the draft joint interpretative statement, to make the consultation of the Assembly during future elections more meaningful and to give it more substance, as well as to strive to make gender equality a reality;

5.4. notes favourably that the draft joint interpretative statement also includes other – although not all – matters concerning the election which are of interest for the Assembly such as the extended timeframe for future elections;

5.5. consequently, adopts the draft joint interpretative statement.

1. *Text adopted by the Standing Committee,* acting on behalf of the Assembly, on 12 March 2010 (see Doc. 12170, report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Greenway).

6. Furthermore, the Assembly considers that when calling for candidates, the Committee of Ministers should draw the attention of governments to the desirability underlined by the Assembly that governments take into account the European political background when presenting candidates for the post of Secretary General.

7. The Assembly invites:

7.1. its political groups and individual members to urge the governments to present candidates from a broad political background;

7.2. its President to raise this issue during his/her discussion with the Chairperson of the Ministers' Deputies at the very beginning of the election process; the dialogue between the President of the Assembly and the Chairperson of the Committee of Ministers may of course continue throughout the election process.

8. The Assembly confirms its practice of dealing with the election of the Secretary General procedurally in the same way as all other items on its agenda.

Appendix
CM(2009)195 revised 14 January 2010

Rules and procedures for the future elections of the Secretary General – Draft joint interpretative statement

Having regard to the Statute of the Council of Europe (ETS No. 1), in particular Article 36.*b*;

Having regard to the Regulations relating to the appointment of the Secretary General, Deputy Secretary General and Secretary General of the Assembly having the rank of Deputy Secretary General which were adopted by the Committee of Ministers in 1956 with the agreement of the Assembly;

Having regard to the proposals for enhanced dialogue and co-operation between the Parliamentary Assembly and the Committee of Ministers, as they appear in document CM(2009)142 and the appendix to Parliamentary Assembly Doc. 12028 Part II,

1. The Committee of Ministers and the Assembly agree that the rules for future elections of the Secretary General need to be clarified in respect of the consultation process between the Assembly and the Committee of Ministers and that the gender equality aspects need to be reinforced.

2. In accordance with Article 36.*b* of the Statute of the Council of Europe, the election of the Secretary General is a shared responsibility. It is the responsibility of the Committee of Ministers to draw up a list of candidates to be transmitted to the Assembly. It is the responsibility of the Assembly to elect the Secretary General from the candidates included in that list.

3. The criteria for determining the choice of candidates is set out in Article 2 of the Regulations relating to the appointment of the Secretary General. These are:

> *"a. The recruitment of persons of the highest ability and integrity and suitability for the post to be filled.*
>
> *b. The qualifications and experience of persons already employed by the Council of Europe shall be taken into consideration, so that members of the Secretariat may have reasonable prospects of promotion.*
>
> *c. The desirability of ensuring an equitable geographical allocation of appointments among nationals of the Member States subject to the overriding interests of efficiency. No office in the Secretariat shall be considered to be the prerogative of any particular Member State."*

In this connection, the Committee of Ministers will interpret the criteria of "highest ability and suitability" in particular by reference to the decision taken at the 117th Ministerial Session (Strasbourg, 10-11 May 2007) whereby the Committee of Ministers agreed to present to the Parliamentary Assembly "candidates who enjoy a high level of recognition, are well-known among their peers and the people of Europe, and have previously served as Heads of State or Government, or held senior ministerial office or similar status relevant to the post". When assessing candidates against these criteria, the Committee of Ministers will have a merit-based approach and use the appended competence framework it has prepared to that effect (see Appendix 2).

4. With a view to strengthening gender equality aspects, both organs will, taking into account their different responsibilities in the election process, strive to make gender equality a reality, in line with the declaration adopted by the Committee of Ministers at its 119th session in Madrid in May 2009. The Chair of the Committee of Ministers, when calling for candidatures, will strongly encourage member states to put forward candidatures of both sexes. Furthermore, and bearing in mind paragraph 3 above, when the Committee of Ministers draws up its recommendation to be transmitted to the Parliamentary Assembly, it will pay due regard to the desirability of ensuring an equitable gender balance of appointments.

5. In accordance with Article 4 of the Regulations relating to the appointment of the Secretary General, the Committee of Ministers shall consult the Assembly through the medium of the Joint Committee before transmitting the recommendation to the Assembly.

6. The Committee of Ministers shall seek the Assembly's views before drawing up its recommendation. Therefore, consultation of the Assembly by the Committee of Ministers will take place at an early stage of the election procedure through the Joint Committee. It shall include a discussion on all the candidatures proposed by governments. The revised timeframe, which is part of this statement, to accommodate this early consultation, is set out in Appendix 1.

7. After the consultation of the Assembly within the Joint Committee, the Committee of Ministers will decide on the list of candidates to be included in the recommendation to the Assembly, in accordance with its own procedures. This may include voting when drawing up the list of candidates. In this context, it is recalled that Article 20.*d* of the Statute of the Council of Europe applies to the adoption of the recommendation of the Committee of Ministers to the Assembly in the absence of a consensus.

Appendix 1: Calendar for the election of the Secretary General

For a mandate beginning on 1 October of year n:

– January n-1: after informal discussions between the President of Parliamentary Assembly of the Council of Europe (PACE) and the Chair of the Committee of Ministers (CM), PACE confirms the date (June of year n) of the election in the Joint Committee;

– February n-1: the CM fixes the timetable and calls for candidatures to be received before 15 December n-1. The Chair of the CM writes to his colleagues asking for suitable candidates and drawing attention to the "Juncker criteria" and to the gender equality aspects;

– 15 December n-1: deadline for member states to propose candidates;

– January n: consultation with PACE through the Joint Committee on all proposed candidates;

– February n: interviews of candidates by CM, drawing up of the recommendation and subsequent transmission to PACE;

– Before June n: interviews by the Assembly of the candidates included in the recommendation;

– June n: election by PACE;

– 1 October n: start of the mandate of the new Secretary General.

If only one candidate appears in the recommendation:

– a discussion in the April n PACE part-session or during the March n Standing Committee to seek agreement in the Joint Committee on the submission of only one candidate in the CM recommendation;

– if agreement is reached in the Joint Committee, subsequent transmission of recommendation;

– June n: election by PACE;

– 1 October n: start of the mandate of the new Secretary General.

If the CM considers that no candidates are suitable to appear in the recommendation or if no agreement is reached in the Joint Committee on the submission of only one candidature in the recommendation:

– February/March n: prolongation of deadline for submission of candidates by 2 months;

– May/June n: new consultation in Joint Committee on candidatures proposed by member states, either at the May n Standing Committee or the June n part-session;

– June/July n: interview of candidatures by CM, drawing up of the recommendation and subsequent submission to PACE;

– September n: election by PACE;

– 1 October n: start of the mandate of the new Secretary General.

Appendix 2: Competence framework

The Secretary General is responsible to the Committee of Ministers for the work of the Secretariat and provides secretariat and other assistance to the Parliamentary Assembly. She/he represents the values of the Council of Europe to the outside at the highest levels and provides leadership to a culturally diverse Secretariat. The budgets of the Council of Europe amount to approximately €300 million in 2010.

a. To assess the "suitability for the post" (Regulations):

– "high level of recognition", "well-known among their peers", "has previously served as head of state or government, or held senior ministerial office or similar status relevant to the post" (decisions at 117th Session):

– strong and effective relations with governments of member states; ability to work with the Committee of Ministers at all levels;

– demonstrated commitment to human rights, democracy, rule of law;

– very good knowledge of at least one of the official languages of the Council of Europe;

– at least a passive knowledge of the second official language, or a declared readiness to follow appropriate training during the first six months of the mandate.

b. To assess "highest ability" (Regulations):

– political vision and insight on international affairs, including the role of the Council of Europe; strategic thinking;

– leadership skills; trust-building; inspires and motivates a culturally diverse staff of 2 000 from 47 countries;

– skills to manage a large organisation; delegates authority and empowers staff while remaining accountable; innovative thinking; promotes and accompanies change;

– pro-active planning ability and priority setting, both in his/her responsibility and in making proposals to the Committee of Ministers;

– delivers results, with efficiency and transparency;

– communication skills, both oral and written;

– negotiating skills; ability to tackle sensitive issues while promoting Council of Europe values;

– advocacy skills; proven ability to establish, maintain and use strong and effective networks; capacity to interact effectively with diverse interlocutors (political and cultural figures, officials, NGOs, media, etc.); highly developed ability to explain and to persuade.

c. To assess "highest integrity" (Regulations)

– proven personal commitment to the ethical values of the Council of Europe;

– respect for diversity;

– openness to scrutiny.