



Resolution 1798 (2011)¹

Fair representation of the political parties or groups of national parliaments in their delegations to the Parliamentary Assembly

Parliamentary Assembly

1. The Parliamentary Assembly has reiterated on many occasions, in particular at its biennial debate on the situation of democracy in Europe, its commitment to promoting democracy and political pluralism in Europe as well as to developing common standards and practices designed to ensure that national parliaments operate in accordance with pluralist principles.
2. Under the Assembly's Rules of Procedure, fair representation of political parties or groups represented in the national parliaments is one of the requirements for the credentials presented by national delegations to be considered valid. Yet the Assembly has never provided any official interpretation of what is meant by "fair representation".
3. However, in the course of 2010, national delegations' credentials were challenged in the Assembly under Rule 7.2 on the specific ground that the composition of the delegations concerned failed to meet the requirement of fair political representation.
4. When it met in Limassol (Cyprus) from 10 to 12 June 2010, the European Conference of Presidents of Parliament mentioned in its conclusions that "national parliaments should ensure that delegations engaged in interparliamentary activities reflect a pluralist composition and that opposition members can actively and effectively take part in them".
5. The Assembly considers it necessary to clarify the concept of fair representation of political parties or groups in national delegations and it therefore invites the parliaments of the member states to abide by the following principles when appointing their national delegations. The same principles will also apply when the Assembly is assessing compliance with the principle of fair representation of political parties or groups in connection with a challenge to a delegation's credentials.

Principles to be used to assess whether political parties or groups are fairly represented in national delegations to the Parliamentary Assembly

6. The following principles, which are derived from the reports and the practice of the Assembly in connection with the verification of national delegations' credentials, apply when an assessment is being made as to whether political parties or groups are "fairly represented" in national delegations to the Parliamentary Assembly:

6.1. As "fair" is not specifically as such defined in the Assembly's Rules of Procedure, it is reasonable to use the usual meaning: honest, impartial, just, equitable, non-discriminatory, when examining the question of a "fair representation".

1. Text adopted by the Standing Committee, acting on behalf of the Assembly, on 11 March 2011 (see [Doc. 12529](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Kox).



6.2. It is the national parliaments that decide upon the composition of their delegation to the Parliamentary Assembly. As there are no standardised procedures for national parliaments to appoint delegations to the Assembly, the parliaments' political discretion must, in general, be respected. The Assembly should avoid becoming involved in a detailed analysis of the political composition of a delegation.

6.3. Parliaments' decisions on appointments must respect national procedural rules and be, on the whole, fair, that is, honest, impartial, just, equitable, non-discriminatory. The national procedural rules should also be in accordance with the Council of Europe's fundamental values (rule of law, respect for human rights and pluralistic democracy).

6.4. On the basis of information received from parliaments on the methods used to allocate seats on their delegation, the Assembly assesses merely whether the representation of the political groups of the parliament is fair, not whether it is proportionate.

6.5. According to Rule 6.2.a of the Assembly's Rules of Procedure, each national parliament informs the Assembly of the methods used to appoint seats on the delegation. The Assembly's Table Office examines the credentials of the delegation from a procedural point of view before forwarding them to the Assembly (or the Standing Committee) for ratification.

6.6. In case of difficulties, the Table Office may seek clarification from the secretariat of the national delegation concerned. The Table Office informs the President of the Assembly if there is a potential problem which needs to be addressed.

6.7. Both representatives and substitutes are taken into account when determining the political balance of a national delegation in order to assess "fair representation".

6.8. In the case of bicameral parliaments, fair representation is assessed at the level of the delegation as a whole (not the members of each chamber).

6.9. Parliaments with many political groups but with a limited number of seats in the Assembly may justifiably invoke difficulties in fulfilling the condition of "fair representation" (Rule 6.2.a: "Insofar as the number of their members allows ...").

6.10. Where a parliament is made up mostly of two major political groups, representing the majority and the opposition, and several very small opposition parties, it is preferable not to distribute the seats equally among the two "bigger" groups but to include other groups in the delegation to make it more pluralistic. For the duration of the legislature, the possibility of annually rotating membership of the delegation may be considered for small political groups.

6.11. Where there are problems appointing the members of a delegation, the political group(s) supporting the government might be asked to make "compromise efforts", in particular to promote a better representation of the opposition. Candidates proposed by a political group should in general be accepted as members – representatives or substitutes – if they meet the criteria of the national procedural rules.

6.12. If, because of the limited number of seats of a delegation and the small size of the opposition parties, it is not possible to appoint at least one member of the opposition as a representative on the delegation, it should be ensured that opposition members who are substitutes can travel to Strasbourg and that they are given the opportunity to replace representatives on their delegation for Parliamentary Assembly sessions.