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Activities of the Assembly's Bureau and Standing Committee (31 January – 6 April 2014)

Progress report
Rapporteur: Ms Nataša VUČKOVIĆ, Serbia, Socialist Group

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1. Introduction

At its meeting on 31 January 2014, the Bureau appointed me as Rapporteur for this report. Since then, the Bureau has met, on 6 March 2014 in Paris. The Standing Committee met on 7 March 2014 in Paris.

In line with previous reports, this progress report covers the period outside of Assembly sessions, leaving aside the decisions which have already been ratified by the Assembly. Therefore, this report presents the Bureau's activities since the end of the first part-session of 2014 (27-31 January) until the second part-session of 2014 (7-11 April).

The Bureau will hold its next meetings in Strasbourg on Monday 7 April 2014 at 8 a.m. and Friday 11 April 2014 at 8.30 a.m., then on 22 May 2014 in Baku. The next meeting of the Standing Committee will also be held in Baku on 23 May 2014.

2. Activities of the Bureau since the last part-session

2.1. Follow-up to the Assembly's Resolutions

2.1.1. Follow-up to the first part-session of 2014 (Strasbourg, 27-31 January 2014)

On 31 January 2014, the Bureau approved the following proposals made by the Secretary General of the Parliamentary Assembly:

– Resolution 1966 (2014) on *Refusing impunity for the killers of Sergei Magnitsky:* With reference to paragraph 18 of the Resolution, the Bureau decided to invite Mr Andreas Gross (Switzerland, SOC), Rapporteur, to follow-up on the developments and to propose subsequent action to be taken;

– Resolution 1967 (2014) on *A strategy to prevent racism and intolerance in Europe:* With reference to paragraph 9 of the Resolution, the Bureau decided to ask the Committee on Equality and Non-Discrimination to propose concrete action for the follow-up and to come back with proposals to the Assembly;

– Resolution 1969 (2014) on *Evaluation of the partnership for democracy in respect of the Palestinian National Council:* the Bureau decided to refer this issue to the Committee on Political Affairs and Democracy for the preparation of a new report on this subject and to the Committees on Legal Affairs and Human Rights and Equality and Non-Discrimination for opinion;

– Resolution 1974 (2014) on *the functioning of democratic institutions in Ukraine:* The Bureau decided to ask the co-Rapporteurs of the Monitoring Committee to follow up on the political developments and come back to the Assembly with proposals for possible action before the April part-session of 2014. It also invited the Presidential Committee to consider a visit to Ukraine in the weeks that follow;

– Free debates: The Bureau decided to ask the Secretary General of the Parliamentary Assembly to address a letter to all delegations, reminding members that interventions at a free debate should not touch upon any subject on the agenda of the same part-session;

– Disciplinary measures in respect of Mr Tamás Gaudi Nagy (Hungary, NR): With regard to the disrespect shown by Mr Tamás Gaudi Nagy (Hungary, NR) towards the earlier decision of the President of the Assembly to deprive him of the right to speak and to be enrolled on the list of speakers in plenary and in committee meetings during the Assembly's first part-session of 2014, the Bureau took note that the President will consider further disciplinary sanctions.

2.2. Second part-session of 2014 (Strasbourg, 7-11 April 2014)

On 6 March 2014, the Bureau decided to recommend to the Assembly to hold a debate under urgent procedure on "Recent developments in Ukraine: threats to the functioning of democratic institutions" and referred the matter to the Monitoring Committee for report.

The Bureau took note of the draft agenda.

2.3. Election observation

2.3.1. Meeting of the Chairpersons of Ad hoc Committees for the observation of elections (29 January 2014)

On 31 January 2014, the Bureau took note of the conclusions of the meeting as well as of the proposed amendments to the Parliamentary Assembly Guidelines for Election Observation and decided to consider the amendments at its following meeting (see chapter 4.1.).

2.3.2. Early parliamentary elections in Serbia (16 March 2014)

On 31 January 2014, the Bureau approved the composition of the ad hoc committee and appointed Mr Pedro Agramunt (Spain, EPP/CD) as Chairperson.

On 6 March 2014, the Bureau took note of the press release of the pre-electoral mission and approved the final composition of the ad hoc committee (see Appendix 1).

2.3.3. Presidential election in "the former Yugoslav Republic of Macedonia" (13 and 27 April 2014)

On 31 January 2014, the Bureau approved the composition of the ad hoc committee, subject to the receipt of the invitation, and appointed Mr Stefan Schennach (Austria, SOC) as Chairperson. At its following meeting, it approved the final composition of the ad hoc committee (see Appendix 2).

2.3.4. Early parliamentary elections in "the former Yugoslav Republic of Macedonia" (27 April 2014)

On 6 March 2014, the Bureau decided (subject to the receipt of an invitation) that the same ad hoc committee to observe the presidential election would also observe the early parliamentary elections, and invited political groups to propose more substitutes to be included in the ad hoc Committee.

2.3.5. Early presidential election in Ukraine (25 May 2014)

On 6 March 2014, the Bureau decided to observe the early presidential election and constituted an ad hoc committee for this purpose composed of 42 members: SOC: 13; EPP/CD: 13, ALDE: 6, EDG: 6, UEL: 2 (in accordance with the D'Hondt system) and the two co-rapporteurs of the Monitoring committee. It authorised a pre-electoral mission to take place one month ahead of the election.

2.4. Issues raised by committees

2.4.1. Committee on Political Affairs and Democracy

On 31 January 2014, the Bureau authorised Mr Andreas Gross (Switzerland, SOC), Rapporteur on the "Request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of the Kyrgyz Republic", to conduct a fact-finding visit to the country from 23 to 26 February 2014, in the framework of the preparation of his report.

It also authorised Mr Mogens Jensen (Denmark, SOC), Rapporteur on the "Request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of Jordan", to conduct a fact-finding visit to the country, in the framework of the preparation of his report.

2.4.2. Committee on Legal Affairs and Human Rights

On 6 March 2014, the Bureau took note of the designation of Ms Marietta Karamanli (France, SOC) as General Rapporteur on the Death Penalty.

2.4.3. Committee on Social Affairs, Health and Sustainable Development:

On 31 January 2014, the Bureau authorised an ad hoc sub-committee to participate in a Conference on "Growing with children's rights" organised in the context of the implementation of the Council of Europe Strategy for the Rights of the Child (2012-2015), in Dubrovnik, Croatia on 27-28 March 2014.

2.4.4. Committee on Equality and Non-Discrimination

On 31 January 2014, the Bureau took note of the fact that the Gender equality prize would not be awarded in 2014.

It also authorised Mr José Mendes Bota (Portugal, EPP/CD), General Rapporteur on violence against women, to participate in the 58th session of the Commission on the Status of Women, at the United Nations Headquarters in New York on 10-11 March 2014.

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

On 6 March 2014, the Bureau took note of an information memorandum on the participation of members in Parliamentary Assembly plenary sessions and committee meetings in 2013, in accordance with Resolution 1583 (2007).

It invited the President of the Assembly to notify in writing the chairpersons of the delegations and the speakers of the parliaments concerned by low participation rates or to arrange a meeting with the chairpersons of the relevant delegations and decided to make publicly available on the Assembly's website the statistics related to the participation of national delegations.

2.5. References and transmissions to committees

2.5.1. References approved by the Bureau

At its meeting on 31 January 2014, the Bureau approved the following references, which were ratified by the Assembly on the same day:

– Doc. 13364, Motion for a resolution, Freedom of religion and religious practices, reference to the Committee on Culture, Science, Education and Media *for report* and to the Committee on Social Affairs, Health and Sustainable Development and to the Committee on Legal Affairs and Human Rights *for opinion;*

– Doc. 13381, Motion for a resolution, Forced migration: a new challenge, reference to the Committee on Migration, Refugees and Displaced persons *for report;*

– Bureau decision, The activities of the Organisation for Economic Co-operation and Development (OECD), reference to the Committee on Political Affairs and Democracy *for report;*

– Bureau decision, Evaluation of the partnership for democracy in respect of the Palestinian National Council, reference to the Committee on Political Affairs and Democracy *for report* and to the Committees on Legal Affairs and Human Rights and Equality and Non-Discrimination *for opinion.*

At its meeting on 6 March 2014, the Bureau approved the following references, which were subsequently ratified by the Standing Committee on 7 March 2014:

– Doc. 13401, motion for a resolution, Combating sexual violence against children: towards a successful conclusion of the ONE in FIVE campaign, reference to the Committee on Social Affairs, Health and Sustainable Development *for report*;

– Doc. 13402, motion for a resolution, Improving children's access to child-friendly health and social services, reference to the Committee on Social Affairs, Health and Sustainable Development *for report*;

– Doc. 13404, motion for a resolution, Educational and cultural networks of communities living abroad, reference to the Committee on Culture, Science, Education and Media *for report* and to the Committee on Migration, Refugees and Displaced Persons *for opinion*.

2.5.2. Reference for consultation

At its meeting on 6 March 2014, the Bureau approved the following reference :

– Doc. 13400, motion for a resolution, The employment rights of female workers from Eastern Europe, consultation of the Committee on Equality and Non-Discrimination *on a possible follow-up*.

2.5.3. Extension of references

At its meeting on 31 January 2014, the Bureau approved the extension of the following references:

– Doc. 12585, motion for a resolution (Reference 3772 of 27 May 2011 – validity: 31 January 2014), Improving user protection and security in cyberspace: extension until 31 March 2014;

– Doc. 12866, Motion for a resolution (Reference 3857 of 23 April 2012 – validity: 23 April 2014), The political transition in Egypt: extension until 23 April 2015;

– Bureau decision (Reference 3834 of 28 January 2012 – validity: 28 January 2014), Evaluation of the implementation of the reform of the Parliamentary Assembly: extension until 30 June 2014.

At its meeting on 6 March 2014, the Bureau approved the extension of the following references:

– Doc. 12841, motion for a resolution, Witness protection as an indispensable tool in the fight against organised crime and terrorism in Europe (Ref. 3850 of 23 April 2012 – validity: 23 April 2014), extension until 31 December 2014;

– Bureau decision, The effectiveness of the European Convention on Human Rights: the Brighton declaration and beyond (Ref. 3864 of 27 April 2012 – validity: 27 April 2014), extension until 31 December 2014.

2.6. Communications

The Bureau took note of communications by the President of the Assembly, the Secretary General and the Deputy Secretary General of the Council of Europe.

2.7. Election of the Secretary General of the Council of Europe

On 6 March 2014, the Bureau took note of the Resolution CM/Res(2014)1 transmitted by the Committee of Ministers and decided to invite the candidates to interviews at the Bureau meeting on 22 May 2014 in Baku.

2.8. European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

On 31 January 2014, the Bureau drew up the list of candidates for the CPT in respect of Bosnia and Herzegovina, Liechtenstein, Sweden, Turkey and the United Kingdom, which it forwarded to the Committee of Ministers;

2.9. Composition of the Monitoring Committee

On 31 January 2014, the Bureau nominated Mr Giorgi Kandelaki (Georgia, EPP/CD), Mr Giuseppe Galati (Italy, EPP/CD), Mr Epameinondas Marias (Greece, EDG), Ms Ingebjørg Godskesen (Norway, EDG), Mr Robert Walter (United Kingdom, EDG), Mr Karl Gardarsson (Iceland, ALDE), Ms Meritxell Mateu Pi (Andorra, ALDE), Mr Bernard Pasquier (Monaco, ALDE), and Mr Ionuţ-Marian Stroe (Romania, ALDE), on the basis of proposals submitted by the EPP/CD, EDG and ALDE groups, which were subsequently ratified by the Assembly.

On 6 March 2014, the Bureau nominated Ms Valentina Leskaj (Albania, SOC) on the basis of a proposal submitted by the Socialist Group, which was subsequently ratified by the Standing Committee.

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

On 31 January 2014, the Bureau nominated Ms Chiora Taktakishvili (Georgia, ALDE), Mr Levon Zourabian (Armenia, ALDE) and Mr Dimitrios Papadimoulis (Greece, UEL), on the basis of proposals submitted by the ALDE and UEL groups, which were subsequently ratified by the Assembly.

2.11. Meetings elsewhere than in Strasbourg and Paris

During the reference period, the Bureau authorised the following meetings:

– Committee on Culture, Science, Education and Media, to meet in Moscow on 10-11 March 2014;

– Committee on Political Affairs and Democracy, to meet in Athens on 7 May 2014;

– Committee on Social Affairs, Health and Sustainable Development, to meet in Nicosia on 12-13 May 2014;

– Sub-Committee on Media and Information Society (Committee on Culture, Science, Education and Media), to meet in Copenhagen on 12-13 May 2014.

2.12. Appointment of Assembly representatives for official activities

The following members were appointed during the reference period:

– Ms Doris Barnett (Germany, SOC), to participate in the OSCE Parliamentary Assembly 13th winter meeting, in Vienna, 13-14 February 2014;

– Mr Robert Walter (United Kingdom, EDG) to represent the Assembly at the 130th IPU Assembly in Geneva, Switzerland, on 16-20 March 2014.

2.13. Use in French of the feminine equivalent of the term "rapporteur"

On 6 March 2014, the Bureautook note of the opinion of the Committee on Rules of Procedure, Immunities and Institutional Affairs [AS/Pro (2014) 02] and confirmed the current practice to use the term "rapporteure".

2.14. Václav Havel Human Rights Prize

On 31 January 2014, the Bureau took note of the memorandum prepared by the Secretary General of the Assembly and approved the modification of Article 6.4 of the Regulations for the Václav Havel Human Rights Prize concerning the deadline for submission of nominees for the Prize, subject to ratification by the Assembly.

2.15. General Rapporteurs

On 6 March 2014, the Bureau approved the terms of reference of a General Rapporteur on combating racism and intolerance, upon the request of Committee on Equality and Non-Discrimination, subsequently ratified by the Standing Committee, and agreed that General Rapporteurs can keep their function after the expiry of their mandate until a new General Rapporteur is appointed by the committee concerned.

2.16. Institutional representation of the Parliamentary Assembly in 2014

On 31 January 2014, the Bureau approved the appointment of representatives appointed the Assembly's representatives to various bodies (see Appendix 3).

2.17. Other business

On 6 March 2014, the Bureau granted the title of Honorary President of the Parliamentary Assembly to Mr Mevlüt Çavuşoğlu, former President of the Assembly.

3. Activities of the Standing Committee (Paris, 7 March 2014)

The Standing Committee ratified the credentials of new members of the Assembly submitted by the delegations of Croatia, Estonia, Germany and the Russian Federation and approved changes in the composition of Assembly committees.

It took note of the draft agenda of the second Part-Session of the Assembly (7-11 April 2014) and ratified the references proposed by the Bureau as listed in chapter 2.5.1 of this report.

It ratified the terms of reference of a General Rapporteur on combating racism and intolerance and took note of the decision of the Bureau that General Rapporteurs can keep their function after the expiry of their mandate until a new General Rapporteur is appointed by the Committee concerned.

It held a current affairs debate on "The political crisis in Ukraine" and adopted a statement on the same subject, contained in Appendix 4 hereafter.

The Standing Committee held an exchange of views with Mr Thorbjørn Jagland, Secretary General of the Council of Europe and with Mr Ranko Krivokapić, President of the Parliamentary Assembly of the OSCE.

Following debates, the Standing Committee adopted the following texts on behalf of the Assembly, which are available on the Assembly website:

– Resolution 1980 (2014) on Increasing the reporting of suspected sexual abuse of children
– Resolution 1981 (2014) and Recommendation 2038 (2014) on Europe's endangered heritage
– Resolution 1982 (2014) and Recommendation 2039 (2014) on The European Convention on Human Rights: the need to reinforce the training of legal professionals

4. Decisions of the Bureau requiring ratification by the Assembly

4.1. Guidelines for the observation of elections by the Parliamentary Assembly

On 6 March 2014, the Bureau approved the amendments to the Guidelines proposed at the meeting of the Chairpersons of ad hoc Committees for the observation of elections (29 January 2014), subject to ratification by the Assembly (Appendix 5).

The Assembly is invited to ratify this Bureau decision.

Appendix 1 – Ad Hoc Committee for the observation of the early parliamentary elections in Serbia (16 March 2014)

List of members

Pedro AGRAMUNT (Spain, EPP/CD), Head of the delegation

Socialist Group (SOC)

– Ferdinando AIELLO, Italy
– Philippe BLANCHART, Belgium
– Maria GIANNAKAKI, Greece
– Igor IVANOVSKI **, “The former Yugoslav Republic of Macedonia”
– Luc RECORDON, Switzerland
– Kostas TRIANTAFYLLOS, Greece

Group of the European People’s Party (EPP/CD)

– Pedro AGRAMUNT **, Spain
– Viorel BADEA, Romania
– Giuseppe GALATI, Italy
– Foteini PIPILI, Greece
– Kimmo SASI, Finland

Alliance of Liberals and Democrats for Europe (ALDE)

– Andrea RIGONI, Italy
– Hirakli CHIKOVANI, Georgia
– Ionuţ-Marian STROE, Romania

European Democratic Group (EDG)

– Reha DENEMEÇ, Turkey
– Ingebjørg GODSKESEN **, Norway
– Igor MOROZOV, Russian Federation

Group of the Unified European Left (UEL)

– Grigore PETRENCO **, Republic of Moldova

Venice Commission

– Owen MASTERS, Expert

Secretariat

– Chemavon CHAHBAZIAN, Deputy to the Head of Secretariat of the Interparliamentary cooperation and election observation Unit
– Franck DAESCHLER, Principal Administrative Assistant
– Daniele GASTL, Assistant

*** members of the pre-election delegation (19-20 February 2014)*

Appendix 2 – Ad Hoc Committee for the observation of the presidential and early parliamentary elections in "the former Yugoslav Republic of Macedonia" (13 and 27 April 2014)

List of members

Stefan SCHENNACH (Austria, SOC), Head of the delegation

Socialist Group (SOC)

– Joe BENTON, United Kingdom
– Andreas GROSS, Switzerland
– Stefan SCHENNACH **, Austria
– Josette DURRIEU, France
– Luc RECORDON, Switzerland
– Deniza KARADJOVA, Bulgaria

Group of the European People's Party EPP/CD)

– Werner AMON, Austria
– Şaban DİŞLİ**, Turkey
– Bernd FABRITIUS, Germany
– Yves POZZO di BORGO, France

Alliance of Liberals and Democrats for Europe (ALDE)

– André BUGNON, Switzerland
– Margus HANSON**, Estonia
– Chiora TAKTAKISHVILI, Georgia

European Democrat Group (EDG)

– Brian BINLEY, United Kingdom
– Sir Roger GALE, United Kingdom
– Reha DENEMEÇ, Turkey

Substitutes

– Tülin ERKAL KARA, Turkey
– Morten WOLD, Norway
– Ganira PASHAYEVA, Azerbaijan

Group of the Unified European Left (UEL)

– Vassiliy LIKHACHEV **, Russian Federation

Rapporteur AS/MON (ex-officio)

– Robert WALTER**, United Kingdom

Venice Commission

– Owen MASTERS, Expert

Secretariat

– Vladimir DRONOV, Head of Secretariat, Interparliamentary cooperation and election observation Unit

– Bogdan TORCĂTORIU, Administrative Officer, Interparliamentary cooperation and election observation Unit

– Franck DAESCHLER, Principal Administrative Assistant

– Anne GODFREY, Assistant

** *members of the pre-election delegation*

Appendix 3 – Institutional representation of the Parliamentary Assembly in 2014

Body	Who represents the Assembly	Reference	2013	2014 nominations
I. Council of Europe bodies				
European Commission for Democracy through Law Venice Commission	Representatives of the Assembly appointed by the Bureau to attend the sessions of the Commission	Article 2.4 of the Venice Commission Statute (Res CM (2002) 3)	Members: Mr Çavuşoğlu, EDG appointment by the President Mr Chope – EDG (AS/Jur) Substitute: Mr Mahoux – SOC (AS/Jur)	Members: Mr Mignon, EPP/CD appointment by the President Mr Chope – EDG (AS/Jur) Substitute: Mr Díaz Tejera – SOC (AS/Jur)
Council on Democratic Elections of the Venice Commission	Representatives of AS/Pol, AS/Jur and AS/Mon approved by the Bureau of the Assembly	Bureau decision of 10 March 2003	Members: Ms Durrieu – SOC (AS/Pol) Mr Gross – SOC (AS/Jur) Ms de Pourbaix-Lundin – EPP/CD (AS/Mon) Substitutes: Ms Khidasheli – ALDE (AS/Pol) Mr McNamara – SOC (AS/Jur) Mr Xuclà – ALDE (AS/Mon)	Members: Ms Durrieu – SOC (AS/Pol) Mr Gross – SOC (AS/Jur) Mr Jordi Xucla – ALDE (AS/Mon) Substitutes: Ms Khidasheli – ALDE (AS/Pol) Mr McNamara – SOC (AS/Jur) Ms de Pourbaix-Lundin – EPP/CD (AS/Mon)
European Centre for Global Interdependence and Solidarity North-South Centre	Two members of the Executive Council – appointed by the Bureau of the Assembly	Article 5.1(b) of the North-South Centre Statute (Res CM (1993) 51)	Members: Ms Blondin – SOC (AS/Soc) Sir Roger Gale – EDG (AS/Cult) Substitutes: Mr Schennach – SOC (AS/Soc) Mr Costa Neves – EPP/CD (AS/Cult)	Members: Ms Blondin – SOC (AS/Soc) Sir Roger Gale – EDG (AS/Cult) Substitutes: Mr Schennach – SOC (AS/Soc) Mr Costa Neves – EPP/CD (AS/Cult)
European Commission Against Racism and Intolerance ECRI	Representatives of the Assembly appointed by the Bureau (representatives of the following three committees: AS/Pol, AS/Ega and AS/Cult)	Article 5 of the ECRI Statute (Res CM (2002) 8)	Members: Ms de Pourbaix-Lundin – EPP/CD (AS/Pol) Mr Cilevičs – SOC (AS/Ega) Mr Schneider – EPP/CD (AS/Cult) Substitutes: Ms Memecan – ALDE (AS/Pol) Mr Davies – EDG (AS/Ega) Mr Jensen – SOC (AS/Cult)	Members: Ms Gillan – EDG (AS/Pol) … (AS/Ega) … (AS/Cult) Substitutes: - (AS/Pol) Mr Davies – EDG (AS/Ega) - (AS/Cult)

Body	Who represents the Assembly	Reference	2013	2014 nominations
Group of States against Corruption GRECO	A representative of the Assembly appointed by the Bureau	CM decision of 717th meeting in 2000 in accordance with Article 7.2 of the Statute of the GRECO	Member: Mr Neill – EDG (AS/Jur) Substitute: Mr Sasi – EPP/CD (AS/Jur)	Member: Mr Neill – EDG (AS/Jur) Substitute: Mr Sasi – EPP/CD (AS/Jur)
CE Committee for Works of Art	Two members appointed by the Bureau of the Assembly (at present AS/Cult Committee member and Museum Prize rapporteur)	CM decision of 482nd meeting in 1992	Members: - Baroness Eccles – EDG (AS/Cult) - Ms Marjanović – SOC (AS/Cult)	Members: - Baroness Eccles – EDG (AS/Cult) - Ms Marjanović – SOC (AS/Cult)
MONEYVAL	A representative of the Assembly appointed by the Bureau	Article 4.1 of Resolution CM/Res (2010) 12	Member: Lord Tomlinson – SOC (AS/Jur) Substitute: Mr Hübner – NI (AS/Jur)	Member: Mr Omtzigt – EPP/CD (AS/Jur) Substitute: Mr Hübner – NI (AS/Jur)
II. Other				
EUROPA NOSTRA Pan-European Federation for Heritage	One member (and substitute) to be nominated by the Assembly – to attend the Federation Council meetings as observer	Article 21.4 of the Statute of Europa Nostra	Mr Nicolaides – SOC (AS/Cult) Vice-Chairperson of the Sub-Committee on Culture, Diversity and Heritage	Mr Nicolaides – SOC (AS/Cult) Chairperson of the Sub-Committee on Culture, Diversity and Heritage

Appendix 4 – Statement on the political crisis in Ukraine

The Parliamentary Assembly strongly supports Ukraine's territorial integrity and national sovereignty

Paris, 7 March 2014. The Standing Committee of the Parliamentary Assembly of the Council of Europe, meeting today in Paris, expressed its full support for the territorial integrity and national unity of Ukraine. It therefore strongly condemned the violation by the Russian Federation of the country's sovereignty and territorial integrity. The actions of Russian military forces in the Crimean peninsula, as well as explicit threats of military actions in the rest of Ukraine's territory, are in direct violation of international law, including the UN Charter, the OSCE Helsinki Final Act, the Statute of the Council of Europe, as well as Russia's accession commitments.

The Standing Committee is especially concerned that the Council of Federation authorised the Russian President to use military force in the Crimea and it regrets the statements by both houses of the Russian parliament that supported calls for separatism and secessionism in an already tense region.

The Assembly expresses its full support for the legitimate new authorities in Kyiv and commends them for their restraint. It urges the authorities to refrain from any actions and rhetoric that could divide the Ukrainian society and undermine national unity. In order to strengthen national unity and the democratic development of the country, it is now important that as soon as possible a new constitution is adopted that is fully in line with Council of Europe standards and an early presidential election is held, followed by early parliamentary elections when the situation allows.

The Assembly stands ready to assist the Ukrainian authorities, and especially the Verkhovna Rada, in these processes.

Appendix 5 – Proposed amendments to the Guidelines for the observation of elections by the Parliamentary Assembly[1]

Bearing in mind the objectives and the political nature of the Parliamentary Assembly's observation missions as well as the problems deriving from the past co-operation arrangements with other international institutions, the following Guidelines were adopted by the Bureau of the Assembly on 24 May 2004 and updated by the Bureau on 7 October 2005, 16 November 2006, 23 May 2007, 8 October 2010, 27 January 2012, 29 June 2012, 17 December 2012 **and 6 March 2014.**

A. Elections to be observed

1. For the Parliamentary Assembly of the Council of Europe, the observation of elections plays an important role in the assessment of the overall political situation of the country in question. In practical terms this entails the systematic observation of elections in any state whose parliament has requested or enjoys special guest status, partner for democracy status, which has applied for membership, or is subject to the monitoring procedure.

2. Observation of parliamentaryand presidential elections as well as of referenda in an applicant State or a State under the monitoring procedure should be aninalienable right of the Assembly. A State's lack of cooperation with the Assembly, itsrefusal to accept an election observation mission from the Assembly should give rise to a debate at the part-session or Standing Committee meeting following the elections in question. It may result in sanctions, such asa freezing of the application procedure or the challenge of the credentials of the national delegation concerned on the basis of Rule 8.2.b.(lack of cooperation under the Assembly's monitoring procedure).

3. The Bureau may also decide to observe parliamentary and/or presidential elections, as well as referenda, in a State that is subject to the post-monitoring dialogue.

4. The observation of regional and local elections is the responsibility ofthe Congress of Local and Regional Authorities of the Council of Europe (the Congress). If the Assembly receives an invitation to observe such elections and the Bureau decides to observe them, the Assembly ad hoc committee shall cooperate with the election observation mission the Congress may deploy. A report on these elections by the Congress, sent to the President, should be referred, on a Bureau's proposal, to the Monitoring Committee.

5. The Bureau of the Assembly may decide to observe elections in other States when exceptional circumstances have been brought to its attention.

B. Elections as a process

1. In conducting election observations, the Assembly shall proceed from the understanding that an election is not a one-off exercise, but rather a continuous process involving several stages, all of which need to be analysed in order to assess an election. The timeline, below, based on various Venice Commission documents, shall serve as an aid in the assessment process.

2. The process starts with the elaboration of electoral legislation. The quality of that legislation is a major, although not the unique criterion to assess an election.

3. Electoral legislation should not be subject to constant change. According to Venice Commission recommendations, "the fundamental elements of electoral law… should not be open to amendment less than one year ahead of an election, or should be written in a constitution or at a level higher than ordinary law."[2] In certain circumstances, exceptions to the one year rule could be accepted, namely where there is a need to rectify, through legislation, unforeseen problems or to provide redress to violations of internationally recognised rights where they had been built into the electoral law.

4. The second stage starts with the date when an election is called. That date, in normal circumstances involving regular elections, should be reasonably distant from the voting day to allow all political stakeholders to prepare for an electoral contest.

5. The third stage starts with the opening of the electoral campaign.

6. The fourth stage is the voting day proper, and the vote counting.

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1. For ease of reading, the proposed amendments have been incorporated in the text of the Guidelines in bold type.
2. Venice Commission (CDL-AD(2010)037).

7. The next stage is the declaration of results of an election, followed by a complaints period stage.

C. Regarding observation and co-operation in the field

1. Considering the role played by OSCE/ODIHR in the field, the Assembly should stress the political objectives of its participation in the observation process: full respect of Council of Europe values and standards. This should be possible thanks to the Assembly's comparative assets such as the high political level of its delegations and the experience of its members.

2. Practical assistance to Assembly delegations to observe the elections, particularly the organisation of the programme for the observation mission, should be provided by the national parliament, in order to supplement properly the programme for short-term observers organised by OSCE/ODIHR.

3. Co-operation with OSCE/ODIHR and other international organisations will be continuous during the observation process in order to ensure, in so far as possible, that assessments of the elections do not differ. However, if, after the election, a joint final assessment cannot be achieved in the framework of the IEOM, the Assembly's ad hoc committee reserves itself the right, to hold -if necessary- its own press conference and issue a separate press releasecontaining its own assessment. In this respect, it is essential that the Assembly's ad hoc committee, when organising briefings, invites the OSCE/ODIHR. Reciprocity is expected in briefings organised by OSCE/ODIHR.

D. Regarding the practical organisation of the observation

1. On the basis of past experience, the following rules will be applied:

i. the Assembly will observe elections mentioned in Section A above (any refusal to send an invitation will constitute an evaluation criterion in itself);

ii. ii. the Assembly observers will receive accreditation from the Central Electoral Commission; the national parliament concerned will be responsible for facilitating the issuing of this accreditation;

iii. the ad hoc Committees will cover a geographical area of the country which is as wide as possible when observing elections. Members of the ad hoc Committee must be ready to accept deployment beyond the capital city of the country in which the elections are observed.

iv. the membership of ad hoc committees for elections will vary between 5 and 40 members and include any already appointed rapporteurs of the Political Affairs Committee, Committee on Legal Affairs and Human Rights and the Monitoring Committee for the country concerned; in special cases the Bureau can decide to increase this number. The composition of the ad hoc committees is determined according to an appointment system taking into account the numerical size of the political groups on the understanding that each political group should be represented;

v. while rapporteurs for the monitoring of, or post-monitoring dialogue with, a given country should be encouraged to join an ad hoc committee to observe an election in that country, they should not be appointed chairpersons thereof. This is to ensure a distinction between election observation as such and monitoring and post-monitoring dialogue in the context of which the findings of an ad hoc committee are followed up. Where the said rapporteurs join an ad hoc committee to observe an election, their participation in the ad hoc committee shall be *ex-officio*, and they shall not be included in the quota allotted to their political group within the meaning of paragraph iv;

vi. the Chairmanship of the ad hoc committees shall rotate between political groups to ensure, generally, an overall political balance over a 12-month period. **The committee chairs shall not be nationals of neighbouring countries of the country where elections are being observed**;

vii. a standard programme will be established for observation missions: three days for political meetings (organised by the national parliament), one day for the elections themselves (with cars, guides and interpreters paid for by the Assembly), one day for evaluation/assessment and the press conference;

viii. where the Bureau deems it necessary, a pre-electoral and/or a post-electoral 5-member cross-party mission may be dispatched;

ix. to enhance the mission's public profile, the ad hoc committees will be referred to as "delegations" headed by a "leader of the delegation" appointed by the Bureau;

x. while every effort should be made to ensure a political balance of ad hoc committees to observe elections, in the event when some political groups fail to come up with candidates while others put forward more candidacies than they are entitled to, the principle of a political equilibrium may be foregone in the interests of having a strong PACE presence during election observation. In such circumstances, a notification by the Secretary General of the Parliamentary Assembly will suffice;

xi. political groups should bear it in mind that any appointment to an ad hoc committee to observe elections should aim to ensure the principle of gender balance of such a committee. Political groups should endeavour to include, in the list of representatives appointed, members of the under-represented sex in the same percentage as is present in the group;

xii. political groups should bear it in mind that any appointment to an ad hoc committee should respect fair geographical representation and be based on the candidate's express capability, language-wise, to meaningfully participate in the work of the mission, in particular, given that on the spot the Council of Europe only provides interpretation to and from English or French. It should be pointed out that English is the de facto working language of the OSCE/ODHIR election observation missions. **At internal meetings of the ad hoc committees, in addition to the members, the only persons authorised to participate are members of the Council of Europe Secretariat. In exceptional cases, ad hoc committee members may be accompanied at internal meetings of ad hoc committees by interpreters**;

xiii. members of an ad hoc committee are encouraged to plan their travel arrangement in a way that would allow them to participate **in the briefings in their entirety, to observe on election day and to participate in the ad hoc committee debriefing** on the morning following the elections. It is understood that those members who are unable to attend the debriefing in the capital because they were deployed outside it may report their conclusions by phone;

xiv. members of the ad hoc committee should be aware that as far as the funding of their participation in the work of the ad hoc committee is concerned, Article 38 of the Statute of the Council of Europe shall apply ("*Each member shall bear the expenses of its own representation in the Committee of Ministers and in the Parliamentary Assembly*");

E. Local staff

1. Staff recruited locally by the Council of Europe for the specific purposes of a pre-electoral, electoral or post-electoral mission (eg interpreters, drivers) are expected to declare any actual or potential conflict of interest by signing a written statement and not to take any action which would cause damage to the reputation and integrity of the mission.

F. Conflict of interest and code of conduct of members of ad hoc committees

1. Members of ad hoc committees for the observation of elections shall abide by the provisions of the Code of Conduct for members of the Parliamentary Assembly of the Council of Europe appended to Resolution 1903 (2012).

2. In particular, members of ad hoc committees, in the accomplishment of their pre-electoral, electoral or post-electoral duties, shall avoid conflicts between any actual or potential economic, commercial, financial of other interests on a professional, personal or family level and their election observation activity in the country concerned; if a member is unable to avoid such a conflict of interest it should be disclosed.

3. Members shall not request or accept any fee, compensation or reward intended to affect his or her conduct as a member of an ad hoc committee. They shall avoid any situation that could appear to be a conflict of interest or receiving an inappropriate payment or gift.

4. All candidates for membership of an ad hoc committee, at the time of putting forward their candidacy shall make a written declaration regarding the absence or otherwise of any actual or potential conflict of interest **concerning them or members of their families, whether related directly or indirectly and/or with whom they are in regular contact,** in connection with the country concerned by an election observation. In accordance with paragraph 14 of the Code of Conduct, they shall also register with the Secretariat of the Assembly any gifts or similar benefits (such as travel, accommodation, subsistence, meals or entertainment expenses) of a value in excess of 200 euros that they have accepted in the last twenty four months from the authorities of the country concerned, either directly or indirectly.

5. The aforementioned declarations shall be made available to the Bureau when it approves the composition of an ad hoc committee. Failure to sign such declarations shall disqualify the member concerned from being appointed to the ad hoc committee in question.

6. Members of an ad hoc committee shall refrain from engaging in public statements interviews, press conferences or communications via social networks which could contradict or conflict with the final assessment made by the ad hoc committee. This applies at all stages of the process: during the pre-electoral period, including in the context of a pre-electoral mission, during and following the election day, including in the context of a post-electoral mission.

7. Members of an ad hoc committee shall abstain from engaging in public activities which could appear to interfere in the electoral process or could be considered as partisan. This applies at all stages of the process: during the pre-electoral period, including in the context of a pre-electoral mission, during and following election day, including in the context of a post-electoral mission.

8. Additionally, the provisions stipulated in the Code of Conduct for rapporteurs of the Parliamentary Assembly (Resolution 1799 (2011) shall apply *mutatis mutandis* to chairpersons of ad hoc committees over and above the provisions of the Appendix to Resolution 1903 (2012).

9. Alleged breaches of paragraphs 18-21 and 23-25 above shall be dealt with in the manner prescribed in paragraphs 17 to 20 of the appendix to Resolution 1903 (2012).

G. Election observation reports

1. The Chairperson of an ad hoc committee shall draft a report on the election observation mission, which is submitted to the Bureau and subsequently to the Assembly as part of the progress report of the Bureau.

2. This report shall be based on the information received during the meetings held during the mission, in line with the press release and preliminary findings and conclusions of the International election observation mission (IEOM), and take into account the comments and assessments of members of the ad hoc committee regarding election day made during the ad hoc committee's meeting on the day following the vote or in written form within a deadline fixed by the Chairperson, as well as relevant documents of the Monitoring Committee, the Venice Commission and other reliable sources. In principle, all members of the ad hoc committee shall be consulted on the draft before the report is issued.

H. Form of Election Observation by the Parliamentary Assembly

1. The observation of elections by the Assembly can take place in one of the following three forms upon decision of the Bureau.

a. *Election Observation Missions*. These take the form of an ad hoc Committee set up for this purpose. The size may vary from 5 to 40 members, Committees are composed on the basis of proposals by the Political Groups taking into account the D'Hondt rule. The Chairperson of the ad hoc Committee is appointed by the Bureau of the Assembly. Chairmanship rotates between political groups. PACE Election Observation Missions issue a statement of their findings immediately following the elections, where applicable in the framework of an IEOM. A pre-electoral mission shall be conducted following a Bureau's decision.

b. *Election Assessment Missions*. These take the form of an ad hoc Committee specifically set up for this purpose. Election Assessment Missions are normally composed of five members, but never less than three members, in order to guarantee a minimum political and geographical balance of the ad hoc Committee. The Chairperson of the ad hoc Committee is appointed by the Bureau. Chairmanship rotates between political groups. The ad hoc Committee will report its findings in the form of a memorandum by its Chairperson to the Bureau. No pre-electoral mission will be conducted.

c. *Presence on the Occasion of Election* of Assembly members during and/or just before an election without a formal observation or assessment of it. Accordingly, the Bureau does not set up an ad hoc Committee but decides on the dates of the mission. These missions are normally composed of the country rapporteur(s) of the Monitoring or Political Affairs Committee. In exceptional cases, the Bureau can appoint one of its members to participate in these missions. This mission will report their findings in the form of a memorandum to the Bureau.

2. Election Observation Missions for which less than five members are identified shall be considered as Election Assessment Missions. In the event that three members cannot be identified for an assessment mission, the mission shall be cancelled. Time allowing, the possibility of ensuring a presence could then be considered by the Bureau of the Assembly.

Appendix 6 – Declaration on conflict of interest of candidates for election observation missions of the Parliamentary Assembly

Ad hoc committee to observe the elections in …

1. I hereby declare that I have no actual or potential economic, commercial, financial or other interests on a professional, personal or family level in connection with the country concerned by the election observation. **This declaration concerns me directly, as well as the members of my family, directly or indirectly related, and/or with whom I am in regular contact**. □*

I hereby declare that I have an actual or potential conflict of interest in connection with the country concerned by the election observation. **This declaration concerns me directly, as well as the members of my family, directly or indirectly related, and/or with whom I am in regular contact**. □*

Please specify the nature of the actual or potential conflict of interest:

…….

…….

2. I also declare that I have not accepted in the last twenty four months gifts or similar benefits, of a value in excess of 200 €, from the authorities of the country concerned, either directly or indirectly[3]. □*

I also declare that I have registered with the Secretariat gifts or similar benefits, of a value in excess of 200 €, that I have accepted in the last twenty four months from the authorities of the country concerned, either directly or indirectly[4]. □*

…….

…….

3. I note that the present declaration will be made available to the Bureau when it approves the composition of the ad hoc committee.

Name ……..

On …….

Signature:

* *Please tick the appropriate box.*

3. Benefits (such as transportation, social or cultural events, meals, etc.) the costs of which are borne by the authorities are excluded from the declaration requirement on condition that these benefits are expressly mentioned in the official programme of the meeting (e.g. Standing Committee, committee or sub-committee or ad hoc committee or sub-committee), visit or mission (for example by the President of the Assembly, a rapporteur or Assembly representative)

4. *Idem* note 1.