Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 2124 (2018)[1]

Modification of the Assembly's Rules of Procedure: the impact of the budgetary crisis on the list of working languages of the Assembly

Parliamentary Assembly

1. The Parliamentary Assembly is deeply concerned about the financial situation of the Council of Europe and regrets Turkey's decision to end its status as a major contributor to the Organisation's budget and the speed with which this decision has been implemented, depriving the Organisation of the time needed to make the necessary adjustments.

2. Referring to Resolution 2208 (2018) "Modification of the Assembly's Rules of Procedure: the impact of the budgetary crisis on the list of working languages of the Assembly", the Assembly informs the Committee of Ministers that, among the measures which it is forced to take because of the drastic reduction of its budget for 2018 and 2019, it has decided to reduce the number of its working languages, as the relevant expenses are no longer covered in the Assembly's budget by the payment of the corresponding funds from the Council of Europe's ordinary budget.

3. In this connection, the Assembly refers to the clear position which it took in Recommendation 2072 (2015) on the allocation of seats in the Parliamentary Assembly with respect to Turkey, making the introduction of Turkish as a working language in the Assembly strictly conditional upon the Committee of Minister's decision to allocate, in the biennial budget for 2016-2017 and in subsequent budgets, the necessary and adequate financial allocations to the Assembly.

4. The Assembly has serious questions about the nature of the "exceptional circumstances" which, under the Committee of Ministers' decision of 10 November 1994 (95th session), enable the Committee of Ministers to exonerate the Russian Federation from its financial obligations to the Organisation for two years, the Russian Federation having frozen all payments to the Organisation since July 2017. The reasons given by the Russian Federation to absolve itself from its commitments do not in any way tally with such circumstances.

5. Given the Organisation's critical budgetary situation, the Assembly is surprised that the Committee of Ministers, the Council of Europe's decision-making body, has not ensured compliance with the provisions of the Statute of the Council of Europe (ETS No. 1) and specifically reminded the Russian Federation of the terms of Article 39 of the Statute, according to which member States' contributions to the Organisation's budget must be paid to the Secretary General "not later than six months" after notification of the amount. The Assembly urges the Committee of Ministers to take the necessary measures, for which it alone is responsible, namely the implementation of Article 9 of the Statute.

6. Referring to the position it took in Opinion 294 (2017) on the budget and priorities of the Council of Europe for the biennium 2018-2019, the Assembly expects the Committee of Ministers and member States of the Council of Europe to resolutely support the capacities and resources of the Council of Europe. The Assembly deplores the fact that the passive attitude of some member States led the Committee of Ministers to maintain zero nominal growth when adopting the Council of Europe's 2018-2019 budgets, while only a minority of them are blocking the decision to return to zero real growth, which is vital to halt the erosion of the Organisation's financial resources.

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1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 16 March 2018 (see Doc. 14511, report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Ms Petra De Sutter).

7. The Committee of Ministers must meet its obligations and defend the Council of Europe: the member States must be ready to pay the price for having an efficient Organisation that is unique in its areas of responsibility. It believes that if one or more States fail to meet their obligations, the others must jointly ensure the funding of the Organisation's basic expenses and, in any case, guarantee the long-term operation of the two statutory organs, the European Court of Human Rights, the Office of the Council of Europe Commissioner for Human Rights, the Congress of Local and Regional Authorities of the Council of Europe, the major partial agreements and the convention monitoring bodies.

8. Given the seriousness and the exceptional nature of the budgetary crisis facing the Council of Europe, the Assembly expects the Committee of Ministers to:

8.1. formally call on the Russian Federation to honour without delay its financial obligations and pay the sums which it owes the Organisation; in this connection, it believes that the reasons given by the Russian Federation to absolve itself from its commitments do not in any way tally with "exceptional circumstances" and that the Committee of Ministers should remind the Russian Federation of the need to honour its financial obligations, in accordance with Articles 9 and 39 of the Statute of the Council of Europe;

8.2. review the decision which it took at its 95th session (10 November 1994) concerning the application of Article 9 of the Statute with all the diligence, urgency and thoroughness which the situation demands, and establish compliance by the member States with the common deadline of six months provided in Article 39 as the basis for imposing sanctions on member States which fail to meet all or a substantial portion of their financial obligations;

8.3. with a view to sound risk management, and in order to ensure greater budgetary predictability and stability, revise the Council of Europe's Financial Regulations and introduce precise rules on member States acceding to or withdrawing from the status of major contributor, in particular by introducing a minimum period for holding that status, of at least six years (three biennial budgetary exercises), and a waiting period following notification of a decision to withdraw from the status, which must not come into effect until at least one year later;

8.4. raise the rate of default interest payable by defaulting member States to a level sufficient to have a genuine deterrent effect.

9. The Assembly urges the Committee of Ministers and all member States to make available to the Organisation, in a reserve account, the unspent balance which may be identified at the closing of the 2017 accounts, instead of returning to States the unspent amounts resulting from savings relating to the measures implemented across the Council of Europe in the second half of 2017. The Assembly points out in this connection that if the Russian Federation were to pay its unpaid contribution to the 2017 budget, the sums in question would not be paid into the Organisation's 2018 budget but would be counted as part of the unspent balance for 2017. The use of funds put in reserve would remain subject to the decisions of the Committee of Ministers on the basis of proposed allocations submitted by the Secretary General of the Council of Europe.

10. The financial future of the Council of Europe depends heavily on the Committee of Ministers: this is a unique opportunity for member States to confirm their support for an irreplaceable Organisation. The Council of Europe has a cost; it also has a price: for certain States a few million euros less is the price of abandoning and breaking with the commitment to support the principles and values of the Council of Europe. The Assembly therefore invites the Committee of Ministers to place this matter high on the agenda of its 128th ministerial session (Denmark, 18 May 2018).