



Resolution 2287 (2019)¹

Strengthening the decision-making process of the Parliamentary Assembly concerning credentials and voting

Parliamentary Assembly

1. As it celebrates its 70th anniversary, the Parliamentary Assembly reiterates its commitment, as one of the statutory organs of the Council of Europe, to resolutely promote the aims of the Organisation, as set forth in the preamble to and Articles 1 and 3 of the Statute of the Council of Europe (ETS No. 1). It recalls the numerous resolutions and recommendations it has adopted over the last few decades both to strengthen its capacity to act in this area and to state its position on the failure of given member States to honour the statutory obligations they entered into upon joining the Council of Europe.
2. As it has done regularly in the past, the Assembly intends to constructively analyse the consistency, relevance, effectiveness and legitimacy of its procedures and mechanisms in the light of the goals it has set itself. It may find it necessary to change its practices and adjust its rules, were a revision of its procedures and mechanisms to prove indispensable to guarantee more effectively the principles and values that are the “common heritage” of the peoples of Europe and to uphold more resolutely the Council of Europe’s fundamental values of democracy, the rule of law and human rights.
3. The Assembly welcomes the numerous contributions submitted by its parliamentary delegations and political groups in the context of the Ad hoc Committee on the Role and Mission of the Parliamentary Assembly set up by the Bureau in December 2017, which showed the delegations’ and political groups’ deep commitment to the Council of Europe’s fundamental values and principles, their promotion, their protection and to the monitoring of the member States’ respect for them. It notes with great satisfaction the unwavering backing clearly expressed for the existing supervision mechanisms it has developed for over twenty-five years to ensure that member States respect the principles and values of the Council of Europe, the statutory obligations and the commitments they have entered into upon joining the Council of Europe.
4. The Assembly takes into consideration the decision adopted by the Committee of Ministers of the Council of Europe at its 129th Session (Helsinki, 17 May 2019), “A shared responsibility for democratic security in Europe – Ensuring respect for rights and obligations, principles, standards and values” ([CM/Del/Dec\(2019\)129/2](#)). It welcomes the positive reception by the Committee of Ministers of its call for an enhanced political dialogue between the Committee of Ministers and the Parliamentary Assembly, and its recognition of the urgent need to develop synergies and provide for co-ordinated action by the two statutory organs, taking into account their respective mandates. The Assembly therefore welcomes the Committee of Ministers’ encouraging support for the proposal it made in [Resolution 2277 \(2019\)](#) and [Recommendation 2153 \(2019\)](#) “Role and mission of the Parliamentary Assembly: main challenges for the future”, to set up, in addition to existing procedures, a joint procedure of reaction, which could be initiated by either the Parliamentary Assembly, the Committee of Ministers or the Secretary General, “in order to strengthen the Organisation’s ability to react more effectively in situations where a member State violates its statutory obligations or does not respect the standards, fundamental principles and values upheld by the Council of Europe”. For its part, the Assembly is firmly committed to making this proposal operational as soon as possible.

1. *Assembly debate* on 24 and 25 June 2019 (20th Sitting) (see [Doc. 14900](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Ms Petra De Sutter). *Text adopted by the Assembly* on 25 June 2019 (20th Sitting).



5. The Assembly also notes that the Committee of Ministers, “having regard to the importance of the elections of the Secretary General and of judges to the European Court of Human Rights, would welcome that delegations of all member States take part in the next June part-session of the Parliamentary Assembly”.

6. The Assembly recalls that, in accordance with the provisions of its Rules of Procedure, in full conformity with the Statute of the Council of Europe, the term of office of delegations of national parliaments to the Assembly takes effect at the opening of the ordinary session, when their credentials are ratified.

7. Taking into consideration the Committee of Ministers’ decision in Helsinki, as well as the exceptional context which led to it, the Assembly decides by way of derogation from Rules 6.1 (last sentence) and 6.3 of its Rules of Procedure, relating to the transmission of credentials of national delegations to the President of the Assembly and their ratification by the Assembly, and Rule 11.3 on the appointments following parliamentary elections, to invite the parliaments of Council of Europe member States which are not represented by a delegation to the Assembly to present the credentials of their representatives and substitutes at the June 2019 part-session of the Assembly. These credentials shall be submitted to the Assembly for ratification at the next sitting following their transmission.

8. The Assembly notes with the Committee of Ministers that the member States of the Council of Europe are “entitled to participate on an equal basis in the two statutory organs of the Council of Europe”, within the terms fixed in Articles 14, 25 and 26 of the Statute of the Council of Europe. It recalls its [Resolution 2277 \(2019\)](#) in which it underlines that “Council of Europe membership implies an obligation of all member States to participate in both statutory organs”. It furthermore recalls, in this respect, that all parliamentary delegations enjoy the same rights under its Rules of Procedure and are subject to the same obligations in accordance with procedures that apply equally to all.

9. However, the Assembly recalls that it may decide, pursuant to Rule 10.1.c of its Rules of Procedure, to take collective measures against its members by depriving or suspending the exercise of a number of participation and/or representation rights in the activities of the Assembly and its bodies, as a result of a breach or a violation of the provisions of its Rules of Procedure or the Statute of the Council of Europe, in the context of the procedure for challenging or reconsidering national delegations’ credentials on procedural or substantive grounds.

10. The Assembly recalls that the members’ rights of participation or representation in the activities of the Assembly and its bodies that may be withdrawn or suspended by the Assembly are not listed in the Assembly’s Rules of Procedure. It is up to the Assembly, when deciding, by resolution, on a challenge to or reconsideration of credentials to determine which rights are affected. However, in order to ensure the coherence of the Organisation’s internal legal framework, the Assembly, in its decisions, should continue to comply with the Statute of the Council of Europe and to take into due consideration relevant decisions taken by the Committee of Ministers. Therefore, to ensure that the member States’ right and obligation to be represented and to participate in both statutory bodies of the Council of Europe is respected, the Assembly decides to supplement Rule 10 of its Rules of Procedure, adding after Rule 10.1.c the following clarification:

“The members’ rights to vote, to speak and to be represented in the Assembly and its bodies shall not be suspended or withdrawn in the context of a challenge to or reconsideration of credentials.”

11. Finally, the Assembly considers that the issue of supplementing its Rules of Procedure with regard to introducing a procedure for challenging the credentials of individual members of a national delegation on substantial grounds deserves further consideration.

12. The Assembly decides that the changes to the Rules of Procedure set out in the present Resolution shall enter into force upon its adoption.