Parliamentary Assembly
Assemblée parlementaire
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Improving the selection/election procedure of CPT members

Motion for a resolution
tabled by the Committee on Legal Affairs and Human Rights

This motion has not been discussed in the Assembly and commits only those who have signed it

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The Bureau of the Parliamentary Assembly of the Council of Europe is tasked with drawing up a list of candidates for election to the CPT, on the basis of a list submitted by each national delegation to the Assembly (containing three candidates). The Bureau lists the candidates in order of preference and submits its recommendation to the Committee of Ministers, which in turn elects the CPT members. In practice, the Bureau of the Assembly has delegated the examination of the national lists to the Committee on Legal Affairs and Human Rights, which in turn has tasked its Sub-Committee on Human Rights to examine each list and draw up a recommendation to the Bureau, with an order of preference, after having examined the candidates' curricula vitae and heard the head of the national delegation concerned. The Plenary Committee endorses the Sub-Committee's recommendations.

The Assembly has over the years established its own requirements with regard to the fairness and transparency of the national procedure for the selection of candidates and clarified the criteria for office (Resolution 1540 (2007) and Resolution 2160 (2017)).

It should now take stock and re-examine its procedures, criteria and role in this context. It should for instance clarify and codify certain aspects, where applicable by drawing on the rules governing the election of judges to the European Court of Human Rights. It should address issues such as the possibility for a national delegation to withdraw an already submitted list; single-sex lists; the rejection of lists on substantive and procedural grounds; the role of the Assembly in the election of a CPT member in respect of non-member States; and any further improvements in the procedure before the Sub-Committee on Human Rights. It should also consider addressing new recommendations to member States on national selection procedures to ensure that they strive to select candidates with competences that meet the requirements of the CPT.