



Resolution 1260 (2001)¹

Progress of the Assembly's Monitoring Procedure (2000-2001)

Parliamentary Assembly

1. In April 1997, the Parliamentary Assembly decided to establish a Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), which, under the terms of Assembly [Resolution 1115 \(1997\)](#), is "responsible for verifying the fulfilment of the obligations assumed by the member states under the terms of the Council of Europe Statute, the European Convention on Human Rights and all other Council of Europe conventions to which they are parties, as well as the honouring of the commitments entered into by the authorities of member states upon their accession to the Council of Europe".
2. The experience gained from four years' activity has enabled the Monitoring Committee gradually to adjust its working methods. To improve still further the procedure for monitoring obligations and commitments and explore new avenues that will help, in particular, to improve its visibility, the Assembly believes that certain principles laid down in [Resolution 1115 \(1997\)](#), which governs the Monitoring Committee's activities, need at present to be restated.
3. The Assembly attaches great importance to the post-monitoring process introduced in 2000, which enables it to maintain a constructive dialogue with the member states in respect of which the monitoring procedure has been concluded but which, while on the right track, have not yet reached the stage where they fully honour all their obligations and commitments. It recalls that this process could lead to the reopening of a monitoring procedure.
4. It regards the reports arising from this work as unique records of progress being made by member states towards the Organisation's high standards of democracy, human rights and the rule of law, and, as such, an invaluable source of reference for the European Union in dealing with the EU membership applications of the countries concerned.
5. Since its inception, the Monitoring Committee has assisted fifteen member states in the honouring of their obligations and commitments. It is currently monitoring the obligations and commitments of eight countries and is conducting a post-monitoring dialogue with six others.
6. The Assembly notes, however, that monitoring procedures have expanded rapidly in the Organisation, which could eventually pose a threat to the visibility, and thus the effectiveness of the work of the Assembly in the field of monitoring.
7. In this respect, it regrets in particular the decisions taken by the Committee of Ministers to undertake an ad hoc monitoring of democratic developments in certain countries on the basis of commitments expressly accepted by these states vis-à-vis the Council of Europe, and denounces the fact that this new mechanism duplicates the monitoring procedure of the Assembly.
8. The Assembly warns against the real risk of diverging assessments of states' honouring of their obligations and commitments by the Assembly on the one hand and the Committee of Ministers on the other hand, and against the real risk of creating confusion in the states concerned by duplication of procedures.

1. Assembly debate on 26 September 2001 (29th Sitting) (see [Doc. 9198](#), report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe, rapporteur: Mr Mota Amaral). Text adopted by the Assembly on 26 September 2001 (29th Sitting).



9. The Assembly recalls the principle according to which the Monitoring Committee is the only Assembly committee competent to deal with issues relating to commitments entered into by states that are being monitored and for assessing how far these countries are abiding by the general obligations arising from their membership of the Organisation.

10. The Assembly notes that although membership of the committee, which is based on nominations by the political groups, reflects a political balance, it does not satisfy the major criterion of a regional balance. This principle must be taken into account by the political groups in the future, in order to ensure that all member states are represented, in particular those that are subject to a monitoring procedure.

11. It also notes that in general the monitoring procedures currently under way are very complex and cover a certain number of political and legal questions that call for greater expertise. It welcomes in this respect the Monitoring Committee's excellent relations with the European Commission for Democracy through Law (the Venice Commission) and appreciates the high standard of work so far carried out.

12. The Assembly endorses the Monitoring Committee's wish to show greater openness to political life and civil society in countries that are being or have been monitored, in particular, by developing direct contacts with the national authorities and the international and non-governmental organisations present there. In accordance with [Resolution 1115 \(1997\)](#), the Monitoring Committee should also be able to meet in any member state that so invites it.