



Doc. 13133 – Compendium of written amendments

(Final version)

Reinforcing the selection processes for experts of key Council of Europe human rights monitoring mechanisms

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A. Draft Resolution

1. The credibility of the Council of Europe depends on the efficacy and quality of its key human rights monitoring mechanisms, which ensure that States honour their obligations towards the Council of Europe and each other. These mechanisms include, in particular, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the European Commission against Racism and Intolerance (ECRI), the European Committee of Social Rights and the Advisory Committee of the Framework Convention for the Protection of National Minorities. Although the conclusions of monitoring bodies do not formally represent the official position of the Council of Europe, they are in practice often perceived as the Organisation's views.
2. According to the respective conventions and other texts setting up these monitoring bodies, their members should be chosen only for their competence and relevant experience. In order for such monitoring mechanisms to maintain the high quality of their work, a careful selection process of their members is therefore essential. In practice, selection procedures vary greatly.
3. The procedure and criteria for the selection of members of the CPT, as specified by the Assembly in Resolutions 1540 (2007) and 1808 (2011), are particularly apt for achieving the above-stated objective and should therefore serve as a positive example.
4. Any selection procedure must ensure the competence, independence and integrity of experts, while respecting States' sovereign choices in putting forward candidates.
5. The Assembly therefore proposes the following general minimum standards for selection procedures:
 - 5.1. the terms of service of experts should be reasonably limited and no more than two renewals should be allowed;
 - 5.2. eligibility criteria should include independence and integrity, availability, as well as recognised expertise in relevant areas and language skills. In addition, objective requirements should be taken into account in order to ensure diversity and complementarity of expertise within the monitoring body, including the need for appropriate gender balance;
 - 5.3. experts should not be appointed until they have relinquished, or been moved from, positions that might lead to a real or perceived conflict of interest situation;
 - 5.4. at the national level, selection procedures must be transparent and open to competition, including through public calls for candidatures. Involvement of relevant State and non-governmental bodies, in particular of national parliaments, would increase the legitimacy of the selection process. Use of a model curriculum vitae and the conduct of interviews for shortlisted candidates should be encouraged;
 - 5.5. at the Council of Europe level, both statutory organs, the Parliamentary Assembly and the Committee of Ministers,

should be involved. The Assembly should have the possibility to reject lists of candidates who do not meet the criteria of competence, integrity, independence and complementarity of expertise, including appropriate gender balance. The monitoring body itself should also be consulted, as appropriate.

B. Draft Recommendation

1. The Parliamentary Assembly refers to Resolution ... (2013) on reinforcing the selection processes for experts of key Council of Europe human rights monitoring mechanisms and invites the Committee of Ministers to take into account, in the context of its work relating to the designation of experts serving on Council of Europe human rights monitoring bodies of its recommendations therein with respect to reinforcement of national selection procedures and the quality of such experts.

Amendment 1

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In the draft recommendation, at the end of paragraph 1, insert the following sentence: "Also, the rules which guarantee the independence of human rights monitoring bodies should provide for the withdrawal or the dismissal of an expert found to be in a conflict of interest situation."