Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 13945
22 January 2016

Activities of the Assembly's Bureau and Standing Committee (2 October 2015-24 January 2016)

Progress report
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1. Introduction

At its meeting on 2 October, the Bureau appointed me as rapporteur for this report, which covers its activities over the period from the last Bureau meeting of the fourth part-session of 2015 (Friday 2 October) to the first Bureau meeting of the first part-session of 2016 (Monday 25 January).

The following chapters include the decisions taken at the Bureau meetings of 2 October in Strasbourg, 26 November in Sofia and 14 December in London. Chapter 2 presents a list of decisions that have either already been ratified by the Standing Committee on 27 November or which do not require ratification. Chapter 3 lists the decisions taken on 14 December that require ratification at the opening of the first part-session of the Assembly. An addendum to this report will be issued immediately after the Bureau meeting on 25 January, which will also include, in part, decisions to be ratified on the same day. A second addendum will be issued immediately after the Bureau meeting of 29 January. It will include only the decisions to be ratified by the Assembly on the same day, amongst others the references and transmissions which will have been approved by the Bureau.

Chairing the meeting of 25 January will be my last mission as President of the Assembly. The Bureau will hold its next meetings in Strasbourg on Friday 29 January at 8.30 am then on 3 March in Paris. The next meeting of the Standing Committee will also be held in Paris on 4 March.

2. Activities of the Bureau since the last part-session and decisions not requiring ratification by the Assembly

2.1. Follow-up to the Assembly's Resolutions

2.1.1. Follow-up to the fourth part-session of 2015 (Strasbourg, 28 September – 2 October)

As follow-up to Resolution 2075 (2015) on *The implementation of judgments of the European Court of Human Rights*, the Bureau approved on 2 October the proposal made by the Secretary General of the Parliamentary Assembly to ask the Committee on Legal Affairs and Human Rights to prepare a further report on the subject taking into account the latest developments.

2.2. Standing Committee (Sofia, 27 November)

2.2.1. Requests for a current affairs debate (under Rule 53 of the Rules of Procedure)

On 26 November, the Bureau decided to propose to the Standing Committee to hold a current affairs debate on "Combating international terrorism while protecting Council of Europe standards and values" and designated Mr Tiny Kox (Netherlands, UEL) as first speaker.

2.2.2. Draft agenda

On 26 November, the Bureau considered and took note of the draft agenda.

2.2.3. Sofia declaration

On 26 November, the Bureau considered and took note of the draft declaration submitted by Ms Dzhema Grozdanova, Chairperson of the Bulgarian delegation (Appendix 1). On 14 December, it decided to seize the Committee on Political Affairs and Democracy for a report on "Call for a Council of Europe Summit to defend and promote democratic security in Europe".

2.2.4. Challenge on procedural grounds of the still unratified credentials of the parliamentary delegation of the United Kingdom

On 14 December, the Bureau took note of the opinion adopted by the Committee on Rules of Procedure, Immunities and Institutional Affairs concluding that the credentials should be ratified, and decided to transmit it to the Assembly for information (Appendix 2).

2.3. First part-session of 2016 (25 – 29 January)

2.3.1. Draft agenda

On 2 October, the Bureau drew up the preliminary draft agenda. On 26 November, the Bureau updated it.

2.3.2. Request for debate under urgent procedure

On 14 December, the Bureau took note of the proposal, submitted jointly by all political groups, to hold a debate under urgent procedure on "Combating international terrorism while protecting Council of Europe standards and values" during the first part-session of 2016.

2.4. Elections observations

2.4.1. Kyrgyzstan: parliamentary elections (4 October 2015)

On 26 November, the Bureau approved the report of the ad hoc committee, which was subsequently submitted to the Standing Committee of 27 November.

2.4.2. Belarus: presidential election (11 October 2015)

On 26 November, the Bureau approved the report of the ad hoc committee, which was subsequently submitted to the Standing Committee of 27 November.

2.4.3. Ukraine: local elections (25 October 2015)

On 26 November, the Bureau took note of the press release of the international election observation mission.

2.4.4. Azerbaijan: parliamentary elections (1 November 2015)

On 26 November, the Bureau approved the report of the ad hoc committee, which was subsequently submitted to the Standing Committee of 27 November.

2.4.5. Turkey: early parliamentary elections (1 November 2015)

On 26 November, the Bureau approved the report of the ad hoc committee, which was subsequently submitted to the Standing Committee of 27 November.

2.4.6. Armenia: referendum on constitutional reforms (6 December 2015)

On 26 November, the Bureau decided to observe this referendum; constituted an ad hoc committee consisting of one member per political group and the co-rapporteur of the Monitoring Committee on Armenia; appointed Mr Andreas Gross (Switzerland, SOC) as its Chairperson, and approved the composition of the ad hoc committee. On 14 December, the Bureau took note of the press release of the electoral observation mission.

2.4.7. Schedule of elections

On 14 December, the Bureau took note of the elections calendar for 2016 as presented in the memorandum prepared by the Secretary General of the Assembly [AS/Bur (2015) 82].

2.4.8. Meeting of the Chairpersons of ad committees for the observation of elections

On 14 December, the Bureau took note that the next meeting would take place on 27 January 2016, during the first part-session.

2.5. References and transmissions to committees

2.5.1. References to committees

At its meeting on 26 November, the Bureau approved the following references, which were subsequently ratified by the Standing Committee:

– Doc. 13885, motion for a resolution, Follow-up to Resolution 1903 (2012): promoting and strengthening transparency, accountability and integrity of Parliamentary Assembly members*:* reference to the Committee on Rules of Procedure, Immunities and Institutional Affairs *for report;*

– Doc. 13888, motion for a resolution, Co-operation with the International Criminal Court: towards a concrete and expanded commitment, reference to the Committee on Legal Affairs and Human Rights *for report;*

– Doc. 13889, motion for a resolution, Increased income inequalities are a threat to social cohesion, reference to the Committee on Social Affairs, Health and Sustainable Development *for report;*

– Doc. 13890, motion for a resolution, Protecting refugee women from gender-based violence*:* reference to the Committee on Equality and Non-Discrimination *for report* and to the Committee on Migration, Refugees and Displaced persons *for opinion;*

– Doc. 13892, motion for a resolution, Gender equality and child maintenance, reference to the Committee on Equality and Non-Discrimination *for report* and to the Committee on Social Affairs, Health and Sustainable Development *for opinion;*

– Doc. 13893, motion for a resolution, How to encourage the migration of international students across Europe, consultation of the Committees on Culture, Science, Education and Media and Migration, Refugees and Displaced Persons *on a possible follow-up;*

– Doc. 13894, motion for a resolution, Ongoing maternal care for children, transmission to the Committee on Social Affairs, Health and Sustainable Development *for information;*

– Doc. 13902, motion for a resolution, Blacklisting of elected parliamentarians, counterproductive to parliamentary diplomacy, reference to the Committee on Rules of Procedure, Immunities and Institutional Affairs *to be taken into account in the preparation of the report on"Introduction of sanctions against parliamentarians" (Ref. 4051)*;

– Doc. 13909, motion for a resolution, 25 years of the CPT, achievements and improvements needed, reference to the Committee on Legal Affairs and Human Rights *for report;*

– Doc. 13915, request for an opinion from the Committee of Ministers, Draft Council of Europe Convention on Cinematographic Co-production (revised), reference to the Committee on Culture, Science, Education and Media *for report;*

– Doc. 13916, request for an opinion from the Committee of Ministers, Draft Protocol amending the European Landscape Convention (CETS No 176), reference to the Committee on Social Affairs, Health and Sustainable Development *for report.*

2.5.2. Extension of references

On 2 October, the Bureau considered and approved the following extensions of references:

– Doc. 13402, motion for a resolution, Improving children's access to child-friendly health and social services (Ref. 4027 of 7 March 2014 – validity: 7 March 2016): extension until 15 October 2016;

– Doc. 13316, motion for a recommendation, Involuntary placement and treatment of people with psychosocial disability: need for a new paradigm (Ref. 4005 of 22 November 2013 – validity: 22 November 2015): extension until 15 December 2016;

– Doc. 13317, motion for a resolution, Road safety in Europe as a public health priority (Ref. 4006 of 22 November 2013 – validity: 22 November 2015), extension until 15 December 2016;

– Doc. 13322, motion for a resolution, Defending the acquis of the Council of Europe: preserving 65 years of successful intergovernmental cooperation (Ref. 4009 of 22 November 2013 – validity: 22 November 2015): extension until 31 December 2016;

– Doc. 12998, motion for a resolution, Administrative detention (Reference 3900 of 1 October 2012 – validity: 31 October 2015): extension until 31 December 2016;

– Doc. 12306, motion for a resolution, Accession of the European Union to the European Convention on Human Rights: Election of Judges (Reference 3700 of 4 October 2010 – validity: 31 December 2015)*:* extension until 31 December 2016;

– Doc. 13064, motion for a resolution, Human Rights in the North Caucasus: what follow-up to Resolution 1738 (2010)? (Reference 3928 of 21 January 2013 – validity: 31 October 2015): extension until 30 April 2016.

On 26 November, the Bureau approved the following extensions of references:

– Doc. 13340, motion for a resolution, Sport for all: a bridge to equality, integration and social inclusion (Ref. 4015 of 27 January 2014 – validity: 27 January 2016), *proposal:* extension until 1 July 2016;

– Bureau decision, Evaluation of the Partnership for democracy in respect of the Palestinian National Council (follow-up to Resolution 1969 (2014)) (Ref. 4025 of 31 January 2014 – validity: 31 January 2016): extension until 30 June 2016.

On 14 December, the Bureau approved the following extensions of references:

– Doc. 13343, motion for a recommendation, Cultural democracy (Ref. 4020 of 27 January 2014 – validity: 27 January 2016): extension until 30 June 2016;

– Doc. 13404, motion for a resolution, Educational and cultural networks of communities living abroad (Ref. 4028 of 7 March 2014 – validity: 7 March 2016): extension until 30 June 2016.

2.6. Issues raised by committees

2.6.1. Committee on Political Affairs and Democracy

On 2 October, the Bureau authorised Ms Josette Durrieu (France, SOC), Rapporteur on "Political developments in Iran", to carry out a fact-finding visit to Iran by the end of 2015, in the framework of the preparation of her report.

2.6.2. Committee on Social Affairs, Health and Sustainable Development

On 26 November, the Bureau authorised Ms Gabriela Pecková (Czech Republic, EPP/CD) to participate in the International Summit on Human Gene Editing, to be held on 1-3 December 2015 in Washington.

2.7. Petition for the rights of new-borns surviving their abortion

On 2 October, the Bureau took note of the letter by the Chairperson of the Committee on Legal Affairs and Human Rights and decided that the petition was inadmissible.

2.8. European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)

On 2 October, the Bureau drew up the list of candidates for the CPT in respect of the Russian Federation which it forwarded to the Committee of Ministers and endorsed the recommendation of the Committee on Legal Affairs and Human Rights to invite the delegation of Malta to submit a new list of candidates.

2.9. Voting for elections during the fourth part-session of 2015

On 26 November, the Bureau took note of the letters by Ms Aleksandra Djurović, Chairperson of the delegation of Serbia as well as of the memorandum on "Voting for elections during Assembly's 2015 autumn part-session" prepared by the Secretariat. The Bureau decided to ask the Committee on Rules of Procedure, Immunities and Institutional Affairs to consider the rules applicable to election procedures in the plenary Assembly, and to disclose to the Chairperson of the delegation of Serbia a copy of the original lists of members who voted in the elections for the Secretary General of the Parliamentary Assembly and for a judge to the European Court of Human Rights held on 29 September 2015.

2.10. Situation in the Republic of Moldova

On 26 November, the Bureau authorised the Chairperson of the Monitoring Committee to carry out a fact-finding visit to Chisinau in December 2015 in order to look into the conditions of pre-trial detention of Mr Vladimir Filat, former Prime Minister of the Republic of Moldova, and Mr Grigore Petrenko, former member of the Assembly.

2.11. Resolution 1376 (2004) relating to Cyprus

On 26 November, the Bureau took note that Mr Özdemir Berova would replace Mr Tahsin Ertuğruoğlu as "elected representative of the Turkish Cypriot community" entitled to sit in the Assembly.

2.12. Composition of the Monitoring Committee and the Committee on Rules of Procedure, Immunities and Institutional Affairs

2.12.1. Monitoring Committee

On 26 November, on the basis of proposals made respectively by the European Conservatives Group and the Socialist Group, the Bureau nominated Mr Ian Liddell-Grainger (United Kingdom, EC), Mr Nigel Evans (United Kingdom, EC) and Ms Manana Kobakhidze (Georgia, SOC), replacing Mr Tedo Japaridze. These nominations were ratified by the Standing Committee on the following day.

2.12.2. Committee on Rules of Procedure, Immunities and Institutional Affairs

On 26 November, on the basis of proposals by the European Conservatives Group, the Bureau nominated Sir Roger Gale (United Kingdom) replacing Mr James Clappison and Mr Ian Liddell-Grainger (United Kingdom) replacing Baroness Judith Wilcox. These nominations were ratified by the Standing Committee on the following day.

2.13. Institutional representation of the Parliamentary Assembly in 2015

On 26 November, the Bureau approved the appointment of Mr Sergiy Vlasenko (Ukraine, EPP/CD) as representative at the Group of States against Corruption (GRECO).

2.14. Appointment of Assembly representatives for official activities

On 2 October, the Bureau appointed Mr Piotr Wach (Poland, EPP/CD) to participate in the 90th Rose-Roth Seminar organised by the NATO Parliamentary Assembly on 11-13 November 2015 in Chisinau.

2.15. Expenditure of the Parliamentary Assembly for the 2016 financial year

On 14 December, the Bureau took note of the information provided by the Secretary General of the Assembly.

2.16. Parliamentary co-operation activities – work plan 2016

On 14 December, the Bureau took note of the information provided by the Director General of the Secretariat of the Assembly.

2.17. Václav Havel Human Rights Prize

On 14 December, the Bureau took note of the calendar of the 2016 edition of the Prize.

2.18. European Conference of Presidents of Parliament 2016

On 14 December, the Bureau took note of the draft programme of the Conference, which would take place on 15-16 September 2016 in Strasbourg.

2.19. Co-operation with the European Parliament and other EU institutions

On 14 December, the Bureau took note of the memorandum prepared by the Secretary General of the Assembly, reflecting the various joint activities and meetings.

2.20. Apportionment of the allocation to political groups for 2016

On 14 December, the Bureau approved the proposal for the apportionment of the allocation.

2.21. Meetings elsewhere than Strasbourg and Paris

During the reference period, the Bureau authorised the following meetings:

– the ad hoc Sub-Committee to visit reception facilities for migrants on the island of Kos (Greece) (of the Committee on Migration, Refugees and Displaced Persons), to meet on 23-24 October 2015;

– the Sub-Committee on External Relations (of the Committee on Political Affairs and Democracy), to meet in Geneva, Switzerland, on 12-13 November 2015;

– the Sub-Committee on the Europe Prize (of the Committee on Social Affairs, Health and Sustainable Development) to meet in Vara (Sweden) on 29-30 November 2015.

2.22. Other business

On 14 December, the Bureau authorised Ms Liliane Maury-Pasquier (Switzerland, SOC) to participate in the parliamentary hearing on “The World Drug Problem: Taking Stock and Strengthening the Global Response”, organised jointly by the Inter-parliamentary Union and the United Nations, to be held in New York (United States) on 8-9 February 2016.

3. Activities of the Standing Committee (Sofia, 27 November 2015)

The Standing Committee heard a welcome address by Ms Tsetska Tsacheva, President of the National Assembly, and held an exchange of views with Mr Daniel Mitov, Minister for Foreign Affairs of Bulgaria, Chairperson of the Committee of Ministers.

It ratified the credentials of new members of the Assembly submitted by the delegations of France, Germany, Hungary, Luxembourg, the Netherlands and Turkey and referred the challenged credentials of the delegation of the United Kingdom to the Committee on Rules of Procedure, Immunities and Institutional Affairs. It approved the changes in the composition of Assembly committees and took note of the preliminary draft agenda of the first part-session of the Assembly (25-29 January 2016).

The Standing Committee ratified the references proposed by the Bureau which are contained in chapter 2.5.

It held a current affairs debate on “Combatting international terrorism while protecting Council of Europe standards and values”.

It also held an exchange of views with Mr Mykola Gnatovskyy, Chairperson of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), in which Mr Hristo Ivanov, Minister for Justice of Bulgaria, took part.

The Standing Committee adopted a declaration submitted by Ms Dzhema Grozdanova, Chairperson of the Bulgarian Delegation (Appendix 1) and took note of the reports of the ad hoc committees of the Bureau on the:

– “Observation of the parliamentary elections in Kyrgyzstan (4 October 2015)”;

– “Observation of the presidential election in Belarus (11 October 2015)”;

– “Observation of the parliamentary elections in Azerbaijan (1 November 2015)”;

– “Observation of the early parliamentary elections in Turkey (1 November 2015)”.

Finally, it adopted the following texts on behalf of the Assembly:

– Resolution 2081 (2015) on Access to justice and the Internet: potential and challenge;

– Resolution 2082 (2015) and Recommendation 2082 (2015) on The fate of critically ill detainees in Europe;

– Resolution 2083 (2015) on Chinese migration to Europe: challenges and opportunities;

– Opinion 290 (2015) on Draft Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events;

– Resolution 2084 (2015) on Promoting best practices in tackling violence against women.

4. Decisions of the Bureau requiring ratification by the Assembly

4.1. References and transmissions to committees

On 14 December, the Bureau approved the following references, subject to ratification by the Assembly:

– Doc. 13840, motion for a resolution, Democracy and the European Union*:* no further action;

– Doc. 13900 motion for a resolution, The promotion of social competencies through education for a more cohesive society: transmission to the Committee on Culture, Science, Education and Media *for information;*

– Doc. 13903, motion for a recommendation, Integration of refugees in times of critical pressure: learning from recent experience and examples of best practice, reference to the Committee on Migration, Refugees and Displaced Persons *for report;*

– Doc. 13905, motion for a resolution, Jurisdictional immunity of international organisations and rights of their staff: consultation of the Committee on Legal Affairs and Human Rights *on a possible follow-up;*

– Doc. 13906, motion for a resolution, Towards a European Earned Citizenship Programme for refugees: transmission to the Committee on Migration, Refugees and Displaced Persons *for information;*

– Doc. 13907, motion for a resolution, The political rights of persons with disabilities: a democratic issue*:* reference to the Committee on Equality and Non-Discrimination *for report;*

– Doc. 13908, motion for a resolution, Gender inequality in migrant access to education and employment*:* reference to the Committee on Culture, Science, Education and Media *to be taken into account in the preparation of the report on "Access to school and education for all children"* (Ref. 4053);

– Doc. 13910, motion for a recommendation, Freedom of movement as a means of protecting human rights*:* transmission to the Committee on Social Affairs, Health and Sustainable Development *for information.*

4.2. Election observation

4.2.1. "The former Yugoslav Republic of Macedonia": early parliamentary elections (24 April 2016)

On 14 December, the Bureau decided, subject to receiving an invitation, to observe these elections and constituted an ad hoc committee for this purpose composed of 20 members (EPP/CD: 8; SOC: 7, ALDE: 2, EC: 2, UEL: 1 - in accordance with the D'Hondt system) and the co-rapporteurs on post-monitoring dialogue. It also authorised a pre-electoral mission.

4.3. Václav Havel Human Rights Prize

On 14 December, the Bureau approved the revised Regulations (Appendix 3), subject to ratification by the Assembly; it decided that they would apply as of the 2016 edition of the Prize.

The Assembly is invited to ratify these Bureau decisions.

5. Gender equality in the functioning of the Assembly[1]

Analysis

Endorsing a proposal made by the former Committee on Equal Opportunities for Women and Men at its meeting in Strasbourg on 15 April 2011, the Bureau decided to publish figures on the gender breakdown of Assembly positions and to produce an annual report on progress in achieving gender equality in the functioning of the Assembly.

In 2015, women continued to be underrepresented in all Assembly and Committee positions, even if there has been improvement in some areas.

As regards overall Assembly membership, in 2015 women represented 35% of the total, which is slightly better than in the previous year. They were slightly better represented amongst substitutes (35%) than amongst representatives (33%).

In 2015, all national delegations complied with the requirement set out in Rule 6.2.a of the Assembly's Rules of Procedure, according to which *'(…) National delegations should include members of the under-represented sex at least in the same percentage as in their parliaments and, at a very minimum, one member of the under-represented sex appointed as representative'.*

I held the Assembly's main leadership position in 2015: for the second time in Assembly's history a woman was elected President in 2014 and my mandate continues until January 2016. The percentage of women as Vice-Presidents slightly increased from 22% in 2014 to 24% in 2015. Women's representation in the Bureau also increased (from 25% to 29%) while it remained the same in the Presidential Committee (14%).

As regards the Committee Chairmanships, the number of women as Chairpersons decreased: 50% in 2014 to 37% in 2015. Also the overall percentage of women in Committees' Bureau decreased from 37% in 2014 to 33% in 2015.

As regards the composition of Committees, women were slightly better represented as both alternates (38%) and full members (36%) compared to the previous year. The overall proportion of women slightly increased: in 2015 they represented 35% as opposed to 32% in 2014. Women Rapporteurs for opinion whose opinion was presented in plenary session during the year decreased from 35% in 2014 to 21% in 2015, whereas the percentage of women Rapporteurs for report remained stable at 29% in 2014 and 2015. The Committee on Honouring of Obligations and Commitments by Member States (Monitoring Committee) and the Committee on Rules of Procedure, Immunities and Institutional Affairs did not appoint any women rapporteurs[2]. Furthermore, there were no women members of the Bureau of these two committees in 2015. It should be recalled that, when appointing Rapporteurs, committees should take into account gender amongst other criteria, in accordance with Rule 50 of the Rules of Procedure of the Assembly.

1. The figures provided represent the situation as of 10 December 2015.
2. It should however be noted that specific rules apply to the Monitoring Committee for the appointment of rapporteurs.

OVERVIEW ASSEMBLY							
Position	**Men**	**Women**	**Total**	**Percentage of men**		**Percentage of women**	
				2014	**2015**	**2014**	**2015**
President	0	1	0	0%	0%	100%	100%
Vice-Presidents	14	5	19	78%	76%	22%	24%
Presidential Committee	6	1	7	86%	86%	14%	14%
Assembly Bureau	27	11	38	75%	71%	25%	29%

COMMITTEES	**Men**	**Women**	**Total**	**Percentage of men**		**Percentage of women**	
Committee on Political Affairs and Democracy				**2014**	**2015**	**2014**	**2015**
Members	58	27	85	68%	68%	32%	32%
Alternates	57	21	78	76%	73%	24%	27%
Chairperson	0	1	1	0%	0%	100%	100%
Vice-Chairpersons	2	1	3	67%	67%	33%	33%
Rapporteurs for report	4	1	5	73%	80%	27%	20%
Rapporteurs for opinion	0	0	0	0%	100%	0%	0%
Committee on Legal Affairs and Human Rights				**2014**	**2015**	**2014**	**2015**
Members	57	28	85	71%	67%	29%	33%
Alternates	57	21	78	65%	73%	35%	27%
Chairperson	1	0	1	100%	100%	0%	0%
Vice-Chairpersons	2	1	3	67%	67%	33%	33%
Rapporteurs for report	11	1	12	100%	92%	0%	8%
Rapporteurs for opinion	4	1	5	67%	80%	33%	20%
Committee on the Election of Judges to the European Court of Human Rights					**2015**		**2015**
Members	15	9	6		60%		40%
Alternates	13	9	4		69%		31%
Chairperson	0	0	0		0%		0%
Vice-Chairpersons	0	3	3		0%		100%
Committee on Social Affairs, Health and Sustainable Development				**2014**	**2015**	**2014**	**2015**
Members	52	32	84	63%	62%	37%	38%
Alternates	46	30	76	70%	61%	30%	39%
Chairperson	1	0	1	100%	100%	0%	0%
Vice-Chairpersons	3	0	3	100%	100%	0%	0%
Rapporteurs for report	2	4	6	75%	33%	25%	67%
Rapporteurs for opinion	3	1	4	67%	75%	33%	25%
Committee on Migration, Refugees and Displaced Persons				**2014**	**2015**	**2014**	**2015**
Members	56	29	85	66%	66%	34%	34%
Alternates	42	32	74	62%	57%	38%	43%
Chairperson	1	0	1	100%	100%	0%	0%
Vice-Chairpersons	2	0	2	33%	100%	67%	0%
Rapporteurs for report	8	1	9	58%	89%	42%	11%
Rapporteurs for opinion	0	0	0	100%	0%	0%	0%
Committee on Culture, Science, Education and Media				**2014**	**2015**	**2014**	**2015**
Members	58	27	85	71%	68%	29%	32%
Alternates	45	30	75	66%	60%	34%	40%
Chairperson	0	1	1	100%	0%	0%	100%
Vice-Chairpersons	1	1	2	67%	50%	33%	50%
Rapporteurs for report	8	2	10	67%	80%	33%	20%

COMMITTEES	Men	Women	Total	Percentage of men		Percentage of women	
Rapporteurs for opinion	2	0	2	100%	100%	0%	0%
Committee on Equality and Non-Discrimination				**2014**	**2015**	**2014**	**2015**
Members	36	46	82	41%	44%	59%	56%
Alternates	35	37	72	47%	49%	53%	51%
Chairperson	0	1	1	0%	0%	100%	100%
Vice-Chairpersons	1	2	3	67%	33%	33%	67%
Rapporteurs for report	3	5	8	57%	37%	43%	63%
Rapporteurs for opinion	0	1	1	0%	0%	100%	100%
Committee on Honouring of Obligations and Commitments by Member States (Monitoring Committee)				**2014**	**2015**	**2014**	**2015**
Members	57	23	80	75%	71%	25%	29%
Chairperson	1	0	1	100%	100%	0%	0%
Vice-Chairpersons	3	0	3	67%	100%	33%	0%
Rapporteurs for report	12	0	12	71%	100%	29%	0%
Committee on Rules of Procedure, Immunities and Institutional Affairs				**2014**	**2015**	**2014**	**2015**
Members	17	7	24	80%	71%	20%	29%
Chairperson	1	0	1	0%	100%	100%	0%
Vice-Chairpersons	2	0	2	67%	100%	33%	0%
Rapporteurs for report	4	0	4	50%	100%	50%	0%
Rapporteurs for opinion	2	0	2	100%	100%	0%	0%

OVERVIEW COMMITTEES							
Position	Men	Women	Total	Percentage of men		Percentage of women	
				2014	**2015**	**2014**	**2015**
Members	404	226	630	68%	64%	32%	36%
Alternates	291	175	466	65%	62%	35%	38%
Committees' Chairpersons	5	3	8	50%	63%	50%	37%
Committees' Vice-Chairpersons	16	8	24	63%	67%	37%	33%
Rapporteurs for report	52	21	73	71%	71%	29%	29%
Rapporteurs for opinion	11	3	14	65%	79%	35%	21%

GENDER BREAKDOWN, SUB-COMMITTEES, BUREAUX							
Committees	Men	Women	Total	Percentage of men		Percentage of women	
Committee on Political Affairs and Democracy				**2014**	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	1	0	1	100%	100%	0%	0%
Vice-Chairpersons of Sub-Committees	1	1	2	67%	50%	33%	50%
Committee on Legal Affairs and Human Rights				**2014**	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	1	1	2	67%	50%	33%	50%
Vice-Chairpersons of Sub-Committees	1	2	3	100%	33%	0%	67%
Committee on Social Affairs, Health and Sustainable Development				**2014**	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	2	1	3	75%	67%	25%	33%
Vice-Chairpersons of Sub-Committees	2	1	3	67%	67%	33%	33%
Committee on Migration, Refugees and Displaced Persons				**2014**	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	2	0	2	67%	100%	33%	0%

GENDER BREAKDOWN, SUB-COMMITTEES, BUREAUX							
Committees	**Men**	**Women**	**Total**	**Percentage of men**		**Percentage of women**	
Vice-Chairpersons of Sub-Committees	1	0	1	100%	100%	0%	0%
Committee on Culture, Science, Education and Media				**2014**	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	2	0	2	100%	100%	0%	0%
Vice-Chairpersons of Sub-Committees	1	0	1	100%	100%	0%	0%
Committee on Equality and Non-Discrimination				**2014**	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	1	2	3	0%	33%	100%	67%
Vice-Chairpersons of Sub-Committees	0	2	2	0%	0%	100%	100%

OVERVIEW – SUB-COMMITTEES							
Position	**Men**	**Women**	**Total**	**Percentage of men**		**Percentage of women**	
				2014	**2015**	**2014**	**2015**
Sub-Committee Chairpersons	9	4	13	67%	69%	33%	31%
Sub-Committee Vice-Chairpersons	7	6	13	60%	54%	40%	46%

GENDER BREAKDOWN – NATIONAL DELEGATIONS					
National Delegations (Representatives and Substitutes)	**Total**	**Men**	**Women**	**Percentage of men**	**Percentage of women**
Albania	8	5	3	63%	38%
Andorra	4	1	3	25%	75%
Armenia	8	5	3	63%	38%
Austria	12	7	5	58%	42%
Azerbaijan	12	9	3	75%	25%
Belgium	14	9	5	64%	36%
Bosnia and Herzegovina	10	7	3	70%	30%
Bulgaria	12	10	2	83%	17%
Croatia	12	10	2	83%	17%
Cyprus	10	7	3	70%	30%
Czech Republic	4	2	2	50%	50%
Denmark	14	7	7	50%	50%
Estonia	10	7	3	70%	30%
Finland	6	4	2	67%	33%
France	10	4	6	40%	60%
Georgia	36	22	14	61%	39%
Germany	10	6	4	60%	40%
Greece	36	20	16	56%	44%
Hungary	14	4	10	29%	71%
Iceland	14	10	4	71%	29%
Ireland	8	5	3	63%	38%
Italy	36	18	18	50%	50%
Latvia	6	3	3	50%	50%
Liechtenstein	4	2	2	50%	50%
Lithuania	8	5	3	63%	38%
Luxembourg	6	3	3	50%	50%
Malta	6	5	1	83%	17%

GENDER BREAKDOWN – NATIONAL DELEGATIONS					
National Delegations (Representatives and Substitutes)	**Total**	**Men**	**Women**	**Percentage of men**	**Percentage of women**
Republic of Moldova	8	5	3	63%	37%
Monaco	4	3	1	75%	25%
Montenegro	6	3	3	50%	50%
Netherlands	14	9	5	64%	36%
Norway	10	6	4	60%	40%
Poland	24	20	4	83%	17%
Portugal	12	9	3	75%	25%
Romania	20	16	4	80%	20%
Russian Federation	36	30	6	83%	17%
San Marino	4	3	1	75%	25%
Serbia	14	5	9	36%	64%
Slovak Republic	10	6	4	60%	40%
Slovenia	6	5	1	83%	17%
Spain	23	17	6	74%	26%
Sweden	12	4	8	33%	67%
Switzerland	12	9	3	75%	25%
"The former Yugoslav Republic of Macedonia"	6	4	2	67%	33%
Turkey	30	23	7	77%	23%
Ukraine	24	18	6	75%	25%
United Kingdom	36	25	11	69%	31%
Total	**641**	**417**	**224**	**65%**	**35%**

GENDER BREAKDOWN – NATIONAL DELEGATIONS (REPRESENTATIVES ONLY)					
National Delegations (representatives)	**Total**	**Men**	**Women**	**Percentage of men**	**Percentage of women**
Albania	4	3	1	75%	25%
Andorra	2	0	2	0%	100%
Armenia	4	2	2	50%	50%
Austria	6	4	2	67%	33%
Azerbaijan	6	5	1	83%	17%
Belgium	7	6	1	86%	14%
Bosnia and Herzegovina	5	3	2	60%	40%
Bulgaria	6	5	1	83%	17%
Croatia	5	4	1	80%	20%
Cyprus	2	1	1	50%	50%
Czech Republic	7	3	4	43%	57%
Denmark	5	4	1	80%	20%
Estonia	3	1	2	33%	67%
Finland	5	1	4	20%	80%
France	18	11	7	61%	39%
Georgia	5	4	1	80%	20%
Germany	18	11	7	61%	39%
Greece	7	2	5	29%	71%
Hungary	7	6	1	86%	14%
Iceland	3	2	1	67%	33%

GENDER BREAKDOWN – NATIONAL DELEGATIONS (REPRESENTATIVES ONLY)					
National Delegations (representatives)	**Total**	**Men**	**Women**	**Percentage of men**	**Percentage of women**
Ireland	4	3	1	75%	25%
Italy	18	8	10	44%	56%
Latvia	3	1	2	33%	67%
Liechtenstein	2	1	1	50%	50%
Lithuania	4	3	1	75%	25%
Luxembourg	3	1	2	33%	67%
Malta	3	2	1	67%	33%
Republic of Moldova	5	4	1	80%	20%
Monaco	2	1	1	50%	50%
Montenegro	3	2	1	67%	33%
Netherlands	7	6	1	86%	14%
Norway	5	3	2	60%	40%
Poland	12	11	1	92%	8%
Portugal	7	5	2	71%	29%
Romania	10	8	2	80%	20%
Russian Federation	18	15	3	83%	17%
San Marino	2	1	1	50%	50%
Serbia	7	3	4	43%	57%
Slovak Republic	5	4	1	80%	20%
Slovenia	3	2	1	67%	33%
Spain	12	10	2	83%	17%
Sweden	6	3	3	50%	50%
Switzerland	6	4	2	67%	33%
"The former Yugoslav Republic of Macedonia"	3	1	2	33%	67%
Turkey	18	14	4	78%	22%
Ukraine	12	8	4	67%	33%
United Kingdom	18	14	4	78%	22%
Total	**323**	**216**	**107**	**67%**	**33%**

GENDER BREAKDOWN – NATIONAL DELEGATIONS (SUBSTITUTES ONLY)					
National Delegations (substitutes)	**Total**	**Men**	**Women**	**Percentage of men**	**Percentage of women**
Albania	4	2	2	50%	50%
Andorra	2	1	1	50%	50%
Armenia	4	3	1	75%	25%
Austria	6	3	3	50%	50%
Azerbaijan	6	4	2	67%	33%
Belgium	7	3	4	43%	57%
Bosnia and Herzegovina	5	4	1	80%	20%
Bulgaria	6	5	1	83%	17%
Croatia	5	3	2	60%	40%
Cyprus	2	1	1	50%	50%
Czech Republic	7	4	3	57%	43%
Denmark	5	3	2	60%	40%
Estonia	3	3	0	100%	0%
Finland	5	3	2	60%	40%
France	18	11	7	61%	39%

GENDER BREAKDOWN – NATIONAL DELEGATIONS (SUBSTITUTES ONLY)					
National Delegations (substitutes)	**Total**	**Men**	**Women**	**Percentage of men**	**Percentage of women**
Georgia	5	2	3	40%	60%
Germany	18	13	5	72%	28%
Greece	7	2	5	29%	71%
Hungary	7	4	3	57%	43%
Iceland	3	1	2	33%	67%
Ireland	4	2	2	50%	50%
Italy	18	10	8	56%	44%
Latvia	3	2	1	67%	33%
Liechtenstein	2	1	1	50%	50%
Lithuania	4	2	2	50%	50%
Luxembourg	3	2	1	67%	33%
Malta	3	3	0	100%	0%
Republic of Moldova	5	4	1	80%	20%
Monaco	2	2	0	100%	0%
Montenegro	3	1	2	33%	67%
Netherlands	7	5	2	71%	29%
Norway	5	3	2	60%	40%
Poland	12	9	3	75%	25%
Portugal	6	5	1	83%	17%
Romania	10	8	2	80%	20%
Russian Federation	18	15	3	83%	17%
San Marino	2	2	0	100%	0%
Serbia	7	2	5	29%	71%
Slovak Republic	5	2	3	40%	60%
Slovenia	3	3	0	100%	0%
Spain	11	8	3	73%	27%
Sweden	6	1	5	17%	83%
Switzerland	6	5	1	83%	17%
"The former Yugoslav Republic of Macedonia"	3	3	0	100%	0%
Turkey	12	9	3	75%	25%
Ukraine	12	10	2	83%	17%
United Kingdom	18	11	7	61%	39%
Total	**315**	**205**	**110**	**65%**	**35%**

OVERVIEW – NATIONAL DELEGATIONS							
Delegations	**Men**	**Women**	**Total**	**Percentage of men**		**Percentage of women**	
				2014	**2015**	**2014**	**2015**
Total	417	224	641	66%	65%	34%	35%
Representatives	216	107	323	68%	67%	32%	33%
Substitutes	205	110	315	65%	65%	35%	35%

Appendix 1 – Declaration adopted by the Standing Committee on 27 November 2015[3]

AS/Per (2015) 08

27 November 2015

The Parliamentary Assembly, meeting in Sofia today, recalls the aim of the Council of Europe's founding fathers who, in the aftermath of the horror of the Second World War, established this Organisation in order to "achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage". As Article 3 of the Organisation's Statute expressly spells out, its members have to collaborate sincerely and effectively in the realisation of precisely this aim.

Paying tribute to the 40th Anniversary of the Helsinki Final Act, the Assembly wishes to underline the important role its signature played in bringing to an end the Cold War. It recognises this agreement as a testament to what is possible when States make a concerted effort to set aside differences and strive for common understanding.

The Assembly is indeed convinced that the numerous political challenges Europe is facing today, both within and around its borders, call for a common response on the basis of shared principles and values, dialogue, trust and solidarity. In these critical moments, Council of Europe member States should focus on what unites them rather than what divides them, and avoid raising new walls and drawing dividing lines.

For this purpose and recognising the key role the Council of Europe can play in defending and promoting democratic security, the Parliamentary Assembly calls for a Summit of Heads of State and Government in order for the member States to reaffirm, at the highest political level, their commitment to the common values and principles of democracy, human rights and the rule of law upheld by the Organisation.

3. Submitted by Ms Dzhema Grozdanova (Bulgaria, EPP/CD), Chairperson of the Bulgarian Delegation.

Appendix 2 – Challenge on procedural grounds of the still unratified credentials of the parliamentary delegation of the United Kingdom

AS/Pro (2015) 22

11 December 2015

Report[4] prepared by the Chairperson of the Committee, Mr Haluk KOÇ (Turkey, Socialist Group)

A. Opinion to the President of the Parliamentary Assembly[5]

1. On 27 November 2015, the still unratified credentials of the United Kingdom parliamentary delegation were challenged on procedural grounds in accordance with Rule 7 of the Assembly's Rules of Procedure, namely on the grounds that the Prime Minister of the United Kingdom had allegedly interfered in the procedure for appointing the delegation by excluding three Conservative MPs belonging to the outgoing delegation.

2. The Committee on Rules of Procedure, Immunities and Institutional Affairs has examined the various objections raised. It considers, in accordance with the letter of Article 25 of the Statute of the Council of Europe and Rule 6 of the Assembly's Rules of Procedure, and in the light of recent precedents for challenging credentials, that there are not sufficient grounds for not ratifying the credentials of the United Kingdom delegation.

3. The committee notes in this connection that Article 25.a of the Statute of the Council of Europe, by stipulating that the Assembly "shall consist of Representatives of each Member, elected by its Parliament from among the members thereof, or appointed from among the members of that Parliament", offers member States a degree of flexibility regarding the procedure to be followed, although in the past the Assembly has taken the view that election is more in keeping with the spirit of Article 25.

4. It considers, however, that the problems raised in connection with the present challenge to credentials prompt legitimate concerns. The committee therefore urges the House of Commons to review with the utmost diligence the procedure for appointing the national delegation to the Parliamentary Assembly in order to bring it fully into line with the democratic principles upheld by the Assembly.

5. The committee therefore concludes that the credentials of the UK parliamentary delegation should be ratified.

6. Lastly, the committee notes that Rule 11.3 of the Rules of Procedure gives national parliaments a period of six months following parliamentary elections to appoint a new delegation. There is therefore every reason for questioning the UK Parliament as to the reasons why, in November 2015, just as in November 2010, it was unable to submit the credentials of a new delegation within the prescribed time, with the risk of no UK representative being able to sit on Assembly bodies and of such a situation having unfortunate repercussions for the actual functioning of the Assembly.

B. Explanatory memorandum

1. Procedure

1. At the meeting of the Standing Committee on 27 November 2015, Mr Andreas Gross (Switzerland, Socialist Group), supported by some ten other members, belonging to at least five national delegations, challenged the still unratified credentials of the UK delegation to the Parliamentary Assembly on procedural grounds (Rule 7.1 of the Rules of Procedure), namely on the grounds that three Conservative MPs belonging to the outgoing delegation[6] had been excluded from the new delegation, following the direct intervention of the Prime Minister, for having failed to toe the government line in a vote in the House of Commons. Mr Gross justified his initiative by the need to defend the prerogatives of the UK Parliament against any unwarranted interference by the Prime Minister in the parliamentary process. In accordance with Rule 7.2, the Standing Committee referred the credentials to the Committee on Rules of Procedure, Immunities and Institutional Affairs.

4. Reference to committee: Standing Committee decision of 27 November 2015.
5. Adopted unanimously by the committee on 10 December 2015
6. Namely Ms Cheryl Gillan, Mr Christopher Chope and Sir Edward Leigh.

2. The Committee must therefore consider whether the procedure for appointing the UK delegation:

– was consistent with the principles set out in Article 25 of the Statute of the Council of Europe taken

– together with Rule 6 of the Assembly's Rules of Procedure, and

– was consistent with the principles contained in Rule 7.1 of the Assembly's Rules of Procedure.[7]

3. According to Rule 7.2, "[i]f the Committee concludes that the credentials should be ratified, it may submit an opinion to the President of the Assembly, who shall read it out in the plenary sitting of the Assembly or the Standing Committee, without debate. If the Committee concludes that the credentials should not be ratified or that they should be ratified but that some rights of participation or representation should be denied or suspended, the Committee's report shall be placed on the agenda for debate within the prescribed deadlines".

4. Most of the challenges to credentials which the Assembly has had to consider to date on the basis of Rule 7 were concerned with a lack of fair political representation, to the detriment of the parliamentary opposition, or a failure to comply with the requirement relating to representation of the under-represented sex. In the present case, what is at issue is not the composition of the UK delegation and the provisions of Rule 7.1.b,[3] but the actual process for appointing the delegation and its alleged incompatibility with the Organisation's statutory provisions.

2. The credentials of the UK parliamentary delegation submitted for ratification by the Standing Committee on 27 November 2015

1. Pursuant to Article 26 of the Statute of the Council of Europe, the UK parliamentary delegation is composed of 18 representatives and 18 substitutes. The composition of the new UK parliamentary delegation appears in the report by the President of the Assembly on examination of credentials of representatives and substitutes which was presented at the meeting of the Standing Committee on 27 November 2015 (Doc. 13926).

2.1. The applicable statutory provisions and rules

1. According to Article 25 of the Statute of the Council of Europe:

> *"a. The Consultative (Parliamentary) Assembly shall consist of Representatives of each Member [State],* ***elected by its Parliament from among the members thereof, or appointed from among the members of that Parliament,*** *in such manner as it shall decide, subject, however, to the right of each Member [State] to make any additional appointments necessary when the Parliament is not in session and has not laid down the procedure to be followed in that case."*

2. For its part, Rule 6.1. of the Assembly's Rules of Procedure provides as follows: "The credentials of the representatives and substitutes, **elected within the national or federal parliament or appointed from among the members of the national or federal parliament**, shall be sent to the President of the Assembly by the President (Speaker) of the national parliament or the President (Speaker) of a national parliamentary chamber or any person delegated by them. Each member state shall notify the Secretary General of the Council of Europe of the competent authority it has appointed for the purpose (…)".

3. The competent authority for the United Kingdom is the Speaker of the House of Commons.[8]

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7. Rule 7.1.: "Credentials may be challenged by at least ten members of the Assembly present in the Chamber, belonging to at least five national delegations, on stated procedural grounds based upon:

a. one or more of the relevant provisions of the Statute (in particular Articles 25 and 26);

b. the principles in Rule 6.2, that national parliamentary delegations should be composed so as to ensure a fair representation of the political parties or groups in their parliaments and should include in any case one member of the under-represented sex, appointed as a representative;

c. the absence of a solemn statement as mentioned in Rule 6.2.b.

The authors shall state the reasons for the challenge."

8. In a letter dated 27 October 2010, the Secretary of State for Foreign and Commonwealth Affairs, William Hague, informed the Secretary General of the Council of Europe that the competent authority was henceforth the Speaker of the House of Commons, and no longer the Minister for Europe.

2.2. The credentials of the UK delegation sent on 18 November 2015

1. The credentials of the UK delegation were sent to the President of the Parliamentary Assembly on 18 November 2015. In his covering letter, Mr John Bercow, Speaker of the House of Commons, says that "the composition of the delegation was announced by the Prime Minister in a Written Statement on 3 November, pursuant to the resolutions of the House of Commons of 22 May 1992 and the House of Lords of 18 June 1992", and specifies the method for allocating seats on the delegation, as required by Rule 6.2.a. More specifically, it is mentioned that "the composition of the delegation is by agreement between the parties (…). The names of individual representatives and substitutes are then determined by each of the parties concerned". Furthermore, the form for submission of credentials countersigned by the Speaker of the House of Commons certifies that "the persons, members of the United Kingdom parliament were appointed as representatives or substitutes to the Parliamentary Assembly by the Prime Minister on 3 November 2015". Appended to this letter and the official forms which the delegation is required to submit to the Table Office of the Parliamentary Assembly was the Written Statement by the Prime Minister, David Cameron (reference HCWS287), which is unusual since such a document had not been attached to previous transmitted credentials.

2. Based on the information available to the Committee on Rules of Procedure[9], the procedure for appointing the UK delegation to the Assembly is governed by the following arrangements:

– the procedure adopted is based entirely on custom and practice: there is no formal written procedure, no provision in the rules of the Houses of Parliament and no specific set of regulations governing the composition of the parliamentary delegation;

– the number of seats to which each party is entitled as well as the distribution of seats between parties in the delegation are determined by party agreement;

– the method for appointing delegation members is determined by each party: nominations are made by the party whips, except in the Labour Party, which holds internal elections to choose its representatives; in the case of the Conservative Party, the decision falls to the party leader;

– the Prime Minister formally appoints the delegation, whose composition is announced by way of a written statement to both Houses; the list represents no more than the assembling of the nominations made by the parties;

– the Speaker of the House of Commons, who is the competent authority within the meaning of Rule 6.1 of the Assembly's Rules of Procedure, submits the delegation credentials to the President of the Assembly.

2.3. The debate in the House of Commons on the procedure for appointing the new UK delegation

1. The exclusion from the new delegation of three Conservative MPs who were members of the outgoing delegation has its political origins in a vote in the House of Commons on 7 September 2015 in the context of the discussion of the bill providing for a referendum on UK membership of the European Union. A government

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9. See the following documents:

– *House of Commons Library, Briefing paper Number 7378, 16 November 2015, UK delegation to the Parliamentary Assembly of the Council of Europe*.

– the reply to ECPRD request no. 2566 on parliamentary delegations, June 2014: "Members of the PACE and the OSCE delegations are formally appointed by the Prime Minister. Members of the delegation to the NATO PA are formally appointed by the Secretary of State for Foreign and Commonwealth Affairs. Appointments to delegations are announced in written statements. In appointing such members, account is taken of the balance of the political parties in the House of Commons at that time and the nominations received from the different political parties. It is for each party to determine its method of nominating members of the delegations (…)."

– the reply to a questionnaire sent in July 2015 by the rapporteur of the Committee on Rules of Procedure on "Effective representation and participation in the Parliamentary Assembly of opposition parliamentarians in the member States": "the formation of the UK delegation to the Parliamentary Assembly is announced by way of a Parliamentary Written Statement by the Prime Minister, after consultation with the political parties. Following publication of the Prime Minister's written statement, the Speaker of the House of Commons writes to the President of the Assembly presenting the credentials of the new delegation. (…) The names of individual representatives and substitutes from both Houses are then determined by the party concerned. (…) There is extensive consultation between the parties leading up to the appointment of individual members to the delegation, including within and between the various Whips' offices in the House of Commons and in the House of Lords."

Lastly, on 3 December 2015, the Clerk of the House of Commons, Mr David Natzler, sent a memorandum to the chairperson of the Committee on Rules of Procedure, detailing the procedure in force.

initiative to amend the rules on restrictions on government activities during the purdah period was rejected by a broad majority including 37 "rebel" Conservative MPs, the members of the Labour Party and those of the Scottish National Party. This vote was seen by observers as a humiliating defeat for the Prime Minister.

2. On 3 November 2015, the Prime Minister submitted the list of members of the new delegation by way of a written statement. Three members of the previous delegation who had been re-elected to Parliament following the elections of 7 May 2015 and were among the "rebel" Conservative MPs had apparently been excluded from the list by decision of David Cameron acting in this instance as party leader, and not as Prime Minister. This decision prompted reactions on the part of certain members of the House of Commons and gave rise to several debates on the question of the procedure for appointing parliamentary delegations:

– The first exchange took place on 3 November 2015 after Christopher Chope had put an oral question asking the Leader of the House of Commons to make a statement about the rationale that had been applied in determining which members should be reappointed to the parliamentary delegation. Mr Chope pointed out that the three members excluded from the new delegation had been sanctioned for having voted in favour of a free and fair referendum with a strict 28-day "purdah period", as recommended by the Council of Europe Venice Commission and the independent UK Electoral Commission. He criticised the fact that the members of the delegation had been chosen by the government, and not by Parliament, saying that such a process constituted "unwarranted interference by the UK Government in the work of the Parliamentary Assembly".[10] Several MPs took the floor after Mr Chope, some to complain of an utterly undemocratic situation, others to say more simply that the House should have the power to decide for itself who should represent it on international bodies through a vote of all the members.

– The second exchange took place on 4 November 2015 following a point of order raised by Paul Flynn, a Labour member of the House of Commons and of the outgoing delegation to the Parliamentary Assembly, in which he said that the composition of the delegation should not simply be a matter for prime ministerial diktat, but a matter that MPs can debate and vote on. The Speaker of the House of Commons replied that he had not (yet) send the credentials of the UK delegation and that it was his responsibility "to be assured of the propriety of the process involved" but not "to assess the merits or demerits of the individual prospective candidates for membership of the delegation".

– On 16 November 2015, the House of Commons considered a Backbench Business Motion on the membership of the UK delegation to the PACE to the effect that the method for nominating the parliamentary delegation be changed and aligned with the procedure used for nominating committee members. Following the debate, this motion was rejected without a vote, following the rejection by a large majority of a compromise amendment.

3. During these debates, several MPs spoke out in favour of the House adopting more democratic procedures to ensure that decisions on the membership of delegations lay with the backbenchers,[11] and not just the whips, and that the list of members was formally adopted by a vote of all the members.

4. Despite the outcome of the vote on 16 November, which put an end to the controversy over the appointment of the new UK delegation to the Parliamentary Assembly, the debate should be followed up on: the motion to revise the method of appointing delegations and adopt a more democratic procedure would likely be discussed by the relevant committee(s) of the House of Commons.

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10. Mr Chope also set out all these arguments in a widely circulated letter of 5 November which, as (outgoing) Chair of the European Conservatives Group in the Assembly, he sent both to the members of his group and to other members of the Parliamentary Assembly and its secretariat.

11. Members of the UK Government are MPs. Ministers sit on the front row of the seats and are therefore referred to as frontbenchers. Backbenchers are members of parliament who are not ministers and sit behind them. The same applies to the opposition. Whips are parliamentarians appointed by each party to maintain party discipline and to ensure that members of their party are present and vote along with party lines. Each party appoints a chief whip and several deputy whips.

3. Compliance of the procedure for appointing the UK delegation with the provisions of the Statute of the Council of Europe and the Assembly's Rules of Procedure

3.1. A precedent: challenging of the credentials of the UK delegation in 1992

1. In 1992, the credentials of the UK delegation had been challenged, amongst other reasons, on account of the manner in which the delegation had been appointed.[12] In its report, the Committee on Rules of Procedure noted that the appointments had been made by the Executive Government "apparently without the United Kingdom parliament having at any time specifically fixed (…) a procedure to that end", but that the parliament's tradition over many centuries of acting by convention and unwritten procedures – insofar as the procedure followed in practice had been approved by the national parliament and despite the fact that it was "at variance with a strict interpretation of Article 25 of the Statute" – was not in itself a ground for rejecting the credentials. The committee concluded that Article 25 of the Statute authorised the appointment (as distinct from the election) of a national delegation under procedures decided by the national parliament even though the Assembly considered elections to be more closely in line with the spirit of Article 25.

2. In 1992, the Assembly confirmed the conclusions of the Committee on Rules of Procedure, approving the delegation's credentials, but called on the UK government and parliament "as a matter of urgency, to review the procedures for the appointment of their delegation to the Parliamentary Assembly in order to bring them more closely in line with the spirit of the Statute of the Council of Europe and the Rules of Procedure of the Assembly."

3. Following this challenge to credentials, twin motions had been adopted by the House of Commons, on 22 May 1992, and the House of Lords, on 18 June 1992. These resolutions simply confirmed the existing procedures for the appointment of delegations.[13] However, these resolutions do not specify what exactly these procedures are!

3.2. Positions of the Assembly to promote respect for pluralist democracy in the representation of parliaments in national delegations

1. The present challenge to the credentials of the UK parliament is not based on a claim that its composition fails to comply with the criterion of fair representation of political parties or groups laid down in the Rules of Procedure, but, as in 1992, on the procedure for appointing the delegation. The Committee on Rules of Procedure must therefore consider not whether the procedure decided by parliament, within the meaning of Article 25 of the Statute of the Council of Europe, has been followed, but whether this procedure is in line with the Statute.

2. It is clear that neither the Statute of the Council of Europe (Article 25) nor the Assembly's Rules of Procedure (Rule 6) oblige member States to appoint their delegation to the Parliamentary Assembly by election. Accordingly, insofar as they stipulate that representatives must be elected by parliament from among the members thereof or appointed from among the members of that parliament, the regulatory texts grant states room for manoeuvre with regard to the procedure to be followed. It may be argued, however, that this provision in the Statute was laid down in 1951 and that in the European institutional environment of the 21st century, such a provision may appear to run counter to the democratic requirements which the Parliamentary Assembly and the Council of Europe in general seek to promote in member states. It was for this reason that the Assembly itself, in 1993, had asked the Committee of Ministers, as part of the general revision of the Statute of Europe (which was ultimately aborted) to amend Article 25.

3. In the aforementioned report on the credentials of the United Kingdom delegation, the Committee on Rules of Procedure had regarded "the problems raised in connection with the nomination of the United Kingdom delegation as giving rise to legitimate concern about the procedures adopted by the United Kingdom authorities and parliament, and as greatly strengthening the case for a revision of Article 25 of the Statute of the Council of Europe so as to require member states to adopt procedures more consistent with contemporary democratic attitudes and aspirations."

4. The Assembly has, for many years, demonstrated its commitment to strengthen its democratic nature, in terms of both its functioning and its composition. For example, in Recommendation 1027 (1986) on amending Article 25 of the Statute of the Council of Europe, the Assembly reiterated "the paramount

12. See the report by Committee on Rules of Procedure on the credentials of the UK delegation (Doc. 6610 of 5 May 1992, rapporteur: Mr Schieder, Austria, SOC).

13. *HC Deb 22 May 1992 vol 208 c682: "Resolved, That this House confirms the existing procedure for the nomination of the United Kingdom delegations to the Parliamentary Assemblies of the Council of Europe and Western European Union".*

importance assigned by the Statute of the Council of Europe to the principles of pluralist parliamentary democracy" and the need to "transform this moral obligation [placed on states to ensure compliance with the democratic principles set forth in the preamble to the Statute] into a formal requirement."

5. In addition, the Committee on Rules of Procedure refers, in the present case, to the "principles to be used to assess whether political parties or groups are fairly represented in national delegations to the Parliamentary Assembly", drawn up in 2011,[14] and more specifically Article 6.3: "Parliaments' decisions on appointments must respect national procedural rules and be, on the whole, fair, that is, honest, impartial, just, equitable, non-discriminatory. **The national procedural rules should also be in accordance with the Council of Europe's fundamental values (rule of law, respect for human rights and pluralistic democracy).**"

3.3. Precedents in the Parliamentary Assembly concerning challenges to credentials based on Rule 7 of the Rules of Procedure

1. In the examination of previous challenges to credentials, it was pointed out that the Assembly must avoid any interference in the internal political affairs of a member state. The Assembly must, in principle, simply ensure that the main political currents present in a parliament are represented and, in particular, that the delegation includes opposition parties.[15] It is this position that is reflected in several recent Assembly decisions:

– In April 2013, the still unratified credentials of a member of the Ukrainian parliamentary delegation, Mr Andriy Shevchenko, had been challenged on procedural grounds, based on the fact that he was replacing, in the Ukrainian delegation, Mr Sergiy Vlasenko, who had been deprived of his national parliamentary mandate under a judicial decision which may have been politically motivated. Taking the view that the appointment of Mr Shevchenko did not violate the principle of the fair representation of political parties or groups, as both members of parliament belonged to the same group in the Verkhovna Rada, the Assembly ratified the credentials.[16]

– In January 2010, the Committee was asked to take a position on the challenge, on procedural grounds, to the still unratified credentials of the Armenian parliamentary delegation, relating to the alleged under-representation of opposition parties or groups. The challenge claimed that the Armenian parliament had "manipulated its internal rules in order to exclude a member of the EPP group". The Committee concluded that the credentials should be ratified, insofar as the list of delegation members ensured a fair representation of the political groups in the Armenian National Assembly and included a representative and substitute belonging to the opposition.[17]

– Previously, in January 2009, the Assembly had considered the challenge to the credentials of the Albanian delegation, on the ground that a member belonging to the delegation in the 2008 Session had been removed for 2009. The Committee on Rules of Procedure had considered that the procedure for appointing the delegation did comply with the rules of procedure of the Albanian delegation and that the Assembly could ratify the delegation's credentials.[18]

4. Conclusions

1. While the national parliaments in the Council of Europe member States have rules of procedure codifying all parliamentary procedures, it may seem unusual, if not anachronistic, that in the UK parliament, certain substantive procedures are based on convention and unwritten rules. It must be clearly acknowledged that parliaments have a right to develop their own specific arrangements provided that their procedures are transparent and comply with democratic principles, which include parliament's sovereignty with regard to its own functioning.

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14. See Resolution 1798 (2011) on fair representation of the political parties or groups of national parliaments in their delegations to the Parliamentary Assembly, which comprises a series of 12 principles to be used to assess whether political parties or groups are fairly represented in national delegations to the Assembly, Recommendation 1027 (1986) and Resolution 932 (1989).
15. Doc. 5497, paragraph 7; Doc. 6101, paragraph 11.
16. Doc. 13193 and Resolution 1931 (2013).
17. Opinion to the President of the Parliamentary Assembly, document AS/Pro (2010) 06 def.
18. Doc. 11809 and Resolution 1650 (2009).

2. In the light of the foregoing and its precedents with regard to challenges to credentials, the Committee on Rules of Procedure could take the view that this current challenge to credentials is the result of a misunderstanding. This misunderstanding arises from a "confusion of roles", which is not the case in the functioning of other parliaments of member states since, in the United Kingdom, the role of Prime Minister merges with that of party leader, sitting in the House of Commons. Such a situation is bound to seem questionable to those whose parliamentary institutions function in accordance with a strict separation of powers.

3. The Committee on Rules of Procedure notes that the question of the procedure for appointing the parliamentary delegation to the Assembly has been duly debated in the House of Commons, publicly and in total transparency, and it cannot but welcome the opportunity given to the members of parliament who so wished to speak freely on this issue. Clearly, the vote on 16 November 2015 in the House of Commons, which led to the rejection of the motion to amend the current procedure, can be seen as the expression of the majority of the House to maintain the existing procedure.[19] However, the committee expects the House of Commons to continue to consider this issue with the utmost diligence within the competent committee(s), and notes that it has already referred the matter to the Public Administration and Constitutional Affairs Committee.

4. As it stated when considering a similar challenge to credentials,[20] it is not for the Committee on Rules of Procedure to become involved in party politics when verifying the credentials of delegations. This is why it is not the committee's role to take a position on the merits of the decision not to reappoint three members of the outgoing delegation, insofar as such a decision has no effect on the balance of political representation in the new delegation.

5. On this basis, the Committee on Rules of Procedure concludes that the principles enshrined in Rule 7.1 of the Assembly's Rules of Procedure have been complied with. Nonetheless, the committee notes that:

– among the principles to assess whether political parties or groups are fairly represented in national delegations, laid down in Resolution 1798 (2011), is the commitment to ensure that "Parliaments' decisions on appointments must respect national procedural rules (…) [which] should also be in accordance with the Council of Europe's fundamental values (rule of law, respect for human rights and pluralistic democracy)";

– the objection raised in the challenge to credentials, and by several members of the House of Commons, to the effect that the procedure for appointing members of the delegation is not fully democratic in that it excludes any decision by the House of Commons itself and enables the Prime Minister to possibly interfere in this process, is a serious one;

– the requirement for legal certainty means guaranteeing transparent, clear and stable procedures, whose application does not depend on political circumstances; the procedure for appointing delegations must be clearly laid down by the House of Commons in order to ensure that the parliamentary process is free from all suspicion of interference by the Prime Minister.

6. The Assembly fully expects the UK parliament – "the mother of parliaments" – to respond in the most diligent and responsible manner possible to the criticisms voiced by both this Assembly and members of the House of Commons itself, by clarifying its procedure in full compliance with the democratic standards promoted by the Council of Europe.

7. Accordingly, having considered the objections raised, and in accordance with Rule 10.1 of the Rules of Procedure, the Committee on Rules of Procedure concludes that the credentials of the UK parliamentary delegation are in compliance with Article 25 of the Statute of the Council of Europe and Rule 6 of the Assembly's Rules of Procedure. The commission therefore proposes that the Assembly ratify those credentials.

8. Furthermore, the Committee on Rules of Procedure points out that Rule 11.3 of the Rules of Procedure grants national parliaments a six-month period following parliamentary elections to appoint a new delegation. The UK parliament could therefore be asked why, in November 2015, as in November 2010, it had been unable to submit the credentials of a new delegation within the prescribed time frame, with the risk of no UK

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19. Some observers noted that government ministers had also voted, which would be contrary to conventional practice with regard to an agenda reserved for backbenchers. It is the rejection of a compromise amendment, by 171 votes against and 34 in favour, which led to the rejection of the motion without a vote.

20. Challenge on procedural grounds of the still unratified credentials of the Ukrainian parliamentary delegation, document AS/Pro (2012) 03 def, of 24 January 2012.

representative being able to sit on the Assembly's bodies – committees, Bureau and Standing Committee. As it is one of the six major delegations sitting in the Assembly, this would inevitably have unfortunate repercussions for the functioning of the Assembly.

9. Lastly, it should be pointed out that in application of Rules 7.2, this challenge to credentials must be considered by the Assembly at the opening of the 2016 Session, on 25 January 2016, and if the committee were to conclude that the credentials should not be ratified or should be ratified together with sanctions, this decision would become null and void and could not be implemented insofar as the Assembly would, on that date, examine the new credentials of all delegations.

Appendix 3 – Regulations of the Václav Havel Human Rights Prize[21]

Article 1: The Prize

The Václav Havel Human Rights Prize shall be awarded by the Parliamentary Assembly of the Council of Europe in partnership with the Václav Havel Library and the Charta 77 Foundation every year in order to reward outstanding civil society action in the defence of human rights. The Prize shall be awarded in memory of Václav Havel, playwright, fighter against totalitarianism, leader of the 1989 Velvet Revolution, Czechoslovak and Czech President, and an enduring symbol of opposition to despotism.

Article 2: Nature

The Prize shall consist of a sum of sixty thousand euros, which may be subject to periodic adjustment, a trophy and a diploma commending the Prizewinner(s)' outstanding contribution to the cause of human rights.

Article 3: Eligibility

Individuals or non-governmental institutions who or which are active in the defence of human rights may be eligible for consideration. Current members of the Parliamentary Assembly and deceased individuals are not eligible.

Article 4: Nominations

4.1. Nominations for the Prize must reach the Secretary General of the Parliamentary Assembly before 30 April each year. They shall be signed by at least five sponsors, other than the nominee, on the special form appended to these Regulations.

4.2. Nominations shall provide details of the nominee's action(s) in the defence of human rights and specify the reasons why the nominee's action(s) can be considered to be outstanding. All relevant supporting documents shall be provided.

4.3. Nominations may be submitted in one of the two official languages of the Council of Europe: English or French.

Article 5: Selection Panel

5.1. A Selection Panel comprising the President of the Assembly or a person designated by him/her, and six independent persons with recognised moral standing in the field of human rights shall examine the nominations, submit a shortlist of three nominees to the Bureau of the Parliamentary Assembly for information and, subsequently, designate the Prizewinner(s) for the year in question (see also Articles 6 and 7 below).

5.2. The six independent experts referred to in the preceding paragraph shall not be current members of the Assembly. Three members shall be appointed by the Bureau of the Parliamentary Assembly and three members by the Václav Havel Library and the Charta 77 Foundation. The six independent experts shall be appointed for a two-year period, renewable twice.

5.3. The Selection Panel shall be chaired by the President of the Assembly or the person designated by him/her.

Article 6: Decision on the Prizewinner(s)

6.1. The Selection Panel shall decide on any issue of conflict of interest involving its members.

6.2. The Selection Panel shall, in a first sitting, draw up a shortlist of three nominees. The names of these nominees shall subsequently be made public by the President of the Assembly.

6.3. In the event that, the Selection Panel considers that none of the nominations put forward is sufficiently outstanding, it shall inform the Bureau of the Parliamentary Assembly and the Václav Havel Library and the Charta 77 Foundation accordingly.

21. As approved by the Bureau on 7 March 2013 and revised on 14 December 2015.

6.4. In a second sitting, the Panel shall designate the Prizewinner out of the shortlist. This decision shall be taken by an absolute majority of the votes cast, the day before the opening of the Fourth part-session of the Parliamentary Assembly.

6.5. If the Panel considers more nominations to be of equal merit, more than one Prizewinner may be designated to equally share the Prize.

6.6. The name of the Prizewinner shall be announced by the President of the Parliamentary Assembly in plenary, during the opening of the Fourth part-session of the Assembly.

6.7. The calendar of events shall be as follows:

a. 30 April: deadline for submission of nominees for the Prize;

b. end of August/beginning of September: first meeting of the Selection Panel (Prague); selection of a shortlist of three nominees;

c. Sunday before the Fourth part-session of the Parliamentary Assembly: second meeting of the Selection Panel (Strasbourg), selection of the Prizewinner(s) from the shortlist.

Article 7: Award Ceremony

7.1. The Prize shall be awarded at a ceremony which shall take place in Strasbourg on the Monday of the Fourth part-session of the Parliamentary Assembly.

7.2. The former Czech First Lady, Ms Dagmar Havlova, shall be invited to honour the ceremony with her presence.

7.3. The Bureau of the Parliamentary Assembly shall approve the arrangements for the ceremony.

Article 8: Conference in honour of Prizewinner

The Václav Havel Library shall organise, at a later date, an international conference in Prague in honour of the Prizewinner(s).