

Recommendation 2083 (2016)¹

Introduction of sanctions against parliamentarians

Parliamentary Assembly

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1. The Parliamentary Assembly refers to its [Resolution 2087 \(2016\)](#) on the introduction of sanctions against parliamentarians and, in particular, to the current situation involving a growing number of restrictions on travel by national parliamentarians from Council of Europe member States to other member States.
2. The Assembly draws the Committee of Ministers' attention to the continued failure by certain member States to honour the international commitments they have freely entered into by hindering the Assembly's activities with obstacles to the exercise of its members' duties.
3. Moreover, the growing internationalisation of parliamentary work is highlighting the inadequacy of the international legal framework in which parliamentarians perform their duties outside their own countries. While it is clear that diplomacy is an inherently sovereign function, it is also true that parliaments have gradually become involved in it, entailing a need to recognise and protect the relevant activities on an international level. National parliamentarians should therefore be afforded adequate safeguards in relation to third countries when travelling abroad in the course of their duties and be covered by a fixed, standardised framework of rights and privileges so as to meet the requirements of legal certainty.
4. The Assembly therefore calls on the Committee of Ministers to:
 - 4.1. demand that member States honour their commitments under the Statute of the Council of Europe (ETS No. 1), the General Agreement on Privileges and Immunities of the Council of Europe (ETS No. 2) and the protocol thereto (ETS No. 10) and fully guarantee the immunity of members of the Parliamentary Assembly and their free movement on the territory of member States;
 - 4.2. urge member States to grant, by means of unilateral declarations:
 - 4.2.1. members of the delegations holding observer or partner for democracy status with the Parliamentary Assembly taking part in sessions of the Assembly and meetings of its committees and, in general, in activities organised by them, the privileges and immunities afforded to members of the Parliamentary Assembly under the General Agreement on Privileges and Immunities of the Council of Europe and the protocol thereto;
 - 4.2.2. national elected representatives from Council of Europe member States travelling to or through their territory the immunities afforded to the members of their countries' own parliaments;
 - 4.3. launch, prior to any standard-setting work and taking account of current work by the United Nations International Law Commission, a feasibility study on the creation of an international status for parliamentarians and any related rights and obligations, which could be carried out by the Council of Europe's Committee of Legal Advisers on Public International Law (CAHDI).

1. *Assembly debate* on 26 January 2016 (4th Sitting) (see [Doc. 13944](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Díaz Tejera). *Text adopted by the Assembly* on 26 January 2016 (4th Sitting).

