



Resolution 2360 (2021)¹

Modification of the Assembly's Rules of Procedure – Follow-up to Resolution 2319 (2020) on the complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations

Parliamentary Assembly

1. At its January 2020 part-session, by adopting [Resolution 2319 \(2020\)](#), the Parliamentary Assembly decided to introduce a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations. This decision completes three years of reflection by the Assembly aimed at intensifying and structuring the political dialogue with the Committee of Ministers and providing for joint action by the two statutory organs of the Council of Europe in order to strengthen the Organisation's ability to react more effectively in situations where a member State violates its statutory obligations or does not respect the fundamental principles and values upheld by the Council of Europe.
2. The Assembly takes note of the Ministers' Deputies' decision of 5 February 2020 to agree on "a complementary procedure for the application of Article 8 of the Statute of the Council of Europe, as a consequence of a serious violation by a member State of fundamental principles and values of the Organisation under Article 3 of the Statute".
3. Consequently, the Assembly decides to amend its Rules of Procedure as follows:
 - 3.1. as regards the conditions for initiating and dealing with a proposal for a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations:
 - 3.1.1. in Rule 24.2.c on motions tabled by members which are published as official documents of the Assembly, complete the footnote by specifying "including motions tabled under Rule 54 and motions for a recommendation to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations.";
 - 3.1.2. after Rule 25.2 on the tabling of motions for recommendations and resolutions, insert the following new rule: "A motion for recommendation to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations shall be presented in both official languages and signed by at least one fifth of the component members (representatives and substitutes) of the Assembly, belonging to at least three political groups and fifteen national delegations.";

1. *Assembly debate* on 26 January 2021 (4th Sitting) (see [Doc. 15093](#), report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Sir Edward Leigh). *Text adopted by the Assembly* on 26 January 2021 (4th Sitting).



3.1.3. in Rule 25.2, second sentence, add a footnote stating: “This provision shall also apply to a motion for dismissal (Rule 54) and to a motion to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations.”;

3.1.4. in Rule 25.3, add a footnote stating: “A motion for dismissal (Rules 54.2 and 54.3) or a motion to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations (Rule 25.[3]) shall be published within twenty-four working hours.”;

3.1.5. in Rule 26 on reference to committees, add a footnote stating: “The provisions of Rules 26.1 and 26.3 shall not apply to a motion for dismissal (Rules 54.2 and 54.3) – which shall be automatically referred to the Committee on Rules of Procedure, Immunities and Institutional Affairs – nor to a motion to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations (Rule 25.[3]), which shall be automatically referred to the Committee on Political Affairs and Democracy for report.”;

3.1.6. in Rule 27.1 on the agenda, add a footnote stating: “The report of the Committee on Political Affairs and Democracy on the initiation of a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations shall also be placed on the agenda.”;

3.1.7. in Rules 51.1 and 52.1 on urgent procedure in the Assembly and in the Standing Committee, add a footnote stating: “A motion to initiate a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations cannot be the subject of a request for urgent procedure.”;

3.2. with regard to establishing the conditions for voting on an Assembly decision on the initiation of a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations, insert the following new rule after Rule 41.a:

“[The following majorities are required:] for the adoption of a draft recommendation on the initiation of a complementary joint procedure between the Committee of Ministers and the Parliamentary Assembly in response to a serious violation by a member State of its statutory obligations, a majority of two thirds of the votes cast and a number of votes in favour equivalent to at least one third of the total number of members of the Assembly authorised to vote;”.

4. The Assembly decides that the amendments to the Rules of Procedure set out in this Resolution shall enter into force upon their adoption.