



Doc. 12902 Part I
21 April 2012

Activities of the Assembly's Bureau and Standing Committee (27 January – 22 April 2012)

Progress report

Bureau of the Assembly

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1. Introduction

1. On 27 January 2012, the Bureau appointed me rapporteur for this report. Since the last part-session of the Assembly, the Bureau has met in Paris on 8 March 2012. The Standing Committee also met in Paris, on 9 March 2012.

2. In line with my predecessors, this progress report covers the period outside of Assembly sessions, leaving aside the decisions which have already been ratified by the Assembly. Thus, the first part of this report presents the Bureau's activities since the end of the 1st part-session of 1012 (23-27 January 2012) up until the 2nd part-session (23-27 April 2012). The activities of the Standing Committee of 9 March 2012 are presented in Chapter 3 of this report.

3. The Bureau will hold its next meetings in Strasbourg during the April part-session, on Monday 23 April 2012 at 8 a.m. and Friday 27 April at 8.30 a.m., and then on 24 May 2012 in Tirana. The next meeting of the Standing Committee will also be held in Tirana on 25 May 2012.

2. Activities of the Bureau since the last part-session

2.1. Follow-up to the first part-session of 2012 (Strasbourg, 23-27 January 2012)

4. On 27 January, the Bureau approved the proposals made by the Secretary General of the Assembly:

- *Follow-up to the “free debate”*: the Bureau authorised the Secretary General of the Assembly to devise a means for following up on issues raised during the “free debate” with various institutional entities of the Council of Europe;
- *Follow-up to the current affairs debate on “the Russian Federation between two elections”*: the Bureau referred the issue to the Monitoring Committee to be taken into account in the preparation of the report on “The honouring of commitments and obligations by the Russian Federation”;
- [Resolution 1855 \(2012\)](#) *on the functioning of democratic institutions in Bosnia and Herzegovina*: regarding paragraph 15¹, the Bureau invited the Monitoring Committee to assess the progress made before 15 March 2012 with a view to returning to the issue at the second part-session of 2012 in the event of no progress being achieved;
- [Resolution 1857 \(2012\)](#) *on the situation in Belarus*: the Bureau invited the Assembly committees to follow up the proposals contained in paragraphs 11.1 and 11.2, in particular as regards stepping up the Assembly's engagement with representatives of civil society, independent media and opposition forces, and enhancing co-operation between the Assembly's different bodies working on Belarus and its international partners in view of increasing the effectiveness of the activities of the European institutions aimed at strengthening civil society in Belarus;
- *Follow-up to the Assembly's reform*: the Bureau asked the Committee on Rules of Procedure, Immunities and Institutional Affairs to prepare a report on the evaluation of the implementation of the reform of the Parliamentary Assembly and to submit it to the Assembly in due course;

1. “The Assembly resolves to closely follow the situation in Bosnia and Herzegovina and to take stock of the progress achieved in the implementation of this and previous resolutions. If no progress is made on the issues mentioned in this resolution before 15 March 2012, the Assembly will consider any further action that might be required at its April 2012 part-session, on the occasion of the tenth anniversary of the accession of Bosnia and Herzegovina to the Council of Europe”

- *Modifications to Article 18.5 of the Rules of Procedure*: following a letter from Ms Maury Pasquier (Switzerland, SOC) dated 25 January 2012, the Bureau asked the Committee on Rules of Procedure, Immunities and Institutional Affairs to present a report concerning the status of chairpersons of political groups in the committees;
- *Precedence of Vice-Chairpersons of the committees*: the Bureau asked the Committee on Rules of Procedure, Immunities and Institutional Affairs to provide an interpretation of the procedure for the establishment of the order of precedence of vice-chairpersons of committees and to report back to the Bureau. Pending the reply, Assembly committees were invited not to apply an order of precedence of the elected vice-chairpersons.

2.2. Terms of reference of General Rapporteurs

5. At its meeting on 8 March, the Bureau approved the terms of reference of the following five general rapporteurs on the basis of proposals submitted by the committees, for a duration of two years, which were subsequently ratified by the Standing Committee (Appendix I):

- General Rapporteur on violence against women, *Committee on Equality and Non-Discrimination*;
- General Rapporteur on the rights of lesbian, gay, bisexual and transgender people (LGBT), *Committee on Equality and Non-Discrimination*;
- General Rapporteur on Science and Technology Impact Assessment, *Committee on Culture, Science, Education and Media*;
- General Rapporteur on Children Committee on Social Affairs, Health and Sustainable Development;
- General Rapporteur on Local and Regional Authorities, Committee on Social Affairs, Health and Sustainable Development.

2.3. Election observation

2.3.1. Revised Guidelines for the observation of elections by the Assembly

6. At its meeting on 27 January 2012, the Bureau amended and approved the revised Guidelines prepared by the Secretariat at the request of the Bureau (Appendix 3), which established *inter alia* a new system whereby members of ad hoc committees to observe elections and referenda must sign a declaration on conflict of interest prior to being confirmed in the list of members.

2.3.2. Elections to the National Constituent Assembly of Tunisia (23 October 2011)

7. On 27 January 2012, the Bureau took note of the oral report by the Chairperson of the post-electoral mission (16-17 January 2012).

2.3.3. Kazakhstan: early parliamentary elections (15 January 2012)

8. On 8 March 2012, the Bureau approved the report issued by the ad hoc Committee.

2.3.4. Russian Federation: presidential election (4 March 2012)

9. On 8 March 2012, the Bureau took note of the press release issued by the ad hoc committee. Further to a consultation with the members of the Bureau on 12 March 2012, it was decided to send a post-electoral mission to Moscow before the next part-session and to constitute an ad hoc committee for this purpose composed of one member from each political group and the two co-Rapporteurs on the Russian Federation of the Monitoring Committee, Mr Frunda (Romania, EPP/CD) and Mr Gross (Switzerland, SOC). This post-electoral mission took place from 11-13 April 2012.

2.3.5. Armenia: parliamentary elections (6 May 2012)

10. On 8 March 2012, the Bureau took note of the declarations on conflict of interest of the candidates for this observation mission, approved the composition of the ad hoc committee and appointed Baroness Nicholson (United Kingdom, ALDE) as Chairperson. A pre-electoral mission to Yerevan took place from 10-14 April 2012.

2.3.6. Serbia: parliamentary elections (6 May 2012)

11. On 8 March 2012, the Bureau took note of the declarations on conflict of interest of the candidates for this observation mission, approved the composition of the ad hoc Committee and appointed Mr Gardetto (Monaco, EPP/CD) as Chairperson. A pre-electoral mission to Belgrade took place from 16-19 April 2012.

2.4. Selection Panel of the Parliamentary Assembly Human Rights Prize

12. On 8 March 2012, the Bureau appointed Mr Hammarberg and Ms Mole as independent experts to serve on the panel for a renewable term of five years beginning on 1 April 2012.

2.5. Issues raised by committees

2.5.1. Committee on Political Affairs and Democracy:

13. On 27 January 2012, the Bureau authorised Mr Vrettos (Greece, SOC) to carry out a fact-finding visit to Israel and the Palestinian territories in the context of the preparation of the report on the "Situation in the Middle East";

14. At the same meeting, it authorised Mr Volontè (Italy, EPP/CD) to carry out a fact-finding visit to Morocco in the context of the preparation of the report on the "Evaluation of the partnership for democracy with the Parliament of Morocco".

2.5.2. Committee on Equality and Non-Discrimination

15. On 27 January 2012, the Bureau authorised Ms Saïdi (Belgium, SOC) to carry out a fact-finding visit to Morocco and Tunisia in February 2012 in the context of preparing the report on "Gender equality and the status of women in the Council of Europe southern neighbourhood".

16. On 8 March 2012, the Bureau decided to invite Ms Bassima Hakkaoui, Minister of Solidarity, Women, Family and Social Development in the Moroccan government and Ms Lilia Labidi, Minister of Women and Family Affairs in the Tunisian government to address the Assembly in the context of the debate on "Gender equality and the status of women in the Council of Europe southern neighbourhood".

2.5.3. Committee on Legal Affairs and Human Rights

17. Following a request from the Committee asking the President to issue a statement urging the competent Belarusian authorities not to execute the two young men, Dmitri Konovalov and Vladislav Kovalev, convicted of the bombing of the Minsk metro in April 2011, the Bureau, at its meeting on 27 January, invited the President to react. The President made an appeal to the relevant Belarusian authorities the same day.

18. On 8 March 2012, the Bureau authorised an ad hoc sub-committee of the Committee on Legal Affairs and Human Rights to participate in the conference of the Joint Committee on Human Rights of the British Parliament entitled "Redressing the Democratic Deficit in Human Rights – how to enhance Parliament's role in relation to human rights" (London, 17-18 April 2012).

2.5.4. Committee on Social Affairs, Health and Sustainable Development

19. On 27 January 2012, the Bureau authorised an Ad hoc Sub-Committee, to be set up by the Committee on Social Affairs, Health and Sustainable Development, to participate at the 6th World Water Forum, 12-17 March 2012 in Marseille and invited the Chairperson of the Committee to proceed accordingly;

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

20. On 8 March 2012, the Bureau approved the proposals contained in the document "Participation of members in Parliamentary Assembly plenary sessions and committee meetings" [AS/Pro (2012) 02] and, in particular:

- authorised the President to write to the delegation chairpersons and the speakers of the parliaments concerned by low participation;

- decided to publish statistics relating to the participation of national delegations on the Assembly’s website;
- invited the Committee on Rules of Procedure, Immunities and Institutional Affairs to carry out a study among the delegations concerning the expectations of national parliaments as regards the Assembly’s work and activities, as well as a study on the impact of adopted texts on the work of parliaments and national governments in the framework of its report on evaluation of the implementation of the reform of the Parliamentary Assembly.

2.6. References and transmissions to committees

2.6.1. References approved by the Bureau

21. During the reference period, the Bureau approved the following references, which were subsequently ratified by the Standing Committee:

- [Doc. 12842](#), Motion for a recommendation, *Accountability of international institutions for human rights violations*, to the Committee on Legal Affairs and Human Rights *for report*
- [Doc. 12843](#), Motion for a recommendation, The European Convention on Human Rights: reinforcement and consolidation of the training of judges, law enforcement officials and lawyers, to the Committee on Legal Affairs and Human Rights *for report*
- [Doc. 12844](#), Motion for a resolution, Abuse of pre-trial detention in States Parties to the European Convention on Human Rights, to the Committee on Legal Affairs and Human Rights *for report*
- [Doc. 12850](#), Motion for a resolution, The need to amend Article 27 of the Rules of Procedure of the Parliamentary Assembly of the Council of Europe so as to establish German, Italian and Russian which have hitherto been working languages, as official languages of the Assembly, to the Committee on Rules of Procedure, Immunities and Institutional Affairs *for information*

2.6.2. Requests for modification of references following the Reform of the Assembly

22. Under the terms of [Resolution 1842 \(2011\)](#) (regularisation of the so called “standing references”), the following references were transferred:

- i. to the Committee on Political Affairs and Democracy *for report*
 - The situation in Belarus
 - The situation in Cyprus: Rapporteur: Mr Hörster (already appointed by the committee)
 - The situation in the Middle East : Rapporteur: Mr Vrettos (already appointed by the committee)
 - The situation in Kosovo² : Rapporteur: Mr von Sydow (already appointed by the committee)
 - The activities of the Organisation for Economic Co-operation and Development (OECD) in 2011-2012: Rapporteur: Mr Bockel (already appointed by the committee)
 - The activities of the European Bank for Reconstruction and Development (EBRD): Rapporteur: Mr Elzinga (already appointed by the committee)
- ii. to the Committee on Legal Affairs and Human Rights *for report*
 - The implementation of judgments of the European Court of Human Rights: Rapporteur: Mr de Vries (already appointed by the committee)
 - The situation of human rights defenders in Council of Europe member states: Rapporteur: Ms Reps (already appointed by the committee)

2. Any reference to Kosovo in this text, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

2.6.3. Requests for extension of references

23. The Bureau approved the extension of the following references:

- **Doc 12061**, Motion for a Resolution, *Families' freedom of choice in education in each member State*, Committee on Culture, Science, Education and Media until 31 October 2012;
- **Doc 11886**, Motion for a Resolution, *The ethics of science* Committee on Culture, Science, Education and Media, until 31 December 2012;
- **Doc 12228**, Motion for a Resolution, *European cultural and educational policies through national parliaments*, Committee on Culture, Science, Education and Media, until 31 December 2012;
- **Doc 12256**, Motion for a Recommendation *Young Europeans: an urgent educational challenge*, Committee on Culture, Science, Education and Media, until 31 December 2012

2.7. Communications

24. The Bureau took note of communications by the President, the Secretary General and the Deputy Secretary General of the Council of Europe, as well as by the Secretary General of the Parliamentary Assembly at its meeting on 8 March.

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

25. On 27 January 2012, the Bureau endorsed the recommendation of the Committee on Legal Affairs and Human Rights and decided to transmit the lists of candidates for the CPT in respect of Latvia and Montenegro to the Committee of Ministers.

2.9. Youth Assembly 2012

26. On 27 January 2012, the Bureau approved the holding of the Youth Assembly 2012 on 5-7 October 2012 and took note of a memorandum prepared by the Secretariat on the instructions of the President of the Assembly.

2.10. World Forum on Democracy (5-11 October 2012)

27. On 8 March 2012, the Bureau constituted an ad hoc committee to participate in the Forum composed of up to 20 members of the Committee on Political Affairs and Democracy, as well as up to 5 members of each of the following committees: Committee on Legal Affairs and Human Rights; Committee on Social Affairs, Health and Sustainable Development; Committee on Migration, Refugees and Displaced Persons; Committee on Culture, Science, Education and Media; Committee on Equality and Non-Discrimination.

28. Furthermore, the Bureau took note that the President of the Assembly would participate in the opening of the Forum and that members of the Assembly would be involved in the thematic workshops and debates.

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

2.11.1. Monitoring Committee:

29. On 27 January 2012, the Bureau nominated members of this committee, which were subsequently ratified by the Standing Committee: on the basis of proposals by the political groups, the Bureau nominated Mr Ghiletschi (EPP/CD) to replace Mr Mignon (EPP/CD), Mr Schennach (SOC) to replace Mr Strässer (SOC); Mr Chaloupka (EDG), Mr Lebedev (EDG), and Baroness Nicholson (ALDE), for vacant seats.

30. On 8 March 2012, the Bureau nominated Ms Schuster (Germany, ALDE), Ms Maury Pasquier (Switzerland, SOC) and Mr Pochinok (Russian Federation, EDG) to fill vacant seats. These nominations were subsequently ratified by the Standing Committee.

2.11.2. Committee on Rules of Procedure, Immunities and Institutional Affairs:

31. On 27 January 2012, on the basis of proposals by the political groups, the Bureau nominated Mr Mahoux (SOC) for a vacant seat and Mr Leyden (ALDE) and Ms Naghdalyan (ALDE) for vacant seats. These nominations were subsequently ratified by the Standing Committee.

2.12. Meetings elsewhere than in Strasbourg and Paris

32. On 27 January 2012, the Bureau authorised the following meetings to be held elsewhere than in Strasbourg and Paris;

- Sub-Committee on the Europe Prize (of the Committee on Social Affairs, Health and Sustainable Development), 29 March 2012, Berlin;
- Committee on Migration, Refugees and Displaced Persons, 29-30 March 2012, Brussels;
- Committee on Culture, Science, Education and Media, 29 May 2012, Romania.

2.13. Appointment of Assembly representatives for official activities

33. During the reference period, the Bureau approved the appointment of the following members to represent the Assembly at official events:

- Mr Gardetto (Monaco, EPP/CD), Joint 79th Rose-Roth and Special Mediterranean Group Seminar, 11-13 April 2012, Marseille (France).
- Mr Connarty (United Kingdom, SOC), International Session of the European Youth Parliament, Istanbul (Turkey), 23 March – 1 April 2012;
- Ms Acketoft (Sweden, ALDE), Conference on “Combating discrimination on the grounds of sexual orientation or gender identity across Europe: Sharing knowledge and moving forward”, Strasbourg, 27 March 2012;
- Mr Mota Amaral (Portugal, EPP/CD), North-South Prize Ceremony of the Council of Europe, Lisbon, 27 March 2012 (at no cost for the Assembly).

2.14. Institutional representation of the Parliamentary Assembly in 2012

34. The Bureau appointed the following Assembly representatives:

- i. *European Commission for Democracy through Law – Venice Commission*: Mr Çavuşoğlu (EDG) appointed by the President, Mr Holovaty (ALDE, Committee on Legal Affairs and Human Rights); and as substitute Mr Mahoux (SOC, Committee on Legal Affairs and Human Rights);
- ii. *Council for Democratic Elections (of the Venice Commission)*: Ms Durrieu (SOC, Committee on Political Affairs and Democracy), Mr Gross (SOC, Committee on Legal Affairs and Human Rights) and Mrs Woldseth (EDG, Monitoring Committee) and as a substitute: Ms de Pourbaix-Lundin (EPP/CD, Monitoring Committee);
- iii. *European Centre for Global Interdependence and Solidarity – North-South Centre*: Sir Roger Gale (EDG, Committee on Culture, Science, Education and Media) and Ms Blondin (SOC, Committee on Social Affairs, Health and Sustainable Development) and as a substitute: Mr Costa Neves (EPP/CD, Committee on Culture, Science, Education and Media);
- iv. *European Commission against Racism and Intolerance (ECRI)*: Ms Huovinen (SOC, Committee on Political Affairs and Democracy), Mr Cilevičs (SOC, Committee on Equality and Non-discrimination) and Mr Schneider (EPP/CD, Committee on Culture, Science, Education and Media) and as substitutes Ms Postanjyan (EPP/CD, Committee on Culture, Science, Education and Media) and Mr Hancock (ALDE, Committee on Political Affairs and Democracy);
- v. *Steering Board of the Forum for the Future of Democracy*. Chairperson of the Committee on Political Affairs and Democracy or the Chairperson or a member of the Ad Hoc Committee (according to availability);

- vi. *Group of States against Corruption – GRECO*: Mr Heald (EDG, Committee on Legal Affairs and Human Rights) and as substitute Ms de Pourbaix-Lundin (EPP/CD, Committee on Legal Affairs and Human Rights) ;
- vii. *European Commission for the Efficiency of Justice – CEPEJ*: Mr Gaudy Nagy (NR, Committee on Legal Affairs and Human Rights);
- viii. *Council of Europe Committee for Works of Art*: Ms Marland-Militello (EPP/CD, Committee on Culture, Science, Education and Media) and Mr Lidell-Grainger (EDG, Committee on Culture, Science, Education and Media).

2.15. Other business

35. During the reference period, the Bureau approved a statement on the situation in Syria and a “Declaration for International Women’s Day 2012: democracy and gender equality one and the same struggle”.

3. Activities of the Standing Committee (Paris, 9 March 2012)

36. On 9 March 2012, the Standing Committee held a current affairs debate on “The deterioration of the situation of imprisoned politicians in Ukraine” with Mr Volontè as the introductory speaker and adopted a statement on this subject. It also adopted a statement on the situation in Syria.

37. On 9 March 2012, the Standing Committee held an exchange of views with Mr Etienne Ataire, President of the Council of Europe Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group).

38. Following debates, the Standing Committee adopted, on behalf of the Assembly, the texts appearing in the attached list (Appendix II), which are available on the Assembly website. It ratified the references as listed in paragraph 21 of this report.

39. It ratified the credentials of new members of the Assembly submitted by the delegations of Bosnia and Herzegovina, Croatia, Denmark, Germany, Hungary, Italy, Luxembourg, the Russian Federation and Spain, and approved the changes in the composition of Assembly committees (as contained in paragraphs 29-30).

40. The Standing Committee ratified the terms of reference of five general rapporteurs listed in paragraph 5 of this report.

41. The Standing Committee took note of the report of the Ad hoc Committee of the Bureau on “Observation of the early parliamentary elections in Kazakhstan (15 January 2012)”.

4. Decisions of the Bureau requiring ratification by the Assembly

4.1. Dates of Assembly part-sessions (2014-2016)

42. On 8 March 2012, the Bureau approved the memorandum prepared by the Secretariat of the Assembly and approved the following dates:

- **2014**: 27-31 January; 7-11 April; 23-27 June; 29 September – 3 October
- **2015**: 26-30 January; 20-24 April; 22-26 June; 28 September – 2 October
- **2016**: 25-29 January; 18-22 April; 20-24 June; 3-7 October

43. The Assembly is now requested to ratify these dates.

Appendix 1 – Terms of reference of General Rapporteurs

1. Committee on Equality and Non-Discrimination

1.1. General Rapporteur on violence against women

In pursuance of Rule 49.7 of the Rules of Procedure, "Committees may appoint one or more general rapporteurs whose terms of reference and term of office they shall determine beforehand. The terms of reference shall be submitted to the Bureau for approval and its decision shall be subject to ratification by the Assembly",

the Committee on Equality and Non-Discrimination decided, at its meeting of 24 January 2011, to adopt the following terms of reference:

Denomination: general rapporteur on violence against women

Term of office: one year renewable, subject to a maximum of three years

Subject: it is the duty of the general rapporteur on violence against women to intervene in the area of violence against women, in all its different forms, including domestic violence, particularly as regards the prevention of violence against women, assistance to the victims, prosecution of the perpetrators and integrated policies.

Responsibilities: the general rapporteur will contribute to raising awareness on the phenomenon of violence against women, following relevant developments in Council of Europe member states and promoting the Council of Europe Convention on preventing and combating violence against women and domestic violence. He or she shall report periodically to the committee on the information collected and the action taken.

The general rapporteur on violence against women will also ensure the political co-ordination of the PACE Network of contact parliamentarians committed to combating violence against women.

In addition, the role of the general rapporteur on violence against women is to:

- follow activities and maintain working relations with relevant Council of Europe intergovernmental bodies dealing with violence against women, including those which may be set up in the context of the;
- follow activities and maintain working relations with external bodies and institutions active in the same area, be they governmental or non-governmental organisations;
- represent the committee on behalf of the Assembly vis-à-vis the Committee of the Parties of the Council of Europe Convention on preventing and combating violence against women and domestic violence, once it is set up;
- follow up Assembly Resolution 1635 and Recommendation 1847 (2008) on Combating violence against women; Resolution 1852 (2011) on Psychological violence; Resolution 1853 (2011) on Protection orders for victims of domestic violence and Resolution 1861 (2012) on Promoting the Council of Europe Convention on preventing and combating violence against women and domestic violence.

1.2. General rapporteur on the rights of lesbian, gay, bisexual and transgender people (LGBTs)

In pursuance of Rule 49.7 of the Rules of Procedure, "Committees may appoint one or more general rapporteurs whose terms of reference and term of office they shall determine beforehand. The terms of reference shall be submitted to the Bureau for approval and its decision shall be subject to ratification by the Assembly", the Committee on Equality and Non-Discrimination decided, at its meeting of 26 January 2012, to adopt the following terms of reference:

Denomination: general rapporteur on the rights of lesbian, gay, bisexual and transgender people (LGBTs)

Term of office: one year renewable, subject to a maximum of three years

Subject: it is the duty of the general rapporteur on LGBT rights to intervene in the area of the protection and the promotion of the rights of LGBT people, particularly on issues related to discrimination on grounds of sexual orientation and gender identity. He or she shall report periodically to the committee on the information collected and the action taken.

Responsibilities:

The role of the general rapporteur is to:

- follow activities and maintain working relations with the Office of the Council of Europe Commissioner on Human Rights, the Committee of Ministers and the European Court of Human Rights;
- follow activities and maintain working relations with national parliaments, the European Parliament, the Office of the United Nations High Commissioner for Human Rights, the Fundamental Rights Agency and the European Commission;
- follow up on relevant resolutions and recommendations of the Parliamentary Assembly, such as Resolution 1728 and Recommendation 1915 (2010) on “Discrimination on the basis of sexual orientation and gender identity”, Recommendation 1635 (2003) on “Lesbians and gays in sport”, Recommendation 1470 (2000) on “Situation of gays and lesbians and their partners in respect of asylum and immigration in the member states of the Council of Europe”, Recommendation 1474 (2000) on the “Situation of lesbians and gays in Council of Europe member states”, also taking into consideration Recommendation (2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity.

2. Committee on Culture, Science, Education and Media

2.1. General Rapporteur on Science and Technology Impact Assessment

In pursuance of Rule 49.7 of the Rules of Procedure, "Committees may appoint one or more general rapporteurs whose terms of reference and term of office they shall determine beforehand. The terms of reference shall be submitted to the Bureau for approval and its decision shall be subject to ratification by the Assembly", the Committee on Culture, Science, Education and Media decided, at its meeting of 23 January 2012, to adopt the following terms of reference:

Denomination: general rapporteur on Science and Technology Impact Assessment

Term of office: one year renewable, subject to a maximum of three years³

Subject: it is the duty of the general rapporteur on Science and Technology Impact Assessment to consider and intervene on issues relating to the ethics of scientific and technological developments as well as to the impact of such developments. He or she shall report periodically to the committee on the information collected and the action taken.

Responsibilities:

The role of the general rapporteur is to:

- follow activities of other Assembly committees and liaise with rapporteurs dealing with scientific and technological matters from other perspectives such as their social, economic, health and environmental impact;
- represent the committee on behalf of the Assembly vis-à-vis the Committee on Bioethics (DH-BIO);
- follow activities and maintain working relations with the European Parliamentary Technology Assessment (EPTA) Network, seeking to give visibility to the work of the Assembly, and advise the Committee on emerging issues and relevant work of the EPTA partners;
- follow activities and maintain working relations with national parliaments as well as with relevant international, intergovernmental, inter-parliamentary or other organisations⁴;
- follow up and promote relevant Assembly resolutions and recommendations in its domain of work.

3. Committee on Social Affairs, Health and Sustainable Development

3.1. General Rapporteur on Children

Denomination: general rapporteur on children

3. Following a proposal by the Bureau, the Standing Committee, meeting on 9 March in Paris, decided to limit the maximum term of all General Rapporteurs to two years.

4. For example: the European Group on Ethics of science and new technologies (EGE).

Term of office: one year renewable, subject to a maximum of three years

Subject: It is the duty of the general rapporteur on children to intervene in the area of children's rights, particularly concerning issues of child protection, child development and child participation in different contexts (educational institutions, family, leisure, others). He or she shall report periodically to the committee on the information collected and the action taken.

Responsibilities:

The role of the general rapporteur is to:

- systematically follow activities and maintain working relations with the Children's Rights Division and the expert and advisory groups coordinated by it, as well as with the Thematic Rapporteur on Children (TC-Enf) of the Committee of Ministers,
- follow activities related to children's rights undertaken by bodies of the intergovernmental sector, by the Congress of Local and Regional Authorities, or by the Commissioner of Human Rights,
- follow activities and maintain working relations with bodies and agencies of the United Nations (Unicef in particular) and the European Commission and Parliament, with the Interparliamentary Union, and with the international non-governmental organisations working in this field (Save the Children, ECPAT and others),
- represent the committee on behalf of the Assembly vis-à-vis any of the above mentioned expert and advisory groups if appropriate, as well as the Committee of the Parties of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention),
- in particular follow up Resolution 1762 (2010) and Recommendation 1939 (2010) on Children without parental care: urgent need for action, Recommendation 1934 (2010) on Child abuse in institutions: ensuring full protection of the victims, and 1980 (2011) and Recommendation 1834 (2011) on Combating "child abuse images" through committed, transversal and internationally co-ordinated action, and continue to promote the Assembly's decisions which appear in these texts.

3.2. General Rapporteur on Local and Regional Authorities

Denomination: general rapporteur on local and regional authorities

Term of office: one year renewable, subject to a maximum of three years

Subject: It is the duty of the general rapporteur on local and regional authorities to intervene in the area of local and regional democracy, particularly concerning issues of good governance at local and regional level, citizen participation, local and regional finances and human rights at local level. He or she shall report periodically to the committee on the information collected and the action taken.

Responsibilities:

The role of the general rapporteur is to:

- systematically follow activities and maintain working relations with the European Committee on Local and Regional Democracy (CDLR), the Rapporteur Group on Democracy (GR-DEM), and the Congress of Local and Regional Authorities,
- follow activities by the European Commission and Parliament, and where appropriate follow and maintain working relations with European and national associations of local and regional authorities,
- represent the committee on behalf of the Assembly vis-à-vis any of the above mentioned bodies where appropriate.

Appendix 2 – Texts adopted by the Standing Committee (Paris, 9 March 2012)

On 9 March 2012, the Standing Committee adopted the following texts:

Resolution 1865 (2012)	The Council of Europe and the Eastern Partnership of the European Union
Resolution 1866 (2012) Recommendation 1994 (2012)	An additional protocol to the European Convention on Human Rights on national minorities
Resolution 1867(2012)	The situation of the Greek citizens of Turkish descent in Rhodes and Kos
Resolution 1868 (2012) Recommendation 1995 (2012)	International Convention for the Protection of all Persons from Enforced Disappearance
Resolution 1869 (2012)	The environmental impact of sunken shipwrecks
Resolution 1870 (2012)	The need for independent and credible expert assessments
Resolution 1871 (2012)	Self-evaluation by Europe's national parliaments: procedural guidelines to improve the quality of parliamentary work

Appendix 3 - Guidelines for the observation of elections by the Parliamentary Assembly

Bearing in mind the objectives and the political nature of the Parliamentary Assembly's observation missions as well as the problems deriving from the past co-operation arrangements with other international institutions, the following guidelines were adopted by the Bureau of the Assembly on 24 May 2004 and updated by the Bureau on 7 October 2005, 16 November 2006, 23 May 2007, 8 October 2010 and 27 January 2012.

A. Elections to be observed

1. For the Parliamentary Assembly of the Council of Europe, the observation of elections plays an important role in the assessment of the overall political situation of the country in question. In practical terms this entails the systematic observation of elections in any state whose parliament has requested or enjoys special guest status, partner for democracy status, which has applied for membership, or is subject to the monitoring procedure.
2. Observation of parliamentary and presidential elections as well as of referenda in an applicant State or a State under the monitoring procedure should be an inalienable right of the Assembly. A State's lack of cooperation with the Assembly, its refusal to accept an election observation mission from the Assembly should give rise to a debate at the part-session or Standing Committee meeting following the elections in question. It may result in sanctions, such as a freezing of the application procedure or the challenge of the credentials of the national delegation concerned on the basis of Rule 8.2.b. (lack of cooperation under the Assembly's monitoring procedure).
3. The Bureau may also decide to observe parliamentary and/or presidential elections, as well as referenda, in a State that is subject to the post-monitoring dialogue.
4. The observation of regional and local elections is the responsibility of the Congress of Local and Regional Authorities of the Council of Europe (the Congress). If the Assembly receives an invitation to observe such elections and the Bureau decides to observe them, the Assembly ad hoc committee shall cooperate with the election observation mission the Congress may deploy. A report on these elections by the Congress, sent to the President, should be referred, on a Bureau's proposal, to the Monitoring Committee.
5. The Bureau of the Assembly may decide to observe elections in other States when exceptional circumstances have been brought to its attention.

B. Elections as a process

6. In conducting election observations, the Assembly shall proceed from the understanding that an election is not a one-off exercise, but rather a continuous process involving several stages, all of which need to be analysed in order to assess an election. The timeline, below, based on various Venice Commission documents, shall serve as an aid in the assessment process.
7. The process starts with the elaboration of electoral legislation. The quality of that legislation is a major, although not the unique criterion to assess an election.
8. Electoral legislation should not be subject to constant change. According to Venice Commission recommendations, "the fundamental elements of electoral law...should not be open to amendment less than one year ahead of an election, or should be written in a constitution or at a level higher than ordinary law."⁵ In certain circumstances, exceptions to the one year rule could be accepted, namely where there is a need to rectify, through legislation, unforeseen problems or to provide redress to violations of internationally recognised rights where they had been built into the electoral law.
9. The second stage starts with the date when an election is called. That date, in normal circumstances involving regular elections, should be reasonably distant from the voting day to allow all political stakeholders to prepare for an electoral contest.
10. The third stage starts with the opening of the electoral campaign.
11. The fourth stage is the voting day proper, and the vote counting.

5. Venice Commission (CDL-AD(2010)037).

12. The next stage is the declaration of results of an election, followed by a complaints period stage.

C. Regarding observation and co-operation in the field

13. Considering the role played by OSCE/ODIHR in the field, the Assembly should stress the political objectives of its participation in the observation process: full respect of Council of Europe values and standards. This should be possible thanks to the Assembly's comparative assets such as the high political level of its delegations and the experience of its members.

14. Practical assistance to Assembly delegations to observe the elections, particularly the organisation of the programme for the observation mission, should be provided by the national parliament, in order to supplement properly the programme for short-term observers organised by OSCE/ODIHR.

15. Co-operation with OSCE/ODIHR and other international organisations will be continuous during the observation process in order to ensure, in so far as possible, that assessments of the elections do not differ. However, if, after the election, a joint final assessment cannot be achieved in the framework of the IEOM, the Assembly's ad hoc committee reserves itself the right, to hold -if necessary- its own press conference and issue a separate press release containing its own assessment. In this respect, it is essential that the Assembly's ad hoc committee, when organising briefings, invites the OSCE/ODIHR. Reciprocity is expected in briefings organised by OSCE/ODIHR.

16. Members of the ad hoc committee will refrain from engaging in public statements or press conferences which could contradict or conflict with the final assessment made by the ad hoc committee.

D. Regarding the practical organisation of the observation

17. On the basis of past experience, the following rules will be applied:

- i. the Assembly will observe elections mentioned in Section A above (any refusal to send an invitation will constitute an evaluation criterion in itself);
- ii. the Assembly observers will receive accreditation from the Central Electoral Commission; the national parliament concerned will be responsible for facilitating the issuing of this accreditation;
- iii. the ad hoc Committees will cover a geographical area of the country which is as wide as possible when observing elections. Members of the ad hoc Committee must be ready to accept deployment beyond the capital city of the country in which the elections are observed;
- iv. the membership of ad hoc committees for elections will vary between 5 and 40 members and include any already appointed rapporteurs of the Political Affairs Committee, Committee on Legal Affairs and Human Rights and the Monitoring Committee for the country concerned; in special cases the Bureau can decide to increase this number. The composition of the ad hoc committees is determined according to an appointment system taking into account the numerical size of the political groups on the understanding that each political group should be represented;
- v. while rapporteurs for the monitoring of, or post-monitoring dialogue with, a given country should be encouraged to join an ad hoc committee to observe an election in that country, they should not be appointed chairpersons thereof. This is to ensure a distinction between election observation as such and monitoring and post-monitoring dialogue in the context of which the findings of an ad hoc committee are followed up;
- vi. the Chairmanship of the ad hoc committees shall rotate between political groups to ensure, generally, an overall political balance over a 12-month period;
- vii. a standard programme will be established for observation missions: three days for political meetings (organised by the national parliament), one day for the elections themselves (with cars, guides and interpreters paid for by the Assembly), one day for evaluation/assessment and the press conference;
- viii. where the Bureau deems it necessary, a pre-electoral and/or a post-electoral 5-member cross-party mission may be dispatched;
- ix. to enhance the mission's public profile, the ad hoc committees will be referred to as "delegations" headed by a "leader of the delegation" appointed by the Bureau;

- x. while every effort should be made to ensure a political balance of ad hoc committees to observe elections, in the event when some political groups fail to come up with candidates while others put forward more candidacies than they are entitled to, the principle of a political equilibrium may be foregone in the interests of having a strong PACE presence during election observation. In such circumstances, a notification by the Secretary General of the Parliamentary Assembly will suffice;
- xi. political groups should bear it in mind that any appointment to an ad hoc committee to observe elections should aim to ensure the principle of gender balance of such a committee. Political groups should endeavour to include, in the list of representatives appointed, members of the under-represented sex in the same percentage as is present in the group;
- xii. members of the ad hoc committees will abstain from engaging in public activities which could interfere in the electoral process;
- xiii. political groups should bear it in mind that any appointment to an ad hoc committee should respect fair geographical representation and be based on the candidate's express capability, language-wise, to meaningfully participate in the work of the mission, in particular, given that on the spot the Council of Europe only provides interpretation to and from English or French. It should be pointed out that English is the de facto working language of the OSCE/ODHIR election observation mission;
- xiv. members of an ad hoc committee are encouraged to plan their travel arrangement in a way that would allow them at least to participate in the ad hoc committee debriefing on the morning following the elections. It is understood that those members who are unable to attend the debriefing in the capital because they were deployed outside it may report their conclusions by phone;
- xv. members of the ad hoc committee should be aware that as far as the funding of their participation in the work of the ad hoc committee is concerned, Article 38 of the Statute of the Council of Europe shall apply ("*Each member shall bear the expenses of its own representation in the Committee of Ministers and in the Parliamentary Assembly*").

E. Conflict of interest

- 18. All candidates for membership of an ad hoc committee, at the time of putting forward their candidacy, shall make a written declaration of any actual or potential economic, commercial, financial or other interests on a professional, personal or family level in connection with the country concerned by the election observation. They shall also declare any substantial gift or benefit in kind, including payment of travel costs, received from the country concerned.
- 19. Such declarations shall be made available to the Bureau when it approves the composition of an ad hoc committee.
- 20. Provisions stipulated in the Code of Conduct for rapporteurs of the Parliamentary Assembly (Resolution 1799 (2011)) shall apply, *mutatis mutandis*, to chairpersons and members of ad hoc committees;
- 21. The Bureau shall consider any behaviour allegedly in breach of paragraphs 18 and 20 above.

F. Form of Election Observation by PACE

- 22. The observation of elections by PACE can take place in one of the following three forms upon decision of the Bureau.
 - i. *Election Observation Missions*. These take the form of an ad hoc Committee set up for this purpose. The size may vary from 5 to 40 members, Committees are composed on the basis of proposals by the Political Groups taking into account the D'Hondt rule. The Chairperson of the ad hoc Committee is appointed by the Bureau of the Assembly. Chairmanship rotates between political groups. PACE Election Observation Missions issue a statement of their findings immediately following the elections, where applicable in the framework of an IEOM. The Chairperson of the ad hoc Committee drafts a report on the Election Observation Missions which is submitted to the Bureau and subsequently to the Assembly as part of the progress report of the Bureau. A pre-electoral mission shall be conducted following a Bureau's decision.
 - ii. *Election Assessment Missions*. These take the form of an ad hoc Committee specifically set up for this purpose. Election Assessment Missions are normally composed of five members, but never less than three members, in order to guarantee a minimum political and geographical balance of the ad hoc

Committee. The Chairperson of the ad hoc Committee is appointed by the Bureau. Chairmanship rotates between political groups. The ad hoc Committee will report its findings in the form of a memorandum by its Chairperson to the Bureau. No pre-electoral mission will be conducted.

- iii. *Presence on the Occasion of Election* of Assembly members during and/or just before an election without a formal observation or assessment of it. Accordingly, the Bureau does not set up an ad hoc Committee but decides on the dates of the mission. These missions are normally composed of the country rapporteur(s) of the Monitoring or Political Affairs Committee. In exceptional cases, the Bureau can appoint one of its members to participate in these missions. This mission will report their findings in the form of a memorandum to the Bureau.

23. Election Observation Missions for which less than five members are identified shall be considered as Election Assessment Missions. In the event that three members cannot be identified for an assessment mission, the mission shall be cancelled. Time allowing, the possibility of ensuring a presence could then be considered by the Bureau of the Assembly.