

## **Opinion to the President of the Parliamentary Assembly<sup>1</sup>**

1. On 21 January 2013, the still unratified credentials of Ms Zaroulia (Greece, NR) and Mr Gaudi Nagy (Hungary, NR) were challenged on procedural grounds in accordance with Rule 7 of the Assembly's Rules of Procedure on the ground that they both belong to political parties that do not respect the values of the Council of Europe and have made statements that are inconsistent with those values.
2. The Committee on Rules of Procedure, Immunities and Institutional Affairs has examined the objections raised and determined that Ms Zaroulia and Mr Gaudi Nagy were appointed to the Parliamentary Assembly in accordance with Article 25 of the Statute of the Council of Europe and Rule 6 of the Assembly's Rules of Procedure.
3. The committee consequently concludes that the credentials of Ms Zaroulia and Mr Gaudi Nagy should be ratified.
4. The committee wishes to point out that the procedure to challenge the credentials of individual members is governed by strict criteria laid down by the Rules of Procedure. Rule 7.1. does not make it possible to challenge the credentials of individual members in an effective manner, so as to sanction the actions or words where these seriously and persistently violate the principles and values defended by the Council of Europe. It is not for the committee, within the strict limits of its competence, to rule on the existence of substantial violations of the Statute of the Council of Europe, whose obligations are binding on member States, a matter which comes under a separate procedure not implemented by the authors of the challenge upon the opening of the session.
5. The committee wishes to state, in the strongest terms, that this decision must not be interpreted as an expression of support or recognition, albeit indirect, of activities, beliefs, actions or political positions that the Parliamentary Assembly has constantly denounced throughout its 63 years of existence. The committee recalls the Parliamentary Assembly's unwavering commitment to the promotion and defence of human rights, democracy and the rule of law, in particular in combating racism, xenophobia, intolerance and anti-Semitism.
6. The committee considers that the current wording of Rule 7.1.c. does not make it possible to challenge the credentials of individual members in an effective manner, particularly so as to sanction the actions or words of a member where these seriously and persistently violate the principles and values defended by the Council of Europe. It therefore invites the Bureau of the Assembly to ask it to re-examine this question in order duly to take into due consideration the concerns that emerged among the members of the Assembly.

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<sup>1</sup> Adopted unanimously by the committee on Rules of Procedure, Immunities and Institutional Affairs on 22 January 2013