

Doc. 11090
6 November 2006

Review of action taken by the Committee of Ministers on Parliamentary Assembly Recommendations

Communication
from the Committee of Ministers

CM(2006)149 – 12 October 2006

Secretariat memorandum prepared by the Secretariat of the Committee of Ministers

On 3 October 2005 the Secretariat submitted to the Ministers' Deputies, on the basis of document CM(2005)136, a list of all the Recommendations adopted by the Parliamentary Assembly since the fourth part of its 2003 session to which a reply was awaited from the Committee of Ministers. Since that document was issued, replies have been given to and/or action has been taken on the Recommendations listed in Appendix 1 to this memorandum (34 Recommendations in all).

The present memorandum lists all the Recommendations adopted by the Parliamentary Assembly since the first part of its 2005 session, to which a reply is still awaited, up to and including Recommendation 1762 (2006) adopted at the third part of its 2006 Session (Strasbourg, 26-30 June 2006).

The Secretariat would draw attention to the Deputies' commitment¹ at their 825th meeting (22 January 2003) (see Appendix 2) with regard to the adoption of replies to Assembly Recommendations. This commitment modifies the decisions adopted at the 615th meeting (20 January 1998) (see Appendix 3) by introducing new deadlines of less than six months whenever possible, instead of nine months, for replying. A footnote indicates the time limit for a reply to each Recommendation, set in accordance with this commitment.

¹ Contained in the reply to Recommendation 1567 (2002) on parliamentary scrutiny of international institutions.

Recommendation 1726 (2005) adopted by the Parliamentary Assembly on 6 October 2005 **Serious human rights violations in Libya – inhuman treatment of Bulgarian medical staff**

At their 943rd meeting (19 October 2005)¹, the Deputies communicated Recommendation 1726 to their governments and agreed to resume consideration of it at a forthcoming meeting.

Recommendation 1728 (2005) adopted by the Parliamentary Assembly on 25 November 2005 **Budgetary powers of the Parliamentary Assembly of the Council of Europe**

At their 951st meeting (14 December 2005)², the Deputies communicated Recommendation 1728 to their governments.

The Working Party on Institutional Reforms (GT-REF.INST) will prepare a draft reply in the light of Recommendation 1763, for adoption at one of the Deputies' forthcoming meetings.

Recommendation 1735 (2006) adopted by the Parliamentary Assembly on 26 January 2006 **The concept of "nation"**

At their 954th meeting (1 February 2006)³, the Deputies communicated Recommendation 1735 to their governments. They decided to forward it to the Advisory Committee on the Framework Convention for the Protection of National Minorities, to the Committee of Experts on Issues relating to the Protection of the National Minorities (DH-MIN), to the Committee of Experts for the European Charter for Regional or Minority Languages and to the European Committee on Legal Co-operation (CDCJ), for information and possible comments by 31 March 2006. They decided to communicate it to the European Commission for Democracy through Law (Venice Commission).

The Rapporteur Group on Human Rights (GR-H), in co-operation with their Rapporteur Group on Legal Co-operation (GR-J), will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

Recommendation 1740 (2006) adopted by the Parliamentary Assembly on 10 April 2006 **The place of mother tongue in school education**

At their 962nd meeting (26 April 2006)⁴, the Deputies communicated Recommendation 1740 to their governments. They decided to forward it to the Steering Committee for Education (CDED), the Committee of Experts of the European Charter for Regional or Minority Languages and the Advisory Committee of the Framework Convention for the Protection of National Minorities for information and possible comments by 25 June 2006.

The Rapporteur Group on Education: Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

Recommendation 1741 (2006) adopted by the Parliamentary Assembly on 11 April 2006 **Social reintegration of prisoners**

At their 962nd meeting (26 April 2006)⁵, the Deputies communicated Recommendation 1741 to their governments. They decided to forward it to the European Health Committee (CDSP), the European Committee for Social Cohesion (CDCS) and the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) for information and possible comments by 15 June 2006.

The Deputies will be invited to adopt a reply prepared by the GR-SOC, at their 978th meeting (25 October 2006), under item 6.2.

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Recommendation 1737
(2006) . New trends and
challenges for Euro-
Mediterranean migration
policies¶
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Recommendation 1738
(2006) . Mechanisms to ensure
women's participation in
decision-making¶
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(2006) . Gender budgeting¶
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¹ Time-limit for adoption of a reply: **April 2006.**

² Time-limit for adoption of a reply: **June 2006.**

³ Time-limit for adoption of a reply: **July 2006.**

⁴ Time-limit for adoption of a reply: **October 2006.**

⁵ Time-limit for adoption of a reply: **October 2006.**

Recommendation 1743 (2006) adopted by the Parliamentary Assembly on 13 April 2006

Memorandum of Understanding between the Council of Europe and the European Union

At their 962nd meeting (26 April 2006)¹, the Deputies communicated Recommendation 1743 to their governments.

The Follow-up Committee on the Third Summit (CM-SUIVI3) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1744 (2006) adopted by the Parliamentary Assembly on 13 April 2006

Follow-up to the Third Summit: the Council of Europe and the Fundamental Rights Agency of the European Union

At their 962nd meeting (26 April 2006)², the Deputies communicated Recommendation 1744 to their governments.

The Follow-up Committee on the Third Summit (CM-SUIVI3) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1746 (2006) adopted by the Parliamentary Assembly on 29 May 2006

Enhancing the visibility of the Council of Europe

At their 967th meeting (14 June 2006)³, the Deputies communicated Recommendation 1746 to their governments.

The Thematic Co-ordinator on Information Policy (TC-INF) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1745
(2006) . Belarus in the
aftermath of the Presidential
election of 19 March 2006¶
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Recommendation 1748 (2006) adopted by the Parliamentary Assembly on 29 May 2006

Working migration from the countries of Eastern and Central Europe: present state and perspectives

At their 967th meeting (14 June 2006)⁴, the Deputies communicated Recommendation 1748 to their governments. They decided to forward it to the European Committee on Migration (CDMG) for information and possible comments by 1 September 2006.

The Rapporteur Group on Social and Health Questions (GR-SOC) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1747
(2006) . European Prisons
Charter¶
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Recommendation 1749 (2006) adopted by the Parliamentary Assembly on 29 May 2006

Demographic challenges for social cohesion

At their 967th meeting (14 June 2006)⁵, the Deputies communicated Recommendation 1749 to their governments. They decided to forward it to the European Committee on Migration (CDMG) for information and possible comments by 1 September 2006.

The Rapporteur Group on Social and Health Questions (GR-SOC) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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¹ Time-limit for adoption of a reply: **October 2006.**

² Time-limit for adoption of a reply: **October 2006.**

³ Time-limit for adoption of a reply: **December 2006.**

⁴ Time-limit for adoption of a reply: **December 2006.**

⁵ Time-limit for adoption of a reply: **December 2006.**

Recommendation 1750 (2006) adopted by the **Education for balanced development in school**
Parliamentary Assembly on 29 May 2006

At their 967th meeting (14 June 2006)¹, the Deputies communicated Recommendation 1750 to their governments. They decided to forward it to the Steering Committee for Education (CDED), the European Health Committee (CDSP) and the Public Health Committee (Partial Agreement) (CD-P-SP) for information and possible comments by 1 September 2006.

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The Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1751 (2006) adopted by the **Cultural Diversity of the North Caucasus**
Parliamentary Assembly on 29 May 2006

At their 967th meeting (14 June 2006)², the Deputies communicated Recommendation 1751 to their governments. They decided to forward it to the Steering Committee for Education (CDED), to the Steering Committee for Higher Education and Research (CDESR) and to the for Steering Committee for Culture (CDCULT) for information and possible comments by 1 September 2006.

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The Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1752 (2006) adopted by the **Conservation and use of the landscape potential of Europe**
Parliamentary Assembly on 29 May 2006

At their 967th meeting (14 June 2006)³, the Deputies communicated Recommendation 1752 to their governments. They decided to forward it to the Steering Committee for Cultural Heritage (CDPAT), to the Committee for the Activities of the Council of Europe in the field of Biological and Landscape Diversity (CO-DBP) and to the Committee of Senior Officials of the European Conference of Ministers responsible for Regional Planning (CSO-CEMAT) for information and possible comments by 1 September 2006.

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The Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

Recommendation 1753 (2006) adopted by the **External relations of the Council of Europe**
Parliamentary Assembly on 26 June 2006

At their 971st meeting (12 July 2006)⁴, the Deputies communicated Recommendation 1753 to their governments.

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The Rapporteur Group on External Relations (GR-EXT) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

Recommendation 1755 (2006) adopted by the **Human Rights of irregular migrants**
Parliamentary Assembly on 27 June 2006

At their 971st meeting (12 July 2006)⁵, the Deputies communicated Recommendation 1755 to their governments. They decided to forward it to the European Committee on Migration (CDMG), to the European Committee for Social Cohesion (CDCS), to the Governmental Committee of the European Social Charter and to the Steering Committee for Human Rights (CDDH) for information and possible comments by 16 October 2006.

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¹ Time-limit for adoption of a reply: **December 2006.**

² Time-limit for adoption of a reply: **December 2006.**

³ Time-limit for adoption of a reply: **December 2006.**

⁴ Time-limit for adoption of a reply: **January 2007.**

⁵ Time-limit for adoption of a reply: **January 2007.**

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The Rapporteur Group on Social and Health Questions (GR-SOC) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

Recommendation 1756 (2006) adopted by the Parliamentary Assembly on 28 June 2006 **Implementation of the decisions of the Third Summit of the Council of Europe**

At their 971st meeting (12 July 2006)¹, the Deputies communicated Recommendation 1756 to their governments.

The Follow-up Committee on the Third Summit (CM-SUIVI3) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1757 (2006) adopted by the Parliamentary Assembly on 28 June 2006 **Migration, refugees and population in the context of the Third Summit of Heads of State and Government of member States of the Council of Europe (Warsaw, 16-17 May 2005)**

At their 971st meeting (12 July 2006)², the Deputies communicated Recommendation 1757 to their governments. They decided to forward it to the European Committee on Migration (CDMG), to the European Committee for Social Cohesion (CDSC), to the Steering Committee for Human Rights (CDDH) and to the European Committee on Legal Co-operation (CDCJ) for information.

The Rapporteur Group on Social and Health Questions (GR-SOC) will prepare a draft reply for the Deputies following the adoption of the Programme of Activities.

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Recommendation 1758 (2006) adopted by the Parliamentary Assembly on 28 June 2006 **Follow-up to the Third Summit: priority for cultural co-operation**

At their 971st meeting (12 July 2006)³, the Deputies communicated Recommendation 1758 to their governments. They decided to forward it to the Steering Committee for Education (CDED), to the Steering Committee for Higher Education and Research (CDESR), to the Steering Committee for Culture (CDCULT), to the Steering Committee for Cultural Heritage (CDPAT) and to the Joint Council on Youth (CMJ) for information and possible comments by 1 October 2006.

The Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for the Deputies following the adoption of the Programme of Activities.

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Recommendation 1759 (2006) adopted by the Parliamentary Assembly on 28 June 2006 **Parliaments united in combating domestic violence against women**

At their 971st meeting (12 July 2006)⁴, the Deputies communicated Recommendation 1759 to their governments.

The Thematic Co-ordinator on Equality between Women and Men (TC-EG) will prepare a draft reply for the Deputies following the adoption of the Programme of Activities.

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Recommendation 1760 (2006) adopted by the Parliamentary Assembly on 28 June 2006 **Position of the Parliamentary Assembly as regards the Council of Europe member and observer states which have not abolished the death penalty**

At their 971st meeting (12 July 2006)⁵, the Deputies communicated Recommendation 1760 to their governments.

The Rapporteur Group on Human Rights (GR-H) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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¹ Time-limit for adoption of a reply: **January 2007.**

² Time-limit for adoption of a reply: **January 2007.**

³ Time-limit for adoption of a reply: **January 2007.**

⁴ Time-limit for adoption of a reply: **January 2007.**

⁵ Time-limit for adoption of a reply: **January 2007.**

Recommendation 1761 (2006) adopted by the **Preventing forest fires**
Parliamentary Assembly on 30 June 2006

At their 971st meeting (12 July 2006)¹, the Deputies communicated Recommendation 1761 to their governments. They decided to forward it to the Committee for the activities of the Council of Europe in the field of Biological and Landscape Diversity (CO-DBP) and to the Standing Committee to the Convention on the conservation of European wildlife and natural habitats (T-PVS) for information and possible comments by 16 October 2006.

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The Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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Recommendation 1762 (2006) adopted by the **Academic freedom and university autonomy**
Parliamentary Assembly on 30 June 2006

At their 971st meeting (12 July 2006)², the Deputies communicated Recommendation 1762 to their governments. They decided to forward it to the Steering Committee for Higher Education and Research (CD-EST) for information and possible comments by 16 October 2006.

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The Rapporteur Group on Education, Culture, Sport, Youth and Environment (GR-C) will prepare a draft reply for adoption at one of the Deputies' forthcoming meetings.

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¹ Time-limit for adoption of a reply: **January 2007**.

² Time-limit for adoption of a reply: **January 2007**.

Appendix 1

List of Parliamentary Assembly Recommendations to which replies and/or follow-up was given

Recommendation 1640 (2004)	3rd Annual Report on the Activities of the Council of Europe Commissioner for Human Rights (1 January – 31 December 2002)
Recommendation 1648 (2004) finalsupp	Consequences of European Union enlargement for freedom of movement between Council of Europe member states
Recommendation 1688 (2004)	Diaspora cultures
Recommendation 1698 (2005)	The rights of children in institutions: follow-up to Recommendation 1601 (2003) of the Parliamentary Assembly
Recommendation 1706 (2005)	Media and terrorism
Recommendation 1712 (2005)	Follow-up to the Third Summit
Recommendation 1713 (2005)	Democratic oversight of the security sector in member states
Recommendation 1714 (2005)	Abolition of restrictions on the right to vote
Recommendation 1715 (2005)	Improving the response to mental health needs in Europe
Recommendation 1716 (2005)	Promoting a United Nations 5th World Conference on Women
Recommendation 1717 (2005)	Education for leisure activities
Recommendation 1718 (2005)	Co-development policy as a positive measure to regulate migratory flows
Recommendation 1719 (2005)	Enforced disappearances
Recommendation 1720 (2005)	Education and religion
Recommendation 1721 (2005)	Functioning of democratic institutions in Moldova
Recommendation 1722 (2005)	Honouring of obligations and commitments by Ukraine
Recommendation 1723 (2005)	Forced marriages and child marriages
Recommendation 1724 (2005)	The Council of Europe and the European Neighbourhood Policy of the European Union
Recommendation 1725 (2005)	Europe and bird flu – preventive measures in the health field
Recommendation 1727 (2005)	Accelerated asylum procedures in Council of Europe member states
Recommendation 1729 (2005)	Activities of the United Nations High Commissioner for Refugees (UNHCR)
Recommendation 1730 (2005)	The private management of cultural property
Recommendation 1731 (2006)	Europe's contribution to improving water management
Recommendation 1732 (2006)	Integration of immigrant women in Europe

Recommendation 1733 (2006)	Human Rights violations in the Chechen Republic: the Committee of Ministers' responsibility vis-à-vis the Assembly's concerns
Recommendation 1734 (2006)	Situation in Belarus on the eve of presidential election
Recommendation 1736 (2006)	Need for international condemnation of the Franco regime
Recommendation 1737 (2006)	New trends and challenges for Euro-Mediterranean migration policies
Recommendation 1738 (2006)	Mechanisms to ensure women's participation in decision-making
Recommendation 1739 (2006)	Gender budgeting
Recommendation 1742 (2006)	Human Rights of members of the armed forces
Recommendation 1745 (2006)	Belarus in the aftermath of the Presidential election of 19 March 2006
Recommendation 1747 (2006)	European Prisons Charter
Recommendation 1754 (2006)	Alleged secret detentions and unlawful inter-state transfers of detainees involving Council of Europe member states

Appendix 2

New deadlines for replying to Parliamentary Assembly Recommendations

825th meeting – 22 January 2003

Appendix 3

(EXTRACT)

(Item 1.6)

Reply to Parliamentary Assembly Recommendation 1567 (2002) on parliamentary scrutiny of international institutions

*(Adopted by the Committee of Ministers on 22 January 2003
at the 825th meeting of the Ministers' Deputies)*

[...]

3. In response to the specific proposals put forward by the Parliamentary Assembly in paragraph 2 of Recommendation 1567, the Committee of Ministers agreed as follows:

[...]

v. With regard to improving **transparency in the implementation of Assembly recommendations**, the Committee of Ministers would draw attention to the substantial efforts made in this area since 1998, particularly with the introduction of a nine-month deadline to be observed, as far as possible, for replying to Assembly recommendations. The Committee of Ministers is aware that this target has not always been attained, but would also like to draw the Assembly's attention to the many cases in which high priority has been given to the adoption of a reply well within the nine-month time limit, particularly in connection with the current political issues that are most important to the Council of Europe, in connection with which the Committee of Ministers usually communicates its views to the Parliamentary Assembly in time for the next part-session. In addition, information on the action the Committee of Ministers has taken on Parliamentary Assembly recommendations is regularly included in the written reports prepared by the chairmanship at each session, and a comprehensive report on this action is forwarded to the Assembly every year.

Against this background, the Committee of Ministers is ready to commit itself to making an additional effort so that replies can be adopted to Parliamentary Assembly recommendations in principal in time for the second part-session following that at which they were adopted, that is to say within a time-limit of less than six months (the nine-month time limit becoming a maximum for exceptional cases). It further considers that priority should go to giving more impetus to the already made efforts described above so that they can have their full impact in strengthening dialogue and communication between the Committee of Ministers and the Parliamentary Assembly, while being open to additional specific proposals for improvements.

Appendix 3

Replies to Parliamentary Assembly recommendations¹

The Deputies, having emphasised the importance of rapidly adopting a reply to each Recommendation:

1. agreed in future to rely more often on the expertise available within the Ministers' Deputies, the relevant Rapporteur Group and the Secretariat, in preparing replies to Assembly Recommendations;
2. instructed the Secretariat to place immediately on their agenda any Assembly Recommendation for which sufficient elements for a reply were available;
3. decided, in the case of Assembly Recommendations not forwarded to a steering committee for opinion, to set a time-limit of nine months, after communication of those Recommendations to the Committee of Ministers, for adopting a reply (interim or final);
4. decided to adopt, when conducting their initial examination of the texts adopted by the Parliamentary Assembly, a reply common to all the texts, dealing with the procedure to be followed;
5. approved the following guidelines for the drawing up of draft replies to Recommendations:
 - priority should be given to final replies (taking stock of the situation while at the same time informing the Assembly of the intentions of the Committee of Ministers with regard to the specific proposals);
 - priority should be given to concise replies (concentrated on the political views of the Committee of Ministers; any technical opinions of other bodies could be added as appendices);
 - priority should be given to substance rather than procedure;
 - where Recommendations are to be examined, and the replies to them, prepared by a Rapporteur Group, care should be taken to ensure that they are given priority treatment in that Rapporteur Group's order of business;
 - a steering committee should be consulted where there is a need for technical expertise which is not available within the Secretariat.