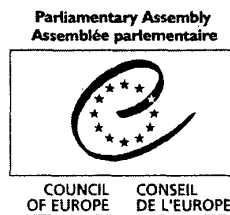


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ORIGINAL

**Progress of the Assembly's monitoring procedure
(May 2004 – May 2005)**

Progress report
Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe
(Monitoring Committee)
Rapporteur: Mrs György Frunda, Romania, Group of the European People's Party

Summary

The present progress report covers the period from May 2004 to May 2005. Ten states are currently under a monitoring procedure and four others are engaged in a post-monitoring dialogue. The report takes stock of the changes made to the procedure as regards requests to open or re-open a monitoring procedure and the post-monitoring dialogue.

In the reference period, the Monitoring Committee presented seven reports to the Parliamentary Assembly. Its rapporteurs carried out 22 fact-finding visits and another seven visits in the framework of election observation in the countries under monitoring procedure.

INTRODUCTION

1. Resolution 1115 (1997) made the Committee responsible for "*verifying the fulfilment of the obligations assumed by the member states under the terms of the Council of Europe Statute, the European Convention on Human Rights and all other Council of Europe conventions to which they are parties, as well as the honouring of the commitments entered into by the authorities of member states upon their accession to the Council of Europe*".
2. Paragraph 13 of Resolution 1115 also requires the Monitoring Committee to report to the Parliamentary Assembly once a year on the general progress of the monitoring procedures.
3. Since it was established in 1997, eight years ago, the Monitoring Committee has presented six such reports to the Assembly. In the last three, presented in September 2001, January 2003 and November 2004, the Committee reviewed its activities and discussed its responsibility for monitoring member states' honouring of their obligations and commitments in the light of changes in those states since 1997 and likely future developments.
4. This report covers the period May 2004 to May 2005.

I. COMMENTS ON THE PROCEDURE

5. In its last report, the Committee referred to the weaknesses of the procedure established under Resolution 1115 (1997) - now more than eight years old - which needed to be thoroughly clarified and updated in many respects. It questioned, for example, the Assembly Bureau's refusal, in November 2003, to open a monitoring procedure for Liechtenstein, despite its recommendation. It also questioned the handling of the request for a reopening of the monitoring procedure for a country, Latvia, which was already the subject of post-monitoring dialogue.

6. These two problems were settled satisfactorily this year. In Resolution 1412 (2004), adopted on 23 November 2004, the Assembly decided to incorporate the post-monitoring dialogue arrangements into the Committee's terms of reference and on 18 March 2005, the appendix to Resolution 1115 was amended by Resolution 1431 (2005)².

a. The reopening of a previously closed procedure

7. It is perfectly clear that a monitoring procedure that has been closed can be reopened if the circumstances require. However, it was essential for the procedure to be followed in such cases to be clarified since Resolution 1115, which was adopted in 1997, makes no reference to any post-monitoring dialogue, which was only introduced by an Assembly decision in 2000.

8. The purpose of post-monitoring dialogue is to keep track of the situation in a particular country with regard to a number of specific unresolved issues after the monitoring procedure as such has been closed. There are no longer two co-rapporteurs or full committee debates. Instead, the Chair of the Monitoring Committee is responsible for conducting the dialogue, securing the Committee's approval for his or her conclusions (pursue the dialogue, terminate it or propose the reopening of the full monitoring procedure) and then reporting to the Bureau. The flexible and much less formal nature of such dialogue has enabled the Committee to continue to offer support to the reform efforts of member states previously covered by the monitoring procedure.

9. Resolution 1115 has nothing to say on the procedure for reopening the monitoring procedure for states where a post-monitoring dialogue is still under way, so the Bureau asked for the request to reopen the procedure for Latvia to be dealt with as a request to open monitoring. The Committee therefore appointed two co-rapporteurs, who were asked to visit the country as soon as possible so as not to impede the post-monitoring dialogue that the Committee intended to continue in parallel with the Latvian authorities.

¹ Doc. 8057, Resolution 1155 and Recommendation 1366 (April 1998), Doc. 8359 (April 1999), Doc. 8734 (May 2000), Doc. 9198, Resolution 1260, Recommendation 1536 and Order 578 (September 2001), Doc. 9651 and Order 585 (January 2003) and Doc. 10250 and Resolution 1412 (November 2004).

² Text adopted by the Standing Committee acting on behalf of the Assembly on 18 March 2005 (see Doc. 10407, report of the Committee on Rules of Procedure and Immunities, rapporteur: Mr Gross and Doc. 10475, opinion of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur: Mr Frunda).

On 27 April 2004, the Committee examined and adopted an opinion for the Bureau recommending that the procedure not be reopened and that the post-monitoring dialogue be continued. The Bureau took note of the opinion and decided as a result not to reopen the procedure.

10. As a result, there were two parallel, and somewhat incompatible, sets of proceedings in this case, one conducted by the Committee Chair as part of the post-monitoring dialogue and the other by the two co-rapporteurs examining the issue of whether the monitoring procedure should be reopened. Hardly surprisingly, this situation led to a certain confusion, particularly in Latvia, where the authorities were faced with successive rapporteurs each asking the same questions!

11. To ensure that such situations did not recur in the future, two steps had to be taken. Firstly, the post-monitoring dialogue arrangements adopted in 2000 had to be formally integrated into the Committee's terms of reference. This was done in Resolution 1412 (2004) on progress of the Assembly's monitoring procedure. Secondly, it had to be decided who should present an opinion to the Bureau if a request to reopen monitoring concerned a state already involved in a post-monitoring dialogue. The Committee on Rules of Procedure and Immunities was asked to consider this matter in its report on preparations for the opening of a monitoring procedure.

12. The Committee's response, which appeared in Resolution 1431 (2005), adopted by the Standing Committee on 18 March 2005, was procedurally logical and appropriate. There is no need to appoint two co-rapporteurs to consider whether a procedure should be reopened in a country where a post-monitoring dialogue is under way since the Chair is already aware of the situation and can offer the Bureau an informed opinion. The Monitoring Committee also agreed that the Chair should be authorised to delegate responsibility for a dialogue to one of the two vice-chairs, which should help to reduce the Chair's growing workload. Five states are currently involved in a post-monitoring dialogue.

b. *The opening of a monitoring procedure*

13. In 2002, the Committee received requests from Liechtenstein citizens asking it to assess the compliance of constitutional amendments proposed by the princely house of Liechtenstein with Council of Europe standards and Liechtenstein's other international obligations. On 31 March 2003, the Bureau transmitted the opinion of the Venice Commission, adopted in December 2003, to the Monitoring Committee and requested it to open a monitoring procedure.

14. On 10 September 2003 the Committee decided to recommend to the Bureau that a monitoring procedure should be opened with respect to Liechtenstein. On 25 November 2003 the Bureau rejected the Committee's recommendation and decided to enter into dialogue with the Liechtenstein authorities. On 26 January 2004 the Assembly ratified the Bureau's decision.

15. The Liechtenstein case illustrated certain ambiguities in the attitude of the Bureau and of the Assembly itself and their reluctance to give the Committee the means to fulfil its mandate.

16. In October 2003, Mr Frey and others presented a motion for a resolution on the initiation of a monitoring procedure (Doc. 9971). The motion was referred to the Committee on Rules of Procedure and Immunities for a report. The signatories to the motion considered that when the Bureau decided, on the basis of a written opinion from the Monitoring Committee, to open a monitoring procedure in respect of a member state, the matter should not be referred directly to the Monitoring Committee (after simple ratification by the Assembly) but should first be debated by the Assembly, which would vote on whether or not to open a monitoring procedure.

17. Given the importance of any decision to open a monitoring procedure for the country concerned, the Committee fully agrees with the signatories to the motion that the matter should be the subject of a full Assembly debate and not just a Bureau decision for Assembly ratification. However, such a plenary debate should not necessarily be automatic, since this could lead to abuse.

18. The position taken by the Committee on Rules of Procedure and Immunities struck a fair balance and therefore had the Committee's support. As in the past, applications to open or reopen procedures, other than those originating from the Monitoring Committee itself or resulting from an Assembly decision, will be considered by the Monitoring Committee, which will prepare a written opinion containing a draft decision. In the case of requests to open or reopen a procedure the opinion will normally be drafted by the

two co-rapporteurs. However, in contrast to previous practice, in the case of applications to reopen monitoring in respect of a state already involved in a post-monitoring dialogue, the opinion will be drafted by the Chair or one of the vice-chairs.

19. Finally, after considering the Monitoring Committee's written opinion, the Bureau will decide whether or not to open (or reopen) a monitoring procedure. Three possible scenarios then emerge:

- if the Bureau and the Committee agree to open or reopen a procedure, the matter will be debated at the next Assembly part-session:
- if the Bureau and the Committee differ, with one supporting and the other opposing the opening of a procedure, this will also be debated at the next Assembly part-session;
- if neither supports the opening of a procedure, there will not be a full Assembly debate and the decision will simply be recorded in the Bureau's progress report, to be voted on by the Assembly, which may however decide by a majority vote following a request by at least ten members to hold a debate at the next part-session.

20. These changes came into force on 18 March 2005 with the adoption of Resolution 1431 and experience alone will tell whether they have a significant impact on the development of the monitoring procedure. What is important however is that in future the Assembly should exercise its prerogatives to the full in what is a highly political area. Opening or reopening a monitoring procedure is as important for the country concerned as the opinion on accession. Debating such matters in plenary sessions will also raise the visibility of the Assembly's efforts over a number of years to monitor member states' honouring of their obligations and commitments.

c. Other matters for consideration

21. A criticism often levelled at the Committee is that there have so far been no monitoring procedures in respect of long-term Council of Europe member states, with the notable exception of Turkey (procedure opened in 1996 and closed in June 2004). All the procedures currently under way concern member states that have joined the Council since 1989. To date, the Committee has monitored ten member states and entered into post-monitoring dialogue with five whose monitoring procedure has been closed.

22. The Committee has decided to start discussions on how best to monitor all 46 member states' compliance with their obligations and commitments. Particular consideration needs to be given to the relationship of such a procedure, which must continue to have a highly political focus, with the Council of Europe's other monitoring arrangements. These include judicial machinery such as that laid down in the European Convention on Human Rights, other convention-based activities involving regular reports, such as those of the European Social Charter, the Framework Convention for the Protection of National Minorities, the European Commission against Racism and Intolerance (ECRI) and the Anti-Torture Convention (CPT), and the monitoring activities of the Commissioner for Human Rights and, to a certain extent and for certain countries, the Committee of Ministers. Moreover, the satisfactory monitoring of 31 member states, over and above the 15 that are currently the subject of a monitoring procedure or post-monitoring dialogue, will inevitably raise problems of logistics and the availability of rapporteurs, should the procedure be extended in its current form.

23. Nevertheless, the Committee has no reason whatever to be ashamed of its achievements to date. Not only has it been intensely active over the last twelve months (see Part II), but it has also – a more recent development – displayed a considerable capacity to respond rapidly, and even immediately, to Assembly concerns about politically charged events in certain countries currently being monitored, in particular Azerbaijan, Ukraine, Georgia, Armenia and Serbia and Montenegro.

d. Greater responsiveness by the Committee

24. Over the period under consideration, the Monitoring Committee has made fuller use of its political powers and been more responsive as a result.

25. This is reflected firstly in its ability to keep abreast of current political events and react much more appropriately than in the past to developments in states it is monitoring.

26. For example, in the same part-session, that of October 2004, it presented three reports on, respectively, the functioning of democratic institutions in Serbia and Montenegro, the implementation of Resolution 1358 (2004) on the functioning of democratic institutions in Azerbaijan, and the implementation of Resolutions 1361 (2004) and 1374 (2004) on the honouring of obligations and commitments by Armenia.

27. It also issued three public statements on the presidential election in Ukraine (in June, September and December 2004) and a statement on the situation in the Transnistria region (October 2004). This new practice, which emerged in 2004 and is used with discretion, has enabled the Committee not only to send strong signals to countries when this seemed necessary but also to increase media awareness of its activities and thus its impact and credibility.

28. In its last report, the Committee stressed the need to involve its members and rapporteurs in the observation of elections in member states. Rapporteurs must be well placed to observe political developments in countries they are monitoring. In 2004 and 2005, rapporteurs, as well as other Committee members, were fully involved in the ad hoc election observation missions, and pre- and post-election visits, in the countries being monitored. This is incontestable and a positive factor. All the more so as this was an extremely busy electoral period:

- Ukraine: presidential election: 31 October; second round: 21 November; third round after second round was annulled: 26 December 2004 (plus a pre-election visit in September 2004);
- "the former Yugoslav Republic of Macedonia": referendum: November 2004;
- Moldova: parliamentary elections: March 2005 (plus a pre-election visit in February 2005).

29. Committee members also took part in a number of other events. Mr Kirilov visited Georgia from 18 to 19 May 2004 to attend a *seminar on the constitutional organisation of the state* organised by the Venice Commission in co-operation with the Georgian Constitutional Court. The rapporteur for the Venice Commission's Council for Democratic Elections, Mr Luc Van den Brande, attended Council meetings in Venice in June and October 2004 and March 2005. Finally, Mr Kvakkestad represented the Committee at the *second European Conference of Election Management Bodies*, organised by the Venice Commission with the support of the European Commission and held in Strasbourg on 10 and 11 February 2005.

e. Composition of the Committee

30. Following the accession of the Principality of Monaco in October 2004, at its meeting in Paris on 13 December 2004 the Bureau of the Assembly took note of the secretariat memorandum on the proposal to increase the number of seats (Resolution 1356 (2003)) and decided to increase the Committee's membership to 83, subject to Assembly approval, which it gave at the January 2005 part-session. It should be recalled that the Monitoring Committee is the only Assembly committee with no substitutes. Its intense activity over the reference period confirms the full and constant commitment of its members and rapporteurs.

II. MONITORING PROCEDURE BETWEEN MAY 2004 AND MAY 2005

31. During the period covered by this report the Monitoring Committee met **ten** times. It presented seven reports to the Parliamentary Assembly.

32. The rapporteurs made **twenty-two** fact-finding visits to the countries being monitored and those concerned by post-monitoring dialogue and **seven** other visits as part of the preparation for or observation of elections in those countries.

a. Current monitoring procedures

33. Ten monitoring procedures are currently in progress (see Appendix B).

34. The Committee considered and approved seven draft reports and adopted seven preliminary draft resolutions and two preliminary draft recommendations.

Albania

35. The co-rapporteurs, Mr Jerzy Smorawinski (Poland, EPP/CD) and Mr Søren Søndergaard (Denmark, UEL), made a fact-finding visit to the country from 1 to 4 March 2005 after which, on 16 March 2005, they presented a memorandum to the Committee. The Committee decided on the same day to send the memorandum to the Bureau to assist the work of the Assembly pre-election and observation missions covering the parliamentary elections scheduled for July 2005.

36. On 25 April 2005, a new co-rapporteur was appointed, Mr Leo Platvoet (Netherlands, UEL), to replace Mr Søren Søndergaard.

Armenia

37. One of the two co-rapporteurs, Mr Jerzy Jaskiernia (Poland, SOC), made a fact-finding visit to the country from 10 to 15 June 2004. On 15 September 2004, the Committee adopted a preliminary draft resolution on the implementation of Resolutions 1361 (2004) and 1374 (2004) on the honouring of obligations and commitments by Armenia. On 7 October 2004, the Assembly adopted Resolution 1405 (see Doc. 10286). This was the third resolution on Armenia in 2004.

38. On 15 December 2004, the Committee appointed a new co-rapporteur, Mr Georges Colombier (France, EPP/CD), to replace Mr René André (France, EPP/CD).

39. The next fact-finding visit is scheduled for early May 2005.

Azerbaijan

40. On 22 June 2004, the Committee appointed a new co-rapporteur, Mr Andres Herkel (Estonia, EPP/CD), to replace Mr Guillermo Martinez Casañ (Spain, EPP/CD).

41. The co-rapporteurs, Mr Andreas Gross (Switzerland, SOC) and Mr Andres Herkel, made six fact-finding visits to the country: from 19 to 20 May 2004, from 4 to 9 August 2004, on 24 October 2004, from 16 to 19 December 2004 (to coincide with local elections), from 9 to 13 February 2005 and from 18 to 20 April 2005.

42. On 15 September 2004, the Committee adopted a draft resolution on the implementation of Resolution 1358 (2004) on the functioning of democratic institutions in Azerbaijan. On 5 October 2004, the Assembly adopted Resolution 1398 (see Doc. 10285).

43. Following their visits in October 2004, December 2004, February 2005 and April 2005, the co-rapporteurs presented the Committee with four memorandums, in January 2005 (concerning the October and December 2004 visits), March 2005 (concerning the February 2005 visit) and April 2005 (concerning the April 2005 visit).

44. On 16 March 2005, the Committee accepted an invitation from the Azerbaijan delegation to meet in Baku on 5 July 2005 as part of the parliamentary dialogue with the parliaments of the southern Caucasus (subject to Bureau approval).

Bosnia and Herzegovina

45. On 26 May 2004, the Committee adopted a first draft resolution and a draft recommendation on the honouring of obligations and commitments by Bosnia and Herzegovina, which had joined the Council of Europe on 24 April 2002. On 23 June 2004, the Assembly adopted Resolution 1383 and Recommendation 1664 (see Doc. 10200).

46. On 15 September 2004, the Committee appointed a new co-rapporteur, Mr Kimmo Sasi (Finland, EPP/CD), to replace Mr László Surján (Hungary, EPP/CD), who had been elected to the European Parliament in May 2004.

47. On 25 January 2005, the Committee heard a report from Mr Sasi and took note of his memorandum on his fact-finding visit to Sarajevo from 15 to 18 December 2004.

Georgia

48. On 26 May 2004, the Committee decided to invite the Venice Commission to prepare an opinion on Georgia's draft constitutional legislation on the status of the Autonomous Republic of Ajaria, which had been passed on first reading by the Georgian Parliament on 18 May 2004.

49. The co-rapporteurs, Mr Mátyás Eörsi (Hungary, LDR) and Mr Evgeni Kirilov (Bulgaria, SOC), made a fact-finding visit to the country from 5 to 8 July 2004.

50. On 5 October 2004, the Committee considered a preliminary draft report on the honouring of obligations and commitments by Georgia and decided to transmit it to the Georgian authorities for comments.

51. On 25 and 26 October 2004, the Committee met in Tbilissi. On 15 December 2004, after considering the Georgian delegation's comments, the Committee adopted a draft resolution on the honouring of obligations and commitments by Georgia. On 24 January 2005, the Assembly adopted Resolution 1415 (see Doc. 10383).

Moldova

52. On 26 May 2004, the Committee was informed by the co-rapporteurs, Mrs Josette Durrieu (France, SOC) and Mr André Kvakkestad (Norway, EDG), of their fact-finding visit to Moldova from 23 to 25 May 2004. On 15 September 2004, the Committee discussed the closure of schools in the Transnistria region and the crisis in TeleRadio Moldova with a representative of the Moldovan opposition. On 5 October 2004, it issued a statement on the situation in the Transnistria region. At the October 2004 meeting in Tbilissi, the Committee considered a memorandum from the rapporteurs on the situation in Moldova. On 16 March 2005, it heard statements from the co-rapporteurs on their fact-finding visit to the country from 30 January to 2 February 2005 and on the conduct and results of the parliamentary elections on 6 March.

53. The co-rapporteurs will make a further fact-finding visit to Moldova in late May 2005 and will present a report on the honouring of obligations and commitments by Moldova at the October 2005 part-session.

Monaco

54. Following Opinion No. 250 (2004) on the Principality of Monaco's application for membership of the Council of Europe, adopted by the Assembly on 27 April 2004, the country became the Organisation's 46th member state on 5 October 2004. Opinion No. 250 (2004) specified that a monitoring procedure should start six months after accession, that is in April 2005.

55. On 16 March 2005, the Committee appointed Mr Pedro Agramunt (Spain, EPP/CD) and Mr Leonid Slutsky (Russia, SOC) as co-rapporteurs.

Russia

56. At its October 2004 meeting in Tbilissi, the Committee considered a memorandum from the co-rapporteurs, Mr David Atkinson (United Kingdom, EDG) and Mr Rudolf Bindig (Germany, SOC), on the fact-finding visit to Kazan and Yekaterinburg from 10 to 14 October 2004 and decided to ask the Venice Commission to prepare an opinion on President Putin's proposals to reform the system for electing regional governments and the Russian State Duma. The co-rapporteurs made another fact-finding visit to the country from 1 to 6 November 2004. On 15 December 2004, the Committee considered a preliminary draft report and decided to send it to the Russian authorities for comments. It considered the Russian delegation's comments at the April 2005 part-session.

Serbia and Montenegro

57. Given the situation in the country, on 26 May 2004 the Committee asked the co-rapporteurs, Mr Milos Budin (Italy, SOC) and Mr Jonas Čekuolis (Lithuania, LDR), to prepare a preliminary draft report on the functioning of democratic institutions in Serbia and Montenegro. The co-rapporteurs made their second fact-finding visit to the country from 30 August to 2 September 2004. On 15 September 2004, the Committee adopted a first draft resolution on the functioning of democratic institutions in Serbia and Montenegro (which has been a member of the Council of Europe since 3 April 2003) and on 5 October the Assembly adopted Resolution 1397 (see Doc. 10281).

58. A fact-finding visit to the country by the co-rapporteurs is scheduled from 17 to 20 April 2005.

Turkey

59. Following the Assembly's decision to postpone the debate on Turkey from the April to the June part-session, on 21 June 2004 the Committee approved seventeen amendments presented by the co-rapporteurs, Mrs Mady Delvaux-Stehres (Luxembourg, SOC) and Mr Luc Van den Brande (Belgium, EPP/CD), to the draft resolution and recommendation on the honouring of obligations and commitments by Turkey to take account of developments since April 2004 and took a position on seven others. On 22 June 2004, the Assembly adopted Resolution 1380 and Recommendation 1662 on the honouring of obligations and commitments by Turkey (see Doc. 10111), which ended the monitoring procedure that had started in 1996.

Ukraine

60. On 22 June 2004, the Committee considered a memorandum from its co-rapporteurs, Mrs Hanne Severinsen (Denmark, LDR) and Mrs Renate Wohlwend (Liechtenstein, EPP/CD), on their visit to Ukraine from 26 May to 3 June 2004 and issued a statement on the forthcoming presidential election.

61. The co-rapporteurs paid a further fact-finding visit to the country from 29 August to 1 September. On 15 September 2004, the Committee issued a second statement on the presidential election. On 15 December 2004, after the Constitutional Court had annulled the second round of the election, the Committee issued a third statement on the situation in Ukraine.

62. Mrs Severinsen, a member of the ad hoc committee observing the Ukrainian presidential election, took part in a pre-election visit from 26 to 29 September 2004 and the election visits of 31 October, 21 November and 26 December 2004.

63. On 15 December 2004, the Committee decided not to take action on the motion for a resolution on the opening of a new inquiry into the murder of the Ukrainian journalist Georgiy Gongadze and to return it the Bureau with a recommendation that it be referred to the Committee on Legal Affairs and Human Rights for a report.

64. On 24 January 2005, the Committee heard a report from Mrs Severinsen on the situation following the presidential election.

65. The co-rapporteurs carried out a further fact-finding visit to Ukraine from 21 to 23 March 2005, following which they issued a public statement.

b. The post-monitoring dialogue

66. Four countries are currently engaged in dialogue with the Committee on the changes that have taken place since the closure of the relevant monitoring procedure: Bulgaria, Latvia, Slovakia, and "the former Yugoslav Republic of Macedonia". The post-monitoring dialogue with Turkey will start in June 2005, in accordance with the post-monitoring arrangements.

67. The post-monitoring dialogue with the Czech Republic has ended. Having found the situation satisfactory, the Committee decided on 5 October 2004 to recommend its termination to the Bureau. The Bureau approved the Committee recommendation on 23 November 2004.

68. During the relevant period, the Chair of the Committee, Mrs Josette Durrieu (France, SOC), responsible for the procedure, undertook three fact-finding visits to, respectively, the Czech Republic, from 8 to 11 May 2004, Bulgaria, from 4 to 9 June 2004, and "the former Yugoslav Republic of Macedonia", from 24 to 26 November 2004.

69. Following these visits, the Chair presented three memorandums to the Committee on, respectively, the Czech Republic, on 5 October 2004, Bulgaria, on 25 October 2004, and "the former Yugoslav Republic of Macedonia", on 24 January 2005.

70. On 16 March 2005, the Committee also considered the comments of the Bulgarian delegation as part of the post-monitoring dialogue on that country and authorised the Chair to make a fact-finding visit.

71. Following the Assembly Bureau's decision of 30 April 2004 not to reopen the monitoring procedure with respect to Latvia, on 26 May 2004 the Committee considered a memorandum prepared by the then Chair, approved her proposal to review the results of the post-monitoring dialogue with Latvia before the end of 2004 and decided to transmit this memorandum to the Bureau for information. On 16 March 2005, the Committee considered a memorandum from the Latvian delegation on changes in the situation since May 2004 and instructed its new Chair, Mr György Frunda (Romania, EPP/CD), elected in January 2005, to visit the country.

c. *The specific case of Liechtenstein*

72. As noted in paragraph 14, on 25 November 2003 the Bureau rejected the Committee's recommendation for a monitoring procedure to be opened in respect of Liechtenstein and decided to start a dialogue with the authorities of the Principality, subject to Assembly approval. The Assembly ratified the Bureau decision on 26 January 2004. On 1 March 2004, the Bureau decided that the dialogue would be concerned with constitutional and political practices following the entry into force of the constitutional amendments and that it would start after the parliamentary elections in March 2005.

73. On 23 November 2004, the Bureau set up an ad hoc committee to conduct the dialogue, comprising two members each from the Political Affairs Committee, the Committee on Legal Affairs and Human Rights and the Monitoring Committee, plus if necessary additional members from the Bureau to ensure that all the political groups in the Assembly were represented. On 15 December 2004, the Committee appointed Mr Luc Van den Brande (Belgium, EPP/CD) and Mrs Katrin Saks (Estonia, SOC) as the Monitoring Committee representatives on the ad hoc committee. The Bureau approved the composition of the *ad hoc* committee for the dialogue with the Liechtenstein parliament on 27 January 2005. On 16 March 2005, the Committee appointed Mr Marcel Glesener (Luxembourg, EPP/CD) to replace Mr Luc Van den Brande, who had resigned. On 18 March 2005, Mr Glesener was appointed Chair of the ad hoc committee by the Bureau.

APPENDIX A

Resolution 1412 (2004)¹

Progress of the Assembly's monitoring procedure

1. Resolution 1115 (1997), which created the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) and defined its term of reference, was adopted in January 1997.
2. In April 2000, the Parliamentary Assembly approved the Bureau's progress report, which included the decision to set up a mechanism for post-monitoring dialogue. Under the arrangements for this mechanism, which were approved at the same time, the leading role in conducting post-monitoring dialogue with the countries concerned is assigned to the Monitoring Committee's Chair.
3. As the Assembly's decision to set up post-monitoring dialogue extended the prerogatives of the Monitoring Committee, the terms of reference appended to Resolution 1115 need to be formally adapted to ensure that the committee is able to carry out its responsibilities in a coherent and efficient manner.
4. The main difficulties encountered are related to requests for the reopening of the monitoring procedure with regard to countries involved in post-monitoring dialogue.
5. In accordance with paragraph 9 of Resolution 1115 and paragraph 3 of the appended terms of reference, the Monitoring Committee shall appoint two of its members as co-rapporteurs for the purpose of preparing a written opinion to the Bureau on whether a monitoring procedure should be opened or not.
6. In the case of countries involved in post-monitoring dialogue, this appointment is in contradiction with the arrangements for this dialogue, under which the leading role is assigned to the Monitoring Committee's Chair. The appointment of two separate co-rapporteurs is likely to undermine the credibility and efficiency of the post-monitoring dialogue and may result in conflicting evaluations, with all the negative political and legal consequences that entails.
7. The Assembly decides, in view of the above, that it would be appropriate to formally integrate the arrangements for post-monitoring dialogue in the terms of reference of the Monitoring Committee. The Assembly instructs its Committee on Rules of Procedure and Immunities to implement this decision.
8. The Assembly instructs its Committee on Rules of Procedure and Immunities to examine, in the framework of the elaboration of its report on the opening of a monitoring procedure, the procedure to be followed when an application to reopen a monitoring procedure is submitted with respect to a state still involved in post-monitoring dialogue.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 23 November 2004 (see Doc. 10250, report of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur: Ms Durrieu).*

Resolution 1431 (2005)³**Initiation of a monitoring procedure and post-monitoring dialogue**

1. The Parliamentary Assembly recalls that its Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) was set up in April 1997 by Resolution 1115 (1997), which includes an appendix.

2. It notes that in its last report on the progress of the Assembly's monitoring procedure (Doc. 10250) the Monitoring Committee underlined the weaknesses of this procedure, set up more than seven years ago and which needs to be thoroughly clarified and updated in many respects.

3. The main difficulties are currently related to the initiation or the re-opening of a monitoring procedure and to requests for the re-opening of a monitoring procedure in the framework of a post-monitoring dialogue in progress with a given country.

4. Consequently, the Assembly decides:

i. to replace paragraph 2 in the appendix to Resolution 1115 (1997) with the following text:

“An application to initiate or re-open a monitoring procedure may originate from:

- i. the general committees of the Assembly by reasoned written application to the Bureau;
- ii. the Monitoring Committee by a written opinion prepared by two co-rapporteurs containing a draft decision to open a monitoring procedure. If the application aims at re-opening a monitoring procedure in respect of a country involved in a post-monitoring dialogue, the written opinion will be prepared by the Chairperson or, if appropriate, a Vice-Chairperson of the Monitoring Committee;
- iii. not less than ten members of the Assembly representing at least five national delegations and two political groups, through the tabling of a motion for a resolution or recommendation;
- iv. the Bureau of the Assembly.”

ii. to replace paragraph 3 in the appendix to Resolution 1115 (1997) with the following text:

“Applications, other than those originating from the Monitoring Committee itself, shall be considered by the Monitoring Committee. Two co-rapporteurs or, in the case of a country involved in a post-monitoring dialogue, the Chairperson or, if appropriate, a Vice-Chairperson of the Monitoring Committee, shall carry out the necessary investigations and prepare a written opinion containing a draft decision proposing:

- to open (or re-open) a monitoring procedure and to instruct the Monitoring Committee to carry out this procedure;
- not to open (or not to re-open) such a procedure.

In the light of the Monitoring Committee's written opinion, the Bureau shall express itself on whether to open (or re-open) a monitoring procedure.

Subsequently, with regard to all the applications referred to in paragraph 2:

- if both the Monitoring Committee and the Bureau agree to open (or re-open) the monitoring procedure or take divergent positions, the written opinion adopted by the Monitoring Committee

³ Text adopted by the Standing Committee acting on behalf of the Assembly on 18 March 2005 (see Doc. 10407, report of the Committee on Rules of Procedure and Immunities, rapporteur: Mr Gross and Doc. 10475, opinion of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur: Mr Frunda).

shall be transformed, by way of derogation from Rule 49.2 of the Rules of Procedure, into a report containing a draft resolution and the Bureau shall include this item in the agenda and order of business of the next Assembly part-session for debate and adoption of the draft resolution. A representative of the Bureau may speak in its name in this debate. The Assembly may decide, if appropriate, to refer the matter to one or more committees for an opinion;

– in the case that both the Monitoring Committee and the Bureau consider that there is no need to open (or to re-open) a monitoring procedure, such decision should be recorded in the Progress Report of the Bureau and the Standing Committee. The Assembly shall confirm this decision by a vote during the discussion of the Progress Report of the Bureau. However, during that discussion the Assembly may decide by a majority vote following a request by at least ten members, that a debate be held during the next part-session on the written opinion of the Monitoring Committee, which shall then be transformed into a report containing a draft resolution.

The Assembly or Standing Committee itself may decide, when adopting a resolution, a recommendation or an opinion on accession, to initiate a monitoring procedure and entrust it directly to the Monitoring Committee. In such a case, the procedure provided for in paragraphs 2 and 3 shall not be applicable.”

5. The new provisions shall enter into force upon their adoption.

APPENDIX B: STATE OF PROCEDURES AS AT 18/04/2005

I. MONITORING PROCEDURES

Member state	Accession date	References related to accession	References related to the origin of monitoring	Rapporteurs	Visits	Monitoring Committee Documents	Parliamentary Assembly Documents
ALBANIA	29.06.1995	PA Opinion 189 (1995) CM Resolution (95) 8	Order 508 (1995) Resolution 1115 (1997)	Mr Smorawinski ...	29-30.06.1998 22.11.1998* 24-26.02.1999 05-07.07.1999 24-28.05.2000 19-23.02.2001 24.06.2001* 08 and 22.07.01* 19-21.02.2002 19-21.06.2002 11-15.11.2002 10-14.11.2003 01-04.03.2005	Minute of the visit: AS/Mon (2001) 07 Minute of the visit: AS/Mon (2002) 15 Information note on the rapporteurs' visit (01-04.03.2005): AS/Mon (2005) 13	Report (Doc. 8771) and Resolution 1219 (2000) adopted on 28.06.2000 Report (Doc. 10116) and Resolution 1377 (2004) adopted on 29.04.2004
ARMENIA	25.01.2001	PA Opinion 221 (2000) CM Resolution (2000) 13	Resolution 1115 (1997)	Mr Jaskiernia Mr Colombier	15-18.10.2001 19-23.08.2002 17-21.02.2003* 25.05.2003* 20-24.08.2003 10-15.06.2004 Visit foreseen: 09-13.05.2005	Memorandum on the implementation of Resolution 1304 (2002): AS/Mon (2003) 18	Report (Doc. 9542) and Resolution 1304 (2002) adopted on 26.09.2002 Report (Doc. 10027) and Resolution 1361 (2004) adopted on 27.01.2004 Report (Doc.10163) and Resolution 1374 (2004) adopted on 28.04.2004 Report (Doc. 10286) and Resolution 1405 (2004) on the implementation of Resolutions 1361 (2004) and 1374 (2004) on the honouring of obligations and commitments by Armenia adopted on 07.10.2004

* observation of referendum or elections. N.B. Abbreviations: "PA" for "Parliamentary Assembly" and "CM" for "Committee of Ministers"

Member state	Accession date	References related to accession	References related to the origin of monitoring	Rapporteurs	Visits	Monitoring Committee Documents	Parliamentary Assembly Documents
AZERBAIJAN	25.01.2001	PA Opinion 222 (2000) CM Resolution (2000) 14	Resolution 1115 (1997)	Mr Gross Mr Herkel	29.10-04.11.2001 15-22.07.2002 20-25.01.2003 14-19.07.2003 15-18.09.2003 12-16.10.2003* 17-19.11.2003* 19-20.05.2004 04-09.08.2004 24.10.2004 15-19.12.2004 09-13.02.2005 18-20.04.2005	Information note on fact-finding visit of the rapporteurs (15-18.09.2003): AS/Mon (2003) 26 Information note on fact-finding visit of the rapporteurs (15-19.12.2004): AS/Mon (2005) 03 Information note on the fact-finding visit of the rapporteurs (09-13.02.2005): AS/Mon (2005) 11	Report (Doc. 9545 rev) and Resolution 1305 (2002) adopted on 26.09.2002 Report (Doc. 10030) and Resolution 1358 (2004) on the functioning of democratic institutions adopted on 27.01.2004 Report (Doc. 10285) and Resolution 1398 (2004) on the implementation of Resolution 1358 (2004) on the functioning of democratic institutions in Azerbaijan adopted on 05.10.2004 Report (Doc. 10200), Resolution 1383 (2004) and Recommendation 1664 (2004) adopted on 23.06.2004 Report (Doc. 9191), Resolution 1257 (2001) and Recommendation 1533 (2001) adopted on 25.09.2001 Report (Doc. 10049), Resolution 1363 (2004) and Recommendation 1643 (2004) on the functioning of democratic institutions adopted on 28.01.2004 Report (Doc. 10383) and Resolution 1415 (2005) adopted on 24.01.2005
BOSNIA AND HERZEGOVINA	24.04.2002	PA Opinion 234 (2002) CM Resolution (2002) 5	Resolution 1115 (1997)	Mr Sasi Mrs Shakhhtinskaya	05.10.2002* 01-04.12.2002 18-24.05.2003 15-18.12.2004	Information note on fact-finding visit of the co-rapporteurs (15-18.12.2004): AS/Mon (2005) 04	
GEORGIA	27.04.1999	PA Opinion 209 (1999) CM Resolution (99) 4	Resolution 1115 (1997)	Mr Eörsi Mr Kirilov	10-13.05.2000 31.10-05.11.2000 12-14.02.2003 03-05.06.2003 22-25.11.2003 16.12.2003* 02-06.01.2004* 25-28.02.2004* 28.03.2004* 18-19.05.2004 05-08.07.2004		

Member state	Accession date	References related to accession	References related to the origin of monitoring	Rapporteurs	Visits	Monitoring Committee Documents	Parliamentary Assembly Documents
MOLDOVA	27.06.1995	PA Opinion 188 (1995) CM Resolution (95) 7	Order 508 (1995) Resolution 1115 (1997)	Mrs Durrieu Mr Kvakkestad	27-30.10.1998 03-05.12.1998 02-03.11.1999 27-31.01.2002 08-09.04.2002 11-12.09.2002 10-12.03.2003 23-25.05.2004 30.01-02.02.2005 Pre-electoral mission: 16-18.02.2005 Electoral mission: 04-07.03.2005	Information note on fact-finding visit (02-03.11.1999): AS/Mon (1999) 29 rev. Memorandum on fact-finding visit (27-31.01.2002): AS/Mon (2002) 09 Statement on the situation in the Transnistrian region adopted on 05.10.2004 Information note by the rapporteurs: AS/Mon (2004) 41	Report on the functioning of democratic institutions in Moldova (Doc. 9418), Resolution 1280 (2002) and Recommendation 1554 (2002) adopted on 24.04.2002 Report on the functioning of democratic institutions in Moldova (Doc. 9571) and Resolution 1303 (2002) adopted on 26.09.2002 Information Report on the implementation of Resolution 1303 (2002) on the functioning of democratic institutions in Moldova (Doc. 9772) considered on 27.05.2003
MONACO	05.10.2004	PA Opinion 250 (2004) CM Resolution (2004) 10	Resolution 1115 (1997)	Mr Agramunt Mr Slitsky			
RUSSIA	28.02.1996	PA Opinion 193 (1996) CM Resolution (96) 2	Order 508 (1995) Resolution 1115 (1997)	Mr Atkinson Mr Bindig	12-15.05.1999 11-14.02.2001 01-06.10.2001 20-23.11.2001 24-27.11.2002 26.10-01.11.2003 04-08.12.2003* 14.03.2004* 10-14.10.2004 01-06.11.2004	Information note on fact-finding visit (24-27.11.2002): AS/Mon (2002) 55 Information note on fact-finding visit by the rapporteurs (10-14.10.2004): AS/Mon (2004) 40 Preliminary draft report considered on 15.12.2004 and transmitted to Russian authorities for comment: AS/Mon (2004) 44 Comments received on 16.03.2005 to be examined on 26.04.2005	Information Report (Doc. 8127) examined on 22.06.1998 Report (Doc. 9396), Resolution 1277 (2002) and Recommendation 1533 (2002) adopted on 23.04.2002

Member state	Accession date	References related to accession	References related to the origin of monitoring	Rapporteurs	Visits	Monitoring Committee Documents	Parliamentary Assembly Documents
SERBIA AND MONTENEGRO	03.04.2003	PA Opinion 239 (2002) CM Resolution (2003) 3	Resolution 1115 (1997)	Mr Budin Mr Cekuolis	27-29.12.2003* 17-19.02.2004 30.08-02.09.2004 17-20.04.2005		Report (Doc. 10281) and Resolution 1397 (2004) on the functioning of democratic institutions in Serbia and Montenegro adopted on 05.10.2004
UKRAINE	09.11.1995	PA Opinion 190 (1995) CM Resolution (95) 22	Order 508 (1995) Resolution 1115 (1997)	Mrs Severinsen Mrs Wohlwend	15-18.09.1998 09-12.05.1999 16-19.02.2000 18-21.06.2000 10-12.01.2001 28-30.03.2001 09-12.09.2001 Pre-electoral mission: 27.02-03.03.2002 Parliamentary elections: 31.03.2002* Post-electoral mission: 09-10.05.2002 Visits: 13-16.10.2002 18-20.01.2004 27.05-03.06.2004 29.08-01.09.2004 Pre-electoral mission: 26-29.09.2004 Electoral missions: 31.10.2004, 21.11.2004 and 26.12.2004, Visit: 20-23.03.2005	Information memorandum on the visit by the rapporteurs (27.05-03.06.2004): AS/Mon (2004) 25 Statements on the presidential election adopted on 22.06.2004, 15.19.2004 and 15.12.2004 Declaration by the co-rapporteurs, following their visit (20-23.03.2005)	Reports (Docs 8272 & 8424), Resolutions 1179 & 1194, Recommendations 1395 & 1416, adopted on 27.01.1999 & 24.06.1999 respectively Report (Doc. 8666) on reform of the institutions in Ukraine, Recommendation 1451 (2000), adopted on 04.04.2000 Report (Doc. 8945) on freedom of expression and the functioning of parliamentary democracy, Resolution 1239 (2001) and Recommendation 1497 (2001) adopted on 25.01.2001 Report (Doc. 9030), Resolution 1244 (2001) and Recommendation 1513 (2001) adopted on 26.04.2001 Report (Doc. 9226), Resolution 1262 (2001) and Recommendation 1538 (2001) adopted on 27.09.2001 Report (Doc. 9852), Resolution 1346 (2003) and Recommendation 1622 (2003) adopted on 29.09.2003 Report (Doc. 10058) on the Political crisis in Ukraine and Resolution 1364 (2004) adopted on 29.01.2004

II. POST-MONITORING DIALOGUE

Member State	Closing of the monitoring	Request for information	Replies [Confidential]
SLOVAKIA	21.09.1999 – Resolution 1196 (1999)	Letter from the Chairman on 19.12.2000	Reply received on 18.07.2002: AS/Mon (2002) 37
BULGARIA	26.01.2000 – Resolution 1211 (2000)	Letter from the Chairman on 07.03.2001 Visit by Chair: 09-10.10.2002 Visit by Chair: 04-09.06.2004	Reply received on 22.01.2002: AS/Mon (2002) 10 Information note by the Chair: AS/Mon (2004) 39 considered on 25-26.10.2004 and transmitted to the authorities for comments. Comments examined on 15.03.2005: AS/Mon (2004) 53 rev
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"	5.04.2000 – Resolution 1213 (2000)	Letter from the Chairman on 4.05.2001. Visit by Chairman: 27.02-1.03.2002 (AS/Mon (2002) 16), transmitted to the Bureau on 25.04.2002 Visit by Chair: 16-18.12.2002 Visit by Chair: 24-26.11.2004	Replies received on 25.09.2001: AS/Mon (2001) 32 and on 27.06.2002: AS/Mon (2002) 35 Memorandum by the Chair: AS/Mon (2003) 06. Memorandum by the Chair examined on 24.01.2005: AS/Mon (2004) 51
LATVIA	23.1.2001 – Resolution 1236 (2001)	Letter from the Chairman on 11.03.2002 Motion for a resolution on the reopening of monitoring procedure in respect to Latvia (Doc. 9501) referred by the Bureau on 28.06.2002 Visits by Chair: 14-16.01.2003, 19-20.11.2003 Visit by co-rapporteurs, Mr Jurgens and Mr Sasi, 28-30.03.2004	Reply received on 06.06.2002: AS/Mon (2002) 33 Memorandum by the Chair: AS/Mon (2003) 05 Replies received on 19.06.2003 and 15.07.2003: AS/Mon (2003) 23 Memorandum by the Chair: AS/Mon (2004) 08 for consideration on 03.03.2004 Opinion for the Bureau presented by the co-rapporteurs on 27.04.2004 Decision of the Bureau on 30.04.2004 confirmed by the Assembly not to re-open monitoring procedure Memorandum by the Chair (AS/Mon (2004) 08 rev] forwarded to the Bureau for information on 03.06.2004 Information from the Latvian delegation examined on 15.03.2005: AS/Mon (2005) 06 and 12
TURKEY	22.6.2004 – Resolution 1380 (2004)		

In accordance with paragraph 3 of Resolution 1115 (1997), the Monitoring Committee designated these co-rapporteurs to carry out a specific task of preparing a written opinion which would serve as a basis for the Bureau's decision as to whether to initiate a monitoring procedure as regards Latvia.

APPENDIX C
STATE OF SIGNATURES AND RATIFICATIONS OF COUNCIL OF EUROPE CONVENTIONS BY STATES UNDER MONITORING ON 18/04/2005

Council of Europe Conventions referred to in commitments	ALBANIA	ARMENIA	AZERBAIJAN	BOSNIA AND HERZEGOVINA	GEORGIA	MOLDOVA	MONACO	RUSSIA	SERBIA AND MONTENEGRO	UKRAINE
European Convention on Human Rights (ECHR)	R 2.10.96	R 26.04.02	R 15.04.02	R 12.07.02	R 20.05.99	R 12.09.97	S 5.10.04	R 5.05.98	R 3.03.04	R 11.09.97
Protocols 1, 2 and 11 to the ECHR	R 2.10.96	R 26.04.02	R 15.04.02	R 12.07.02	R 7.06.02	R 12.09.97	S 5.10.04	R 5.05.98	R 3.03.04	R 11.09.97
Protocols 4 and 7 to the ECHR	R 2.10.96	R 26.04.02	R 15.04.02	R 12.07.02	R 13.04.00	R 12.09.97	S 5.10.04	R 5.05.98	R 3.03.04	R 11.09.97
Protocol 6 to the ECHR	R 21.09.00	R 29.09.03	R 15.04.02	R 12.07.02	R 13.04.00	R 12.09.97	S 5.10.04	S 5.05.97	R 3.03.04	R 4.04.00
Protocol 12 to the ECHR	R 26.11.04	R 17.12.04	S	R 29.07.03	R 15.06.01	S	S	S 4.11.00	R 3.03.04	S
Protocol 13 to the ECHR	S 26.05.03	-	-	R 29.07.03	R 22.05.03	S 3.05.02	S 5.10.04	-	R 3.03.04	R 4.11.00
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT)	R 2.10.96	R 18.06.02	R 15.04.02	R 12.07.02	R 20.06.00	R 2.10.97	R	R 5.05.98	R 3.03.04	R 5.05.97
Protocols Nos. 1 and 2 to the ECPT	R 2.10.96	R 18.06.02	R 15.04.02	R 12.07.02	R 20.06.00	R 2.10.97	-	R 5.05.98	R 3.03.04	R 7.11.01
Framework Convention for the Protection of National Minorities	R 28.09.99	R 20.07.98	R 26.06.00	R 24.02.00	R	R 20.11.96	-	R 21.08.98	R 11.05.01	R 26.01.98
European Charter of Local Self-Government	R 4.04.00	R 25.01.02	R 15.04.02	R 12.07.02	R 8.12.04	R 2.10.97	-	R 5.05.98	R	R 11.09.97
European Charter for Regional or Minority Languages	R	R 25.01.02	R	R	R	R	-	R	R	R
European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities	R 7.11.01	R 31.10.03	R 30.03.04	R	R	R 30.11.99	R	R 4.10.02	R	R 21.09.93
European Convention on Mutual Assistance in Criminal Matters	R 4.04.00	R 25.01.02	R 4.07.03	R	R 13.10.99	R 4.02.98	R	R 10.12.99	R 30.09.02	R 11.03.98
European Convention on Extradition	R 19.05.98	R 25.01.02	R 28.06.02	R	R 15.06.01	R 2.10.97	-	R 10.12.99	R 30.09.02	R 11.03.98
Convention on the Transfer of Sentenced Persons	R 4.04.00	R 11.05.01	R 25.01.01	R 15.04.05	R 21.10.97	R 12.05.04	-	R	R 11.04.02	R 28.09.95
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime	R 31.10.01	R 24.11.03	R 4.07.03	R 30.03.04	R 13.05.04	R 30.05.02	R 10.05.02	R 2.08.01	R 9.10.03	R 26.01.98

Council of Europe Conventions referred to in commitments	ALBANIA	ARMENIA	AZERBAIJAN	BOSNIA AND HERZEGOVINA	GEORGIA	MOLDOVA	MONACO	RUSSIA	SERBIA AND MONTENEGRO	UKRAINE
<i>Criminal Law Convention on Corruption</i>	R 19.07.01	S 15.05.03	R 11.02.04	R 30.01.02	S 27.01.99	R 14.01.04	R 14.01.04	S 27.01.99	R 18.12.02	S 27.01.99
<i>Civil Law Convention on Corruption</i>	R 21.09.00	R 7.01.05	R 11.02.04	R 30.01.02	R 22.05.03	R 17.03.04	-	-	S 7.04.05	S 4.11.99
<i>European Social Charter(Revised)</i>	R 14.11.02	R 21.01.04	R 2.09.04	[REDACTED]	[REDACTED]	R 8.11.01	S 5.10.04	[REDACTED]	S 22.03.05	[REDACTED]
<i>European Convention on the Suppression of Terrorism</i>	R 21.09.00	R 23.03.04	R 11.02.04	R 3.10.03	R 14.12.00	R 23.09.99	R 4.11.00	R 4.11.00	R 15.05.03	R 13.03.02
<i>European Convention on the Transfer of Proceedings in Criminal Matters</i>	R 4.04.00	R 17.12.04	S 7.11.01	[REDACTED]	-	S 27.06.01	-	S 11.12.00	R 30.09.02	R 28.09.95
<i>European Convention on the Compensation of Victims of Violent Crimes</i>	R 26.11.04	S 8.11.01	R 28.03.00	[REDACTED]	-	-	-	-	-	S 8.04.05
<i>Convention on Cybercrime</i>	R 20.06.02	S 23.11.01	-	S 9.02.05	-	S 23.11.01	-	-	S 7.04.05	S 23.11.01
<i>General Agreement on Privileges and Immunities of the Council of Europe</i>	R 4.06.98	R 25.06.01	R 16.01.02	R 3.10.03	R 25.05.00	R 2.10.97	-	R 28.02.96	[REDACTED]	R 6.11.96
<i>Protocol to the General Agreement on Privileges and Immunities of the Council of Europe</i>	R 4.06.98	R 25.06.01	R 16.01.02	R 3.10.03	R 25.05.00	R 2.10.97	-	R 28.02.96	[REDACTED]	R 6.11.96
<i>Sixth Protocol to the General Agreement on Privileges and Immunities of the Council of Europe</i>	R 4.06.98	R 18.06.02	[REDACTED]	[REDACTED]	R 20.06.00	R 27.06.01	-	R 10.05.01	[REDACTED]	R 17.09.03

"R": ratified

"S": signed but not ratified

"-": no specific commitment undertaken upon accession or merely a commitment "to study with a view to ratification"

[REDACTED]: commitment undertaken upon accession, honoured, but not honoured

[REDACTED]: commitment undertaken upon accession, honoured, or of which the deadline has not yet been reached

APPENDIX D

RELATIONS BETWEEN THE ASSEMBLY AND THE COMMITTEE OF MINISTERS ON MONITORING ISSUES
(May 2004 – May 2005)

Assembly Recommendations related to monitoring		Replies by the Committee of Ministers	
Title	Date of adoption	Date of adoption	Time allowed
Recommendation 1662 (2004) on the Honouring of Obligations and Commitments by Turkey	22 June 2004	9 December 2004	5 months and 2 weeks
Recommendation 1664 (2004) on the Honouring of Obligations and Commitments by Bosnia and Herzegovina	23 June 2004	7 December 2004	5 months and 2 weeks

Reporting committee: Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

Reference to committee: Resolution 1115 (1997) of 27 January 1997

Information report unanimously adopted by the committee on 25 April 2005.

Members of the committee: Mr György **Frun**da (Chairperson), Mrs Hanne **Severinsen**, Mrs Naira **Shakhtakhtinskaya**, Mr Mikko Elo (Vice-Chairpersons), Mr Pedro **Agramunt**, Mr Bakhtiyar **Aliyev**, Mr René André, Mr Giuseppe **Arzilli**, Mr Abdülkadir Ateş (ex-officio), Mr David Atkinson, Mr Jaume Bartumeu Cassany, Mrs Meritxell **Batet**, Mrs Gülsün **Bilgehan**, Mr Rudolf Bindig, Mrs Mimount **Bousakla**, Mr Luc **Van den Brande**, Mr Patrick Breen, Mrs Beáta Brestenská, Mr Milos Budin, Mr Mevlüt **Cavuşoğlu**, Mr Jonas **Čekuolis**, Mr Doros **Christodoulides**, Mr Boriss **Cilevičs**, Mr Georges **Colombier**, Mr Joseph Debono Grech, Mr Juris Dobelis, Mrs Josette **Durrieu**, Mr Mátyás **Eörsi**, Mr Jean-Charles Gardetto, Mr József Gedei, Mr Marcel Glesener, Mr Stef **Goris**, Mr Andreas Gross, Mr Alfred Grusenbauer, Mr Michael **Hagberg**, Mr Michael Hancock, Mr Andres **Herkel**, Mr Serhiy **Holovaty** (ex-officio), Mr Jerzy **Jaskiernia**, Mr Erik Jurgens, Lord **Kilclooney**, Mr Evgeni Kirilov, Mr Shavarsh **Kocharyan**, Mrs Synnøve Konglevoll, Mr Konstantin **Kosachev**, Mr André **Kvakkestad**, Mrs Darja Lavtižar-Bebler, Mrs Sabine Leutheusser-Schnarrenberger, Mr Eduard **Lintner**, Mr Mikhail Margelov, Mr Dick Marty, Mr Frano Matušić, Mr José Medeiros Ferreira, Mr Miloš Melčák, Mr Lars Kramer Mikkelsen, Mr Azim **Mollazade**, Mr Zsolt Németh, Mr Ionel Olteanu, Mr Ibrahim **Özal**, Mr Theodoros **Pangalos**, Mrs Eleonora Petrova-Mitevskaja, Mrs Sólveig Pétursdóttir, Mr Leo Platvoet, Mr Christos Pourgourides, Mr Anatoliy **Rakhansky**, Mr Dario Rivolta, Mr Armen **Rustamyan**, Mrs Katrin **Saks**, Mr Kimmo **Sasi**, Mr Vitaliy **Shybko**, Mr Leonid **Slutsky**, Mr Jerzy **Smorawinski**, Mr Søren Søndergaard, Mr Michael **Spindelegger**, Mrs Maria Stoyanova, Mr Qazim **Tepshi**, Mrs Elene **Tevdoradze**, Mr Tigran **Torosyan**, Mr Miltiadis **Varvitsiotis**, Mr Rudolf Vis, Mr Oldřich Vojtř, Mrs Renate Wohlwend, Mr Marco Zacchera, Mr Emanuelis **Zingeris**.

N.B. The names of those members who were present at the meeting are printed in bold.

Head of the secretariat: Mrs Ravaud

Secretaries to the committee: Mr Gruden, Mrs Theophilova-Permaul, Mr Kotlyar.

