

COUNCIL OF EUROPE COMMITTEE OF MINISTERS

PROCEDURE FOR IMPLEMENTING THE DECLARATION OF 10 NOVEMBER 1994 ON COMPLIANCE WITH COMMITMENTS ACCEPTED BY MEMBER STATES OF THE COUNCIL OF EUROPE

*(Adopted by the Committee of Ministers on 20 April 1995
at the 535th meeting of the Ministers' Deputies)*

In the Declaration adopted on 10 November 1994 on compliance with commitments accepted by member States of the Council of Europe, the Committee of Ministers decided to seek greater efficacy in its procedures with a view to ensuring compliance with commitments, in the framework of a constructive dialogue. It has agreed on the following:

1. The dialogue will be based on the principles of non-discrimination and co-operation. It will not affect existing procedures arising from statutory or conventional control mechanisms.
2. At least three meetings of the Ministers' Deputies at A level, fixed in advance, shall be devoted every year to this question.
3. At the first meeting and subsequently every second year, unless otherwise decided, the Secretary General shall present a factual overview of the compliance with the commitments accepted by member States. The overview should be based on information from member States and all relevant information as set out in paragraph 1 of the Declaration.
4. If, during the deliberations, a need to continue the discussion on the situation in a member State is voiced, the matter will be put on the agenda of the next meeting, referred to in paragraph 2 above.
5. By request made a month before each of these meetings, any Delegation or the Secretary General may ask to put the situation in any member State on the agenda of that meeting, on the basis of its own concerns or with reference to a discussion in the Parliamentary Assembly.
6. The request should be accompanied by specific questions, to enable the Delegations concerned to obtain relevant information.
7. In accordance with Article 21 of the Statute, the discussions should be confidential and held in camera, to encourage a constructive dialogue with the member States concerned. The presence of senior officials from the capitals should be encouraged.
8. Conclusions of the meeting may be followed up in accordance with paragraph 3 of the Declaration. If needed, appropriate assistance may be provided to the member States concerned. Progress may be reviewed at subsequent meetings.
9. The Clerk of the Parliamentary Assembly may be invited to be present to provide information on any discussions in Assembly bodies on the States concerned.
10. Nothing in the preceding paragraphs precludes the Ministers' Deputies from taking decisions in accordance with paragraph 4 of the Declaration of 10 November 1994, after a question has been on the agenda for a reasonable number of meetings.