

Texts adopted at the first part of the 2003 ordinary session of the Parliamentary Assembly, 27 - 31 January 2003: opinion nos. 241 and 242; recommendations 1583 to 1596; resolutions 1308 to 1320; orders nos. 584 and 585; references to committees nos. 2767 to 2785; Council of Europe, 2003; 86 pages; 2003; Council of Europe; 9789287151315

This second edition of the Guidelines on Freedom of Peaceful Assembly, together with the Explanatory Notes, was prepared by the Panel of Experts on Freedom of Assembly of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in consultation with the Council of Europe's European Commission for Democracy through Law (Venice Commission).¹ Though set apart here in Section B, the Explanatory Notes constitute an integral part of the Guidelines found in Section A, and should be read in concert with them. The prohibition of a public assembly solely on the basis that it is due to take place at the same time and location as another public assembly will likely be a disproportionate response where both can be reasonably accommodated. The doctrine of parliamentary sovereignty has long been regarded as the most fundamental element of the British Constitution. In his classic exposition of the doctrine, A.V. Dicey described it as "the dominant characteristic of our political institutions", "the very keystone of the law of the constitution".¹ It is said that Parliament is able to enact or repeal any law whatsoever, and that the courts have no authority to judge statutes invalid for violating either moral or legal principles of. 31 ibid. This claim is defended in Chapter 10, text to nn. 17-21, below. 6 Introduction. The Assembly can adopt three different types of texts: recommendations, resolutions and opinions. Recommendations contain proposals addressed to the Committee of Ministers, the implementation of which is within the competence of governments. Opinions are expressed by the Assembly on questions put to it by the Committee of Ministers, such as the admission of new member States to the Council of Europe, draft conventions, or the budget of the Organisation. Until 2004, the Assembly also adopted orders (instructions from the Assembly to one or more of its committees); this category of text was then abolished. Texts adopted by the Assembly are available on-line in a provisional version as soon as possible after their adoption.