Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 11637
17 June 2008

State of human rights and democracy in Europe

Reply to Recommendation[1]: Recommendation 1791 (2007)
Committee of Ministers

1. The Committee of Ministers welcomes the Parliamentary Assembly's initiative of holding regular debates on the state of human rights and democracy in Europe and praises the quality of the reports presented and the debates held on the subject during the Assembly's April 2007 Ordinary Session. It also notes the very substantive nature of the recommendation submitted to it by the Assembly, which covers a very broad range of questions deserving maximum attention.

2. The Committee of Ministers recalls that, like the Parliamentary Assembly, it attaches particularly great importance to member states' compliance with Council of Europe values and standards in the field of human rights and democracy, and in particular those provided for by the European Convention on Human Rights. It also reiterates its determination to ensure, in line with the decisions taken at the Warsaw Summit, that the Council of Europe focuses on its core objective of preserving and promoting human rights, democracy and the rule of law and that all its activities contribute to that fundamental objective. It is in the light of this objective that it adopted the Warsaw Declaration and Action Plan, the full implementation of which is a shared responsibility of each member state and the Organisation. The programme of activities for 2008 follows this perspective; it very largely covers the issues deemed priorities by the Parliamentary Assembly.

3. With regard to the Parliamentary Assembly's comments concerning the state of human rights in Europe (paragraphs 2 to 15 of the Assembly recommendation), the Committee of Ministers shares the concerns expressed, in particular regarding enforced disappearances, extrajudicial killings, torture and ill-treatment. It is determined to take all steps within its power to deal with them in the context of the priorities set at the Warsaw Summit. In this connection, it recalls the decisions taken at the Ministerial Session of May 2007 in terms of guaranteeing the longterm effectiveness of the control system of the European Convention on Human Rights and reinforcing the institution of the Council of Europe Commissioner for Human Rights, as well as the pledge to provide the monitoring mechanisms of the Council of Europe, including the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the European Commission against Racism and Intolerance (ECRI), with the necessary means to carry out their work. It reiterates the importance which it attaches to member states co-operating in full with these monitoring mechanisms and, as regards the CPT, to the systematic publication by member states of the reports which concern them.

4. More specifically, the Committee of Ministers wishes to indicate the following:

a. with regard to the alleged secret detentions and unlawful inter-state transfers, it refers the Parliamentary Assembly to the reply it gave on 27 September 2006 to Assembly Recommendation 1754 (2006) and that adopted on 16 January 2008 in response to Recommendation 1801 (2007);

1. Adopted by the Committee of Ministers on 11 June 2008, at the 1029th meeting of the Ministers' Deputies.

b. with regard to impunity, this is indeed an issue of major concern, which it has already addressed in connection with monitoring of the execution of the judgments of the European Court of Human Rights. The Steering Committee for Human Rights (CDDH) will be invited to study the feasibility of the guidelines proposed by the Assembly, in conjunction with the European Committee on Crime Problems (CDPC);

c. with regard to the human rights situation in Belarus and in areas within Council of Europe member states where obstacles exist to the effective implementation of the European Convention on Human Rights, the Committee of Ministers recalls that the Council of Europe heads of state and government referred specifically to the subject in the Declaration adopted at the Warsaw Summit. They took note that pan-European unity within the Council of Europe was almost complete, based on the shared values enshrined in the Statute of the Organisation: democracy, human rights and the rule of law. Thus they indicated that they looked forward to the day when Belarus is ready to meet the conditions governing accession to the Council of Europe. At the Ministerial Session of May 2007, the ministers reiterated the concerns that were expressed at the summit on unresolved conflicts still affecting certain parts of the continent, and expressed their determination to ensure that the persons concerned are able to enjoy the protection of the rights guaranteed by the European Convention on Human Rights. Reference must finally be made to the Action Plan for Belarus, the implementation of which is regularly monitored by the Rapporteur Group on Democracy, as well as to the initiatives of the Slovak chairmanship of the Committee of Ministers concerning Belarus;

d. Lastly, with regard to the Assembly's proposal that the Committee of Ministers join with it in giving consideration to a specific mechanism for reacting effectively to allegations of systematic human rights abuses, the existing mechanisms such as the Commissioner for Human Rights must be borne in mind. Before considering the establishment of any new mechanism, a preliminary stage should consist of determining, in conjunction with the said mechanisms, whether there is a need for such an additional mechanism. The Committee of Ministers will inform the Assembly in due course of the outcome of its reflection on the matter.

5. With regard to the Assembly's other recommendations concerning the protection of human rights, the Committee of Ministers refers to the comments by the Steering Committee for Human Rights (see Appendix 1), indicating that the Assembly will be kept informed of the latter's work.

6. With regard to the Assembly's recommendations on the situation relating to democracy in Europe, the Committee of Ministers points out that at the Warsaw Summit, the heads of state and government of the Council of Europe underlined the importance of effective democracy and good governance at all levels, which can only be achieved through the active involvement of citizens and civil society, as well as through equal participation of women and men. This means that member states must establish transparent and democratically responsible institutions and encourage people to take part not only in elections but also in public affairs between elections. The Committee of Ministers considers this action all the more important given that effective human rights protection is closely linked to democracy and respect for the rule of law.

7. It was with this in mind that, at the Ministerial Session of May 2007, the ministers reaffirmed their commitment to reinforce Council of Europe action for democracy and good governance. In this connection, the Committee of Ministers attaches special importance to the activities of the Forum for the Future of Democracy and its follow-up, with the involvement of all the parties concerned, including the Parliamentary Assembly. Activities concerning local and regional democracy, e-democracy and those in the non-governmental organisation sector, as well as activities promoting education in democratic citizenship, are among the areas of special importance for a coherent strengthening of democracy and good governance.

8. With regard to the Assembly's recommendation that guidelines be drawn up on "the elimination of deficits in the functioning of democratic institutions" (paragraph 17 of the recommendation), the Committee of Ministers has decided to refer consideration of the matter to the European Commission for Democracy through Law (Venice Commission).

9. With regard to the Assembly's proposal that the work on nationality law be reintroduced in the programme of activities, the Committee of Ministers informs the Parliamentary Assembly that the subject remains one of the concerns of the European Committee on Legal Co-operation (CDCJ). The issue of statelessness, in particular in the case of children, will remain a priority standard-setting activity for the CDCJ in the years ahead, as foreseen by the terms of reference of the Group of Specialists on Nationality (CJ-S-NAT) adopted by the Committee of Ministers on 30 January 2008.

10. The proposal to develop a legally-binding instrument in the field of democratic elections has been discussed by the Ministers' Deputies' Rapporteur Group on Legal Cooperation (GR-J). Supported by one delegation, this proposal has been rejected by the other delegations, who consider that it would be preferable to focus on the implementation of the existing instruments on electoral standards, in particular the Code of Good Practice in Electoral Matters drawn up by the Venice Commission, as well as the body of commitments subscribed to by the member states of the Organization for Security and Co-operation in Europe (OSCE), in particular the Copenhagen Document of 1990.

11. As for the work on democracy and good governance in the information society, the Committee of Ministers draws the Parliamentary Assembly's attention to the work of the Ad hoc Committee on e-democracy (CAHDE) set out in Appendix 2.

12. With regard to the Council of Europe's unique place in the European institutional architecture on the basis of its core values of democracy, human rights and the rule of law, the Committee of Ministers recalls that the Memorandum of Understanding concluded in spring 2007 with the European Union provides that "the Council of Europe will remain the benchmark for human rights, the rule of law and democracy in Europe". The participants at the 25th Council of Europe/European Union Quadripartite Meeting held in Strasbourg on 23 October 2007 reasserted their commitment to implementing the Memorandum of Understanding in order to enhance co-operation on topics of common interest, including through joint projects.

13. Lastly, with regard to the Assembly's call to establish a specific mechanism on freedom of expression and the media, the Steering Committee on the Media and New Communication Services (CDMC) has begun considering the matter. The Assembly will be informed in due course of the outcome of the work and any decisions which the Committee of Ministers might take in this connection. It reaffirms the particular importance which it attaches to the respect for freedom of expression and information by member states. At the same time, it recalls the need to respect existing mechanisms in the same field, avoid unnecessary duplication and develop synergies. In this respect, it underlines the specific role which the Commissioner for Human Rights can play in this area, in accordance with the mandate which he has been given. Finally, the Committee of Ministers notes the role of the European Court of Human Rights in ensuring that the legislation of member states complies with the requirements of Article 10 of the Convention.

Appendix 1 – Comments of the Steering Committee for Human Rights (CDDH) on Parliamentary Assembly Recommendation 1791 (2007)

1. The Steering Committee for Human Rights (CDDH) warmly welcomes Parliamentary Assembly Recommenda tion 1791 (2007) – "State of human rights and democracy in Europe" which, with Resolution 1547 (2007), is yet another illustration of the important initiating and stimulating role that the Assembly plays in the dynamics of the Council of Europe's work in the human rights field. These political texts provide a clear overview of what has been achieved in the field of human rights and the challenges with which Europe is confronted in this area. They show the way forward in the active respect for human rights and democracy on our continent. In particular, by requiring Europe to have zero tolerance for human rights violations, the recommendation and resolution provide most useful food for thought as regards priorities to be set for intergovernmental co-operation in the field for the years to come. In this sense, these comments to Recommendation 1791 (2007) – which just focus on issues which fall within the remit of the terms of reference of the CDDH – should be seen only as a first response to the many ideas and proposals formulated by the Assembly.

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2. Overall, the CDDH takes on board the analyses and orientations proposed by the Assembly in the recommendation and resolution and concurs that follow-up should be given to the human rights issues raised therein, as appropriate (see paragraph 2.1).

3. The CDDH strongly endorses the necessity to fully and speedily implement the 2005 Warsaw Summit Declaration and Action Plan (see paragraph 2.2).

4. The CDDH believes it essential that the Council of Europe's work on awareness raising and its programmes of cooperation and assistance should be reinforced, as does the Parliamentary Assembly. It recalls the relevance of Recommendation Rec(2004)4 of the Committee of Ministers concerning the European Convention on Human Rights in university education and professional training that was developed within the CDDH and the implementation of which it is reviewing. The CDDH also highlights its contribution to the drafting of a feasibility study on a political framework document on education of democratic citizenship and human rights[2] (see paragraph 2.3).

5. The CDDH recalls that it has already drafted a study on legal and technical questions concerning accession of the EU/European Community to the European Convention on Human Rights.[3] The proposed EU Reform Treaty may also have relevant implications. The CDDH reiterates its readiness to carry out further work in connection with this issue (see paragraph 2.5).

6. The CDDH endorses the need to strengthen political support for the European Court of Human Rights and agrees with the Assembly on the measures that the latter recommends to this end. In this regard, the CDDH recalls that, as requested by the Ministers' Deputies, it is preparing for April 2008 a detailed report on the follow-up to the Committee of Ministers' Declaration on sustained action to ensure the effectiveness of the implementation of the European Convention on Human Rights at national and European levels. Furthermore, in July 2007, the Deputies also requested the CDDH to thoroughly examine concrete follow-up action to the recommendations contained in the Report of the Group of Wise Persons to the Committee of Ministers (November 2006) and to examine any other relevant proposal liable to contribute to the consolidation of the human rights protection system established by the Convention. The CDDH will present an interim report by April 2008, stressing proposed measures that may be adopted without amending the Convention. A subsequent report on proposals requiring amendments to the Convention will be presented by April 2009. Finally, the CDDH is also to evaluate the first effects of Protocol No. 14 during the first year of its entry into force and to report on this to the Deputies (see paragraph 2.6).

7. The CDDH also agrees with the Assembly that political support for the Council of Europe's other supervisory and monitoring mechanisms, as well as the institution of the Commissioner for Human Rights, should be strengthened. It recalls the role outlined for the latter in its report on the protection of human rights during armed conflict, as well as during internal disturbances and tensions[4] and in the framework of its ongoing discussions on human rights defenders (see paragraphs 2.6-2.7).

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2. DGIV/EDU/CIT(2007)10 rev, Study requested by the Ad hoc Committee of Experts for the European Year of Citizenship through Education (CAHCIT).

3. DG-II(2002)006, Study prepared by the CDDH on technical and legal issues of a possible EC/EU accession to the European Convention on Human Rights.

8. Like the Assembly, the CDDH agrees on the need for an adequate political response by the Committee of Ministers to serious human rights violations and emphasises that the Court and other monitoring mechanisms cannot be left to deal with such violations on their own and that the Committee of Ministers should strengthen its political support. In this regard, the CDDH endorses that the Committee of Ministers should call on member states to consider signing and ratifying the new UN Convention for the Protection of All Persons from Enforced Disappearances. It also agrees that member states should be called on to fully cooperate with the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and to systematically publish its reports (see paragraphs 3-3.2).

9. As to allegations of secret detentions and unlawful interstate transfers, the CDDH agrees with the Assembly that there is a need to examine any possible human rights problems in this area. It will address these issues in separate comments, which the Committee of Ministers has requested in Parliamentary Assembly Recommendations 1754 (2006) and 1801 (2007) (see paragraph 3.3).

10. The CDDH shares the views of the Assembly on the usefulness of guidelines to member states addressing the issue of the impunity which perpetrators of certain serious human rights violations enjoy in certain member states. Such an instrument, drawing from, *inter alia*, the case law of the European Court of Human Rights, would send a clear signal of Europe's willingness to end impunity of human rights violations and would have a real added value not only to member states, but also beyond our continent. The CDDH expresses its readiness to contribute to such drafting, in co-operation in particular with the European Committee on Crime Problems (CDPC) (see paragraph 4).

11. As to the need to support human rights defenders in Europe and to ensure the existence of effective mechanisms of protection in urgent cases, the CDDH recalls that in 2006 the Council of Europe organised a colloquy specifically on this topic. This event enabled the identification of obstacles faced by human rights defenders at national level and the definition of measures to be taken so as to encourage and promote action by them, and to ensure the existence of efficient protection mechanisms in urgent cases. In April 2007, the CDDH noted the activity report on Council of Europe action to improve the protection of human rights defenders and promote their activities, developed by a specific working group. The final report contains concrete proposals for Council of Europe action in this field and a declaration (see paragraph 5).

12. Bearing in mind the existing mechanisms (e.g. Article 52, the Commissioner for Human Rights, etc.), the CDDH recognises that further consideration should be given to the available ways and means to react rapidly and effectively to allegations of systematic human rights abuse. In this context, it expresses its readiness to the Committee of Ministers to examine, in close cooperation with the Assembly, the advisability of a mechanism with appropriate investigative powers (see paragraph 7).

13. As to terrorism, further to the drafting of the Guidelines on the protection of human rights and the fight against terrorism, adopted by the Committee of Ministers in July 2002, the CDDH developed another series of guidelines on the protection of victims of terrorist acts (March 2005). These instruments have become reference documents on the subject. The CDDH also recalls that the seminar it organised in June 2005 on the protection of human rights in the fight against terrorism meant that these aspects could be developed further in order to help member states fully implement the guidelines. The CDDH stresses that its current workload prevents it from embarking on a largescale undertaking such as regular monitoring of member states' legislation and practice in this area, as advocated by the Assembly. However, this undertaking might be reconsidered in a year's time, after the completion of some of its ongoing priority activities (see paragraph 8).

14. The CDDH agrees with the Assembly that Council of Europe activities in the fight against discrimination should be reinforced. In this regard, it recalls its contribution through the drafting of Protocol No. 12 to the European Convention on Human Rights and welcomes the Committee of Ministers' call to member states to consider signing and ratifying this instrument. As to the respect for and acceptance of diversity, the CDDH is carrying out work to ensure that law and policy in multicultural societies are based on the Council of Europe's human rights standards. This work[5] has already contributed to the preparation of the Council of Europe's future White Paper on Intercultural Dialogue (see paragraph 9).

15. The CDDH also plays an active part in the field of protection of national minorities through its Committee of Experts DH-MIN,[6] which provides an appropriate forum for the exchange of information and experience in policies and good practices regarding the protection of these minorities. This committee is

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4. CDDH(2003)026 Addendum II, "Final activity report on the protection of human rights during armed conflict as well as during internal disturbances and tensions.
5. CDDH(2007)011 Addendum II.
6. Committee of Experts on Issues relating to the Protection of National Minorities.

currently examining topical themes such as access of national minorities to new media, or the promotion of use of native languages in minority communities. It is also examining a proposal to deal with the issue of the use of existing binding and non-binding instruments concerning the protection of national minorities and non-discrimination in relation to new communities (see paragraph 9).

16. Like the Assembly, the CDDH believes that, to further improve the protection of fundamental social and economic rights, all member states should consider signing and/or ratifying the European Social Charter (revised) (ETS No. 163) and ensuring full compliance with it, as well as accepting the Charter's collective complaints procedure and considering EU accession to this Charter. As for the CDDH, it drafted Recommendation No. R (2000) 3 on the right to the satisfaction of basic material needs of persons in situations of extreme hardship, which was adopted by the Committee of Ministers in January 2000, and, since its adoption, has initiated exchanges of views on the issue of the possible protection of certain social rights within the framework of the European Convention on Human Rights. It keeps abreast of developments in the field of social rights within the various bodies of the Council of Europe, as well as in the framework of the European Union and the United Nations (see paragraph 10).

17. Among the persons in particularly vulnerable situations referred to by the Assembly, the CDDH is currently focusing on the protection of the human rights of persons subject to accelerated asylum procedures. It is considering drafting guidelines in this area, mainly on the basis of extensive information that it is in the process of collecting on the legal situation and practices of member states relating to these issues. Moreover, like the Assembly, the CDDH agrees that the issue of rights of irregular immigrants deserves further consideration and expresses its willingness to contribute to work in this field (see paragraphs 11-12).

18. The very serious problems mentioned by the Assembly concerning violence towards women, including domestic violence, are being handled in particular by the Steering Committee for Equality between Women and Men (CDEG). In relation to the Assembly's invitation to develop an effective strategy to eliminate forced and child marriages, it should be noted that Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence defines forced marriages as a form of violence against women and calls on member states to prohibit such marriages, including early marriages. Furthermore, the CDEG has closely examined this issue, including child and early marriages, in 28 member states in its study on "Forced marriages in Council of Europe member states – a comparative study of legislation and political initiatives".[7] The study concludes with proposals for recommended action in various fields, thereby putting forward a strategy to effectively eliminate this practice. The body overseeing implementation of the ongoing Council of Europe Campaign to Combat Violence against Women, including Domestic Violence, is the Council of Europe Task Force to Combat Violence against Women, including Domestic Violence.[8] In line with its terms of reference, the task force will present a final activity report to the Committee of Ministers for consideration at the end of the campaign in June 2008. This report will contain conclusions and assessments of measures and actions taken at national level within the framework of the campaign to combat violence against women, including domestic violence, as well as its recommendations to the Council of Europe for future action in this field. These recommendations will provide the Committee of Ministers with a basis from which to further define the necessary measures to combat violence against women. The CDDH expresses its readiness to contribute, from its human rights perspective, to intergovernmental work which might be conducted in this field (see paragraph 13).

19. As regards the Assembly's recommendation concerning measures intended to guarantee the right to a healthy, viable and decent environment,[9] the CDDH recalls work that it carried out which resulted in the publication in 2006 of the manual *Human rights and the environment – principles emerging from the case law of the European Convention on Human Rights*, which was intended to shed light on the relationship between human rights and the environment and thereby to contribute to strengthening environmental protection at the national level. The manual shows that the Convention already indirectly offers, through Convention rights, a certain degree of protection regarding environmental matters. The CDDH would welcome it if the Committee of Ministers encouraged member states to have the manual translated and distributed to all competent national authorities (see paragraph 14).

20. The CDDH fully shares the view of the Assembly that the effectiveness of Council of Europe conventions in the human rights field is considerably reduced by reservations or restrictive interpretative declarations. In 2008, the CDDH resolves to include in its regular "*tours de table*" on the status of signatures

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7. Document CDEG (2005) 1.
8. Its terms of reference result directly from the Action Plan adopted at the 3rd Summit of Heads of State and Government in 2005. As a Council of Europe *sui generis* ad hoc committee, it is directly answerable to the Committee of Ministers.
9. See paragraph 14 of the recommendation.

and ratifications of Protocols Nos. 12, 13 and 14 to the Convention, exchanges of information on reservations or restrictive interpretative declarations made by member states at the time of signature/ratification of these protocols. In this context, the CDDH feels obliged to point out a most pressing concern: Protocol No. 14 should be ratified by the sole member state that has not yet done so – the Russian Federation – as the non-entry into force of this protocol is adversely affecting the effectiveness of the Convention.

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21. Without commenting in detail on this section as it is not directly within the scope of its terms of reference, the CDDH wishes to point out that human rights and democracy are intrinsically linked, as is respect for the rule of law. The CDDH wishes to inform the Committee of Ministers that work is nearing completion on a draft Council of Europe Convention on Access to Official Documents. This Convention is expected to make a major contribution to strengthening participatory democracy in member states.

Appendix 2 – Comments of the Ad hoc Committee on e-democracy (CAHDE) on Parliamentary Assembly Recommendation 1791 (2007)

Introduction

1. At their 994th *bis* meeting (7 and 9 May 2007, item 3.1.*b*), the Ministers' Deputies decided to transmit to several Council of Europe committees, including the Ad hoc Committee on edemocracy (CAHDE), for information and possible comments, Parliamentary Assembly Recommendation 1791 (2007) – State of human rights and democracy in Europe.

Comments of the CAHDE

2. The Ad hoc Committee on e-democracy (CAHDE) warmly welcomes Parliamentary Assembly Recommendation 1791 (2007) – State of human rights and democracy in Europe, together with Resolution 1547 (2007). Part II of the recommendation on the state of democracy in Europe, to which the comments by CAHDE refer, addresses deficits in the functioning of democratic institutions and shortfalls in democratic processes. These important issues are at the heart of the work of the CAHDE, which seeks to identify and analyse ways in which the use of information and communication technologies (ICT) can contribute to redressing such deficits and shortfalls.

3. Given the interdisciplinary and transverse nature of many of the issues under consideration, the CAHDE actively co-operates not only with several Council of Europe committees and bodies, but also with the European Union (Council, Commission and European Parliament) and other international organisations (the United Nations Department of Economic and Social Affairs, UNECE, OECD).

4. The CAHDE expects to submit the results of its work, in the form of a report, to the Committee of Ministers before the end of 2008. In this report, several of the issues addressed in Parliamentary Assembly Recommendation 1791 (2007) will be addressed.

5. The CAHDE wishes to comment on the following parts of Part II of the recommendation on the state of human rights and democracy in Europe: (Paragraph 17) "The Assembly recommends that the Committee of Ministers draw up guidelines on the elimination of deficits in the functioning of democratic institutions, taking into account existing Council of Europe legal instruments and engaging member states to take measures to remedy problems identified in Resolution 1547 (2007), and in particular to:

> *(…)*
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> *(Paragraph 17.5) review different forms of distance voting, including electronic voting, with a view to eliminating possible misuse;".*

6. As a follow-up to Committee of Ministers Recommendation Rec(2004)11 on legal, operational and technical standards for e-voting, adopted in 2004, the Council of Europe organises, every two years, an intergovernmental meeting to review developments in the field of electronic voting (e-voting). The participants at the first review meeting in November 2006 confirmed that the recommendation had been recognised by member states as a valid – and currently the only internationally agreed – benchmark by which to assess and evaluate e-voting systems. The next two-year review meeting is scheduled for 2008. Subjects that require further research and attention in this field include the accreditation and certification of e-voting systems, the development of guidelines on the observation of e-enabled elections and the need for codes of conduct for e-campaigning.

7. Moreover, the Council of Europe is contributing to a twoyearly international academic conference in Bregenz, Austria, to keep abreast of research on the various aspects of e-voting. Finally, the Council of Europe analyses and evaluates the practical application of e-voting in political elections, for example in Estonia.

> *(Paragraph 17.11) "consider the introduction of elements of direct democracy, such as the right of citizens to ask for referenda and propose legislative initiatives;".*

8. A number of e-democracy applications can facilitate the use of elements of direct democracy. The CAHDE will be addressing this issue in its final report so that interested member states may include this information in their reflections on the introduction of elements of direct democracy in their political systems.

(Paragraph 18.1) "[… the Assembly calls on the Committee of Ministers to] reinforce its own activities in the field of democracy, in particular by reacting to identified deficits of democracy in member states, elaborating legal instruments and policy guidelines as required, and stepping up projects and co-operation programmes;".

9. It is recalled that further to the decision taken by the heads of state and government of Council of Europe member states at their 3rd Summit in Warsaw in May 2005, the Forum for the Future of Democracy (FFD) was set up in order to reinforce the Council's activities in the field of democracy. The launch meeting of the forum was held in Warsaw in November 2005. The second forum session, on the Role of Political Parties in the Building of Democracy, took place in Moscow in October 2006. From 13 to 15 June 2007, the forum's third session was organised in Stockholm/Sigtuna, Sweden, on Power and Empowerment – the Interdependence of Democracy and Human Rights. The Parliamentary Assembly is fully involved in all stages of the forum process.

10. The theme proposed by the host government for the 2008 session of the forum, which is scheduled to take place in Madrid from 15 to 17 October, is e-governance and e-democracy. No final decision has, as yet, been taken on this issue.

11. If the proposed theme of e-democracy is confirmed, the 2008 session of the forum could be an opportunity to present the results of the work of the CAHDE and other Council of Europe sectors to an expert audience from Council of Europe member states and beyond.

(Paragraph 18.5) "ensure follow-up within the relevant intergovernmental bodies to the Assembly's recommendations proposing measures aimed at improving democracy and eliminating its deficits, and in particular to:

(Sub-paragraph 18.5.3) continue its work on democracy and good governance in the information society and evaluate the implementation of relevant legal instruments with a view to reviewing them as appropriate;".

12. In accordance with its terms of reference, by the end of its mandate in 2008, the CAHDE:

– will submit an overview of developments on e-democracy/e-participation at European and international level;

– will have prepared a tool kit of generic e-democracy applications;

– will have prepared a checklist and diagnostic tool to assist governments and other actors in determining their objectives in respect of e-democracy and in assessing their needs with regard to appropriate e-democracy applications;

– will advise the Committee of Ministers on e-democracy's potential to facilitate democratic reform and practice and on possible further Council of Europe action in this field.

13. In the context of its task to make proposals in its final report to the Committee of Ministers as to how the Council of Europe should be pursuing its work on e-governance, the CAHDE will review the application of Committee of Ministers' Recommendation Rec(2004)15 on e-governance by member states.