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State of democracy in Europe - Functioning of democratic institutions in Europe and progress of the Assembly's monitoring procedure

Reply to Recommendation¹: Recommendation 1841 (2008)
Committee of Ministers

1. The Committee of Ministers fully shares the Assembly's appreciation of the work carried out by the Council of Europe human rights institutions and monitoring bodies. It entirely supports their activities, which it regards as priority, and has always ensured that they have the necessary means with which to carry out these activities successfully, within the scope of available resources.

2. Following an informal meeting on 7 October 2008 between the Chair and future Chair of the Ministers' Deputies and the Chairs of the Council of Europe monitoring bodies, with the participation of the Commissioner for Human Rights, the Committee welcomed the efforts of these monitoring bodies to promote greater synergy within and outside the Council of Europe and confirmed its commitment to supporting their work, fully respecting their independence. The Committee will be looking again at the question of this synergy at one of its future meetings.

3. In order to ensure a consistent approach across the whole Organisation, the Committee of Ministers closely follows the Assembly's debates on its monitoring procedure and takes its findings into account, as it does with those of the other monitoring bodies and human rights institutions, in particular those of the Commissioner for Human Rights. It reacts when it deems it appropriate. In the same spirit, the reports resulting from the procedures carried out within the Committee of Ministers to monitor the honouring of commitments entered into by member states are available to the Assembly. These exchanges should continue, with due regard for the competences and rules of procedure of both bodies. In this connection, reference could be made to the discussion which took place at the Joint Committee on 26 June 2008 on the Council of Europe and the situation in South-East Europe and the southern Caucasus. This initiative could be repeated on other subjects of common interest relating to the functioning of democratic institutions in Europe.

4. The Committee of Ministers believes that it is extremely important for targeted programmes co-ordinated with the action of other international bodies and bilateral donors to be drawn up to help member states honour their obligations and commitments. Many programmes of this type are in place with funding secured from a variety of sources, including the Council's budget, voluntary contributions from member states or observers and financing from international institutions such as the World Bank. The joint programmes with the European Commission are of particular importance in this context; several new programmes representing a substantial financial amount are currently being negotiated.

A regular review of implementation of the assistance programmes is carried out whenever the Committee takes stock of the progress made by member states in implementing their commitments, so as to adapt them in the best possible way to the needs encountered.

1. adopted at the 1052nd meeting of the Ministers' Deputies (25 March 2009)



5. The Committee of Ministers shares the Assembly's view that the findings and recommendations of the Council of Europe's monitoring bodies and human rights institutions should serve as reference points when drawing up the Organisation's Programme of Activities, as is already the case in numerous fields. The Committee is attentive to this and the exchange of views it regularly holds with the Commissioner for Human Rights and the chairs of the various monitoring bodies provide an opportunity to hear their comments and suggestions in this connection.

6. The Committee of Ministers agrees that national authorities have a prime role to play in following up the findings of the Council of Europe's monitoring bodies. In the fields for which it is competent to supervise the honouring of obligations and commitments entered into by member states, it does not fail to remind these authorities of their responsibilities, and it is up to them to define the procedures and mechanisms they deem the most appropriate to follow up the recommendations they receive. With regard to informing national parliaments, which is a legitimate concern, the Committee of Ministers believes that there too it is for each member state to determine the ways and means of making the best provision for this, in accordance with its national legal system, bearing in mind the initiatives that parliaments and their members can take spontaneously in order to obtain information from governments.