



Recommendation 1324 (1997)¹

Parliamentary Assembly contribution to the Second Summit of Heads of State and Government of the Council of Europe

Parliamentary Assembly

1. The Assembly notes with satisfaction the Committee of Ministers' decision, pursuant to Assembly [Recommendation 1303](#) of 7 November 1996, to hold the 2nd Summit of Heads of State and Government of the Council of Europe in Strasbourg on 10 and 11 October 1997 at the invitation of the French Government.
2. Strengthening peace and stability in Europe is the prerequisite for consolidating the process of building Europe across the entire continent, which should thus become a broad area of democratic security and social and economic prosperity based on shared values, and forming a common European legal area.
3. The second summit should be an opportunity to assert the Council of Europe's specific role in the new institutional architecture of Europe, in view of its new geographical scope, its achievements and expertise and current developments in the European Union and Nato. A decision should be taken, in particular, to make full use of the Council of Europe, whose member states now include almost all European countries, as the principal forum for political dialogue and consultation on a pan-European scale, primarily on the issues of democratic security, protection of human rights and the rights of the national minorities, and to institutionalise the framework of closer co-operation with the OSCE.
4. The summit should also be an opportunity to meet the most urgent needs of the new member countries in central and eastern Europe and take up the new challenges confronting all European societies.
5. Like the 1993 Vienna Summit, the 1997 Strasbourg Summit should take practical decisions and specify the timetable for implementing them. It should also include firm commitments on the funding of the activities that will thus be assigned to and carried out by the Council of Europe as its own specific tasks.
6. The recent political crises in several new member states illustrate the difficulties besetting democratic and economic transition, which undermine the cohesion of our societies and stability in Europe. The assistance provided so far by the international community has proved inadequate and practical programmes should be launched at the summit; they should be targeted on activities relating to democratic security and the Council of Europe should be given the responsibility of carrying them through.
7. To ensure compliance with the Council of Europe's standards, the commitments and obligations entered into must be honoured by all member states, which demands a firm commitment at the highest political level to co-operate with the monitoring procedures of both the Committee of Ministers and the Parliamentary Assembly.
8. The growth of organised crime, corruption and illicit trafficking, whether in drugs, persons or cultural property, generates a climate of insecurity and seriously threatens to destabilise the rule of law and democracy. Full use should be made of the Council of Europe's existing legal instruments and work should be started on further instruments if necessary. The programme of action against corruption, adopted in November 1996 by the Committee of Ministers, should be implemented.

1. Assembly debate on 22 April 1997 (10th Sitting) (see [Doc. 7786](#), report of the Political Affairs Committee, rapporteurs: MM. Martínez and Seitlinger) Text adopted by the Assembly on 22 April 1997 (10th Sitting).



9. The role of the Council of Europe in the struggle against racism, anti-Semitism, xenophobia and intolerance should be enhanced by developing common legal norms.
10. The enlarged Council of Europe provides an appropriate and efficient forum for developing a common European response to the threat of terrorism. The summit should seek further effective means of co-operation in this field.
11. Europe's future stability and prosperity depend critically on its ability to grow together economically, and to reform economies both in countries in transition in central and eastern Europe and in several countries in western Europe, where major rigidities remain. The summit should therefore seriously consider whether the time is now ripe for the Council of Europe as a pan-European forum to play a role in the domain of economic co-operation, including in the intergovernmental field, in joint projects with the United Nations Economic Commission for Europe (UN-ECE) and in conformity with the Council of Europe's statutory mandate to facilitate the "economic and social progress" of its members and the calls made in Assembly Resolutions 995 (1993), 1036 (1994) and 1052 (1995).
12. Advances in medicine and genetics challenge ethical rules and call for suitable responses which should apply throughout the continent and will safeguard the values underpinning the European idea.
13. The media must be able to function freely and independently in all the member states, in particular by adopting common standards on the guarantees required in a democratic state. At the same time, the growing impact of the media on people's views and behaviour makes it essential to look closely at the responsibilities attendant on the exercise of freedom of expression and information.
14. The insufficient participation of women in political and institutional affairs is a serious shortcoming of the democratic system in Europe, as elsewhere. Putting an end to this situation must be one of the Council of Europe's strategic aims.
15. The Europe being constructed, which is rooted in the values of solidarity, cannot be cut off from the rest of the world. It must on the contrary develop ties of friendship and co-ordination with states elsewhere that share the same universal values of freedom, democracy, respect for human rights and social justice. Europe as represented by the Council of Europe does not want to defend its freedom and prosperity as privileges, sometimes even at the expense of other peoples' freedom and prosperity. On the contrary, to be consistent with its own idea of the future, Europe should make every effort to help bridge the unacceptable gulf between North and South through co-operation and sustained action commensurate with this historic challenge now confronting us.
16. The Assembly further recommends that the Committee of Ministers prepare and include the following decisions in the draft final declaration of the summit, which should : Reinforce existing machinery :
 - 16.1. proclaim the establishment of the single European Court of Human Rights, a reform decided at the Vienna Summit in October 1993. The few ratifications of Protocol No. 11 still needed before the reform can come into force should be secured as soon as possible;
 - 16.2. reaffirm that it rests with the European Court of Human Rights, and no other body, to give authoritative interpretations of the standards embodied in the European Convention on Human Rights and thus to define the extent of the obligations incurred by the state parties;
 - 16.3. solemnly declare its support for the monitoring of commitments and obligations of member states, at both intergovernmental and Parliamentary Assembly level, and express members' commitment to full co-operation in this sphere;
 - 16.4. strengthen the monitoring procedure of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment ;
 - 16.5. decide to draw up a protocol to the European Convention on Human Rights introducing a general clause on equal rights. A provision of this kind would extend the guarantee of non-discrimination under Article 14 of the Convention, which is currently confined to the rights specifically protected by the Convention itself. This would amplify the European system of human rights safeguards and contribute meaningfully to the prevention not only of racial discrimination but also of gender-based discrimination;
 - 16.6. strengthen the European Commission against Racism and Intolerance (ECRI) as a permanent, independent human rights structure keeping watch on manifestations of racism and intolerance in Europe;

- 16.7. urge members to ratify the existing conventions on crime control, especially the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, and develop systematic pooling of experience in a key area of democratic security, together with any special programmes that may prove necessary;
- 16.8. call for ratification by all the member states of the European Social Charter and the protocol thereto providing for a system of collective complaints;
- 16.9. call for ratification of the 1995 Framework Convention for the Protection of National Minorities and the 1992 European Charter for Regional or Minority Languages, which have still not come into force;
- 16.10. implement the Vienna Summit's decision to draw up an additional protocol to the European Convention on Human Rights protecting the cultural rights of persons belonging to national minorities;
- 16.11. call for ratification of the European Charter of Local Self-Government and support the elaboration of the European charter of regional self-government, which are the ideal instruments for developing and guaranteeing the conditions for effective local and regional democracy, without which no democracy can be stable and complete ; Take up the new challenges :
- 16.12. take action on the proposal from the Finnish chairmanship to appoint a human rights commissioner. Setting up this institution, which would have no judicial authority, would be a means of dealing with infringements of human dignity and giving a higher profile to the Council of Europe's work on human rights;
- 16.13. urge all member states to ratify the United Nations Convention on the Rights of the Child and the European Convention on the Exercise of Children's Rights and ensure that the Council of Europe takes an increased interest in the rights and interests of children by setting up an advisory committee on childhood policy, which should report on an annual basis to the Committee of Ministers and the Assembly;
- 16.14. increase the effectiveness of the European Convention on the Suppression of Terrorism of 27 January 1977, with the necessary amendments or additional protocols;
- 16.15. decide to draw up a European convention on the protection and rights of refugees and asylum-seekers;
- 16.16. decide to draw up a protocol to the Convention on Human Rights and Biomedicine on cloning, to strengthen protection against gene manipulation;
- 16.17. decide to review relevant legal instruments and, if necessary, draw up new ones in the light of developments of new information and communication technologies in order to guarantee that information networks are used in accordance with the Council of Europe's principles and standards;
- 16.18. decide on an action plan to improve equality between men and women, addressing rights and their practical expression in daily life, not only in the policy-making process but also in all areas of social and economic life;
- 16.19. decide to start work on a European public service charter setting standards that will ensure equal access for all to basic public services, notably in health and education, in each member state. This charter would also lay down rules on training and professional ethics, making sure that public service is competent and politically neutral in all member states ; Strengthen social cohesion :
- 16.20. reassert the Council of Europe's social dimension by setting up specific assistance programmes to preserve social cohesion, a further factor in democratic security. These programmes should focus on the European Social Charter, whose flexibility enables economic change, new working conditions and the situation of new Council of Europe member countries to be taken into account. The summit should at the same time increase the resources of the Council of Europe's Social Development Fund;
- 16.21. decide to finalise the Council of Europe project on human dignity and social exclusion aimed at defining practical principles for government action against poverty and social exclusion, which deny people their fundamental rights and are a threat to democracy;
- 16.22. under the European Cultural Convention, launch a plan of action on education and training for democratic citizenship, tolerance, respect for cultural diversity, solidarity and responsibility. This plan of action should have, as main actors and target groups, schoolteachers, youth and young political leaders, and involve all levels of the Organisation;

16.23. launch a pan-European campaign aimed at increasing public awareness of the importance of the cultural heritage for the quality of life and for promoting mutual understanding and dialogue;

16.24. define the principles governing the Council of Europe's external relations in order to lend greater weight in the international arena to the values that distinguish our idea of the future, and to those who share these ideas with us. In particular, serious discussion and consistent action should be undertaken to develop in our societies, especially among young Europeans, an awareness that every effort must be made to overcome the widening gap between North and South;

16.25. accord due priority to the activities of the Council of Europe which would help member states in improving the conditions and facilitating the integration of immigrant communities ; Decide to update the Organisation's structures :

16.26. decide on a reform of the Committee of Ministers' procedures to make better use of its potential as a political organ;

16.27. fully exploit and reinforce the possibilities for communication and co-ordination with all institutions involved in the European construction process;

16.28. implement the reform of the 1949 Statute, decided at the Vienna Summit ; Provide the necessary financial basis :

16.29. undertake the financial commitments necessary to enable the Organisation to fulfil the additional tasks and activities decided at the summit.