Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1712 (2005)[1]

Follow-up to the Third Summit

Parliamentary Assembly

1. The Parliamentary Assembly welcomes the outcome of the 3rd Summit of Heads of State and Government of the Council of Europe held in Warsaw on 16 and 17 May 2005.

2. It notes with satisfaction that the majority of its proposals contained in Recommendation 1693 (2005) were either fully or partially included in the final texts of the summit, in particular the Warsaw Declaration and the Plan of Action.

3. However, the ultimate success of the summit depends on the follow-up given to the decisions taken in Warsaw. The implementation of these decisions is now a matter of priority. The Assembly declares itself ready to play a role in this respect.

4. National parliaments should receive precise information on the decisions taken at the summit and contribute to the reflection on the follow-up to be given. Therefore, the Assembly calls on national delegations to initiate debates on the implementation of the summit's decisions in their own parliaments.

5. The Assembly welcomes the summit's reaffirmation that the Council of Europe's core, statutory objectives are the preservation and promotion of human rights, democracy and the rule of law. It appreciates member states' determination to enhance the Council's role as an effective mechanism of pan-European co-operation in this field, so as to ensure the development of a Europe without dividing lines. The Council of Europe should promote its values through an adequate neighbourhood policy.

6. The Assembly believes that the non-discriminatory character of the Council of Europe monitoring processes should be achieved through a comprehensive and systematic scrutiny of the compliance with all membership obligations and commitments in all Council of Europe member states. In this respect, it underlines the importance of the Assembly's country-by-country monitoring procedure, as well as the need to establish closer co-operation, consultation and co-ordination of activities between the Council of Europe and the European Union, especially in the framework of its future enlargement and the European Neighbourhood Policy.

7. With regard to ensuring the effectiveness of the European Court of Human Rights, the Assembly notes with satisfaction the proposal to establish a "group of wise persons" to consider the issue. Given the Assembly's statutory role with respect to the Court and its long-standing interest and involvement in reform and development of the latter, the Assembly should be involved in the work of the group. The Assembly strongly believes that proper execution of the Court's judgments is of the utmost importance; in particular, it is essential that structural problems identified within domestic legal systems, which add greatly to the caseload of the Court through repetitive generation of "clone cases", are resolved.

8. In the Guidelines on relations between the Council of Europe and the European Union, the heads of state and government acknowledged the importance of early European Union accession to the European Convention on Human Rights (ETS No. 5) ; the Assembly hopes that this essential step will remain an immediate goal of both the Council of Europe and the European Union, regardless of developments concerning ratification of the Treaty establishing a Constitution for Europe. The Assembly welcomes the

1. Assembly debate on 23 June 2005 (22nd Sitting) (see Doc. 10602, report of the Political Affairs Committee, rapporteur : Mr Van den Brande). Text adopted by the Assembly on 23 June 2005 (22nd Sitting).

guidelines' reference to complementarity between the Council of Europe and the future EU fundamental rights agency, and reaffirms the proposals made in Resolution 1427 (2005) as the best means of achieving this outcome.

9. The Assembly welcomes the decision to continue the Council of Europe's work on the protection of the rights of national minorities, in particular in the context of implementation of the Framework Convention for the Protection of National Minorities (ETS No. 157), as well as the intention of the Council to remain active in the field of nationality and the promotion of the acquisition of citizenship. It invites its Committee on Legal Affairs and Human Rights, including its Sub-Committee on the Rights of Minorities, to be actively involved in that work.

10. The Assembly welcomes the decision to create a Council of Europe forum for the future of democracy with the task of advancing democracy. This idea, launched by the Assembly, now needs careful reflection on the modalities of implementation. The Assembly is determined to play a leading role in this process and accordingly it wants to be fully associated with it. The Assembly is of the opinion that the forum should be composed of an equal number of representatives of the Assembly, the Congress of Local and Regional Authorities of the Council of Europe, governments and civil society. It should hold plenary meetings at least once a year and have its own permanent secretariat. It should adopt and publish periodical reports and recommendations on the state of democracy in Council of Europe member states and measures to be taken in order to remedy any unsatisfactory situations ; they should be addressed to the Assembly, the Committee of Ministers and the governments concerned. The forum should work in complementarity with the European Commission for Democracy through Law (Venice Commission).

11. It should be recalled in this connection that in the recent past the Assembly has adopted a series of texts on major issues such as the functioning of the political parties, freedom of expression in the media, electoral codes, good practices in referendums, new concepts to evaluate democratic development, extremist parties, parliamentary scrutiny of international institutions and most recently "The future of democracy : strengthening the democratic institutions". The Assembly invites its Political Affairs Committee to pursue its reflection in this respect.

12. The Assembly expresses satisfaction with the proposal of establishing a centre of expertise on local government reform as a way to promote democracy and good governance at regional and local level.

13. The Assembly welcomes the decision taken at the 3rd Summit for the Council of Europe to prepare and conduct a pan-European campaign to combat violence against women, including domestic violence. In view of the constantly rising death toll from domestic violence, the Assembly considers that this campaign should be organised in 2007 and decides to launch its campaign at that time.

14. The Assembly notes with satisfaction commitment of the heads of state and government to ensure social cohesion and declares its readiness to contribute to the work of a high-level task force to review the Council of Europe's social cohesion strategy in the 21st century. The Assembly underlines, in this context, the importance of unity in diversity.

15. Similarly, the determination expressed at the summit to effectively promote the rights of children and to take specific action to eradicate all forms of violence against children, including sexual exploitation, has the Assembly's full support. A three-year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children launched at the summit will require the elaboration of international legal instruments to which the Assembly is willing to contribute.

16. Cultural co-operation is a statutory activity of the Council of Europe. The Assembly reiterates that it is important to pursue a policy of common action designed to encourage the rediscovery of European culture and to safeguard the common cultural heritage of Europe, and that further action is needed by the Council of Europe, in co-operation with the European Union, towards the affirmation of a European cultural identity.

17. The Assembly wishes to ensure that culture is defined in its widest sense to include heritage and urges member states to sign and ratify the Council of Europe framework convention on the value of cultural heritage for society.

18. Sport has always been part of European culture. "Sport for All" is a component of education and is recognised as an element of integration policies, of social cohesion, of the development of citizenship and of the fight against hooliganism. Its maintenance and further development in the work programme of the Council of Europe is more than ever relevant.

19. The Assembly also stresses the importance of ensuring strict respect for freedom of expression and information and reiterates its request that the Committee of Ministers continue to monitor the media situation in member states.

20. The commitment to intensify efforts to empower young people to actively participate in democratic processes and the launching of a Europe-wide youth campaign to promote diversity, inclusion and participation in society deserve the Assembly's full support.

21. A new impetus given by the summit to interreligious and intercultural dialogue is most welcome by the Assembly, which has endeavoured to develop such a dialogue with Europe's neighbours in Central Asia, the Middle East and the southern Mediterranean and intends to increase it in the future.

22. The Assembly notes with satisfaction that numerous other challenges facing our societies today, like management of migration flows, sustainable development, local and regional democracy, combating terrorism, corruption and organised crime, and broadening the role of the Council of Europe Development Bank have been addressed in the final texts adopted by the summit. They will be given careful consideration by the Assembly committees concerned.

23. As regards the European architecture, the Assembly notes with satisfaction that the heads of state and government showed real concern for the European construction based on close co-operation and co-ordination between the international organisations and enhanced synergy and complementarity resulting from their respective competency and expertise.

24. In particular, the Assembly welcomes the decision to entrust Mr Jean-Claude Juncker, Prime Minister of Luxembourg, with preparing a report on the relationship between the Council of Europe and the European Union, on the basis of the decisions taken at the summit and taking into account the importance of the human dimension of European construction. It expects that the report will provide a concrete roadmap for efficient co-operation and offers its full support and contribution to Mr Juncker's mission.

25. The Assembly is also satisfied with the joint declaration on the enhanced co-operation between the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE) and supports any measures which aim at improving practical co-operation and common actions where necessary.

26. The parliamentary dimension should be more present in relations between the international organisations. In particular, the Assembly reiterates its wish to be, together with the European Parliament, fully fledged participants of quadripartite meetings between the European Union and the Council of Europe.

27. The Assembly welcomes the opening for signature of three Council of Europe conventions concerning terrorism, organised crime and trafficking in human beings (CETS Nos. 196, 197 and 198) which were signed by 18, 11 and 14 states respectively, and calls on the member states who have not done so yet to sign them as quickly as possible, and on national parliaments to ratify them without delay.

28. The Assembly appreciates the readiness of the Council of Europe to identify new measures to combat terrorism and to ensure close co-operation and co-ordination of common anti-terrorist efforts with other international organisations, in particular the United Nations. It refers to its previous resolutions and recommendations on anti-terrorist issues and expects the Committee of Ministers to take due account of various proposals contained therein, as well as of those submitted by relevant expert committees.

29. The Assembly regrets that its proposal for the establishment of a codex of key conventions with deadlines for their ratification was not included in the Action Plan. The Assembly hopes that the Committee of Ministers will reconsider this matter in the not-too-distant future.

30. The Assembly invites its committees to examine the decisions taken by the heads of state and government in their respective field of competence, to review their work programmes in order to bring them into line with the summit's priorities and to propose concrete ways in which the Assembly can contribute to their implementation. The Assembly should aim at having its own action plan with a focus on Council of Europe core objectives.

31. The Assembly recommends that the Committee of Ministers :

step up the co-operation with the Assembly concerning implementing the summit's decisions and present to the Assembly, at its October part-session, a timetable for its planned action ;

invite the President of the Assembly to put forward a candidate for the group of wise persons which will consider the ways of ensuring the effectiveness of the European Court of Human Rights ;

set up a joint working group with the task of determining the modalities of functioning of the forum for the future of democracy. It should meet without delay and set a timetable for establishing the forum in 2006 ;

start the preparations for the campaign to combat violence against women, including domestic violence, in order to launch it in 2007 with the Assembly ;

associate the Assembly with the work of a high-level task force to review the Council of Europe's social cohesion strategy in the 21st century ;

make full use of the Assembly's readiness to contribute to a three-year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children ;

associate the Assembly with the Europe-wide youth campaign to promote diversity, inclusion and participation in society ;

include the Assembly, together with the European Parliament, in the quadripartite meetings between the Council of Europe and the European Union ;

make available the necessary funds to enable the Council of Europe to implement, in a responsible way, the tasks and priorities set by the summit and to ensure adequate financial and other resources for the future work of the European Court of Human Rights ;

set up a joint working group with the Assembly on the global implementation of the Action Plan of the 3rd Summit.