Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 1724 (2005)[1]

The Council of Europe and the European Neighbourhood Policy of the European Union

Parliamentary Assembly

1. The Parliamentary Assembly expresses its appreciation and support for the European Neighbourhood Policy (ENP) launched by the European Union (EU) in order to strengthen democratic stability, security and well-being in several EU neighbouring countries and prevent the emergence of new dividing lines in Europe.

2. The ENP, which concerns only those states neighbouring the EU which are not involved in the present accession or pre-accession procedures, and covers 15 states (Belarus, Ukraine, Moldova, Georgia, Armenia, Azerbaijan, Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Jordan, Lebanon and Syria) as well as the Palestinian Authority. Five of these states are Council of Europe members, and the parliament of one of them enjoys observer status with the Parliamentary Assembly. The Russian Federation, although not covered by the ENP, will be associated with certain partnership programmes in the framework of the strategic partnership between Russia and the EU.

3. The ENP offers these countries a privileged and increasingly close relationship with the EU involving a significant degree of economic integration and political co-operation in return for concrete steps being taken towards economic reform, good governance, human rights protection, democracy and the rule of law.

4. It is important to remember that eastern Europe is not an economic and institutional desert or void. The countries in the region maintain stable economic and commercial relations with each other, sometimes in the framework of intergovernmental agreements and institutions, such as the Common Economic Space and the Euro-Asian Economic Union. A balanced strategy under the ENP should be based on constructive co-operation with these institutions, not on attempts to sow discord between them or to face the former Soviet countries with the dilemma of either belonging to independent structures or moving closer to the EU.

5. The Council of Europe and the European Union have repeatedly declared that they share the same values and principles, and pursue common aims with regard to democracy, the rule of law and human rights and fundamental freedoms. The Assembly recalls that the European Convention on Human Rights of the Council of Europe is the only legally binding instrument in Europe in the field of human rights protection for all 46 Council of Europe member states, including those which are members of the European Union.

6. The Assembly therefore believes that the ENP has to be based on co-operation between the European Union and the Council of Europe, and that this implies that the ENP fully integrates the values and standards of the Council of Europe and uses its expertise in its core areas of excellence. Lack of co-ordination would not only result in duplication of efforts. Worse, it would create the risk of sending incoherent political messages to the countries concerned and especially to those which have undertaken specific commitments as Council of Europe members.

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1. Assembly debate on 6 October 2005 (30th Sitting) (see Doc. 10696, report of the Political Affairs Committee, rapporteur : Mr Van den Brande ; Doc. 10706, opinion of the Committee on Economic Affairs and Development, rapporteur : Mrs Pirozhnikova ; and Doc. 10708, opinion of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), rapporteur : Mr Zingeris). Text adopted by the Assembly on 6 October 2005 (31st Sitting).

7. The Assembly recalls that the Council of Europe's 3rd Summit of Heads of State and Government, held in Warsaw on 16 and 17 May 2005, confirmed that European leaders' wish to avoid overlapping between the activities of the main international organisations operating on the European continent. That implies a clear definition of areas of competence of each organisation and mutual respect for their respective expertise in these domains.

8. The relations between the Council of Europe and the EU – particularly in view of a report under preparation by Mr Jean-Claude Juncker, Prime Minister of Luxembourg, which is designed as a basis for the future Memorandum of Understanding between both organisations, may constitute an important indication of the European leaders' determination and political will to give substance to their declarations.

9. These organisations share a long history of successful co-operation. However, some recent developments related to the establishment of the European Union Agency for Fundamental Rights may give rise to concerns about the duplication of actions.

10. The ultimate economic and political objectives of the ENP are built on a mutual commitment to common values in the field of the rule of law, good governance, respect for human rights and the promotion of good neighbourly relations which are inscribed in the action plans agreed individually with every country concerned. These are Council of Europe areas of excellence.

11. The Assembly points out that the Council of Europe has an established practice in assisting committed states in their efforts to build sustainable democratic systems. It includes the development of national strategies, determination of measures to be taken, elaboration of legislation, setting deadlines for accession to international legal instruments, monitoring procedures and co-operation programmes aimed at consolidating democracy, the rule of law and ensuring respect for human rights.

12. The Council of Europe has been monitoring the specific obligations and commitments of all Council of Europe member countries covered by the ENP since their accession. The compliance of these countries with their obligations and commitments towards the Council of Europe should be a sine qua non pre-condition for any further European integration within the ENP.

13. Furthermore, non-member countries of the Council of Europe addressed by the ENP are also concerned by the Council of Europe's commitment to develop dialogue with them following the 3rd Summit's decision to increase intercultural and inter-religious contacts. This particularly concerns the southern Mediterranean region and the Middle East. The Council of Europe could become a useful forum for a dialogue on the basis of partnership.

14. Contacts with countries in these regions have already been numerous, particularly at the parliamentary level. The proposed tripartite forum between the parliamentarians of the Knesset, the Palestinian Legislative Council and the Parliamentary Assembly is a good example of co-operation. Further increase in relations may lead to the elaboration of a special status which would enable closer co-operation with countries from outside Europe.

15. The Assembly notes with satisfaction that the European Parliament in its Resolution on "Wider Europe – Neighbourhood : a New Framework for Relations with our Eastern and Southern Neighbours (P5_TA(2003)0520)" made not only explicit reference to the Council of Europe mechanisms on which to build relations with some countries covered by the ENP, but also clearly insisted on setting up a concrete co-operation with the Council of Europe.

16. If the commitment of the European leaders to ensure complementarity within European organisations is not to remain wishful thinking, the Council of Europe and the European Union have to reach a political agreement that the values and standards of the Council of Europe should be given full political recognition in the ENP action plans. Moreover, the expertise, monitoring procedures and assistance know-how of the Council of Europe should be widely used in the implementation of the ENP.

17. Therefore, the Assembly calls on the Committee of Ministers to :

17.1. urge the relevant authorities of the EU to establish concrete co-operation with a view to institutionalising the Council of Europe's contribution to the ENP and give it appropriate political recognition, and in particular :

17.1.1. present concrete projects for the Council of Europe's contribution to the ENP on the basis of action plans combining the objectives of both institutions ;

17.1.2. for the countries covered by the ENP which are members of the Council of Europe, make compliance with Council of Europe commitments and obligations a pre-condition for any further European integration ;

17.1.3. increase the co-operation and the distribution of tasks with the EU in the field, in particular with a view to elaborating more joint co-operation programmes aimed at the consolidation of democracy in the countries covered by the ENP in such a way as to use the knowledge and the expertise of the Council of Europe as added value ;

17.2. develop more specific relations with non-member states concerned by the ENP, and in particular :

17.2.1. consider redefining the observer status or establishing a special status of associate members that would allow some non-member countries to work more closely with the Council of Europe if they meet some degree of democratic achievement ;

17.2.2. elaborate specific co-operation programmes for these countries ;

17.2.3. consider the possibility of opening certain conventions and agreements which have not yet been opened to non-member states ;

17.2.4. step up contacts with the civil society in the countries covered by the ENP.

18. Furthermore, the Assembly calls on the European Parliament :

18.1. to support the Council of Europe's initiative aimed at the institutionalisation of the Council of Europe's contribution to the ENP ;

18.2. to propose to the relevant instances of the European Commission to assign to the Council of Europe the concrete task of assistance and monitoring of the democratisation process in the countries covered by the ENP ;

18.3. to step up joint co-operation programmes.

19. The Assembly calls on the Congress of Local and Regional Authorities of the Council of Europe to step up their contacts with local and regional authorities in non-member states covered by the ENP.

20. The Assembly calls on the Council of Europe Commissioner for Human Rights to establish contacts in non-member states covered by the ENP with a view to future co-operation in the field of protection of human rights.

21. The Assembly calls on the European Commission for Democracy through Law (Venice Commission) to provide assistance for legislative and constitutional reforms with a view to developing self-sustained democratic institutions in countries covered by the ENP.

22. The Assembly calls on the European Centre for Global Interdependence and Solidarity (North-South Centre of the Council of Europe) to increase its action in the non-member states covered by the ENP.

23. The Assembly resolves to :

23.1. co-operate closely with the European Parliament in this field ;

23.2. step up contacts and intensify co-operation with the parliaments of the non-member states covered by the ENP and to initiate and set up training programmes for those parliaments ;

23.3. develop a dialogue focused on democratic values with these parliaments ;

23.4. assess existing contacts with these parliaments with a view to developing co-operation agreements ;

23.5. use co-operation agreements in a dynamic way as a useful tool for increasing close relations ;

23.6. invite its members who are members of national parliaments in EU countries to urge their governments to comply with the commitments undertaken at the 3rd Summit in respect to the complementarity of the European organisations.

24. The Assembly resolves to work closely with institutions for which it serves as a parliamentary forum – such as the Organisation for Economic Co-operation and Development (OECD), the European Bank for Reconstruction and Development (EBRD), the World Trade Organization (WTO), the World Bank and the International Monetary Fund (IMF) – in order to ensure maximum effect of the ENP and an optimal use of the considerable funds to be dispersed.