



Resolution 1506 (2006)¹

External relations of the Council of Europe

Parliamentary Assembly

1. The Council of Europe has been the practical embodiment of the principle that nations sharing the same democratic values and organised around comparable institutions have no reason to wage war against each other and are better able to defend their lifestyle against external threats and challenges.
2. The Council of Europe was founded by countries committed to the values of democracy, the rule of law and respect for human rights and has played a key role in upholding and protecting these values, which today form an essential part of Europe's shared identity, in its member states.
3. This community of shared values has made it possible to reconcile centuries-old animosities in western Europe and has contributed greatly to peace between European nations and their prosperity. Through the force of its example, it has also contributed to the collapse of totalitarian regimes in both eastern and western Europe.
4. The opening of the Council of Europe to the countries of central and eastern Europe seeking to join the community of European democracies has been an essential feature of these countries' democratic transformation and has enabled democratic values to triumph in every European state, with the exception of Belarus.
5. The limits of the Council of Europe's geographical expansion, as defined by Assembly [Recommendation 1247 \(1994\)](#) on enlargement of the Council of Europe, have now been reached and its enlargement is nearly complete.
6. However, democratic progress cannot be confined to the geographical frontiers of Europe. Democracy is not an exclusive privilege of Europeans and its benefits should be accessible to all the peoples attracted by the success of democratic nations. However, it must be emphasised that democracy can only take root if it has been freely chosen by the people.
7. The Parliamentary Assembly believes that, with its experience in the transition to democracy and the establishment of democratic institutions across Europe, the Council of Europe is well placed to contribute to spreading beyond its frontiers values that its member states consider to be universal.
8. Through its external relations, the Council of Europe can make these values better known, understood and accepted and more widely shared, thus increasing the number of nations committed to democracy, the rule of law and respect for human rights. In this way, the Organisation would contribute to the peace and stability of its member states and its external partners.
9. The European democratic model based on the Council of Europe's fundamental values continues to exercise its power of attraction well beyond Europe. A number of non-European countries, including those enjoying Council of Europe observer status, seek closer relations with our Organisation and a closer involvement in its activities. The Council of Europe should build on this interest to broaden its circle of partners and strengthen relations with its existing ones. At the same time, it should find ways to involve in the implementation of its democracy-building strategies those national and international players which, for the time being, do not show an interest in co-operation with the Council of Europe or are even sceptical about it.

1. Assembly debate on 26 June 2006 (16th Sitting) (see [Doc. 10956](#), report of the Political Affairs Committee, rapporteur: Mr Adrian Severin). Text adopted by the Assembly on 26 June 2006 (16th Sitting).



10. The Council of Europe's main institutional partners, particularly the European Union and the Organization for Security and Co-operation in Europe (OSCE), are actively involved in promoting their values through outside activities, especially in the areas bordering the territories of Council of Europe member states. Since these activities involve a number of fields where the Council of Europe has established expertise, it is important for the Organisation to find ways of making its knowledge and skills available to its partners and neighbours. This would create synergy of action between the different European organisations and help to strengthen the Council of Europe's international standing, visibility and effectiveness. In this context, the Assembly refers to its [Recommendation 1724 \(2005\)](#) on the Council of Europe and the European Neighbourhood Policy of the European Union.

11. To give its partners a clearer understanding of the Council of Europe's role, to avoid unproductive rivalries and to establish the most solid basis for co-operation with them, it is necessary to redefine more distinctly its particular sphere of action and the division of responsibilities between the main European organisations. However, the Assembly must emphasise that the European democratic area, based on the Council of Europe's values, standards and legal instruments, must remain indivisible.

12. Lastly, the European model of democracy is not the only one that exists in the world. Many countries with democratic regimes have a vision of fundamental values that differs from that of the Council of Europe. While recognising that, excepting a few democratic principles which must be universal, democratic variability exists, one should also observe that such variability often constitutes a source of international rivalry and could ultimately undermine the security and the democratic character of international relations and of international order. With the need for democratic transformation becoming more and more evident in many parts of the world, as well as at transnational and global level, the Council of Europe must continue to increase its presence in the various global democratic alliances and make sure that its core values are shared by as many democracies as possible. At least one should achieve a mutual understanding of, and a mutual respect between, the various democratic models, thus creating the international framework for their peaceful coexistence.

13. The Assembly therefore supports a more active Council of Europe involvement in external activities, with emphasis on:

- 13.1. developing partnerships and networks of European organisations, based on their comparative advantages;
- 13.2. developing partnerships and networks with non-European regional organisations, based on their complementarity and within the limits of their compatibility;
- 13.3. assisting in democratic nation-building;
- 13.4. intercultural, interethnic and inter-religious dialogue and integration;
- 13.5. gradually laying the foundations of democracy and the rule of law at transnational level.

14. In this context, the Assembly welcomes the steps already taken to promote the Council of Europe's values externally by its various bodies and institutions, in particular the Committee of Ministers, the European Court of Human Rights, the Congress of Local and Regional Authorities, the Commissioner for Human Rights, the European Commission for Democracy through Law (Venice Commission) and the North-South Centre. However, it considers that to achieve maximum effectiveness, these activities should be intensified, be based on appropriate instruments and form part of a coherent and co-ordinated strategy.

15. The Council of Europe's external relations strategy should be aimed at:

- 15.1. strengthening existing partnerships, particularly with observer states, and seeking to establish new ones with countries sharing the same or similar democratic values;
- 15.2. promoting European democratic values, as part of a reinforced intercultural dialogue with the Council of Europe's neighbours, particularly in the Mediterranean Basin, the Middle East and central Asia, and helping certain neighbouring countries, particularly those participating in the EU European Neighbourhood Policy, to move towards democracy through a policy based on co-operation;
- 15.3. building a network of relations, a permanent and structured dialogue, as well as a specific modus operandi with organisations working to promote democratic principles.

16. In connection with relations with non-member states of the Council of Europe, the Assembly:

- 16.1. attaches great importance to developing relations with countries holding Council of Europe observer status, and considers it essential to exploit fully all the opportunities this status offers;

16.2. considers it important to strengthen, and where appropriate institutionalise, existing co-operative relations with both well-established and developing democratic regimes (Republic of Korea, South Africa, Argentina, Chile and Uruguay) and to establish such relations with democracies that do not already have links with the Council of Europe (Australia, New Zealand, India, Brazil and certain other Latin American countries);

16.3. confirms its proposals in [Recommendation 1724 \(2005\)](#), concerning relations with the countries of the southern Mediterranean and the Middle East;

16.4. also considers it important for the countries of central Asia to make the transition to democracy without collapsing into chaos, emphasises that these states are members of the OSCE and are bound to respect the principles of democracy and human rights, and believes that the Council of Europe has a contribution to make to these countries' progress to democracy, in co-ordination with the OSCE, which should be based on responsibility sharing along the lines laid down in paragraph 21.2 below;

16.5. regrets that Belarus has made no progress so far towards compliance with the fundamental principles of the Council of Europe, which it has applied to join, and proposes that Belarus be invited to sign the European Convention on Human Rights (ETS No. 5) and accept the European Court of Human Rights' jurisdiction before becoming a member of the Council of Europe;

16.6. notes the growing importance of China and considers it appropriate to enter into dialogue with it on the basis of respect for universal values and, to this effect, to examine the possibility of offering China a status as defined in paragraph 17.2 below.

17. The Assembly considers that, with a view to encouraging external partners to collaborate with the Council of Europe, it should:

17.1. review the functioning of observer status with the Council of Europe in order to make it more effective;

17.2. consider the establishment of a new status for non-member states that wish to co-operate with the Council of Europe in order to benefit from our Organisation's experience in democracy building and possibly from its legal instruments and machinery, but that are not yet in a position to guarantee full compliance with its principles;

17.3. open some of the Council of Europe's instruments to certain non-member states, depending on the status they enjoy.

18. The Council of Europe's human rights instruments, which are only accessible to those within the jurisdiction of member states, constitute one of the Organisation's greatest strengths and should serve as an example. The Assembly encourages the European Court of Human Rights to continue its efforts to promote the European experience of legal protection for human rights.

19. However, it also thinks that consideration should be given, in connection with any reform of the European Convention on Human Rights and of the Court, to making the Convention open, and the Court accessible, to nonmember states and those within their jurisdiction. Such access could be primarily granted to the immediate neighbours of the Council of Europe, namely Belarus and countries of the southern Mediterranean, be restricted to disputes of a clearly defined nature and subject to a financial contribution of the state concerned. Furthermore, a possibility of establishing a network of regional/national courts of human rights could be explored, where these would act as first level European courts, with the Strasbourg Court acting as a Court of Appeal or a Supreme Court.

20. In addition, partners co-operating with the Council of Europe might also be given access to certain non-judicial machinery, such as the Office of the Commissioner for Human Rights.

21. Turning to relations with other institutions, the Assembly:

21.1. attaches particular importance to relations with the European Union, and refers in this context to its [Recommendation 1743 \(2006\)](#) on the memorandum of understanding between the Council of Europe and the European Union. It welcomes the proposals in the report presented by Mr Jean-Claude Juncker, Prime Minister of Luxembourg, to set these relations on a firm footing, with the prospect of European Union accession to the Council of Europe. It furthermore believes that the Council of Europe and the European Union, which is its "internal neighbour", should develop a common vision of a pan-

European confederative body where the two partners would integrate on the basis of shared values and which would be able to defend, develop and promote these values in greater Europe and beyond. In order to make this possible, it deems it necessary to:

21.1.1. delimit clearly each partner's competences on the basis of their specialties and expertise, including the recognition of the Council of Europe's specific responsibility for setting European standards in the fields of democracy, the rule of law and respect for human rights, and its leading role in assisting in and guaranteeing their implementation, as well as in organising global intercultural and inter-religious dialogue;

21.1.2. provide for a merger of the standards and jurisdictions in the field of fundamental rights in Europe, including EU accession to the European Convention on Human Rights;

21.1.3. put in place an appropriate mechanism of subsidiarity when it comes to the promotion of policies meant to consolidate and defend the respect of democratic principles, the rule of law and human rights;

21.1.4. develop a structured and permanent system of communication, consultation, co-ordination and co-operation in defining and promoting standards and policies in the field of fundamental rights in Europe;

21.1.5. establish an appropriate mechanism for a joint mobilisation of the means and joint identification of the ways of promoting and defending fundamental rights in Europe;

21.1.6. co-ordinate the Council of Europe's and the EU's external actions to be pursued along the lines of each partner's competences in such a way as to achieve maximum effectiveness through an optimal synergy;

21.1.7. make sure that all these ideas are properly reflected, specified and developed in the future memorandum of understanding, to be agreed between the Council of Europe and the EU, which should lay down the political vision of a common future for the two partners. If necessary, a preliminary protocol should be agreed in order to organise the process of preparing the memorandum of understanding, to arrange consultations and talks at both political and expert levels, and to set up procedures and modalities leading to the conclusion of the memorandum of understanding;

21.2. reiterates its support for close co-operation with the OSCE based on the identification of shared objectives and the assessment of comparative advantages in each organisation's respective spheres of responsibility, where the Council of Europe would be primarily involved in providing assistance for law making, the building of democratic institutions, public democratic awareness and education, and, more generally, for democratic nation-building, while the OSCE would concentrate on conflict prevention, crisis management and post-crisis rehabilitation;

21.3. advocates closer co-operation with the United Nations (UN) and its specialised agencies, which would enable each partner to benefit from the experience and expertise of the other, with priority being given to promoting universal values, achieving the Millennium Development Goals and contributing to peace- and democracy-building efforts, and referring to its relevant resolutions and recommendations, finds it appropriate to consider establishing an advisory board to the UN Secretary General composed of representatives of regional organisations, and a consultative council to the UN General Assembly comprising representatives of national parliaments and regional parliamentary assemblies;

21.4. supports the expansion of co-operation with European, transatlantic and Euro-Asian organisations, where such relationships are based on shared values or may contribute to promoting the Council of Europe's basic principles;

21.5. thinks that the Council of Europe member states should co-ordinate their positions in various international fora, particularly the UN and the OSCE, on issues of concern to the Organisation, to secure a more effective and coherent defence of the Council of Europe's stance;

21.6. considers that a Council of Europe presence in the major international capitals (New York, Geneva and Vienna, for example) would also help to strengthen co-operation with the UN and the OSCE and enable the Council to make its achievements better known and ensure that these organisations take more account of them in their own activities.

22. The Assembly considers that, as the political driving force of the Council of Europe, it should take the lead in fostering a more active policy of opening the Organisation to new partners, thus advancing the values it defends.

23. With regard to its own activities, the Assembly believes that consideration should therefore be given to:
- 23.1. holding regular debates on the Council of Europe's external relations in general, and on the activities of various Council of Europe bodies involved in this field, in order to review existing relationships and their effectiveness, formulate strategies and identify partners particularly suitable for closer co-operation;
 - 23.2. organising debates on specific geographical areas, countries, groups of countries or organisations defined as priority partners, with a view to formulating positions and policy objectives concerning them; key political figures from these countries or organisations should be systematically invited to Assembly debates;
 - 23.3. widening the circle of Assembly partners among democratic parliaments, particularly through contacts established by its President;
 - 23.4. establishing where possible institutionalised relations, in the form of co-operation agreements, with priority partners, and developing working relations on that basis;
 - 23.5. maintaining regular political dialogue with parliamentarians from priority partner countries;
 - 23.6. increasing the involvement of representatives from countries and organisations defined as priority partners in the work of the Assembly and its committees (thematic conferences, hearings, round tables, etc.);
 - 23.7. continuing efforts to build parliamentary networks at regional and interregional level as fora for political interaction;
 - 23.8. promoting its experience as a model for regional parliamentary co-operation;
 - 23.9. resuming the Strasbourg Conferences on Parliamentary Democracy on a regular basis;
 - 23.10. increasing Assembly participation in the observation of elections in non-member states and in major international initiatives concerned with laying down electoral standards.
24. The Assembly deems it necessary to review Rule 60 of its Rules of Procedure related to observer status, so as to enhance the role played by observers and allow their better involvement in activities of the Assembly and its committees by, inter alia, granting to members of observer delegations the right to:
- 24.1. table and sign motions for recommendations and resolutions;
 - 24.2. be appointed as observer members of general and ad hoc committees;
 - 24.3. participate in election observation missions;
 - 24.4. become members of political groups.
25. The Assembly considers that the paragraphs of its Rules of Procedure concerning special guests (Rule 59) should be amended to extend eligibility for this status to parliaments of non-European states.
26. The Assembly resolves to pay more attention than it previously has to international developments, including in fields related to the promotion of Council of Europe values. It will continue to lay down the strategy for its external relations and to assess its effectiveness. It relies on the Bureau for the implementation of this strategy in the framework of its responsibilities as set forth by Rule 12.1 of its Rules of Procedure, and on general committees for promoting external co-operation in the fields of their competence. At the same time, the Assembly believes that it needs a specific committee (or sub-committee) that would, on the basis of clearly defined terms of reference, closely follow international developments and make proposals for coherent and effective external action.