



Recommendation 1756 (2006)¹

Implementation of the decisions of the Third Summit of the Council of Europe

Parliamentary Assembly

1. The decisions taken at the 3rd Summit of Heads of State and Government of the Council of Europe held in Warsaw on 16 and 17 May 2005 set the general direction and priorities for Council of Europe activities for the forthcoming years. They affirm the Organisation's mission to consolidate pan-European unity and to build a greater Europe without dividing lines through increased co-operation and solidarity among member states and European nations.
2. Furthermore, these decisions enhance the role of the Council of Europe in the protection and promotion of human rights, democracy and the rule of law as well as social cohesion, education for all, and respect for common heritage and cultural diversity. They reflect the intention of heads of state and government to strengthen the cohesion of our societies in their social, educational, health and cultural dimensions.
3. With a view to achieving this objective, they oblige the Council of Europe to encourage intercultural and inter-religious dialogue, both among European people and between Europe and its neighbouring regions; to foster the protection of national minorities and free movement of persons on the continent; and to fight discrimination and further develop rules and effective mechanisms for its prevention and eradication.
4. Moreover, the Council of Europe has been instructed to increase its contribution to international action against terrorism, corruption and organised crime, including money laundering and financial crime, trafficking in human beings and cybercrime, as well as to the debate on bioethics, and also to rise to the new challenges accompanying scientific and technical progress.
5. The summit has shown the European leaders' determination to ensure that the Council of Europe plays its due role in a changing Europe, promoting synergy of its activities with those of the Organization for Security and Co-operation in Europe (OSCE) and the European Union.
6. The Parliamentary Assembly has welcomed the results of the summit and has stressed in [Recommendation 1712 \(2005\)](#) the importance of proper implementation of its decisions. A year after the summit, the time has come to review the progress made in this respect.
7. The Assembly is well placed to monitor the implementation of the summit's decisions. In performing this task, it attaches particular attention to the far-reaching decisions which will determine the image of Europe for many years to come. The Assembly makes the assessment on the basis of its own vision of what is vital for the efficiency of the Council of Europe's work as outlined in [Recommendation 1693 \(2005\)](#).
8. Taking stock of the implementation of the decisions taken at the 3rd Summit, the Parliamentary Assembly strongly welcomes:
 - 8.1. the establishment of the Group of Wise Persons mandated to draw up a comprehensive strategy to ensure the long-term effectiveness of the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5) and the European Court of Human Rights, and the initial results of its reflections;

1. Assembly debate on 28 June 2006 (20th Sitting) (see [Doc. 10958](#), report of the Political Affairs Committee, rapporteur: Mr Kosachev). Text adopted by the Assembly on 28 June 2006 (20th Sitting).



- 8.2. the establishment of the Forum for the Future of Democracy, which held its launch meeting on 4 November 2005 in Warsaw, and will hold its next meeting in Moscow on 18 and 19 October 2006;
 - 8.3. the restructuring and improvement of the Committee of Ministers' thematic monitoring procedures in respect of compliance with commitments entered into by member states;
 - 8.4. the creation of the High-Level Task Force on Social Cohesion in the 21st Century;
 - 8.5. the conclusions of the report on the relationship between the Council of Europe and the European Union, prepared by Jean-Claude Juncker;
 - 8.6. the measures undertaken by the Committee of Ministers and the Secretary General to make the Council of Europe more open, transparent and visible and to review its organisational structure and working methods;
 - 8.7. the establishment by the Committee of Ministers of the Follow-up Committee on the 3rd Summit with the participation of representatives of the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe;
 - 8.8. the inclusion of the summit's decisions in the work programme of the Council of Europe, through their integration into the programme of activities and budget as from 2006.
9. At the same time, the Assembly is concerned by the insufficient increase in the use of the Council of Europe's outstanding standard-setting potential. The Organisation should resume playing the leading role in Europe in the field of standard-setting and development of international law. It has the mission to create normative instruments which, if ratified, would be equally binding on the member and non-member states of the European Union.
10. The Assembly emphasises that the Council of Europe has the vocation to become the main international tool for creating a truly pan-European legal space, proceeding with the harmonisation and unification of national law throughout Europe. The wide experience and expertise of the Organisation are of special relevance in new priority areas of standard-setting, such as internal security issues, co-operation between police forces and judicial bodies, migration control and visa-free travel, financing of political parties, protection of private property and reconciliation of the interests of the welfare state with those of the business community, ensuring economic freedoms common to all countries in the greater Europe, the freedom of movement of labour, goods, services and capital throughout Europe and the realisation on a continental scale of the aims enshrined in the Council of Europe Statute.
11. Special attention should be paid to the reconciliation of electoral standards and practices of member states. In connection with this, the Committee of Ministers should be more active in drawing up a draft European convention on election standards and electoral rights and freedoms.
12. Furthermore, with a view to a better implementation of the summit's decisions, the Assembly:
- 12.1. concerning the effectiveness of the European Convention on Human Rights:
 - 12.1.1. urges members of the Group of Wise Persons to be more innovative, pragmatic and courageous in their proposals, and to not hesitate to develop new approaches;
 - 12.1.2. urges member states to take initiatives to improve their internal situation without waiting for the proposals of the Wise Persons. They must acknowledge their obligation to take the necessary measures to improve the capacity of their national court systems and ensure direct application of the Convention provisions and the case law of the European Court of Human Rights;
 - 12.1.3. invites member states to make proposals on the basis of their national experience with a view to introducing amendments to the Convention to improve the efficiency of the Court;
 - 12.1.4. calls on the Committee of Ministers to do its utmost to ensure the success of the work of the Group of Wise Persons;
 - 12.2. concerning the Forum for the Future of Democracy:
 - 12.2.1. calls on the Committee of Ministers to continue efforts aimed at making the forum a real tool for promoting the values of the Council of Europe, with the full involvement of the Parliamentary Assembly;

- 12.3. concerning the standard-setting potential:
- 12.3.1. urges the Committee of Ministers to develop a new special strategy of activities in this respect and to incorporate it at a later stage in the Council of Europe multilateral programme of activities and the budgeting process;
 - 12.3.2. advises the Committee of Ministers to launch broad consultations on such a strategy with the full involvement of representatives of the Parliamentary Assembly and its main committees;
 - 12.3.3. asks the Secretary General to draw up without delay a proposal for such a strategy;
- 12.4. concerning the strengthening of the convention system:
- 12.4.1. refers to the Warsaw Declaration's commitment to work for the widest possible acceptance of the Council of Europe's conventions;
 - 12.4.2. in this respect reiterates the proposal contained in [Recommendation 1693 \(2005\)](#) which calls on the Committee of Ministers to strengthen the Council of Europe's convention system through the establishment of a codex of key conventions, as well as updating and revitalising them;
 - 12.4.3. suggests that the Committee of Ministers, in co-operation with other Council of Europe bodies, replaces the main part of its activities, which consist of bilateral assistance programmes, with multilateral sharing of good practice, with the equal involvement of all member states in the drawing up of new instruments of international law, European integration and advances in standard-setting;
- 12.5. concerning compliance with commitments by member states and promotion of political dialogue:
- 12.5.1. reminds the Committee of Ministers that the various monitoring procedures should be reviewed in order to apply them in a comparable and transparent manner to all member states and that their results should be brought together in a comprehensive manner, as stated in [Recommendation 1693 \(2005\)](#);
- 12.6. concerning relations with the European Union:
- 12.6.1. welcomes the decision of the Committee of Ministers to set up a high-level follow-up group involving representatives of the relevant institutions of the Council of Europe, with a view to examining the Juncker report and the recommendations it contains;
 - 12.6.2. urges the Committee of Ministers to include all constructive proposals substantiated in the report by Mr Juncker in the memorandum of understanding between the two organisations;
 - 12.6.3. urges the Committee of Ministers to take account of other proposals made by the Assembly in [Recommendation 1712 \(2005\)](#);
 - 12.6.4. asks the Committee of Ministers to formally consult the Parliamentary Assembly on the draft memorandum of understanding which will be the basis for negotiations with the EU, before its approval;
- 12.7. concerning new challenges:
- 12.7.1. invites the Secretary General and the Committee of Ministers to launch a series of conferences with the purpose of debating and evaluating new threats our societies face and new tasks the Council of Europe may assume;
 - 12.7.2. suggests that the member states and the Committee of Ministers begin consultations as to how to use the excellent potential of the Council of Europe for designing new tools and mechanisms for bringing European Union member states and non-member states closer to each other, to abolish any kind of division between "old" and "new" member states of the Council of Europe;
 - 12.7.3. recommends that the Committee of Ministers set up a think tank involving the Parliamentary Assembly on the timing and content of a European Summit in 2008 or 2009 involving all the European and Euro-Atlantic organisations with a view to combining their efforts, improving internal and external security throughout Europe and fully exploiting opportunities afforded by a united Europe;

12.7.4. urges the Committee of Ministers to pay much more attention to migration and demographic problems and to draft a proposal for a common European approach to tackle them;

12.8. concerning the functioning of the Council of Europe:

12.8.1. referring to [Recommendation 1693 \(2005\)](#), calls on the Secretary General and the Committee of Ministers to continue efforts aimed at the strengthening of the Council of Europe's institutional system;

12.8.2. insists that a set of measures be taken by the Committee of Ministers to reinforce the Parliamentary Assembly, in particular in the standard-setting and budgetary fields, and to provide it with the right of legislative initiative.

13. The Assembly invites the Committee of Ministers, the Congress of Local and Regional Authorities of the Council of Europe, the Secretary General, partner intergovernmental and non-governmental organisations to prepare, together with the Parliamentary Assembly, a joint event in 2007 with a view to assessing the implementation of the summit decisions and to discuss measures to enhance the efficiency of the Council of Europe.