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European institutions and human rights in Europe

Reply to Recommendation[1]: Recommendation 2065 (2015)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2065 (2015) on "European institutions and human rights in Europe" and has forwarded it, together with the resolution mentioned therein, to the relevant committees and bodies for information and comments.[2]

2. With regard to the negotiations on European Union accession to the European Convention on Human Rights (paragraph 1.1 of the recommendation), the Committee of Ministers recalls its reply to Parliamentary Assembly Recommendation 2060 (2015) on "The implementation of the Memorandum of Understanding between the Council of Europe and the European Union", in which it reaffirms the importance it attaches to accession by the European Union to the Convention and reiterates its political support for this. It expresses the hope that the process will be finalised at the earliest opportunity. Since the European Union Court of Justice's opinion on this issue, formal and informal contacts between both parties have intensified and will continue with a view to overcoming the remaining obstacles.

3. The Committee of Ministers concurs with the Assembly on the importance to "streamline and structure co-operation and dialogue with European Union institutions and agencies, at all levels, so that such co-operation and dialogue is conducted on a regular basis by relevant bodies of the Council of Europe" (paragraph 1.2 of the recommendation). In this respect, it would reiterate a number of elements which appear in the above-mentioned reply to Assembly Recommendation 2060 (2015). In particular, it would recall that at its 125th Session (Brussels, 19 May 2015), the Committee of Ministers took note with satisfaction of the increase in co-operation between the Council of Europe and the European Union. It would also recall that there has been an increase in structure and political nature of the dialogue and underlines the importance of maintaining regular institutionalised dialogue. The development of appropriate synergies between Council of Europe monitoring mechanisms and bodies and any new mechanisms set up by the European Union is also considered crucial to the Committee of Ministers.

4. As far as Recommendation 2065 (2015) makes reference to the European Commission's proposal for "a new EU Framework to strengthen the rule of law" (paragraph 1.3 of the Assembly recommendation), the Committee of Ministers again refers to its previous reply and in particular to the valuable input that the Council of Europe can provide to the European Union's new Framework in view of its long experience in this field. It will follow developments concerning the European Union initiative and underlines the importance of taking account of the Memorandum of Understanding between the two organisations in order to avoid duplications and ensure added value.

5. Finally, with regard to paragraph 2 of the recommendation, the Committee of Ministers has taken note of the proposal for an "expert study to prepare a catalogue of "criteria for the imposition of austerity measures"". It would, however, inform the Assembly that a feasibility study on the impact of the economic crisis on human rights in Europe is currently being prepared by the relevant intergovernmental committee. It

1. Adopted at the 1239th meeting of the Ministers' Deputies (4 November 2015).
2. The Steering Committee for Human Rights (CDDH), the Governmental Committee of the European Social Charter and the European Code of Social Security and the Council of Europe Commissioner for Human Rights.

considers that it would therefore be preferable to examine any recommendations resulting from that study, also having regard where appropriate to the key findings of the “Turin Process” for the European Social Charter, before deciding on possible future work in this field.