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## Beyond the Lisbon Treaty: strengthening the strategic partnership between the Council of Europe and the European Union

**Reply to Recommendation<sup>1</sup>:** Recommendation 2226 (2022)  
Committee of Ministers

1. The Committee of Ministers welcomes Parliamentary Assembly [Recommendation 2226 \(2022\)](#) “Beyond the Lisbon Treaty: strengthening the strategic partnership between the Council of Europe and the European Union”. It concurs with the Assembly on the importance to “strengthen the strategic partnership between the Council of Europe and the European Union”, notably through “concertation, co-ordination, political dialogue and technical co-operation, putting an emphasis on democratic security and rule of law issues”.

2. The Committee of Ministers recalls that, at its 132<sup>nd</sup> Ministerial Session held in Turin on 20 May 2022, it “called for co-operation with the European Union – as main institutional partner of the Council of Europe in political, legal and financial terms – to be stepped up still further in view of the many challenges currently facing Europe, in particular the fact that the Russian Federation ceased to be a member of the Council of Europe on 16 March 2022, as a result of its aggression against Ukraine”.<sup>2</sup>

3. The Committee of Ministers underlines that co-operation with the European Union (EU) has developed “through the three pillars of the partnership – namely political dialogue, legal co-operation and programmatic co-operation” – and that it has “increasingly focused on democratic security and the resilience of the human rights’ protection system in Europe”.<sup>3</sup>

4. The Committee of Ministers reaffirms the importance of co-operation on rule of law-related issues to confirm the Council of Europe’s role as “benchmark for human rights, the rule of law and democracy in Europe” and to ensure “coherence and complementarity between the pan-European Council of Europe and the EU”, as provided for in the 2007 Memorandum of Understanding.

5. Against this background, the Committee of Ministers recalls that the Council of Europe has continued to provide the EU with a valuable input into rule of law-related matters<sup>4</sup> and contacts have intensified between Council of Europe bodies and relevant EU institutions. More specifically, the Council of Europe Secretariat, following invitations from the European Commission (EC), contributed to the EC annual Rule of Law Reports as concerns EU member States. EU leaders reiterated their commitment to continue to rely on relevant

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1. Adopted at the 1452<sup>nd</sup> meeting of the Ministers’ Deputies (14 December 2022).

2. See [CM/Del/Dec\(2022\)132/4](#) 132<sup>nd</sup> Session of the Committee of Ministers (Turin, Italy, 20 May 2022) – 4. Co-operation between the Council of Europe and the European Union.

3. See [CM\(2022\)62-final](#) [132<sup>nd</sup> Session] Summary Report on co-operation between the Council of Europe and the European Union.

4. In particular through the case law of the European Court of Human Rights (ECtHR) and the expertise provided by the Venice Commission (VC), GRECO (the EU being an observer), the European Commission for the Efficiency of Justice (CEPEJ), MONEYVAL and the Consultative Councils of European Judges (CCJE) and of European Prosecutors (CCPE), as well as directly through co-operation projects. Specific mechanisms have been set up within the EU/CoE facilities to request Venice Commission Opinions: Quick Response Mechanism (QRM) under the Partnership for Good Governance (PGG) and the Expertise Co-ordination Mechanism (ECM) under the Horizontal Facility (HF).



Council of Europe standards and findings of monitoring mechanisms.<sup>5</sup> It should be also recalled that the issue of co-operation between the Council of Europe and the EU in the context of EU rule of law initiatives has been regularly addressed in the reports on co-operation with the EU, submitted to the annual Session of the Committee of Ministers.

6. In addition, the Committee of Ministers, at its 2022 Ministerial Session, “reiterated its commitment to EU accession to the European Convention on Human Rights and encouraged EU participation in or accession to Council of Europe instruments, as appropriate as a way of achieving coherence and complementarity and promoting synergies”<sup>6</sup>.

7. Concerning joint co-operation programmes with the EU, the Committee of Ministers recalls that the EU remains the biggest donor of the Council of Europe technical co-operation activities, covering the EU Enlargement Region, countries of the Eastern Partnership, EU member States, the Southern Mediterranean and Central Asia, as well thematic areas. In 2021, the global volume of the Council of Europe-EU Joint Programme co-operation reached €207.4 million, with the annual receipts on these programmes accounting for 57% of annual receipts from all extra-budgetary resources.<sup>7</sup> Joint co-operation programmes in the rule of law sector continued to prevail in number and volume in 2021, accounting for 54.7% of the cumulative budgetary envelope.

8. Since the “Statement of Intent”, signed with the EC in April 2014, Joint Programme co-operation has been progressively broadened in the EU Enlargement Region, illustrating the benchmarking role of the Council of Europe in the areas of human rights, the rule of law and democracy in Europe, based on the 2007 Memorandum of Understanding. At its 2022 Ministerial Session, the Committee of Ministers “emphasised in particular the important role played by the three large-scale multiannual multi-country programmes put in place in the EU Enlargement area, in the EU Eastern Partnership area and in the Southern Neighbourhood”.<sup>8</sup> The Committee of Ministers also considered that “flexible multi-country/thematic and multiannual programmes will remain more necessary than ever to cover the diversity of the geographic/thematic areas concerned and new or emerging challenges”.<sup>9</sup> In this context, importantly, the financial volume of the joint programmes implemented in those Council of Europe member States which are member States of the EU continued to steadily increase. This development is due in particular to the structured joint co-operation and technical support frameworks put in place in this regard since 2019, under the Structural Reform Support Programme and the Technical Support Instrument.

9. The Committee of Ministers welcomes the contribution of the Council of Europe Liaison Office in Brussels, as well as of the EU Delegation in Strasbourg, to the development of the strategic partnership with the EU. The capacity of the Liaison Office has been significantly strengthened since 2008. The Liaison Office will continue to play a key role in reinforcing the dynamics of co-operation and its visibility.

10. Concerning joint efforts in support of global governance and rules-based multilateralism, the Committee of Ministers considers that Council of Europe co-operation with the EU is “a telling example of a dynamic multilateralism to uphold and promote shared values in Europe and beyond” and “should remain a priority for the Organisation”.<sup>10</sup> This co-operation also “illustrates the Organisation’s contribution to international order and global governance and to the achievement of the SDGs”.<sup>11</sup> Co-operation with the EU to jointly address global issues could be strengthened.

11. Finally, as regards the possibility of organising a 4<sup>th</sup> Summit of Heads of State and Government of the Council of Europe member States, associating representatives of the EU, the Committee of Ministers recalls that, on 7 November 2022, it agreed to hold such a Summit in Reykjavik, Iceland, on 16 and 17 May 2023. The issue of co-operation with the European Union is expected to feature as part of the agenda of the 4<sup>th</sup> Summit.

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5. See [CM\(2022\)62-final](#).

6. See [CM/Del/Dec\(2022\)132/4](#).

7. For details, see document [CM\(2022\)62-addfinal](#) “Joint Programmes between the Council of Europe and the European Union in 2021”.

8. See [CM/Del/Dec\(2022\)132/4](#).

9. *Idem*.

10. See [CM\(2022\)62-final](#).

11. *Idem*. See also [CM\(2022\)84-final](#) [132<sup>nd</sup> Session] Reflection process on the CoE contribution to the international order and global governance, as well as to the achievement of the Sustainable Development Goals (SDGs) – Activity Report.