Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 2245 (2023)[1]

The Reykjavik Summit of the Council of Europe – United around values in the face of extraordinary challenges

Parliamentary Assembly

1. Europe is facing extraordinary challenges. The Russian Federation's large-scale, protracted and brutal aggression against Ukraine is an affront to all the principles the Council of Europe stands for and to the foundations of the European multilateral architecture which was built to avoid a repetition of the atrocities of the Second World War. Russia's full-scale military aggression against Georgia in 2008 and subsequent occupation of Georgia's regions is part of the same aggressive policy, blatantly violating fundamental principles and norms of international law and rules-based international order.

2. The return of a large-scale war of aggression in Europe highlights that the solidity and resilience of European democracies, their respect for human rights and their adherence to the rule of law are the best guarantees of each other's prosperity, security and a peaceful future. In this defining moment of European history, Council of Europe member States should, at the highest political level, reaffirm their unity around these common values and their unfaltering commitment to multilateralism based on international law.

3. The Parliamentary Assembly therefore welcomes the decision of the Committee of Ministers to convene the 4th Summit of the Heads of State and Government of the Council of Europe in Reykjavik on 16 and 17 May 2023. It commends the endeavours by the Irish and Icelandic presidencies of the Committee of Ministers to achieve this result and expresses great appreciation for the role of the Secretary General, including her initiative, at the invitation of the Committee of Ministers, to set up a high-level reflection group. The Assembly welcomes the report of this group as a significant contribution to the ongoing reflection in preparation for the summit and supports its general thrust and main proposals.

4. While Ukraine and Ukrainians are the direct victims of the illegal, unjustified and unjustifiable aggression by the Russian Federation, its repercussions are felt worldwide. Europeans have started to pay the price of the war through higher living costs and an impending economic recession which will affect their lives as they emerge from the first waves of the Covid-19 pandemic. This may contribute to further erosion of trust in democratic political systems and institutions, thus reinforcing the downward trend of the past few years.

5. Deciding how to bridge the gap between people's expectations and public delivery is a further test for European democracies. People are calling for their rights to be protected, including against abuses by their own authorities. They are demanding a healthy environment and action against climate change. They want technology to improve the quality of their lives without controlling them. People are demanding to have a greater say in political decision making and to participate in the democratic processes beyond elections. They understandably expect politics and public institutions to be free from corruption. They care deeply for justice, greater equality and inclusion, and better socio-economic prospects for themselves and future generations.

6. The 4th Summit should have the ambition to set out a forward-looking agenda for the Council of Europe, putting people's interests, concerns and expectations at the forefront of the mission of the Organisation.

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1. *Assembly debate* on 24 January 2023 (4th sitting) (see Doc. 15681 and addendum, report of the Committee on Political Affairs and Democracy, rapporteur: Ms Fiona O'Loughlin). *Text adopted by the Assembly* on 24 January 2023 (4th sitting).

7. The Assembly therefore recommends that the Committee of Ministers prepare a political declaration and an action plan, to be endorsed by the Heads of State and Government of the Council of Europe during the forthcoming summit, with a view to providing a new strategic vision, a fresh political impetus and new responses in the face of today's extraordinary challenges.

8. United around common values, the Heads of State and Government of the Council of Europe should:

8.1. affirm their unwavering support for the sovereignty, independence and territorial integrity of Ukraine within its internationally recognised borders and stand in solidarity with Ukraine and Ukrainians;

8.2. condemn the Russian Federation's aggression against Ukraine as a serious violation of international law and a threat to international peace and security which has also resulted in gross and serious violations of international humanitarian law and international human rights law, inflicted extensive damage and suffering on the victims and the entire Ukrainian people and which has endangered and continues to endanger peace and security in Europe and the world;

8.3. take a comprehensive approach to the issue of the accountability of the Russian Federation in relation to the aggression against Ukraine, by ensuring that no gaps persist at the level of international and national accountability efforts and that impunity is fully prevented, taking into account the urgency of the matter and the pressing need for action, in particular by:

8.3.1. supporting and leading the initiative to set up an ad hoc international criminal tribunal to investigate and prosecute the crime of aggression committed by the political and military leadership of the Russian Federation and calling on the Council of Europe and the member States to provide concrete expert and technical assistance in its setting-up and also calling on the Council of Europe to play an active leading role in the establishment of such an ad hoc international criminal tribunal;

8.3.2. supporting the work of international courts and national courts that have a mandate to investigate genocide, war crimes, violations of international humanitarian law and crimes against humanity committed in the context of the aggression and to prosecute the perpetrators;

8.3.3. support the setting-up of a comprehensive international compensation mechanism, including a register of the damage caused by the Russian aggression;

8.4. reaffirm that the pursuit of peace based upon justice and international co-operation is a vital precondition for the preservation of human society and civilisation;

8.5. confirm their commitment to rules-based multilateralism as the pivot of international order;

8.6. reiterate their mutual engagement to make it possible for Europe to be a vast area of democratic security, echoing the words of the Vienna Declaration which concluded the 1st Summit of Heads of State and Government of the Council of Europe in 1993.

9. The 4th Summit should ensure that the Council of Europe steps up its support to Ukraine, immediately and after the end of the war of aggression. Well-functioning democratic institutions, respect for the rule of law and compliance with democratic standards, together with stronger European integration, are the best guarantees for the democratic security of Ukraine and Europe and are as essential as the reconstruction effort. Steps should be taken to increase the profile and visibility of the Council of Europe's substantial assistance to and co-operation with Ukraine, as well as to ensure enhanced co-ordination and co-operation with other relevant international organisations through the establishment of a special co-ordinator, under the authority of the Secretary General.

10. The 4th Summit should also demand that the Russian Federation withdraw from the territories of Georgia, the Republic of Moldova and Ukraine which are illegally occupied and under its control; reiterate the applicability of the European Convention on Human Rights (ETS No. 5, the Convention) and other Council of Europe human rights treaties in these territories; encourage the Council of Europe to maintain contacts with civil society, non-governmental organisations, human rights defenders and independent journalists on the ground and to support other international human rights mechanisms which are accessible to people in these areas, including those under the aegis of the Organization for Security and Co-operation in Europe (OSCE) and the United Nations.

11. Reaffirming the role of the Council of Europe as the leading intergovernmental organisation in Europe for all matters relating to human rights, democracy and the rule of law, the Heads of State and Government of the Council of Europe should reiterate its pan-European vocation, its unity and its nature as a community of values, which can be a beacon for anybody who promotes or aspires to democracy, human rights and the rule

of law, wherever they are. In this context, the summit should express support for a policy of openness towards Belarusian and Russian individuals, groups and organisations that unequivocally uphold Council of Europe values and principles.

12. The summit should further develop the Council of Europe's role as a political community by enhancing the political dimension of its work and ensuring an efficient co-ordination of functions and responsibilities with other institutions in the multilateral architecture. In this regard, it should aim to upgrade the strategic partnership between the Council of Europe and the European Union, in line with Assembly Resolution 2430 (2022) "Beyond the Lisbon Treaty: strengthening the strategic partnership between the Council of Europe and the European Union", by:

12.1. giving a decisive push to finalising the negotiations for European Union accession to the European Convention on Human Rights;

12.2. inviting the European Union to become a party to other Council of Europe instruments, including the revised European Social Charter (ETS No. 163), the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, the Istanbul Convention) and the partial and enlarged agreement establishing the Group of States against Corruption;

12.3. enhancing political dialogue and co-operation, especially in the area of the rule of law;

12.4. calling on the European Union to envisage a structured role for the Council of Europe in the context of the European Union enlargement process;

12.5. laying the groundwork for a revision of the Memorandum of Understanding between the Council of Europe and the European Union.

13. The summit should acknowledge the Council of Europe's contribution to global governance and encourage the Organisation to project its values and standards beyond its membership by strengthening co-operation with interested States and organisations, whether in its geographical neighbourhood or political proximity. It should seek to make the Council of Europe a closer partner for the United Nations, its agencies and mechanisms with a view to supporting global governance, rules-based multilateralism and the achievement of the Sustainable Development Goals.

14. While democracy, human rights and the rule of law should remain its main objectives and areas of expertise, the Council of Europe should be renewed, strengthened and given new means to have an impact and stay ahead of developments, keeping up with societal change and citizens' demands.

15. As regards human rights, the heads of State and government should commit to safeguarding and further strengthening the Convention system, including by:

15.1. reaffirming the binding nature of the judgments and decisions on interim measures of the European Court of Human Rights (the Court) and their primacy over those of national jurisdictions;

15.2. further reinforcing the execution of judgments by strengthening relevant co-operation activities and introducing a procedure for enhanced political dialogue in cases of non-compliance;

15.3. acknowledging and promoting the role of national parliaments, national human rights institutions and civil society organisations in monitoring compliance with the Convention and the Court's judgments.

16. With a view to responding to pressing and widespread public demands for governments to tackle climate change and prioritise long-term environmental sustainability over immediate economic concerns, climate change should be a separate item on the agenda of the summit, allowing the Heads of State and Government of the Council of Europe to:

16.1. take the lead, on behalf of the Council of Europe, in establishing environmental protection as a right while reiterating the commitment to reduce global greenhouse gas emissions to limit the global temperature increase, in line with the Paris Agreement;

16.2. support the drafting of a legally binding Council of Europe framework to guarantee the right to a clean, healthy and sustainable environment, in line with Resolution 2396 (2022) "Anchoring the right to a healthy environment: need for enhanced action by the Council of Europe", which was unanimously adopted by the Assembly;

16.3. ask for the creation of a Council of Europe committee to act as a platform to share information, promote best practice, provide legal advice and develop tools for evaluating policies and legislation in the area of environmental protection and the fight against climate change.

17. The Heads of State and Government of the Council of Europe should acknowledge and give a new impulse to the pioneering role of the Council of Europe in human rights protection and to its capacity to set legal standards, promote best practice and support domestic reform efforts in emerging areas of concern, including new generation rights. They should support Council of Europe work in the areas of artificial intelligence, data protection, gender equality and protection against gender-based violence and discrimination.

18. Greater emphasis on social rights, which form an indivisible part of human rights, would enable the Council of Europe to address one of the root causes of the backsliding of democracy, a worrying trend which has been witnessed in recent years. To tackle this problem the summit should also support an expansion of the Council of Europe's activities aimed at enhancing citizens' trust in democratic processes and public institutions, namely as regards:

18.1. strengthening good governance and respect for the rule of law;

18.2. enhancing the quality and professionalism of public administration;

18.3. strengthening the independence of the judiciary;

18.4. fighting against corruption;

18.5. reinforcing local democracy;

18.6. expanding opportunities for civil participation and deliberative democracy in public decision making;

18.7. tackling discrimination, intolerance and exclusion;

18.8. ensuring the integrity, resilience and adaptability of electoral processes and making sure that they are inclusive, representative and participatory.

19. The Heads of State and Government of the Council of Europe should reiterate their commitment to protecting the rights of people belonging to national minorities, which is a key aspect of human rights protection and democratic participation, and a precondition for peace and democratic security. The summit should establish closer co-operation between the Council of Europe and the European Union in this area, including in the evaluation of European Union candidate countries based on the Copenhagen criteria and the relevant standards developed by the Council of Europe.

20. Furthermore, in order to strengthen the coherence, impact and visibility of the Organisation's activities in the areas of democracy and the rule of law, the summit should:

20.1. ask for the creation of a "democracy checklist" identifying the essential criteria which govern a well-functioning democracy, to be used by member and other States as a reference document;

20.2. envisage the establishment of a Council of Europe commissioner for democracy and the rule of law as an independent body elected by the Assembly, entrusted with the means and capacity to engage systematically in a permanent dialogue with member States, provide early warning and rapid reaction and offer relevant assistance, in close co-operation with key parts of the Council of Europe Secretariat and institutions, including the Congress of Local and Regional Authorities of the Council of Europe, to help strengthen the democratic model throughout Europe.

21. The summit should ensure that the Council of Europe puts people at the forefront of its mission by:

21.1. mainstreaming a youth perspective in all its activities;

21.2. creating new channels for civil society, non-governmental organisations and national human rights institutions to provide meaningful input into the work of the Organisation, especially on standard setting, monitoring and co-operation;

21.3. adopting more open and transparent working methods;

21.4. introducing a communication policy which effectively conveys the aims, objectives and impact of the Council of Europe to the wider public.

22. With a view to ensuring that the Council of Europe can count on the financial resources it needs to effectively carry out its mission, the Heads of State and Government of the Council of Europe should:

22.1. make a political commitment to increase the ordinary budget of the Council of Europe, in real terms;

22.2. ask the Committee of Ministers to review the scales of the contributions from member States with a view to raising the minimum contribution and ensuring greater fairness in the way in which member States finance the Organisation;

22.3. invite the Committee of Ministers to explore the possibility of the European Union contributing to the Council of Europe's ordinary budget, in light of the strategic partnership between the two Organisations.

23. The Assembly invites the Committee of Ministers and the Secretary General, within their respective competences, to translate the summit's political guidance into appropriate implementing measures and administrative reforms.

24. The Assembly recommends that the Committee of Ministers involve it closely in the process of reflection and preparation leading up to the summit and in its follow-up, by maintaining the climate of dialogue and co-operation with the Committee of Ministers, the Secretary General and the other Council of Europe bodies and institutions.

25. For its part, the Assembly resolves to continue to support the process and commits itself to taking into account the political guidance of the summit in its work.