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Budgets and priorities of the Council of Europe for the period 2024-2027

Report[1]
Committee on Rules of Procedure, Immunities and Institutional Affairs
Rapporteur: Ms Ingjerd SCHOU, Norway, Group of the European People's Party

Summary

Against the background of the Russian Federation's war of aggression against Ukraine, the 4th Summit of Heads of State and Government of the Council of Europe gives priority and direction to the Organisation's work in a rapidly changing and challenging political and multilateral environment.

The Parliamentary Assembly endorses the Reykjavik Declaration which it believes should be at the centre of the Organisation's programme and budget for the period 2024-2027.

The depth and ambition of the political priorities set by the member States at the 4th Summit requires granting the Council of Europe the corresponding resources.

Thus, the Assembly calls on member States to invest sufficient additional resources into the Council of Europe, over and above zero real growth, in order to allow it to effectively deliver on the Summit's outcomes and to respond to member States' and citizens' expectations.

Supporting ongoing reform initiatives, including its own push for digital modernisation, the Assembly is convinced that the need to match resources to ambition should be at the forefront of the discussions in the Committee of Ministers during the 2024-2027 budgetary process.

1. Reference to committee: Bureau decision, Reference 4740 of 26 May 2023.

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A. Draft opinion[2]

1. The Parliamentary Assembly's Opinion on the budget and priorities of the Council of Europe for the period 2024-2027 has been prepared under unprecedented circumstances. The war of aggression waged by the Russian Federation against Ukraine, a Council of Europe member State, since 24 February 2022 is a violation of international law and a grave violation of the Statute of the Council of Europe (ETS No. 1), in particular of the principles enshrined in Article 3.

2. As a result of this war, the Russian Federation was expelled from the Council of Europe on 16 March 2022, by a unanimous decision of the Committee of Ministers acting under Article 8 of the Statute and on the basis of the unanimously adopted Opinion 300 of the Assembly.

3. The 2024-2027 programming and budgeting process is thus taking place in the context of political, legal and international transformations unfolding in Europe and beyond. These transformations require a re-examination and re-assertion of the place and role of the Council of Europe in today's European and global multilateral architecture and a new focus in its political and budget priorities.

4. In this context, the Assembly welcomed the 4th Council of Europe Summit of Heads of State and Government held in Reykjavik on 16-17 May 2023. It expresses appreciation of the political commitment of Council of Europe member States, witnessed by the participation, at the highest level, of their political leaders in the Summit and the adoption of the Reykjavik Declaration.

5. The Assembly endorses the Reykjavik Declaration and its Appendices which give priority and direction to the Council of Europe's work. It welcomes the recommitment by member States to the fundamental values enshrined in the Council of Europe Statute – democracy, human rights and the rule of law.

6. The Assembly reiterates the importance of the member States' commitment to the European Convention on Human Rights (ETS No. 5) and their respect for the authority of the European Court on Human Rights, whose judgments they are bound to implement. The implementation of the Court's judgments must remain one of the key priorities of the Council of Europe during the next quadrennial programme and budget period. For its part, the Assembly shall continue to strengthen the parliamentary dimension of the implementation of judgments, in particular through high-level political dialogue and its regular thematic reports.

7. The Assembly stands together with the leaders of Council of Europe member States in unity for Ukraine and accountability for the crimes committed against a member State. It welcomes the establishment of an Enlarged Partial Agreement on the Register of Damage and calls on all member and observer States, as well as any other States that are eligible according to the Register's Statute, to join as a Participant or Associate Member. At the same time, the Assembly believes that efforts to ensure accountability and prevent impunity should be further pursued, including through the establishment of an international ad hoc tribunal, as recommended in Resolution 2482 (2023).

8. Particular attention should be paid to addressing the situation of children of Ukraine, in line with the Declaration adopted at the 4th Summit, as well as to ensuring release of civilians, in particular children, forcibly transferred or unlawfully deported to the territory of the Russian Federation or areas under its temporary occupation or control, in accordance with Assembly Resolution 2495 (2023) and Recommendation 2253 (2023).

9. Equally, the Assembly supports the Council of Europe's commitment to provide concrete, tangible and targeted support to Ukraine through the Action Plan "Resilience, Recovery and Reconstruction" (2023-2026). For its part, it will continue to support the Verkhovna Rada in fulfilling Ukraine's statutory obligations, and will provide relevant expertise and peer-to-peer exchanges for parliamentarians. It calls on governments and parliaments of member States to support these co-operation activities by providing additional extrabudgetary resources.

10. The Assembly welcomes the commitment of member States to strengthening democracy and good governance at all levels, as well as counteracting democratic backsliding. It will support member States in delivering on the Reykjavik Principles of Democracy. The Assembly believes moreover that among the political priorities for the next quadrennial cycle, efforts should be continued to provide early warning and rapid reaction, and to provide relevant and targeted support to member States.

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2. Draft opinion adopted unanimously by the committee on 31 May 2023.

11. In its support for more active engagement with civil society and democracy actors, the Assembly emphasises the need to further invest into working with human rights defenders, democratic forces, independent civil society and free media from Belarus and the Russian Federation, who are fighting for the values and principles of the Organisation, including the territorial integrity of sovereign member States. Similarly, the Assembly believes that the strengthening of the youth perspective in the Council of Europe should be given every priority as a means to revitalise democracy and enhance young people's participation in democratic and political processes.

12. Addressing new and emerging human rights challenges must be among the Organisation's priorities during the 2024-2027 programme and budget cycle. Special attention should be paid to initiatives to uphold a right to a clean, safe, healthy and sustainable environment as a human right, including through the strengthening of the relevant legal framework. Equally, it supports the Summit's commitment to initiate the Reykjavik process and looks forward to contributing to it. Legal and human rights aspects of the use of artificial intelligence and emerging digital technologies should remain in the focus of the Council of Europe agenda, including the finalisation of the Council of Europe's Framework Convention on Artificial Intelligence.

13. Combating inequalities and discrimination, as well as upholding gender equality, including combating violence against women and promoting the ratification and implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (CETS No. 210, "Istanbul Convention"), must remain at the forefront of the Council of Europe agenda. Alongside its work on this topic, the Assembly is committed to enhancing equality between women and men in its own structures and working arrangements.

14. The Council of Europe should continue to act as the United Nations Organisation's regional pilar supporting the delivery of Sustainable Development Goals, which should continue to be mainstreamed in all Council of Europe activities. It welcomes the Summit's commitment to strengthening institutional partnership with the European Union and calls for a speedy completion of the process of accession of the European Union to the European Convention on Human Rights.

15. Given the depth and ambition of the priorities set by the leaders of the member States at the 4th Summit, it is clear that the Council of Europe should be granted resources that are commensurate with the level of member States' political ambition for the Organisation. To effectively deliver on the Summit outcomes, the Organisation's resources should be increased over and above the zero real growth perspective. The sustainability of the Council of Europe's action requires unwavering commitment and investment in the financial contributions from our member States.

16. Therefore, the Assembly calls upon the member States to invest sufficient additional resources into the Organisation to allow it to deliver the results which the Summit has indicated. It is convinced that the need to match resources to ambition will remain at the forefront of the discussions in the Committee of Ministers during the 2024-2027 budgetary process.

17. The Assembly welcomes all the work put in over recent years to modernise and reform the working methods and governance of the Council of Europe, led by the Committee of Ministers, the Secretary General and the Deputy Secretary General, including the introduction of the Result-based Management Strategy as well as the implementation of the People Strategy. It welcomes the approval by the Committee of Ministers of the Capital Master Plan which, *inter alia* provides for the refurbishment and modernisation of the Assembly Chamber through 2023-2024.

18. The Assembly recalls its own initiatives to modernise the Assembly's tools and working methods, including through the pace-apps application, with a view to attain the objective of "paper-less" operation, thus reducing the Assembly's – and the Council of Europe's – costs as well as its carbon footprint in an overall effort to address the environmental challenge. Digital modernisation will therefore continue to be high on the Assembly's own list of priorities during the 2024-2027 programme and budget period, as will the best-practice management of its staff and budgetary resources in line with the reforms put in place in the whole Organisation.

B. Explanatory memorandum, by Ms Ingjerd Schou, rapporteur

1. Introduction

1. Building upon the Strategic Framework for the Council of Europe adopted at the 131st Session of the Committee of Ministers (Hamburg, 21 May 2021), the Committee of Ministers adopted the Council of Europe Programme and Budget for the period 2022-2025.

2. On 16 March 2022, by unanimous decision and building upon an unanimously adopted statutory Opinion of the Parliamentary Assembly, the Committee of Ministers decided to expel the Russian Federation from the Organisation on the ground of serious violation of the Statute of the Council of Europe (ETS No. 1), in particular its Article 3.

3. The war of aggression against Ukraine and its consequences (including the expulsion of the Russian Federation) are affecting the Council of Europe and the context in which it operates.

4. The preparation of the present report thus takes place when the Organisation is called upon to bring new focus to its priorities and activities, notably to provide support to Ukraine in the face of the Russian Federation's war of aggression, to support member States in addressing the consequences of the war, and to reshape the Council of Europe's place in the new and rapidly evolving European and global multilateral architecture.

5. The 4th Summit of Heads of State and Government of the Council Europe, attended at the highest level by virtually every member State, demonstrated the will of our political leaders to give further priority and direction to the Council Europe's work. For this reason, I shall focus on the priorities and measures contained in the Reykjavik Declaration and its Appendices, which, in my view, must now serve as a guiding line for the development of the Organisation's activities during the next quadrennial programme and budget cycle 2024-2027.

2. Programmatic and budgetary response to the Russian Federation's war of aggression against Ukraine

6. In response to the war of aggression by the Russian Federation against Ukraine and the subsequent expulsion of the Russian Federation, the Committee of Ministers and the Secretary General, in close interaction with the Assembly, took a number of decisions and measures of a budgetary, financial and programmatic nature to adapt to the unprecedented situation.

7. Firstly, at its 132nd Session (Turin, Italy, 20 May 2022), the Committee of Ministers adopted the "Priority adjustments to the Council of Europe Action Plan for Ukraine 2018-2022", aimed at assisting Ukraine and its people to face the challenges and consequences of the war of aggression of the Russian Federation. A new Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023-2026 was adopted in December 2022.

8. Secondly, the Committee of Ministers decided collectively to ensure the financial resources to fill the gap in the 2022 Budget, left by the expulsion of the Russian Federation. The expulsion generated direct cost savings (some €600 000), while leaving at the same time a gap amounting to €27.4 million; the shortfall was shared among member States resulting in an increase in their contributions.[3] At the same time, the Committee of Ministers looked at the situation for 2023 to adopt the necessary adaptations to the budget. Thus, the required budgetary decisions and resolutions were adopted on 16 November 2022. This approach allowed to preserve Council of Europe's planned activities, while strengthening them further in key areas (especially, providing support to Ukraine and to addressing the consequences of the war).

9. Thirdly, the Committee of Ministers agreed to take a longer-term perspective on the role of the Council of Europe faced with the new reality, and to reflect this in a new programme for 2024 onwards. The aim is to establish the long-term strategic role of the Organisation for 2024 and beyond and to refocus its activities in the fundamentally changed geopolitical landscape.

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3. As far as the Assembly's 2022 budget is concerned, the expulsion generated immediate savings amounting to over €300 000 mainly corresponding to the suppression of Russian as a working language. At the same time, the Assembly incurred additional costs amounting to €198 000 corresponding to the holding of the Extraordinary session. These additional costs were compensated from the Council of Europe general budget.

10. In this context, the Committee of Ministers' decision to hold the 4th Summit of Heads of State and Government is significant. As will be seen below, the Reykjavik Declaration gives further priority and direction to the Council of Europe's work, which will now find expression in its programmatic and budgetary priorities.

3. The Council of Europe 2022-2025 programme and budget, as adjusted in 2023

11. The 2022-2025 Programme and Budget of the Council of Europe, as adjusted in 2023, amounts to €479 million. This overall amount includes the Council of Europe's ordinary budget (€264 million) as well as the budgets of Partial agreements, voluntary contribution and joint programmes funding covering co-operation activities.

12. The expulsion of the Russian Federation and the subsequent cessation of membership had a direct effect on the 2022-2025 Programme and Budget. Among the direct financial consequences, I would highlight the reduction of membership in the Assembly and in the Congress (one delegation less) as well as in inter-governmental committees (on less member in each committee), the suppression of Russian as a working language, the cancellation of all planned co-operation activities in the Russian Federation as well as the closure of the Council of Europe co-operation office in Moscow. The budgets of the Council of Europe's partial agreements in which the Russian Federation was member were also reduced accordingly.

13. It is important to note that, while addressing the immediate consequences of the cessation of Russian Federation's membership, the Council of Europe stepped in to provide every support within its remit to Ukraine. The Action Plan for Ukraine 2018-2022 was adjusted to the new priority needs. At the same time, a new Action Plan 2023-2026 was developed to cover new needs in terms of addressing the consequences of the Russian Federation's war against Ukraine.

14. I would add that the Council of Europe Secretary General provided rapid practical support to the staff members of the Council of Europe Office in Kyiv in the immediate aftermath of the attack, by assisting those and their family members who wished to leave the country. Many were temporarily relocated to Budapest and Strasbourg, with initial accommodation provided in the European Youth Centres. All these measures helped maintain the continuity of the Council of Europe's support and co-operation with Ukraine.

4. The 4th Summit of Heads of State and Government

15. Already in 2017, in Recommendation 2113 (2017), the Assembly called on the Committee of Ministers to convene a 4th Summit of Heads of State and Government of the Council of Europe. In the face of the Russian Federation's war against Ukraine, the need for a 4th Summit became self-evident. In Recommendation 2245 (2023) "The Reykjavik Summit of the Council of Europe – United around values in the face of extraordinary challenges", the Assembly outlined its own vision for the outcomes of the Summit and concrete proposals.

16. I commend the respective presidencies of the Committee of Ministers which showed leadership and facilitated the convening of the Summit and its preparations. At the same time, I highlight the role of Secretary General of the Council of Europe in paving the way for the Summit, notably through the High-level reflection group whose input fed into the Assembly's own report on the 4th Summit prepared by Fiona O'Loughlin.

5. The Reykjavik Declaration

17. The Reykjavik Declaration was unanimously adopted by Heads of State and Government participating in the 4th Summit, which demonstrates the political commitment of the leadership of the Council of Europe's 46 member States, to reconfirm their unity around the fundamental values for which the Council of Europe stands and their wish to give a new focus and political direction to our Organisation to play a strong role in the multilateral architecture of today's geopolitical landscape.

18. In my view, the Assembly can join this impetus and by endorsing the Reykjavik Declaration and its Appendices, which outline priorities and concrete measures to shape the Organisation's activities for the next programme and budget cycle.

19. The elements contained in the Declaration and its Appendices correspond to the Assembly's vision of the priorities of the Organisation and I am convinced that our work has been a motor in shaping these outcomes.

20. In particular, the Assembly may welcome the establishment of the Enlarged Partial Agreement on the Register of Damage, representing the first concrete international legal mechanism to address the legal consequences of the war of aggression. It should call on all member and observer States, as well as any other States that are eligible according to the Register's Statute, to join the Register as a Participant or Associate Member. It should also support the Council of Europe's efforts to provide targeted support to Ukraine through the Action Plan "Resilience, Recovery and Reconstruction" 2023-2026.

21. The Assembly will certainly endorse the Summit's focus on the full and timely implementation of judgments of the European Court on Human Rights, which after all is a binding and unconditional obligation of member States under international law. In this context, the Assembly can further strengthen its work to ensure the parliamentary dimension of the implementation of judgments, in particular through high-level political dialogue and its regular thematic reports.

22. Initiatives to strengthen and protect democracy and good governance at all levels, with the imperative of counteracting backsliding, are to be among the top-level priorities of the Council of Europe during the next quadrennial programme and budget cycle. This is not only Council of Europe "core business" but also a means to provide early warning and rapid reaction, so as to pick up on and counteract authoritarian trends and prevent conflictual situations. The Assembly can therefore endorse the initiatives of member States to deliver on the Reykjavik Principles of Democracy. In particular, the strengthening of Council of Europe institutions contributing to upholding democracy, human rights and the rule of law, notably, the Human Rights Commissioner and the Venice Commission, must be given every priority.

23. Engagement with civil society and democracy actors will further strengthen and complement activities to uphold democracy and counteract democratic backsliding. In this context, it is important to find ways of maintaining contacts and providing support to civil society, human rights defenders, democratic opposition and free media in Belarus and in the Russian Federation, respecting the values and principles of the Organisation, including the territorial integrity of sovereign member States. The Assembly already has a good foundation in this respect.

24. The strengthening of the youth perspective in Council of Europe activities is particularly important and should be a priority during the 2024-2027 programme and budget cycle, to revitalise democracy and encourage young people's participation in democratic and political processes.

25. I welcome the Reykjavik Declaration's emphasis on the Council of Europe pioneering role in addressing new and emerging human rights challenges.

26. The Assembly has been a leader in calling to asserting and upholding the right to a clean, safe, healthy and sustainable environment. In this field, the Assembly can today welcome the commitment to revise and strengthen the existing legal framework, and can contribute to this process, in particular through the work of its parliamentary network on this topic.

27. As regards the legal and human rights aspects of use of artificial intelligence and emerging digital technologies, the Assembly can welcome the Summit's call to finalise, as a priority, the Council of Europe's Framework Convention on Artificial Intelligence. For its part, the Assembly should follow this work, building upon its relevant resolutions and recommendations relating to various aspects and dimensions of the use of artificial intelligence which could provide guidance and input into the intergovernmental work.

28. Combating inequalities and discrimination, as well as upholding gender equality, including combating violence against women, should continue to be in the focus of the Council of Europe action during the 2024-2027 programme and budget cycle. The Assembly should welcome the renewed commitment to strengthening work in this field, and can continue its own pioneering approach on this topic, both in its activities and in ensuring that its own internal Rules of Procedure, structures and working methods pay due respect to gender equality best practice.

29. As regards the place of the Council of Europe in Europe's multilateral architecture and global governance, the new geopolitical situation calls for even closer ties. The Assembly can thus encourage the Organisation's enhanced co-operation with global and regional partner international organisations, including the United Nations, especially in the field of the implementation of the Sustainable Development Goals, which should be mainstreamed in all Council of Europe activities. Such co-operation with other international bodies at the regional and global levels, with focus on the parliamentary dimension, can be further strengthened by the Assembly's own activities.

30. Partnership with the European Union should be further enhanced and strengthened, in terms of political dialogue as well as co-operation, in particular through joint programmes. In this context, the Assembly calls for a speedy completion of the process of accession of the European Union to the European Convention on Human Rights (ETS No. 5).

31. All of the above convinces me that the Reykjavik Declaration and its Appendices represent a strong political pathway for the Organisation, as well as a firm basis for the specific measures and activities which should shape the Organisation's agenda for the next quadrennial period.

32. That being said, building upon the Assembly's own vision of the outcomes of the 4th Summit, I believe it is important to highlight a few additional elements that will complement and strengthen the "Reykjavik agenda".

33. Firstly, in line with the Assembly's clear and repeated position, I believe that more international efforts are required to prevent impunity for the crime of aggression, as well as war crimes, crimes against humanity and grave human rights violations committed by the Russian leadership and those under its command during the war of aggression against Ukraine. In this context I reiterate that the establishment of an international *ad hoc* tribunal, as recommended *inter alia* in Resolution 2482 (2023), should remain on our agenda, and that the Council of Europe should contribute to this process, including by providing political support, as well as legal and human rights expertise.

34. Secondly, it is my belief that the Council of Europe should be ambitious in working for the new generation of rights, or rather the rights for a new generation, as was said at the Standing Committee in Reykjavik. In particular we must not lose time in the environmental emergency. Let me recall the series of Assembly's reports, resolutions and recommendations in this field which contain a wealth of ideas and proposals to strengthen the existing legal framework and improve policy measures. The implementation of these could further strengthen Council of Europe's action in this field.

35. Thirdly, as regards counteracting democratic backsliding, we need to invest in identifying rapid reaction and early warning mechanisms, so as to anticipate crisis situations and hopefully head off conflicts through political dialogue and targeted co-operation. Parliamentary diplomacy could certainly be a useful tool to achieve this, and the Assembly can therefore complement and support member States' efforts in this area through inter-parliamentary co-operation.

6. The way forward: implementing the "Reykjavik agenda"

36. By unanimously adopting the Reykjavik Declaration, with participation in the Summit at the very highest level, the leaders of our member States have given our Organisation new impetus and a focused agenda for its political priorities. This dynamic must now be taken to the next logical stage, by ensuring that the necessary resources are allocated and by consolidating and further strengthening the financial sustainability of the Organisation.

37. It is true that all our member States and our citizens are facing a difficult situation and economic constraints. At the same time, only solid investment in our democratic security and in our core values will enable Europe to weather this crisis in the medium and long term. I believe that member States have acknowledged the importance of such investment in the Reykjavik Declaration, and that this must now be followed up in the discussions on the Programme and Budget. In my view, a zero real growth budgetary perspective is the minimum requirement; the Organisation's financial stability and viability, and the good implementation of the ambition of Reykjavik, call for more.

38. Sustainability calls for prioritisation, best-use of resources, and investment. I believe that the first two imperatives are well-underway, through the Reykjavik process and through the various reforms which have been put in place over the last decade. The third, investment, is now the challenge of the programme and budget process.

39. I commend the fact that, since the outbreak of the war of aggression of the Russian Federation against Ukraine, member States have already stepped up their financial effort towards the Organisation, in particular by filling the gap in the Council of Europe 2022 and 2023 budget following the expulsion of the Russian Federation. Their commitment to providing targeted support to Ukraine, including through the 2023-2026 Action Plan is also to be praised.

40. Now let us take the next steps.

41. A more ambitious, more reactive and more impactful, a more resilient and sustainable Council of Europe, including in the face of the Russian Federation's war of aggression against Ukraine, will require the investment of additional resources by member States.

42. I am convinced that, in the course of the 2024-2027 programme and budget process, the Committee of Ministers will show their wisdom in ensuring that the Organisation's resources are at the level of the member States' commitment as demonstrated at the 4th Summit. The events of the past years have served to remind us that human rights, democracy and the rule of law cannot be taken for granted and that we must invest in them for democratic stability on our continent and beyond.

43. I believe that the Organisation's reform efforts, led by the Secretary General and the Deputy Secretary General, should be complemented and continued during the 2024-2027 programme and budget cycle.

44. Thus, I welcome the introduction of the Result-based Management Strategy in the Council of Europe which should enable the Organisation to implement a more integrated programme and budget approach, focusing on outcomes and impact and ensuring efficient and effective use of resources for achieving the targets set.

45. Equally, I welcome the implementation of the new People Strategy which will provide the Organisation with the required management flexibility, while allowing to recruit and retain competent and motivated staff.

46. I welcome the approval by the Committee of Ministers of the Capital Master Plan which, *inter alia* provides for the refurbishment and modernisation of the Assembly Chamber through 2023-2024. This is an important investment project, which has been delayed for too long, including because of the Covid pandemic. Works have started in February 2023 and the completion of the project is expected before the April 2024 part-session of the Assembly. The renovation works are expected to modernise the Chamber's equipment (including IT, multimedia and voting systems) as well as to upgrade safety, security and accessibility standards, in accordance with the requirements of the relevant domestic legislation of the host State.

47. Finally, let me recall the Assembly's own reform and modernisation efforts. Since 2021, the Assembly has launched a project to upgrade its procedures and working methods, notably through the pace-apps online application, with a view to attain the objective of "paper-less" operation. The use of new online tools makes Assembly procedures and documents more easily-accessible to members. It has also generated budgetary savings, including by reducing the expenditure on printing and document production, thus reducing the Assembly's – and the Council of Europe's – carbon footprint in an overall effort to address the environmental challenge.

48. The good practices thus developed by the Assembly Secretariat could be shared with other sectors of the Council of Europe Secretariat in an effort to pool expertise and know-how together, in order to continue efforts to build a more modern and efficient Council of Europe, corresponding to the member States' political ambition and up to the challenges that human rights, democracy and the rule of law have to face in today's Europe.

49. I trust that the Committee of Ministers will give due consideration to the proposals contained in the present Opinion and explanatory memorandum. After the adoption of the present draft Opinion by the Assembly, in accordance with the established practice, I look forward to exchanging views with the Ministers' Deputies' Group of Rapporteurs on Programme and Budget, providing additional explanations about the Assembly's vision of the Council of Europe programme and budget priorities for the period 2024-2027.