Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 16288
23 October 2025

The need for a renewed rules-based international order

Reply to Recommendation[1]: Recommendation 2288 (2025)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2288 (2025) "The need for a renewed rules-based international order" and has forwarded it to the Committee of Legal Advisers on Public International Law (CAHDI) for information and possible comments.

2. The Committee of Ministers recalls that, at the 4th Summit in Reykjavík, in 2023, the Heads of State and Government of the Council of Europe declared their commitment to "strengthening the role of the Council of Europe in the evolving European multilateral architecture and in global governance by enhancing its external dimension, through its liaison offices and through a new engagement based on its core values with democracies in the world and its southern neighbourhood". This commitment to multilateralism and international law was reiterated at the 134th Session of the Committee Ministers on 14 May 2025 in Luxembourg.

3. The Committee highlights the key role of the Council of Europe in upholding the rules-based international order through its conventions, many of which are open to non-member States. The growing number of accessions by non-European States to these instruments illustrates the Council of Europe's increasing contribution to fostering multilateralism. The decision to open a Council of Europe Liaison Office with the United Nations in New York will further support these efforts by enhancing outreach and the visibility of Council of Europe instruments.

4. The Committee recalls that, on 17 October 1989, the General Assembly of the United Nations (UNGA) adopted a resolution, proposed by several Council of Europe member States, granting observer status to the Council of Europe (A/RES/44/6). It also notes that the recognition of the Council of Europe as a regional organisation, based on its contribution to democratic stability in Europe and its observer status in the UN General Assembly (UNGA), has already been discussed within the Organisation since 1998, particularly at the initiative of the Parliamentary Assembly. At the time, the Committee concluded not to recommend that the Council of Europe seek formal recognition as a regional organisation under Chapter VIII of the UN Charter, considering that such recognition was not necessary for the achievement of its statutory objectives, and that co-operation between the Council of Europe and the UN already extended beyond the scope of Chapter VIII.

5. The Committee of Ministers takes note of CAHDI's observation that there is no formal definition of "regional arrangements" and "regional agencies". This may be explained by the fact that Article 52 of the UN Charter, rather than establishing a formal legal status for "regional arrangements or agencies", aims at organising a division of responsibilities between the United Nations Security Council (UNSC) and regional organisations in matters relating to the maintenance of international peace and security. Accordingly, one of the criteria developed by the doctrine is that such arrangements include provisions for maintaining peace among their signatories.

6. The Committee also observes that CAHDI's opinion concluded that Article 52 does not designate any specific organ to determine whether a given organisation qualifies as a regional arrangement or agency for the purposes of Chapter VIII. As a result, this question is left to the autonomous decision of all relevant actors

1. Adopted at the 1541st meeting of the Ministers' Deputies (22 October 2025).

and, in some instances, regional organisations have declared themselves as such under Chapter VIII. However, a regional organisation cannot impose its legal status on the UN. Ultimately, recognition as a regional organisation is based on functional rather than formal legal recognition. While the practice remains inconsistent, several indicators have emerged, such as (i) the UNSC treating an organisation as falling under the provisions of Chapter VIII; (ii) the granting of observer status within the UNGA; or (iii) the practice of issuing standing invitations to the Secretary Generals of regional organisations to attend UNGA sessions as a privileged observer. However, CAHDI also observes that, under Article 53 of the UN Charter, the UNSC remains the sole authority to grant mandatory authorisation required for enforcement actions taken by regional arrangements or regional agencies, except in the case of measures against enemy States. Similarly, under Article 54, the UNSC must be fully informed at all times of activities undertaken or contemplated under regional arrangements or by regional agencies for maintaining international peace and security.

7. In light of all the above, the Committee of Ministers concurs with CAHDI's conclusion that, from a legal standpoint, there appear no insurmountable obstacles for the Council of Europe to seek recognition as a "regional arrangement" or "regional agency", given the flexible interpretation of these terms. However, the Committee also considers that the political feasibility of pursuing such a status, as well as its added value for the Organisation, should be carefully assessed prior to initiating any formal process. In this context, the Committee of Ministers emphasises that the establishment of a Council of Europe Liaison Office with the United Nations in New York will offer a valuable opportunity to evaluate the Council's role within the UN system, and to determine whether obtaining the status of "regional arrangement" or "regional agency" would enhance and further develop that role. Accordingly, it encourages the Secretary General to explore this option, when the time is right, and to report back to the Committee of Ministers.

8. The Committee of Ministers notes with satisfaction that the Council of Europe has actively contributed to the implementation of the UN Sustainable Development Goals (SDGs) from the outset, through its intergovernmental, monitoring and co-operation activities. As an organisation promoting human rights, democracy and the rule of law, the Council of Europe aligns its objectives, instruments and action with the relevant SDGs, adding value to their implementation through its pan-European membership, multi-stakeholder dimension and global outreach. Furthermore, the Committee highlights that contributing to the achievement of, and reviewing progress towards, the UN 2030 Agenda for Sustainable Development has been included as a core task in the terms of reference of the Council of Europe intergovernmental committees. Finally, the Reykjavík Declaration reaffirmed the relevance of the SDGs by calling for even more further synergies in their implementation.

9. Regarding the institutional framework for co-operation between the Council of Europe and the United Nations, the Committee of Ministers recalls that that the initial 1951 "Agreement between the Secretariat General of the Council of Europe and the Secretariat of the United Nations" was updated in 1971 through the "Arrangement on Co-operation and Liaison between the Secretariats of the United Nations and the Council of Europe". It further notes that, since then, additional agreements have been concluded with a number of UN bodies and specialised agencies, including the UNHCR, OHCHR, UNICEF, UNDP, UNWomen and UNESCO, thereby broadening the scope of the co-operation. The practice of adopting a Resolution on Cooperation between the United Nations and the Council of Europe at UNGA, within the context of its debate on co-operation with regional and other organisations, began in 2000 and has been repeated every two years since 2004. These resolutions reflect not only the breadth but also the strength of the co-operation. Finally, the Committee of Ministers highlights its decision to set up a Council of Europe Liaison Office with the UN in New York, which will also provide the opportunity to assess the full extent of co-operation with the United Nations and to consider the need to further enhance it.