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

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Opinion 294 (2017)[1]

Budget and priorities of the Council of Europe for the biennium 2018-2019

Parliamentary Assembly

1. Europe must meet the challenges of increasingly high tensions linked to the threat of terrorist attacks, ongoing hostilities in conflict zones, the migrant and refugee crisis, and a persistently fragile economic situation in a number of member States. Moreover, widening economic and social inequalities in Europe and beyond, as well as increased poverty and social exclusion, and also the insufficient response by public institutions to these challenges, provide a breeding ground for populism, extremism, racism and xenophobia throughout Europe.

2. These trends undermine the core values and principles of the Council of Europe. The Parliamentary Assembly considers that the Council of Europe, through its extensive regional coverage and strong system of values, is the European organisation best placed to combat these threats, counter current excesses and rise to these challenges, by reaffirming the need to defend its values, namely human rights, the rule of law and democracy.

3. The Assembly fully concurs with the analysis that the Secretary General of the Council of Europe, Mr Thorbjørn Jagland, presented in his speech entitled "Understanding populism and defending European democracies: the Council of Europe in 2017", delivered before the Assembly on 24 January 2017. For nearly 70 years, the Council of Europe has sought to ensure that all member States follow the principles of the rule of law, pluralist democracy and human rights. As the Secretary General advocated, this "precious legacy" must be protected.

4. For the forthcoming 2018-2019 biennial programme and budget, the Council of Europe's Secretary General has identified three priority challenges which the Council of Europe must take up:

4.1. responding to the populist threat, by giving European citizens effective parliaments, vibrant and plural media, courts which they can trust, a civil society that offers them the means to act, and, what is key, social rights in the fields of employment, health care and education, all within inclusive societies;

4.2. protecting the rights of migrants and refugees through action by all Council of Europe bodies;

4.3. combating terrorism by focusing initiatives on its funding, particularly through trafficking of cultural artefacts, which the Secretary General denounces as trade in "blood antiquities".

5. The Assembly reaffirms the position set out in its Opinion 288 (2015) on the Council of Europe's budget and priorities for the 2016-2017 biennium, namely that all action taken by the Council of Europe must go hand in hand with the creation of a coherent, Europe-wide system of human rights protection and reinforced co-operation with member States in combating terrorism, while ensuring that States do not adopt measures which conflict with the principles of the European Convention on Human Rights (ETS No. 5) and the case law of the European Court of Human Rights.

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 30 May 2017 (see Doc. 14318, report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr George Loucaides).

6. Regarding the migrant and refugee issue, the Assembly regrets that the Council of Europe no longer has an intergovernmental committee to cover this matter. However, it commends the Secretary General's initiative of appointing a special representative on migration and refugees tasked with promoting and co-ordinating the Organisation's work in this area.

7. Against this backdrop, the Assembly fully supports the new Council of Europe Convention on Offences relating to Cultural Property (CETS No. 221), which was one of the core priorities of the Cypriot Chairmanship of the Committee of Ministers and is the only international treaty devoted to criminal law measures and sanctions against illegal activities in the field of cultural heritage. The Assembly invites all Council of Europe member and non-member States to sign and ratify it as soon as possible.

8. However, there can be no response to the challenges mentioned by the Council of Europe Secretary General without working towards a genuinely social Europe across the entire continent, an objective also shared by the European Union in the Rome Declaration of 25 March 2017. Consequently, the Assembly would like the programme of activities in the next biennial budget to be reinforced at the social rights level, the goal being to combat ever-widening social and economic inequalities in Europe. The Assembly also intends to support all the efforts aimed at making the European Social Charter (ETS No. 35) the foundation underlying the European Union's social pillar, to help build a more harmonised, social and inclusive Europe.

9. The Assembly would like firm initiatives to be taken so that all Council of Europe member States are Party to the European Social Charter (revised) (ETS No. 163), which contains the most advanced social rights, and for them to adopt the collective complaints system provided for in the Charter, either by signing and ratifying the additional protocol on a system of collective complaints (ETS No. 158), or by accepting Article D of the revised Social Charter.

10. The Assembly would also like the Council of Europe's work programme for the 2018-2019 biennium to reflect United Nations Resolution 70/1 "Transforming our world: the 2030 Agenda for Sustainable Development", adopted on 25 September 2015, which sets 17 sustainable development goals, at least eight of which are consistent with the Council of Europe's priorities.

11. The Assembly recognises that the reform process led by the Council of Europe Secretary General since his appointment in 2009, to revitalise the Organisation and give it fresh political impetus, has yielded good results. By redesigning the Council of Europe's action programmes so that they reflect the challenges facing member States, and by strengthening priority areas – especially the implementation of judgments of the European Court of Human Rights, matters of equality and human dignity, freedom of expression and of the media, measures to combat terrorism and its financing, and finally the migrant and refugee crisis – the Secretary General has restored the Organisation's standing.

12. In this context, the Assembly fully supports the various thematic or national action plans introduced by the Secretary General. By implementing specific practical projects, the Council of Europe has been able to provide a targeted number of countries, in particular in eastern Europe and South-East Europe, with substantial assistance to enable them to bring themselves into line with the requirements of the Council of Europe and the European Union.

13. With more specific regard to thematic action plans, the Assembly strongly encourages the Secretary General's initiative aimed at establishing an action plan for unaccompanied migrant children, echoing the work of the Assembly and its parliamentary campaign to end immigration detention of children, launched in 2015 and funded through Switzerland's generosity.

14. However, promoting effective, long-term solutions to meet all of the challenges facing member States requires a new commitment from the Council of Europe. This will only be possible if the Organisation increases its standard-setting capacity, implemented through its network of intergovernmental committees, whose terms of reference could be reviewed to take account of the aforementioned challenges.

15. However, the Assembly regrets that the standard-setting pillar – the historic heart of the Council of Europe and of intergovernmental co-operation – has taken something of a back seat in relation to technical assistance programmes.

16. In 2012, the intergovernmental sector was radically reorganised to cope with pressure on the Council of Europe's Ordinary Budget, accentuated with effect from 2014 by the Committee of Ministers' decision to impose the principle of zero nominal growth in member States' obligatory contributions to the Ordinary Budget. As a result of the fewer financial resources available for intergovernmental co-operation, there has been a reduction in the number of steering committees (with broader terms of reference) and in their meetings (one or two a year).

17. The weakness of this strategy is that it focuses attention and resources on a limited number of member States. Yet the role of the Council of Europe is to cater for the needs of 47 European States. Fully restoring this role would entail stepping up intergovernmental co-operation, which takes the form of two pillars: standard setting and monitoring the application of those standards. The Assembly is convinced that tangible responses can be given to the current challenges if States pool their experience. For this to happen, the current intergovernmental committees (steering and subordinate) would have to be given the additional resources needed to be able to broaden their mandates and increase the frequency of their meetings, which are essential steps if effective tools are to be created.

18. This strengthening of co-operation mechanisms also involves promoting Council of Europe treaties on the one hand, especially in respect of the European Union, which has not taken full advantage of the existing possibilities for signing up to Council of Europe treaties – it is party to only 11 of the 54 conventions open to it – and on the other hand clarifying the attitude of member States of the Council of Europe and of the European Union regarding their participation in intergovernmental work, as due to their European Union obligations they may prevent the Council of Europe from drawing up new conventions or revising existing conventions, which are important particularly for States that do not belong to the European Union.

19. In order to respond to all of these challenges, the Council of Europe must return to real growth. Between 2013 and 2017, member States' contributions to the Ordinary Budget remained stable or, for some countries, decreased. In contrast, Turkey, by deciding to increase its contribution to the budgets of the Council of Europe for the 2016-2017 biennium (Ordinary Budget, pension reserve fund and extraordinary budget) gave the Organisation more breathing space, enabling it to meet certain corporate costs (such as property investment, security, upgrading information technology systems, and running intergovernmental and statutory bodies as well as central services).

20. Since the member States' decision to apply zero growth (first in real terms and then in nominal terms) to the Council of Europe's budget, the Assembly has regularly suggested a change to the financial regulations so that the unexpended balance from the previous financial year can be made available to the Organisation, and no longer be returned to member States.

21. This request has not been satisfied. However, the Assembly would like to thank those States (20 in 2015) which made unexpended resources from the previous year available to the Organisation to a total amount of €413 000 (corresponding to 28% of the unexpended balance for 2015), which could be reallocated to cover the needs of the European Court of Human Rights and various action plans.

22. To stem the systematic erosion of the Organisation’s resources through inflation (which currently stands at 0.5% in France) and prevent the positive effects of Turkey’s decision to join the major contributors’ club from being erased in the medium term, the Assembly repeats its call for member States to resume real growth in the budget, so as to give the Council of Europe the resources it needs to function properly. In a period of low inflation, and given the current application of the financial regulations concerning the use of unexpended balances, a return to real growth does not require an insurmountable effort from the vast majority of member States. Such a decision would be a clear sign of the States’ commitment, with a view to holding a 4th Summit of Heads of State and Government of Council of Europe Member States in 2019.