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(Final version)

The Assembly's vision on the strategic priorities for the Council of Europe

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A. Draft Resolution

1. The Council of Europe's aim is "to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress" (Article 1.a) of the 1949 Statute of the Council of Europe, ETS No. 1).
2. In the course of seven decades, the Council of Europe has become Europe's largest treaty-based organisation, in which all European States (except for Belarus and the Holy See) are represented. All member States have committed themselves to the European Convention of Human Rights (ETS No. 5, "the Convention"), thus indeed contributing to a greater unity as formulated in Article 1 of the Statute. Over 220 Council of Europe conventions have been concluded during the past seven decades within the scope of Article 1 of the Statute, to the benefit of member States and citizens, including the European Social Charter (ETS No. 35). This unique legally binding conventional system must be further promoted and enhanced as the best basis of democratic public legal order in Europe, now and in the future. The European Court of Human Rights was created "to ensure the observance of the engagements undertaken by the High Contracting Parties in the Convention and the Protocols thereto" (Article 19 of the Convention) and several other mechanisms have been set-up to monitor implementation of commitments in these conventions as well as to identify priority areas for action.
3. All member States are obliged to be represented in both statutory organs of the Organisation – the Committee of Ministers and the Parliamentary Assembly – to discuss "questions of common concern" and develop "agreements and common action" in the further realisation of the aim of the Organisation, as formulated in Article 1 of the Statute. Consequently, the Assembly deems it its duty to contribute to the ongoing reflection on strategic priorities for the coming years for the Council of Europe, so as to enable it to play fully its statutory role and to use the potential of Europe's oldest and largest treaty-based organisation.
4. The Assembly refers to its relevant recent work – in particular Resolution 2277 (2019) "Role and Mission of the Parliamentary Assembly: main challenges for the future", Resolution 2186 (2017) "Call for a Council of Europe summit to reaffirm European unity and to defend and promote democratic security in Europe", and Recommendation 2114 (2017) "Defending the acquis of the Council of Europe: preserving 65 years of successful intergovernmental co-operation" – based on wide consultation with national delegations and in which strategic priorities for the Assembly, in particular, as well as for the Council of Europe in general, were identified.
5. The Assembly also takes into account the political guidance delivered by the Heads of State and Government at the 3rd Summit (Warsaw, May 2005), the policy decisions by the Committee of Ministers at its 129th session in Helsinki (May 2019) and the Athens

Declaration by the Committee of Ministers Presidency (November 2020).

6. The Assembly particularly welcomes the reaffirmed commitment to unity in Europe and to greater solidarity among nations, as well as the unwavering commitment to the principles of the rule of law and the enjoyment by all persons within member States' jurisdiction of human rights and fundamental freedoms, as stated in the Athens Declaration.

7. The Council of Europe's overall priority is to remain the pillar of democratic security, the guarantor of human rights and rule of law, as well as platform for effective multilateralism in Europe and to preserve and reaffirm its own identity as an independent forum for a comprehensive and inclusive political dialogue and co-operation. Effective and sustainable co-operation with other multilateral organisations, both in Europe and globally, should be further developed, thus strengthening the role of the Council of Europe as a cornerstone of the European political architecture.

8. Human rights must remain at the very core of the Council of Europe's strategic framework with the implementation of the Convention in all member States its top priority. To support member States to do so, the Organisation must prioritise its implementation programmes and bring together experience and promising practice. The authority of the European Court of Human Rights must be upheld by all member States and by the Council of Europe as a whole, its effectiveness must be further improved, notably by enhancing the execution of its judgements by all member States. This is particularly vital in times of crisis, such as pandemics.

Amendment 12

Tabled by Mr Oleksii GONCHARENKO, Ms Larysa BILOZIR, Mr Dmytro LUBINETS, Mr Serhii SOBOLIEV, Mr Sergiy VLASENKO, Ms Mariia MEZENTSEVA-FEDORENKO

In the draft resolution, at the end of paragraph 6, add the following sentences:

"Based on these principles, the Council of Europe must condemn and combat the threat to the territorial integrity and security of the member States and promote the peaceful resolution of conflicts between States. It refers in particular to its relevant Assembly Resolutions 1990 (2014), 2034 (2015), 2063 (2015), 2132 (2016), 2198 (2018), 2259 (2019), 2292 (2019)."

Amendment 1

Tabled by Mr Sergey KISLYAK, Mr Vladimir KRUGLYI, Ms Olga KHOKHLOVA, Mr Belan KHAMCHIEV, Mr Andrey EPISHIN

In the draft resolution, paragraph 7, replace the words "effective multilateralism" with the following words:

"genuine multilateralism"

Amendment 13

Tabled by Mr Oleksii GONCHARENKO, Ms Larysa BILOZIR, Mr Dmytro LUBINETS, Mr Serhii SOBOLIEV, Mr Sergiy VLASENKO, Ms Mariia MEZENTSEVA-FEDORENKO

In the draft resolution, paragraph 8, after the third sentence, add the following sentence:

"Consequently, the Council of Europe condemns the adoption of decisions that weaken or call into question the authority of European Court of Human Rights, such as the consistent non-compliance with its decisions or the adoption by States of norms that give priority to national law over international law, such as the 79th Amendment to the Constitution of Russian Federation, enacted on 8 December 2020."

Amendment 4

Tabled by Mr Sergey KISLYAK, Mr Sergey FABRICHNYI, Mr Alexander BASHKIN, Mr Vladimir KOZHIN, Ms Irina RUKAVISHNIKOVA, Mr Andrey EPISHIN

In the draft resolution, at the end of paragraph 8, insert the following sentence:

"At the same time, the activities of the Court must comply with the generally accepted norms"

9. The accession of the European Union to the Convention is a strategic priority. It will strengthen the credibility of the European Union and the relevance of the Council of Europe and the Convention for all its citizens and its member States.
10. Echoing to the decisions of the Committee of Ministers session in Helsinki in May 2019, the Assembly highlights the need to put a stronger emphasis on the protection of social and economic rights in the work of the Council of Europe.
11. The Assembly further joins the Committee of Ministers in calling on member States that have not yet done so to consider signing and/or ratifying the Revised European Social Charter (ETS No. 163) and its Additional Protocol Providing for a System of Collective Complaints (ETS No. 158). It also considers it of great importance to promote the European Union accession to the European Social Charter system.
12. The Council of Europe must prioritise achieving genuine equality, inclusion and respect of human dignity. It must continue to champion equality and eliminate discrimination on any grounds. It possesses ground-breaking standards and tools to do so, notably through the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210) – the gold standard –, the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197), its standards in the area of non-discrimination, including minorities, combined with independent monitoring bodies and multi-disciplinary expert committees to translate these standards to national policies. The Organisation's position as a unique leader in this area globally must be further reinforced. In this respect, the Assembly strongly regrets any attempts to weaken the international framework to protect human rights put in place by the Council of Europe conventions.
13. The Organisation's role in building a Europe for and with children must be reinforced, notably by ensuring best interest of the child, and with a special focus on providing all our children a life free from violence, particularly

of international law and the principle of subsidiarity"

Amendment 10

Tabled by Mr Luís LEITE RAMOS, Ms Selin SAYEK BÖKE, Ms Sibel ARSLAN, Mr Stefan SCHENNACH, Ms Edite ESTRELA, Ms Jennifer DE TEMMERMAN, Mr Jean-Pierre GRIN

In the draft resolution, paragraph 11, after the words "(ETS No. 158)", insert the following words:

", as well as the Turin Protocol (ETS No.142)"

Amendment 2

Tabled by Mr Sergey KISLYAK, Mr Vladimir KRUGLYI, Ms Olga KHOKHLOVA, Mr Belan KHAMCHIEV, Mr Andrey EPISHIN

In the draft resolution, replace paragraph 12 with the following paragraph:

The Council of Europe that was created after the Victory over Nazism in the Second World War must prioritise achieving genuine equality, inclusion and respect of human dignity. It must continue to champion equality and eliminate discrimination on any grounds, stop manifestations of racism, anti-Semitism, neo-Nazism and xenophobia. It possesses ground-breaking standards and tools to do so. The Organisation's position as a leader in this area globally must be further reinforced.

Sub-amendment 1 to amendment 2

Tabled by Mr Ahmet YILDIZ, Ms Arzu ERDEM, Ms Sena Nur ÇELİK KANAT, Mr Ziya ALTUNYALDIZ, Mr Mehmet Mehdi EKER

In amendment 2, after the word "anti-Semitism" insert the following word:

"Islamophobia"

through the Council of Europe Convention of the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201).

14. The Council of Europe has to address existing and emerging threats to democratic societies and democratic security, by promoting a contemporary and holistic vision of human rights, including new generation rights such as the right to a safe, healthy and sustainable environment, and by assessing the impact of the inherent relationship between human rights and development. As a recognised international standard-setter in the field of human rights protection, the Council of Europe should focus on devising common replies and establishing new standards to protect human rights vis-à-vis new and evolving challenges.
15. Increasing challenges to freedom of expression and freedom of assembly need to be responded with firm action, as without that meaningful dialogue, including with those who do disagree, is not possible.
16. In this context, the Assembly stresses the strategic importance of providing adequate responses to challenges related with the emergence of new technologies, in particular artificial intelligence (AI), so as to enhance its contribution for progress in our societies but also to prevent the potential negative and amplifying impact that its use may have on human rights, the rule of law and democracy. It refers to its relevant resolutions and recommendations adopted in October 2020 – Resolution 2341 (2020) and Recommendation 2181 (2020) “Need for democratic governance of artificial intelligence”; Resolution 2342 (2020) and Recommendation 2182 (2020) “Justice by algorithm – The role of artificial intelligence in policing and criminal justice systems”; Resolution 2343 (2020) and Recommendation 2183 (2020) “Preventing discrimination caused by the use of artificial intelligence”; Resolution 2344 (2020) and Recommendation 2184 (2020) “The brain-computer interface: new rights or new threats to fundamental freedoms?”; Recommendation 2185 (2020) “Artificial intelligence in health care: medical, legal and ethical challenges ahead”; Resolution 2345 (2020) and Recommendation 2186 (2020) “Artificial intelligence and labour markets: friend or foe?”; Resolution 2346 (2020) and Recommendation 2187 (2020) “Legal aspects of “autonomous” vehicles”; and reiterates its view that the Council of Europe is in a strategic position to provide the necessary guidance and support, in close co-operation with other European and international institutions and

Amendment 3

Tabled by Mr Sergey KISLYAK, Mr Vladimir KRUGLYI, Ms Olga KHOKHLOVA, Mr Belan KHAMCHIEV, Mr Andrey EPISHIN

In the draft resolution, paragraph 14, replace the words “establishing new standards” with the following words:

“elaborating new standards”

Amendment 14

Tabled by Mr Oleksii GONCHARENKO, Ms Larysa BILOZIR, Mr Dmytro LUBINETS, Mr Serhii SOBOLIEV, Mr Sergiy VLASENKO, Ms Mariia MEZENTSEVA-FEDORENKO

In the draft resolution, at the end of paragraph 15, add the following sentences:

“At the same time, the Council of Europe understands the growing threat posed by national propaganda for freedom of expression. The principle of freedom of expression cannot be used by propagandists to achieve goals aimed at violating human rights and undermining democracy.”

organisations, for creating a global regulatory framework for AI.

17. The Assembly is aware of the threat to the democratic principles of the Council of Europe posed by global IT companies, which often neglect the right of citizens to access and disseminate legal information in favour of their market policies, and expresses readiness to discuss conventional mechanisms to counter such approaches.

18. The Assembly supports the conclusion in the Athens Declaration that life and well-being on our planet is contingent on humanity's collective capacity to guarantee both human rights and a healthy environment for future generations. It welcomes the signing of the 2015 Paris Agreement of Parties to the United Nations Framework Convention on Climate Change by all 47 member States, thus committing themselves to strengthening the global response to the threat of climate change which puts at risk the exercise of human rights. It deems it of high importance to work towards new legal instruments aimed at ensuring the right to a safe, healthy and sustainable environment for present and future generations, and making it a legal obligation.

19. The Assembly further reiterates its firm support to achieving the Sustainable Development Goals (SDGs), as set out in United Nations 2030 Agenda for Sustainable Development, and welcomes the important contribution by the Council of Europe to that end, including by the Assembly and national parliaments. Referring to its relevant texts – Resolution 2271 (2019) and Recommendation 2150 (2019) “Strengthening co-operation with the United Nations in implementing the 2030 Agenda for Sustainable Development” and Resolution 2272 (2019) “Implementation of the Sustainable Development Goals: synergy needed on the part of all stakeholders, from parliaments to local authorities” – it points to the need for the United Nations and the Council of Europe to enhance their co-operation, within their respective mandates, to accelerate the pace of the implementation of the SDGs towards fulfilling the 2030 Agenda.

20. The Assembly fully shares the German Presidency of the Committee of Ministers' priority as regards the need to bring the Organisation closer to the people. In this context, it strongly supports the Committee of Ministers' decision to examine further options for strengthening the role and meaningful participation of civil society organisations, and national human rights institutions, in the Organisation. It also believes that specific emphasis should be made on engaging in a meaningful way with the young people and children.

Amendment 15

Tabled by Mr Oleksii GONCHARENKO, Ms Larysa BILOZIR, Mr Dmytro LUBINET, Mr Serhii SOBOLIEV, Mr Sergiy VLASENKO, Ms Mariia MEZENTSEVA-FEDORENKO

In the draft resolution, at the end of paragraph 17, add the following sentences:

"Free and fair elections are the cornerstone of democracy. Therefore, the Council of Europe notes the growing threat to democracy in connection with the use of new hybrid technologies to interfere in elections through social networks, mass media and cyber attacks."

Amendment 5

Tabled by Mr Sergey KISLYAK, Mr Alexander BASHKIN, Mr Sergey FABRICHNYY, Mr Vladimir KOZHIN, Ms Irina RUKAVISHNIKOVA, Mr Andrey EPISHIN

In the draft resolution, paragraph 18, last sentence, delete the following words:

", and making it a legal obligation"

Amendment 6

Tabled by Mr Sergey KISLYAK, Mr Sergey FABRICHNYY, Mr Alexander BASHKIN, Mr Vladimir KOZHIN, Ms Irina RUKAVISHNIKOVA, Mr Andrey EPISHIN

In the draft resolution, paragraph 20, after the second sentence, add the following sentence:

"The efforts of the Assembly to increase the 'involvement of civil society' in the activities of the Council of Europe should not lead to a

dilution of the intergovernmental nature of the Organisation and the leading role of intergovernmental institutions."

21. The Council of Europe must also – in line with Article 1 of the Statute – continue to keep high on its strategic agenda the search for common responses to societal problems challenging the rule of law, notably corruption, money laundering, terrorism and violent extremism, by means of effective implementation of relevant legal instruments and mechanisms or by establishing new ones if appropriate. Furthermore, the Assembly stresses the need to ensure proper protection of parliamentarians and journalists.
22. The Assembly reiterates its call, backed by the Committee of Ministers in Helsinki (May 2019), for a stronger and more structured co-ordination between the monitoring activities of the Assembly, the Committee of Ministers, the Secretary General and the Commissioner for Human Rights, as well as of the various specialised monitoring and advisory bodies and mechanisms of the Organisation, without prejudice to their independence. More broadly, it deems it worth considering ways of co-ordinating more efficiently monitoring activities with other international organisations, including the United Nations, in order to achieve more synergy, avoid unnecessary duplication and alleviate the reporting burden for member States. It stands ready to engage in a constructive institutional dialogue on this matter and will evaluate its own monitoring activities.

Amendment 8

Tabled by Mr Sergey KISLYAK, Mr Alexander BASHKIN, Mr Vladimir KOZHIN, Mr Sergey FABRICHNYY, Ms Irina RUKAVISHNIKOVA, Mr Andrey EPISHIN

In the draft resolution, paragraph 22, delete the following sentence:

"More broadly, it deems it worth considering ways of co-ordinating more efficiently monitoring activities with other international organisations, including the United Nations, in order to achieve more synergy, avoid unnecessary duplication and alleviate the reporting burden for member States."

Amendment 7

Tabled by Mr Sergey KISLYAK, Mr Alexander BASHKIN, Mr Vladimir KOZHIN, Mr Sergey FABRICHNYY, Ms Irina RUKAVISHNIKOVA, Mr Andrey EPISHIN

In the draft resolution, paragraph 22, replace the last sentence by the following sentence:

"The Assembly stands ready to assess its own monitoring activities, including with a view to moving away from country monitoring in favour of thematic monitoring, where the implementation of commitments should be considered for all member states of the organisation."

23. The Assembly highlights the importance of consolidating the role of the Council of Europe as a pillar of co-operative regional order in Europe, promoting the outreach of its legal instruments beyond European borders and enhancing partnerships with States and organisations in both geographical neighbourhood and political proximity.
24. The role of the Assembly in promoting the Council of Europe key conventions and Organisation's core values must be better recognised and further enhanced.

Amendment 11

Tabled by Mr Luís LEITE RAMOS, Ms Selin SAYEK BÖKE, Ms Sibel ARSLAN, Mr Stefan SCHENNACH, Ms Edite ESTRELA, Ms

Jennifer DE TEMMERMAN, Mr Jean-Pierre GRIN

In the draft resolution, replace paragraph 24 with the following paragraph:

"The role of the Assembly in promoting the key Council of Europe conventions and the Organisation's core values, as well as in supporting their effective implementation in Council of Europe member States, must be better recognised and further enhanced. Furthermore, local and regional authorities as well as civil society organisations play an important role in translating international commitments into reality for everyone. The Congress of Local and Regional Authorities and the Conference of International Non-Governmental Organisations of the Council of Europe need to be further strengthened and supported."

25. The Assembly sees it as a strategic priority to carry out its work independently but, where possible, in effective complementarity with the activities of the Committee of Ministers and the intergovernmental part of the Organisation, to increase impact of each other's action. The further development of a regular, meaningful and effective 'trialogue' between the Committee of Ministers, the Secretary General and the Assembly should be considered as a means of ensuring the strategic relevance of the Organisation. Recommendations of the Assembly to the Committee of Ministers need to be addressed in a transparent and meaningful way.
26. The Assembly underlines the importance of the new complementary joint procedure, which it adopted in January 2021, enabling the Council of Europe's statutory organs, to act together in case of a blatant violation by a member State of its obligations under the Statute.
27. The Assembly considers it necessary to make more visible the meaning of the Council of Europe membership, both in terms of advantages for both a given member State and all its citizens, and that of obligations of all member States. Protecting and promoting the rule of law, human rights and democracy is clearly to the advantage of all member States and all their citizens.
28. The Assembly reiterates its call on the governments of member States to consider all options to guarantee the financial sustainability of the Organisation so as to enable it to remain fully effective and politically relevant. It welcomes the commitment of member States to "zero real growth" policy for the current biennium – even if this does not imply a "growth", but it reiterates its long-standing position that member States should invest more in democratic security, as embodied by the Council of Europe, and therefore ensure a better funding of it.
29. The Assembly expresses support to a future-oriented four-year strategic outlook as proposed by the Secretary General of the Council of Europe which should allow a prospective approach in programming the Organisation's

Amendment 9

Tabled by Mr Sergey KISLYAK, Mr Vladimir KOZHIN, Mr Sergey FABRICHNYY, Mr Alexander BASHKIN, Ms Irina RUKAVISHNIKOVA, Mr Andrey EPISHIN

In the draft resolution, paragraph 25, first sentence, replace the words "to carry out its" with the following words:

"to implement its statutory advisory"

activities while providing necessary flexibility to adapt to new emerging challenges.

30. The Assembly resolves to continue its strategic reflection on the future of the Council of Europe and the ways to further increase its political relevance and prominent position as a leading European political institution.

B. Draft Recommendation

1. The Parliamentary Assembly deems it its duty to contribute to the ongoing reflection on strategic priorities for the coming years for the Council of Europe, so as to enable it to play fully its statutory role and to help to use the potential of Europe's oldest and largest treaty-based organisation, as formulated in the Statute.
2. To this purpose, the Assembly calls on the Committee of Ministers to take into account, in its discussions on the eve of the forthcoming ministerial session in May 2021, the views contained in Resolution ... (2021) "The Assembly's vision on the strategic priorities for the Council of Europe".
3. The Assembly will continue its strategic reflection on the future of the Council of Europe and the ways to further increase its political relevance, preserve and reaffirm its own identity as an independent forum for a comprehensive and inclusive political dialogue and co-operation, and ensure that it remains the pillar of democratic security and successful and effective multilateralism in Europe as well as a cornerstone of the European political architecture. It stands ready to engage in a constructive institutional dialogue with the Committee of Ministers on this matter.