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Recent challenges to security in Europe: what role for the Council of Europe?

Reply to Recommendation[1]: Recommendation 2235 (2022)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2235 (2022) "Recent challenges to security in Europe: what role for the Council of Europe?", which it forwarded to the European Committee on Democracy and Governance (CDDG) and the European Commission for Democracy through Law (Venice Commission) for information and comments.

2. With regard to the holding of a 4th Summit of Council of Europe Heads of State and Government, which the Assembly again called for in the recommendation, the Committee points out that at their 1444bis meeting on 7 November 2022, the Ministers' Deputies agreed that the Summit would be held in Reykjavik on 16 and 17 May 2023 during the Icelandic Presidency of the Committee of Ministers. The Ministers' Deputies and the entire Organisation are currently busy preparing the Summit, on the basis, in particular, of the High-Level Reflection Group's report, Ms Fiona O'Loughlin's report on "The Reykjavik Summit of the Council of Europe: United around values in the face of extraordinary challenges" and other contributions.

3. In the context of preparation for the Summit, particular attention is being paid to the issue of democratic security and ways to counter democratic backsliding. Parliamentary Assembly Recommendation 2235 (2022) and Recommendation 2232 (2022) "Safeguarding and promoting genuine democracy in Europe", which it echoes to a large extent, are therefore entirely relevant in this preparatory phase and provide useful input for the ongoing discussions. The Committee of Ministers agrees with the Assembly that greater efforts need to be made to counter democratic backsliding and strengthen democratic security. It points out that in democratic States, the concept of security is inseparable from those of democracy, human rights and the rule of law. From this point of view, it takes note of the change in terminology suggested by the Venice Commission, which proposes that reference be made to the alternative concept of "democracy and freedom in security". The Venice Commission is of the opinion that for a State based on the rule of law, security (in the narrow sense) is a concept within, not outside of the law. It should not be seen as a superior value to the Council of Europe's pillars – democracy, human rights and the rule of law – but as a means to ensure the consolidation of these pillars, which in their turn have to be respected to ensure security.

4. In Recommendation 2235 (2022), the Assembly reiterates its call for the establishment of a "Democratic resilience initiative", which would involve existing Council of Europe mechanisms and bodies carrying out one or more of the following tasks: monitoring democratic developments in member States, enhancing political dialogue and providing technical support and sharing experience in all areas of democracy and democratic governance (measures 5.1, 5.2, 5.3), while possibly using the initiative for early warning purposes (measure 5.5). Particular attention should be paid to the situation of civil society, freedom of association and civil participation (measure 5.3), as deficiencies in these fields are often the early signs of general democratic backsliding.

1. Adopted at the 1456th meeting of the Ministers' Deputies (8 February 2023).

5. The Committee notes with interest these proposals, while warning about the risk of their implementation leading to the establishment of redundant bureaucratic mechanisms. From this point of view, the Committee refers to its reply to the above-mentioned Recommendation 2232 (2022), in which, regarding the establishment of a permanent platform on democracy and an early warning mechanism as recommended by the Assembly, it stated that "in order to achieve tangible results and avoid any unnecessary confusion or overlaps, the purpose and terms of reference of a permanent platform on democracy should be clearly defined. Synergy with existing mechanisms and bodies such as the World Forum for Democracy and the Conference of INGOs would also need to be ensured. Setting up the early warning mechanism would require drawing up a set of standards and benchmarks against which to assess the information gathered on democratic decay in a particular State. In this respect, the Committee points out that the CDDG is currently preparing a draft recommendation of the Committee of Ministers on the principles of good democratic governance, which will provide a useful set of benchmarks for identifying shortcomings and deficiencies as well as desirable improvements. The Centre of Expertise for Good Governance is also planning to develop specific indicators to assist self-assessment schemes. Concurrently, the Committee may consider holding subsequent discussions to further reflect on a possible early warning mechanism based on the above-mentioned documents".[2]

6. In addition, as regards ways to rejuvenate democracy and foster citizen engagement in particular, the CDDG is preparing a draft recommendation of the Committee of Ministers on deliberative democracy and a report on new forms of deliberative and participatory democracy, with a view to complementing Recommendation CM/Rec(2018)4 on the participation of citizens in local public life and the 2017 Guidelines, as well as the Code of Good Practice on Civil Participation in Decision-Making. Once adopted, the recommendation will supplement other recent Council of Europe initiatives, such as the BePART Civil Participation Forum, aimed at strengthening citizens' role in decision-making processes and thus building their trust in the operation of democracy.

7. With regard to activities relating to confidence-building measures and conflict prevention, the Committee believes that confidence-building measures in the Organisation's fields of competence make a valuable contribution to processes for resolving ongoing conflicts in Europe. It is willing to step up the activities in this area, provided that the necessary resources are available and that such measures are acceptable to all stakeholders.

2. CM/AS(2022)Rec2232-final