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(Final version)

The role of the Council of Europe in preventing conflicts, restoring credibility of international institutions and promoting global peace

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A. Draft Resolution

1. The price of every war will always be many times higher than that of its prevention. Throughout its 74 years of history, the Council of Europe has played a key role in preventing conflicts on the European continent, employing a panoply of tools, such as early warning and monitoring, confidence-building, and the promotion of common values. Recently, however, peace has been fundamentally challenged.
2. After a gradual decline, the number of armed conflicts in the world began to rise again in 2010. Some 35 are currently ongoing. Contributing factors to this rise include the breakdown in the rule of law, weak State institutions, unsustainable exploitation of natural resources that exacerbates climate change, erosion of social welfare, the weakening of multilateralism and the passivity of the international community towards emerging threats – all of which might contribute to the rise of authoritarian regimes. The international order has been put under an existential threat as a result of the ongoing Russian aggression against Ukraine launched on 20 February 2014 and drastically escalated on 24 February 2022.
3. The Statute of the Council of Europe (ETS No. 1) begins with a preambular paragraph declaring that “the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation”. According to Article 1 of the Statute, “the aim of the Council of Europe 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”. However greater unity can not be achieved without peace.
4. Indeed, the Council of Europe is a peace project, aimed at tackling, in a structural and systematic way, the root causes of tensions and disputes before they erupt into conflicts.
5. The Parliamentary Assembly recalls that security is a wider concept than defence and rests to a great extent on compliance with democratic processes, human rights and the rule of law. While national defence is explicitly excluded from its scope of responsibility, the Council of Europe is a frontrunner in protecting democratic security. This notion, first endorsed by the Heads of State and Government of the Council of Europe at the 1993 Vienna Summit, as well as the concept of “indivisible security”, included in the Charter for European Security of the Organization for Security and Co-operation in Europe (OSCE) (Istanbul, 1999), are today as relevant as ever.
6. In this new security context fraught with risks, Council of Europe member States should renew their commitment to the values of democracy, human rights and the rule of law. They should reiterate their support for the Council of Europe as the cornerstone European organisation to develop a shared space where these values can thrive, in

the pursuit of peace based upon justice and international co-operation.

7. The Assembly believes that the Council of Europe should develop additional tools to promote democratic security, namely a common democratic security policy which would aim at intensifying the efforts of the Council of Europe in protecting and strengthening international security. The policy should ensure a comprehensive use of early warning and confidence-building measures, improve policy making, strengthen accountability and prevent future conflicts. This policy should be elaborated and implemented within the legal and political mandate of the Council of Europe, in complementarity with the activities of the other international organisations competent in this field.
8. The Assembly should fully use its high potential to contribute to the reform of the global security architecture, as its good functioning will have a direct impact on the democratic security of Council of Europe member States. In doing so, the Assembly should promote co-ordination and co-operation between the Council of Europe and other international organisations.
9. The Assembly also underscores the importance of the complementary joint procedure, enabling the Council of Europe's statutory organs to take action together in case of a blatant violation by a member State of its obligations under the Statute.
10. In addition, the Assembly underlines the role of national parliaments in fulfilling their key function to uphold representative democracy in Europe, to reflect and advise on the best ways in which modern democracies might advance and democratic security be preserved.
11. In light of these considerations, as regards democratic security and democratic resilience, the Assembly recommends that Council of Europe member States:
 - 11.1. ensure adherence to the rule of law and to fundamental rights and freedoms, so as to build trust in public institutions in every member State;
 - 11.2. engage in a dialogue on the state of democracy in Europe, so as to consolidate the Council of Europe's role as the guardian of democracy throughout greater Europe;
 - 11.3. consider the ways in which public debate can be organised in member States in order to raise awareness about democratic security and to explore ways to strengthen democratic resilience;
 - 11.4. prioritise good neighbourly relations, and commit to resolving disputes and disagreements through dialogue and diplomacy;

Amendment 3

Tabled by Mr Oleksii GONCHARENKO, Mr Serhii SOBOLIEV, Ms Larysa BILOZIR, Mr Emanuelis ZINGERIS, Mr Arkadiusz MULARCZYK, Mr Oleksandr MEREZHKO

In the draft resolution, after paragraph 7, insert the following paragraph:

"The Assembly strongly advises member States to refrain from initiating official interactions with the governments of both the Russian Federation and Belarus, particularly in the realm of diplomatic appointments. Regrettably, it has come to the Assembly's attention that a Hungarian diplomat recently presented their credentials as an Ambassador of Hungary to Belarus, thus de facto acknowledging the self-proclaimed president of Belarus."

- 11.5. give priority to the use of early warning and confidence-building measures;
- 11.6. commit to peaceful settlement of disputes by recognising as compulsory the jurisdiction of international tribunals, strengthening their capacities and streamlining their procedures;
- 11.7. ensure early access of decision makers to international legal expertise to guide national policies;
- 11.8. intensify co-operation with the European Commission for Democracy through Law (Venice Commission) and support its activities;
- 11.9. support cross-border co-operation and other efforts to defuse tensions and promote understanding at the local level, including with and among civil society;
- 11.10. promote multilateral dialogue and contribute to the formation of uniform positions of different international organisations which will pave the way to build a strong and unified response to violations of international law;
- 11.11. start a dialogue on consolidating member States' positions on reforming crucial security institutions, in particular the United Nations Security Council, and pursue an active and concerted policy to initiate change;
- 11.12. invest in all aspects of a comprehensive security approach, including deep/soft security, human security, and democratic resilience;
- 11.13. recognise that the notion of security is closely intertwined with numerous challenges, such as energy dependence and climate change;
- 11.14. safeguard their societies from attacks on the good functioning of democracy, including disinformation and misinformation, and particularly from internal or external attempts to undermine, or interfere in, electoral processes;
- 11.15. promote the role of civil society, finding ways of involving citizens in decision-making processes and safeguarding freedom of association;
- 11.16. ensure that the ability to access and impart information is protected, including by guaranteeing an independent and pluralistic media environment;
- 11.17. tackle socio-economic inequalities, which threaten the democratic stability of our countries and dent citizens' trust in politics;
- 11.18. consider, for instance in the framework of the World Forum for Democracy to be held in Strasbourg in November 2023, the ways in which democracy can be strengthened by giving it a firmer foothold at all levels of the State and also by reinforcing it at the transnational level.
12. As regards the role of the Council of Europe, the Assembly recommends that its member States:
 - 12.1. fully subscribe to rules-based multilateralism while striving to further strengthen it;

Amendment 1
Tabled by the Committee on the Honouring of
Obligations and Commitments by Member

States of the Council of Europe (Monitoring Committee)

In the draft resolution, at the end of paragraph 12.1, add the following words:

"in particular by ensuring full compliance with international law and the honouring of the obligations stemming from the conventions to which they are parties"

- 12.2. ensure that the European multilateral architecture is more responsive and effective in tackling the present challenges;
- 12.3. give fresh impetus and political support to the central role of the Council of Europe as the guardian of human rights, democracy and the rule of law in Europe and as a platform for political dialogue, diplomacy and multilateralism;
- 12.4. support the further development of Council of Europe work in the area of democratic security and democratic resilience;
- 12.5. promote all efforts aimed at ensuring accountability for violations of international law by recognising the jurisdiction of the International Criminal Court, lifting all jurisdictional limits for the prosecution of the crime of aggression and, when necessary, to ensure full accountability, establishing ad hoc tribunals with a narrowly defined jurisdiction, such as a Special Tribunal for the Crime of Aggression against Ukraine;

- 12.6. enforce the duty to provide compensation to the victim of aggression, including by lawful confiscation of State-owned and private-owned assets;

Amendment 4

Tabled by Ms Olena KHOMENKO, Ms Iryna KONSTANKEVYCH, Mr Sergiy VLASENKO, Ms Oleksandra USTINOVA, Ms Yevheniia KRAVCHUK, Mr Yuriy KAMELCHUK, Mr Oleksii GONCHARENKO, Ms Larysa BILOZIR, Mr Serhii KALCHENKO, Ms Yuliia OVCHYNNYKOVA, Mr Artem DUBNOV

In the draft resolution, after paragraph 12.5, insert the following paragraph:

"encourage the participation of the Council of Europe, as appropriate, in relevant consultations and negotiations and the provision of concrete expert and technical support for the process of creating the Special Tribunal for the Crime of Aggression against Ukraine;"

Amendment 5

Tabled by Ms Olena KHOMENKO, Ms Iryna KONSTANKEVYCH, Mr Sergiy VLASENKO, Ms Oleksandra USTINOVA, Ms Yevheniia KRAVCHUK, Mr Yuriy KAMELCHUK, Mr Oleksii GONCHARENKO, Ms Zanda KALNIŅA-LUKAŠEVICA, Ms Larysa BILOZIR, Mr Serhii KALCHENKO, Ms Yuliia OVCHYNNYKOVA, Mr Artem DUBNOV

In the draft resolution, after paragraph 12.6, insert the following paragraph:

"support the establishment of a comprehensive compensation mechanism as provided by the Riga Declaration, including the development of the already-created Register of Damage Caused by the Aggression of the Russian Federation"

- 12.7. support the active role of the Council of Europe in promoting reforms of other international organisations to ensure their effective functioning;
- 12.8. allocate the necessary financial resources to ensure the financial sustainability of the Council of Europe;
- 12.9. ensure effective follow up to the Reykjavik Summit of Heads of State and Government of the Council of Europe;
- 12.10. allocate the necessary resources to ensure that the Council of Europe can expand its work on confidence-building measures to help lay the foundations for long-lasting peace.
13. As regards its own activities, the Assembly should:
- 13.1. increase its focus on parliamentary diplomacy as a tool to defuse tensions, promote dialogue, reinforce mutual understanding and enhance confidence building and conflict prevention;
- 13.2. contribute to the Council of Europe's efforts on early warning in order to address situations which risk posing a threat to the rule of law, democratic security and good neighbourly relations;
- 13.3. strengthen elements relating to conflict prevention, conflict resolution and democratic security in the terms of reference of its committees and sub-committees;
- 13.4. place greater emphasis on new security challenges and how they relate to democracy, human rights and the rule of law and mobilise political will to address structural factors that erode democratic institutions;
- 13.5. enhance co-operation on confidence building and conflict prevention with other international parliamentary assemblies, including the European Parliament, the OSCE Parliamentary Assembly and the Parliamentary

against Ukraine and an international commission for the examination of claims for the damages;"

Amendment 2
Tabled by the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee)

In the draft resolution, after paragraph 13.2, insert the following paragraph:

"strengthen the capacity of the Monitoring Committee, in particular in terms of early warning, in line with the conclusions of the 2023 Council of Europe Summit, and give consideration to mechanisms to ensure that due account is taken of such early warnings";

Sub-amendment 1 to amendment 2
Tabled by Mr George PAPANDEOU, Mr Kimmo KILJUNEN, Mr John HOWELL, Mr Zsolt NÉMETH, Mr Emanuelis ZINGERIS

In amendment 2, after the words "strengthen the capacity of", add the following words:

"both the Committee of Political Affairs and Democracy and"

Assembly of the North Atlantic Treaty Organization
(NATO);

- 13.6. strengthen co-operation and carry out joint activities with national parliaments on confidence building and conflict prevention.

B. Draft Recommendation

1. Recalling its Resolution ... (2023) "The role of the Council of Europe in preventing conflicts, restoring credibility of international institutions and promoting global peace", the Parliamentary Assembly believes that the Council of Europe should develop additional tools to promote democratic security. While national defence is explicitly excluded from the scope of responsibility of the Council of Europe, the Organisation plays a crucial role in strengthening democratic security.
2. The Russian Federation's aggression against Ukraine, however, is the most recent and one of the most extreme examples of the limited effectiveness of the current Council of Europe's mechanisms when it comes to guaranteeing security as a basic precondition for the protection of democracy, human rights and the rule of law.
3. To remedy this weakness, the Assembly proposes the creation of a Council of Europe common democratic security policy, which would catalyse efforts of the Council of Europe in protecting and strengthening international security and enhance its impact in this area. The policy should ensure a comprehensive use of early warning and confidence-building measures, improve policy making, strengthen accountability and prevent future conflicts.
4. In the light of the above, the Assembly invites the Committee of Ministers to consider developing a common democratic security policy aimed at enhancing the role and impact of the Council of Europe in democratic security and conflict prevention, and at creating the preconditions for long-lasting peace. This policy should be elaborated and implemented within the legal and political mandate of the Council of Europe, in complementarity with the activities of the other international organisations competent in this field.

Amendment 6

Tabled by Ms Olena KHOMENKO, Ms Iryna KONSTANKEVYCH, Ms Oleksandra USTINOVA, Mr Sergiy VLASENKO, Ms Yevheniia KRAVCHUK, Mr Yuriy KAMELCHUK, Mr Oleksii GONCHARENKO, Mr Serhii KALCHENKO, Ms Larysa BILOZIR, Ms Yuliia OVCHYNNYKOVA, Mr Artem DUBNOV

In the draft recommendation, at the end of paragraph 4, add the following words:

"and in particular should address the issues of improving the United Nations governing bodies' decision-making process, enhancing accountability for crimes in accordance with international law and enforcing the duty to make reparations for internationally wrongful acts"