



**Resolution 2186 (2017)<sup>1</sup>**

Provisional version

## **Call for a Council of Europe Summit to reaffirm European unity and to defend and promote democratic security in Europe**

Parliamentary Assembly

1. The Parliamentary Assembly is concerned that, at present, momentous political challenges, both within and outside Europe's borders, are threatening the continent and its unity: the daily risk of terrorist attacks, the rise of Euroscepticism, nationalism, populism and xenophobia, the persistence of frozen and open conflicts, the annexation or occupation of a neighbour's territories, the prolongation of state of emergency measures and the re-emergence of divisions. Wars at the doors of Europe threaten the security of the continent and have caused massive refugee and migratory flows.
2. The efficiency and authority of the unique human rights protection system, based on the European Convention on Human Rights (ETS No. 5), are threatened by various attempts to undermine the authority of the European Court of Human Rights, by the lack of political will on the part of certain States Parties to implement its judgments, despite their legally binding force, or by delays in their implementation.
3. Recent developments within the European Union, including ongoing infringement and rule of law procedures against some of its member States, the lack of solidarity in the handling of the refugee and migratory crisis, as well as the decision by the United Kingdom to leave the European Union, also present challenges for the Council of Europe, as it offers a unique forum of co-operation between European States which are members of the European Union and those which are not.
4. Against this background, the Assembly believes that the Council of Europe and the values it upholds are today more necessary than ever: at the origin of the European construction, bringing together almost all the European States on the basis of common values and principles and thus natural guardian of "unity within diversity", offering a common legal space to 835 million Europeans, guaranteeing protection of their human rights, promoting social rights and democracy and contributing to the development of a European civil society, the Council of Europe is today best placed to help meet the challenges raised by growing nationalism and avoid the building of new walls.
5. Alongside the European Union, whose far-reaching integration project will never cover the whole continent, and the Organization for Security and Co-operation in Europe (OSCE), which also covers non-European States, the Council of Europe, composed of 47 European States, remains the only pan-European organisation capable of promoting and guaranteeing democratic security throughout the continent.
6. In order to preserve and further strengthen this unique pan-European project, currently threatened by divisions and a weakening of member States' commitment, the Assembly calls for a Fourth Summit of Heads of State and Government of Council of Europe member States.
7. In a Europe which has profoundly changed since the last Summit, held in Warsaw in 2005, and at a time when the whole world seems to be changing, a Summit will offer member States a unique opportunity to reaffirm, in the strongest possible terms and at the highest political level, their commitment to the ideal of European unity and the values and principles of democracy, human rights and the rule of law upheld by the

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1. *Assembly debate* on 11 October 2017 (33rd Sitting) (see [Doc. 14396](#), report of the Committee on Political Affairs and Democracy, rapporteur: Mr Michele Nicoletti). *Text adopted by the Assembly* on 11 October 2017 (33rd Sitting). See also [Recommendation 2113 \(2017\)](#).



Council of Europe. Member States should clearly express their willingness to continue to be part of a single community, sharing common values, a common legal order and a common jurisdiction, and capable of capitalising on internal differences.

8. The Fourth Summit should be well-focused and could, *inter alia*, offer political impetus to:
  - 8.1. enhance the efficiency and authority of the human rights protection system, based on the European Convention on Human Rights, reverse current tendencies undermining the authority of the European Court of Human Rights and improve the record of implementation of its judgments by member States;
  - 8.2. strengthen the treaty system of the European Social Charter, including its collective complaint system and its monitoring machinery (in particular regarding the election of the members of the European Committee of Social Rights by the Assembly), reaffirming the fact that only the enjoyment of socio-economic rights and social inclusion allow people to fully enjoy their political and civil rights;
  - 8.3. encourage member States to adopt effective measures against growing poverty and modern slavery thus reassuring European citizens that the European institutions are not indifferent to their problems and the concrete conditions of their everyday life;
  - 8.4. recognise the valuable contribution of the Council of Europe Commissioner for Human Rights to the development of sustainable human rights-centred policies at national and local level throughout the continent, as well as the role played by the Organisation's standard-setting and monitoring bodies;
  - 8.5. enhance the Council of Europe's mission both as guardian and innovator of democracy, including by strengthening the role of the Parliamentary Assembly as a strong pillar of European parliamentarism, bringing together representatives of the citizens from almost all European States, and consolidating the role of the European Commission for Democracy through Law (Venice Commission) as a constitutional law expert body promoting democracy within and outside Europe's borders.
9. The Summit should also aim at consolidating citizens' trust in democratic institutions and democratic values and propose ways to increase citizens' participation and consultation with civil society in search of common solutions to common problems. It could thus bring the Organisation closer to the people it serves and contribute to the emergence of a European civil society.
10. At a time when the European Union is facing numerous challenges and is also reflecting on the future of Europe, the Summit would offer a fresh and timely opportunity to define, at the highest political level, the role to be played by the Council of Europe in the overall European political architecture. In a Europe of concentric circles, the Heads of State and Government from the 47 member States of the Council of Europe, representing the widest circle, should ensure coherence of standards between the Council of Europe and the European Union, avoid overlapping and best harmonise the various levels of their co-operation, in the foremost interest of European citizens. For this purpose, the Assembly asks the Heads of State and Government of Council of Europe member States to discuss again the 2006 report "A sole ambition for Europe" and to decide a specific timetable to implement the proposals contained therein in order to remove any overlap between the Council of Europe and the European Union.
11. The Assembly notes that an efficient preparation of the Summit requires the development of synergies between all sectors of the Organisation, co-ordinated by its Secretary General, and more significantly between its two statutory organs. Although the primary responsibility lies with the Committee of Ministers, the Assembly, enhanced by recent reforms, should expect to play an important role in the preparation of the Summit, especially as it has been promoting this idea for several years.
12. In this respect, there is currently an inconsistency in the composition of the two statutory organs: following the illegal annexation of Crimea by the Russian Federation and the application, on these grounds, by the Assembly of sanctions to the Russian parliamentary delegation, for three consecutive years one of the Council of Europe member States, the Russian Federation, has participated in the activities and been represented in the bodies of only one of the two statutory organs of the Organisation, namely the Committee of Ministers, but not of the Assembly. The Assembly regrets that, as a reaction to this situation, the Russian Federation announced, on 30 June 2017, its decision to suspend payment of its contribution to the budget of the Council of Europe for 2017 until full and unconditional restoration of the credentials of the delegation of its Federal Assembly in the Parliamentary Assembly of the Council of Europe.
13. The Assembly considers that the overall situation in the Organisation is today counterproductive, particularly as it adversely affects its overall impact as a guardian of human rights and democracy throughout the continent, and therefore it is not in the interest of the citizens of the 47 member States.

14. The Assembly notes that the Statute of the Council of Europe (ETS No. 1), as supplemented by Statutory Resolution (51) 30, provides for synergy between the two statutory organs as regards membership of the Organisation.

15. However, over the years, and in particular after the Organisation's enlargement during the 90s, the Assembly has developed rules governing the participation and representation rights of members of national delegations in its own activities and bodies which do not provide for any kind of synergy or coherence with the Committee of Ministers.

16. Therefore the Assembly, as part of the preparatory work for the Summit, resolves to initiate a procedure aimed at harmonising, jointly with the Committee of Ministers, the rules governing participation and representation of member States in both statutory organs, while fully respecting the latter's autonomy. This coherence should strengthen the sense of being part of a community and the obligations incumbent upon every member State.

17. This common reflection could be carried out jointly by the Assembly and the Committee of Ministers within an ad hoc working group set up by the Joint Committee. For this process to be credible and fruitful, the whole Assembly and every single member State should do their utmost to ensure that all member States of the Organisation will be fully represented in the process on both the parliamentary and intergovernmental sides in strict compliance with their respective obligations and resolutions.

18. In the meantime, and as part of the preparatory work for the Summit, the Assembly resolves to continue its own reflection on its identity, role and mission as a statutory organ of the Council of Europe and a pan-European forum for inter-parliamentary dialogue which aims at having an impact in all Council of Europe member States. This reflection would also enable the Assembly to provide its own vision of the future of the Organisation.