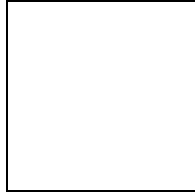


## **THIRD SUMMIT** (Warsaw, 16 - 17 May 2005)



### **DECLARATION**

We, Heads of State and Government of the Member States of the Council of Europe, gathered in Warsaw on 16-17 May 2005 for our Third Summit, bear witness to unprecedented pan-European unity. Further progress in building a Europe without dividing lines must continue to be based on the common values embodied in the Statute of the Council of Europe: democracy, human rights, the rule of law.

Since its Vienna (1993) and Strasbourg (1997) Summits, the Council has grown to encompass almost the whole continent. We welcome the valuable contribution which the Parliamentary Assembly and the Congress of Local and Regional Authorities have made to this achievement. We look forward to the day when Belarus is ready to join the Council of Europe.

60 years after the end of the Second World War, 30 years after the Helsinki Final Act, 25 years after the founding of “Solidarity” and 15 years after the fall of the Berlin wall, we pay tribute to all those who have made it possible to overcome painful divisions and enlarge our area of democratic security. Today, Europe is guided by a political philosophy of inclusion and complementarity and by a common commitment to multilateralism based on international law.

However, we remain concerned by unresolved conflicts that still affect certain parts of the continent, putting at risk the security, unity and democratic stability of member states and threatening the populations concerned. We shall work together for reconciliation and political solutions in conformity with the norms and principles of international law.

This Summit gives us the opportunity to renew our commitment to the common values and principles which are rooted in Europe’s cultural, religious and humanistic heritage – a heritage both shared and rich in its diversity. It will also strengthen the Council of Europe’s political mandate and enhance its contribution to common stability and security as Europe faces new challenges and threats which require concerted and effective responses.

We can now focus on these challenges and continue to build a united Europe, based on our common values and on shared interests, by strengthening cooperation and solidarity between member states. We will remain open to co-operation with Europe’s neighbouring regions and the rest of the world.

1. The Council of Europe shall pursue its core objective of preserving and promoting human rights, democracy and the rule of law. All its activities must contribute to this fundamental objective. We commit ourselves to developing those principles, with a view to ensuring their effective implementation by all member states. In propagating these values, we shall enhance the role of the Council of Europe as an effective mechanism of pan-European cooperation in all relevant fields. We are also determined to strengthen and streamline the Council of Europe's activities, structures and working methods still further, and to enhance transparency and efficiency, thus ensuring that it plays its due role in a changing Europe.

2. Taking into account the indispensable role of the Convention for the Protection of Human Rights and Fundamental Freedoms and the European Court of Human Rights in formulating, promoting and implementing human rights standards, it is essential to guarantee their effectiveness. We are therefore strongly committed in the short term to implement the comprehensive set of measures adopted at the 114th Session of the Committee of Ministers which address the Court's rapidly increasing case-load, including the speedy ratification and entry into force of Protocol 14 to the Convention. Furthermore we are setting up a Group of wise persons to draw up a comprehensive strategy to secure the effectiveness of the system in the longer term, taking into account the initial effects of Protocol 14 and the other decisions taken in May 2004.

3. We are convinced that effective democracy and good governance at all levels are essential for preventing conflicts, promoting stability, facilitating economic and social progress, and hence for creating sustainable communities where people want to live and work, now and in the future. This can only be achieved through the active involvement of citizens and civil society. Member states must therefore maintain and develop effective, transparent and accountable democratic institutions, responsive to the needs and aspirations of all. The time has come to intensify our work within the Council of Europe to this effect, in particular through the establishment of the Forum for the Future of Democracy.

4. We are committed to strengthening the rule of law throughout the continent, building on the standard setting potential of the Council of Europe and on its contribution to the development of international law. We stress the role of an independent and efficient judiciary in the member states in this respect. We will further develop legal cooperation within the Council of Europe with a view to better protecting our citizens and to realising on a continental scale the aims enshrined in its Statute.

5. We are resolved to ensure full compliance with our membership commitments within the Council of Europe. Political dialogue between member states, which are committed to promoting democratic debate and the rule of law, evaluation, sharing of best practices, assistance and monitoring - for which we renew our firm support - will be fully used for that purpose. We shall work for the widest possible acceptance of Council of Europe's conventions, promoting their implementation with a view to strengthening common standards in the fields of human rights, democracy and the rule of law.

6. We shall foster European identity and unity, based on shared fundamental values, respect for our common heritage and cultural diversity. We are resolved to ensure that our diversity becomes a source of mutual enrichment, *inter alia*, by fostering political, inter-cultural and inter-religious dialogue. We will continue our work on national minorities, thus contributing to the development of democratic stability. In order to develop understanding and trust among Europeans, we will promote human contacts and exchange good practices regarding free movement of persons on the continent, with the aim of building a Europe without dividing lines.

7. We are determined to build cohesive societies by ensuring fair access to social rights, fighting exclusion and protecting vulnerable social groups. We acknowledge the importance of the European Social Charter in this area and support current efforts to increase its impact on the framing of our social policies. We are resolved to strengthen the cohesion of our societies in its social, educational, health and cultural dimensions.

8. We are determined to ensure security for our citizens in the full respect of human rights and fundamental freedoms and our other relevant international obligations. The Council of Europe will continue to play an active role in combating terrorism, which is a major threat to democratic societies and is unjustifiable under any circumstances and in any culture. It will also further develop its activities in combating corruption, organised crime – including money laundering and financial crime – trafficking in human beings, cybercrime, and the challenges attendant on scientific and technical progress. We shall promote measures consistent with our values to counter those threats.

9. We strongly condemn all forms of intolerance and discrimination, in particular those based on sex, race and religion, including antisemitism and islamophobia. We affirm our determination to further develop, within the Council of Europe, rules and effective machinery to prevent and eradicate them. We will also further implement equal opportunity policies in our member states and we will step up our efforts to achieve real equality between women and men in all spheres of our societies. We are committed to eradicating violence against women and children, including domestic violence.

10. We are determined to ensure complementarity of the Council of Europe and the other organisations involved in building a democratic and secure Europe:

- We are resolved to create a new framework for enhanced co-operation and interaction between the Council of Europe and the European Union in areas of common concern, in particular human rights, democracy and the rule of law.

We entrust our colleague, Jean-Claude Juncker, to prepare, in his personal capacity, a report on the relationship between the Council of Europe and the European Union, on the basis of the decisions taken at the Summit and taking into account the importance of the human dimension of European construction.

- We are also resolved to secure improved practical co-operation between the Council of Europe and the OSCE and welcome the prospect of enhanced synergy opened up by the joint declaration endorsed at this Summit.

- We express our commitment to fostering co-operation between the Council of Europe and the United Nations, and to achieving the Millennium Development Goals in Europe.

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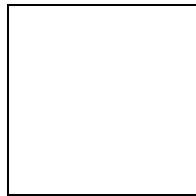
To launch the Organisation on this new course, we adopt the attached Action Plan.

We commit our States to promoting the tasks and objectives reflected in the decisions of this Summit, both within the Council of Europe and in other international forums and organisations of which we are members.

As we conclude this Summit in Poland, we pay tribute to the memory of Pope John Paul II.

We call on Europeans everywhere to share the values which lie at the heart of the Council of Europe's mission – human rights, democracy and the rule of law – and to join us in turning Europe into a creative community, open to knowledge and to diverse cultures, a civic and cohesive community.

## **ACTION PLAN**



We, Heads of State and Government of the Member States of the Council of Europe, meeting in Warsaw on 16 and 17 May 2005, have outlined the following action plan laying down the principal tasks of the Council of Europe in the coming years.

### **I - PROMOTING COMMON FUNDAMENTAL VALUES: HUMAN RIGHTS, RULE OF LAW AND DEMOCRACY**

#### **1. Ensuring the continued effectiveness of the European Convention on Human Rights**

We shall ensure the long-term effectiveness of the Convention for the Protection of Human Rights and Fundamental Freedoms by all appropriate means. To this end we shall provide the European Court of Human Rights with the necessary support and implement all the reform measures adopted at the 114th Session of the Committee of Ministers in May 2004, in accordance with all the modalities foreseen. This includes, as envisaged, the ratification of Protocol No. 14 to the Convention, which is essential for the future effectiveness of the European Convention on Human Rights.

At national level, we shall ensure that:

- there are appropriate and effective mechanisms in all member states for verifying the compatibility of legislation and administrative practice with the Convention;
- effective domestic remedies exist for anyone with an arguable complaint of a Convention violation;
- adequate training in Convention standards is fully integrated in university education and professional training; therefore, we decide to launch a European programme for human rights education for legal professionals and call on member states to contribute to its implementation.

The Committee of Ministers shall review implementation of these measures on a regular and transparent basis.

We establish a group of wise persons to consider the issue of the long-term effectiveness of the ECHR control mechanism, including the initial effects of Protocol 14 and the other decisions taken in May 2004. We ask them to submit, as soon as possible, proposals which go beyond these measures, while preserving the basic philosophy underlying the ECHR.

We underline that all member states must accelerate and fully execute the judgments of the Court. We instruct the Committee of Ministers to elaborate and implement all the necessary measures to achieve this, notably with regard to judgments revealing structural problems including those of a repetitive nature.

## 2. Protecting and promoting human rights through the other Council of Europe institutions and mechanisms

As the primary forum for the protection and promotion of human rights in Europe, the Council of Europe shall - through its various mechanisms and institutions - play a dynamic role in protecting the right of individuals and promoting the invaluable engagement of non-governmental organisations, to actively defend human rights.

We undertake to strengthen the institution of the Council of Europe Commissioner for Human Rights, which has proven its effectiveness, by providing the necessary means for the Commissioner to fulfil his/her functions, particularly in the light of the entry into force of Protocol No. 14 to the European Convention on Human Rights.

We shall continue to support the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the unique role it plays, through its visits to places of detention, in improving the conditions of detained persons. We also ask for regular updates of the European prison rules as the basis for the setting-up of standards in prisons. The Council of Europe will assist member states to ensure their implementation.

We will intensify the fight against racism, discrimination and every form of intolerance, as well as attempts to vindicate nazism. We shall therefore give the European Commission against Racism and Intolerance (ECRI) the means to carry out its work, in close co-operation with national authorities and institutions as well as civil society in member states. We welcome ECRI's role in identifying good practices as well as its general policy recommendations, and we decide to disseminate them widely. We will ensure coordination of its activities with equivalent ones in the European Union and the OSCE and other relevant international bodies.

We recall the decision taken at the Strasbourg Summit “to step up cooperation in respect of the protection of all persons belonging to national minorities”. Europe's chequered history has shown that the protection of national minorities is essential for the maintenance of peace and the development of democratic stability. A society that considers itself pluralist must allow the identities of its minorities, which are a source of enrichment for our societies, to be preserved and to flourish. We therefore encourage the Council of Europe to continue its activities to protect minorities, particularly through the Framework Convention for the Protection of National Minorities and to protect regional languages through the European Charter for Regional or Minority Languages.

### 3. Strengthening democracy, good governance and the rule of law in member states

We will strive for our common goal of promoting democracy and good governance of the highest quality, nationally, regionally and locally for all our citizens and pursue our ongoing fight against all forms of totalitarianism.

We decide, within the existing structures of the Organisation as a whole, to:

- establish, a Council of Europe Forum for the Future of Democracy to strengthen democracy, political freedoms and citizens' participation, keeping in mind *inter alia* the conclusions of the Barcelona Conference on 17-19 November 2004. It shall be open to all member states and civil society, represented by policymakers, officials, practitioners or academics. It shall enable the exchange of ideas, information and examples of best practices, as well as discussions on possible future action. The Forum will act in close co-operation with the Venice Commission and other relevant Council of Europe bodies with a view to enhancing, through its reflection and proposals, the Organisation's work in the field of democracy;
- pursue, in partnership with the Parliamentary Assembly and the Congress of Local and Regional Authorities, intergovernmental cooperation on democracy and good governance at all levels;
- develop further transfrontier cooperation, as necessary, and standards of democracy and good governance, including proper functioning of our civil services;
- take the necessary steps, including through the establishment within the Secretariat of a centre of expertise on local government reform, to implement the Agenda for delivering

good local and regional governance, adopted at the 14th session of the Conference of European Ministers responsible for local and regional government (Budapest, 24-25 February 2005), by promoting standards and good practices and by assisting member states with capacity-building at the local and regional level, in close cooperation with the Congress;

- enhance the participation of NGOs in Council of Europe activities as an essential element of civil society's contribution to the transparency and accountability of democratic government.

We reiterate our commitment to guarantee and promote freedom of expression and information and freedom of the media as a core element of our democracies. We therefore attach particular importance to the work carried out by the Council of Europe in this area and we fully support the Declaration and Action Plan adopted at the 7th European Ministerial Conference on Mass Media Policy (Kiev, 10-11 March 2005). We encourage co-operation between the Council of Europe and the OSCE in this area.

Equal participation of both women and men is a crucial element of democracy. We therefore confirm our commitment to achieving real equality between women and men. We will strengthen gender mainstreaming in national policies, elaborate guidelines and methods for further progress in equality between women and men, promote the setting up of national equality mechanisms, and enhance the implementation of the United Nations' Beijing Platform for Action.

We call on member states to make use of the advice and assistance of the European Commission for Democracy through Law ("Venice Commission") for the further development of European standards in particular in the field of the functioning of the democratic institutions and electoral law. To ensure the implementation of European standards at national level it should step up its cooperation with constitutional courts and courts of equivalent jurisdiction which play a key role in this respect.

We will make full use of the Council of Europe's standard-setting potential and promote implementation and further development of the Organisation's legal instruments and mechanisms of legal co-operation, keeping in mind the conclusions of the 26th Conference of European Ministers of Justice (Helsinki, 7-8 April 2005).

We decide to develop the evaluation and assistance functions of the European Commission for the Efficiency of Justice (CEPEJ) and to make proper use of the opinions given by the Consultative Council of Judges of Europe (CCJE) in order to help member states to deliver justice fairly and rapidly and to develop alternative means for the settlement of disputes.

Nationality law in all its aspects, including the promotion of acquisition of citizenship, as well as family law are focus points of the Council of Europe. The Council, as the suitable international organisation, will continue to develop its action in these fields of law.

#### 4. Ensuring compliance of the commitments made by member states and promoting political dialogue

The Council of Europe is a Europe-wide political forum which brings together member states committed to promoting democratic debate and the rule of law.

We will continue our common efforts to ensure strict compliance with the commitments of member states to the common standards to which they have subscribed. Standard-setting in the field of justice and other relevant areas of law as well as non-discriminatory monitoring processes should continue to be used to help member states address the problems and develop their legal systems. Monitoring must, as necessary, be accompanied by Council of Europe assistance and technical support. In this context, we encourage continued cooperation in the training of judges and law enforcement officials.

The Council of Europe should continue to foster a fruitful dialogue in its Committee of Ministers and Parliamentary Assembly. The Congress of Local and Regional Authorities must continue to promote local democracy and decentralisation, taking into account the internal organisation of the countries concerned, so as to reach all levels of European society. The political dialogue should exploit the potential of the Organisation in promoting mutual understanding among member states, thus strengthening the unity in Europe and contributing to the commitment of building Europe without dividing lines.

To this end, the Council of Europe, in co-operation with the European Union, will continue to promote the exchange of good practices as far as free movement of persons is concerned, with a view to further improving contacts and exchanges between Europeans throughout the continent.

#### 5. Broadening the role of the Council of Europe Development Bank

We request the Council of Europe Development Bank (CEB), while confirming its traditional role on behalf of populations in distress and of social cohesion, also to facilitate, through its own means of action, the implementation of policies which aim at the consolidation of democracy, the promotion of the rule of law and respect for human rights, notably in the field of training of magistrates, civil servants and other participants in public life, as well as in the organisation, operation and infrastructure of administrative and judicial public services.

## **II - STRENGTHENING THE SECURITY OF EUROPEAN CITIZENS**

### 1. Combating terrorism

We strongly condemn terrorism, which constitutes a threat and major challenge to our societies. It requires a firm, united response from Europe, as an integral part of the worldwide anti-terrorist efforts under the leadership of the United Nations. We welcome the new Council of Europe Convention on the prevention of terrorism opened for signature during the Summit and draw attention to other instruments and documents that

the Council of Europe has drawn up so far to combat terrorism. We call on all member states to respect human rights and to protect victims when combating this scourge, in accordance with the guidelines drawn up by the Council of Europe in 2002 and 2005 respectively.

We will identify other targeted measures to combat terrorism and ensure close cooperation and coordination of common anti-terrorist efforts with other international organisations, in particular the United Nations.

## 2. Combating corruption and organised crime

The Group of States against Corruption (GRECO) has proved its effectiveness. Accordingly, we urge those member states that have not already joined it to do so as soon as possible and to ratify the criminal and civil law conventions on corruption. Since corruption is a worldwide phenomenon, the Council of Europe will step up its cooperation with the OECD and the United Nations to combat it on a global level. An increase in the membership of GRECO and its further enlargement to non-member states of the Council of Europe would help achieve this goal.

We also commend the work undertaken by MONEYVAL for monitoring anti-money-laundering measures, including the financing of terrorism. MONEYVAL should continue to strengthen its ties with the Financial Action Task Force on Money Laundering (FATF) under the aegis of the OECD.

We welcome the revision of the 1990 Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and the opening for signature of the revised Convention at the Summit. We call for its signature and ratification.

The Council of Europe will continue to implement its technical assistance programmes for interested member states. It will also support strengthened international co-operation in the fight against transnational organised crime and drug trafficking.

## 3. Combating trafficking in human beings

We firmly condemn trafficking in human beings which undermines the enjoyment of human rights and is an offence to the dignity and integrity of the human being. We welcome the opening for signature at the Summit of the Council of Europe Convention on action against trafficking in human beings and call for its widest possible ratification and swift entry into force. This is a major step in the fight against trafficking. It will strengthen the prevention of trafficking, the effective prosecution of its perpetrators and the protection of the human rights of the victims. The independent monitoring mechanism set up by the Convention will ensure its effective implementation by the Parties. We will ensure close co-operation between the Council of Europe, the United Nations, the European Union and the OSCE in this field.

## 4. Combating violence against women

The Council of Europe will take measures to combat violence against women, including domestic violence. It will set up a task force to evaluate progress at national level and establish instruments for quantifying developments at pan-European level with a view to drawing up proposals for action. A pan-European campaign to combat violence against women, including domestic violence, will be prepared and conducted in close co-operation with other European and national actors, including NGOs.

#### 5. Combating cybercrime and strengthening human rights in the information society

We confirm the importance of respect for human rights in the information society, in particular freedom of expression and information and the right to respect for private life.

The Council of Europe shall further elaborate principles and guidelines to ensure respect for human rights and the rule of law in the information society. It will address challenges created by the use of information and communication technologies (ICT) with a view to protecting human rights against violations stemming from the abuse of ICT.

We will also take initiatives so that our member states make use of the opportunities provided by the information society. In this connection the Council of Europe will examine how ICT can facilitate democratic reform and practice. The Council of Europe shall also continue its work on children in the information society, in particular as regards developing their media literacy skills and ensuring their protection against harmful content.

We condemn all forms of ICT use in furthering criminal activity. We therefore urge all member states to sign and ratify the Convention on Cybercrime and to consider signature of its Additional Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems, the first binding international instruments on the subject.

#### 6. Promoting ethics in biomedicine

The Council of Europe shall continue its standard-setting work on bioethics. We encourage the signing of the Protocol on Transplantation, the adoption of provisions corresponding to the recommendations on xenotransplantation and further work on the use of genetic testing outside the medical field, entailing discrimination in access to employment and insurance.

#### 7. Promoting sustainable development

We are committed to improving the quality of life for citizens. The Council of Europe shall therefore, on the basis of the existing instruments, further develop and support integrated policies in the fields of environment, landscape, spatial planning and prevention and management of natural disasters, in a sustainable development perspective.

### **III - BUILDING A MORE HUMANE AND INCLUSIVE EUROPE**

We are convinced that social cohesion, as well as education and culture, are essential enabling factors for effective implementation of Council of Europe core values in our societies and for the long-term security of Europeans. The Council of Europe will therefore promote a model of democratic culture, underpinning law and institutions and actively involving civil society and citizens.

#### **1. Ensuring social cohesion**

The Council of Europe will step up its work in the social policy field on the basis of the European Social Charter and other relevant instruments. The central task is to jointly define remedies and solutions which could be effective in fighting poverty and exclusion, ensuring equitable access to social rights and protecting vulnerable groups. The Council of Europe, acting as a forum for pan-European cooperation in the social field, will work out recommendations and promote exchange of best practices in these areas as well as strengthen assistance to member states.

We instruct the Committee of Ministers to appoint a high-level taskforce to review the Council of Europe strategy to promote social cohesion in the 21st century, in the light of the Organisation's achievements in this field. Policies to promote social cohesion must take account of the challenges posed by ageing and other social and economic developments.

We agree that protection of health as a social human right is an essential condition for social cohesion and economic stability. We support the implementation of a strategic integrated approach to health and health-related activities. In particular, the work on equity of access to care of appropriate quality and services which meet the needs of the population of our member states will be intensified. Identifying standards for patient-oriented care will be a key component of this activity.

We confirm our commitment to combat all kinds of exclusion and insecurity of the Roma communities in Europe and to promote their full and effective equality. We expect that the European Roma and Travellers Forum will allow Roma and Travellers to express themselves with the active support of the Council of Europe. Steps will be made to establish co-operation among the Council of Europe, the European Union and the OSCE in this field.

We will consolidate the Council of Europe's work on disability issues and support the adoption and implementation of a ten-year action plan designed to make decisive progress in ensuring equal rights for people with disabilities.

#### **2. Building a Europe for children**

We are determined to effectively promote the rights of the child and to fully comply with the obligations of the United Nations' Convention on the Rights of the Child. A child rights perspective will be implemented throughout the activities of the Council of Europe and effective coordination of child-related activities must be ensured within the Organisation.

We will take specific action to eradicate all forms of violence against children. We therefore decide to launch a three year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children. We shall also elaborate measures to stop sexual exploitation of children, including legal instruments if appropriate, and involve civil society in this process. Coordination with the United Nations in this field is essential, particularly in connection with follow-up to the optional protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography.

### 3. Education: promoting democratic citizenship in Europe

The tasks of building a knowledge-based society and promoting a democratic culture among our citizens require increased efforts of the Council of Europe in the field of education aimed at ensuring access to education for all young people across Europe, improving its quality and promoting, *inter alia*, comprehensive human rights education.

We will make full use of the opportunity to raise public awareness of European standards and values provided by the “European Year of Citizenship through Education”. The Council of Europe shall build on its work on language learning and recognition of diplomas and qualifications. It shall continue to play an important role in the Bologna process aimed at creation of European Higher Education Area by 2010. It will actively promote co-operation and networking in the field of education and student exchanges at all levels.

The Council of Europe will enhance all opportunities for the training of educators, in the fields of education for democratic citizenship, human rights, history and intercultural education. It will promote relevant intercultural programmes and exchanges at secondary school level, both within Europe and with neighbouring countries.

The Council of Europe will also further develop its network of schools of political studies with a view to promoting European core values among the new generations.

### 4. Developing youth co-operation

We will intensify our efforts to empower young people to actively participate in democratic processes so that they can contribute to the promotion of our core values. The Council of Europe Youth Centres and the European Youth Foundation are important instruments to this effect. We will integrate a youth perspective in all Council of Europe activities. To promote diversity, inclusion and participation in society, we decide to

launch a Europe-wide youth campaign, in the spirit of the “European Youth Campaign against racism, xenophobia, antisemitism and intolerance” (1995).

The Council of Europe will further develop its unique position in the youth field. It will continue to assist member states in developing national and local policy instruments and actively promote youth exchanges and youth mobility in Europe.

#### 5. Protecting and promoting cultural diversity

Respect for, and promotion of, cultural diversity on the basis of Council of Europe values are essential conditions for the development of societies based on solidarity. The Council of Europe will therefore develop strategies to manage and promote cultural diversity while ensuring the cohesion of societies. We support the adoption by UNESCO of a convention on cultural diversity.

We will foster dialogue on the role of culture in contemporary Europe and define ways to support diversity and artistic creativity, defending culture as a purveyor of values. Steps will be taken to enhance access to cultural achievements and heritage by promoting cultural activities and exchanges.

#### 6. Fostering intercultural dialogue

We shall systematically encourage intercultural and inter-faith dialogue, based on universal human rights, as a means of promoting awareness, understanding, reconciliation and tolerance, as well as preventing conflicts and ensuring integration and the cohesion of society. The active involvement of civil society in this dialogue, in which both men and women should be able to participate on an equal basis, must be ensured. Issues faced by cultural and religious minorities can often be best addressed at the local level. Therefore, we ask the Congress of Local and Regional Authorities to be actively involved in these issues and promote best practices.

We will strengthen cooperation and coordination both within the Council of Europe and with other regional and international institutions. To this effect, a coordinator for intercultural dialogue shall be appointed within the Council of Europe to monitor in cooperation with existing structures the implementation of the Organisation’s practical programmes and ensure coordination with other institutions.

Convinced that dialogue between cultures is also fostered by accurate understanding of history, we endorse the Council of Europe’s work in history teaching and related projects, and decide to intensify our efforts in this direction. We encourage more active involvement of civil society in this work.

We are committed to a new dialogue between Europe and its neighbouring regions - the southern Mediterranean, the Middle East and Central Asia - based on the above-mentioned principles. We recognise the role of the North-South Centre in promoting this

dialogue, as well as its mission of fostering European awareness of intercultural and development issues.

#### 7. Promoting sport

We attach great importance to the effective operation of the Anti-doping Convention and the European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches, which are reference texts in international law. In line with the Committee of Ministers Recommendation R(99)9 on the role of sport in furthering social cohesion, we recommend the continuation of Council of Europe activities which serve as references in the field of sport.

#### 8. Managing migration

We are aware of the importance of population movements within Europe and from other continents to Europe. Management of this migration is a major challenge to 21st-century Europe. We therefore consider that the Council of Europe should pursue its activities in this sector, in cooperation with the European Union, to contribute to a more balanced management of migration Europe-wide.

### **IV- FOSTERING CO-OPERATION WITH OTHER INTERNATIONAL AND EUROPEAN ORGANISATIONS AND INSTITUTIONS**

We are strongly committed to ensure close cooperation and coordination in international action, in particular on the European scene. The Council of Europe, the European Union and the OSCE will therefore work in enhanced synergy and complementarity based on their respective competency and expertise.

#### 1. Relations with the European Union

Considering the important contribution of the Council of Europe to democracy, cohesion and stability in Europe, we call on the Council of Europe to:

- strengthen its relations with the European Union so that the Council of Europe's and the European Union's achievements and future standard-setting work are taken into account, as appropriate, in each other's activities;
- strengthen co-operation with the European Union in the field of human rights and fundamental freedoms, the promotion of pluralistic democracy and the rule of law;
- strengthen co-operation with the European Union in areas of common interest, in particular in the legal, cultural, youth and social fields, including through joint programmes and cooperation with specialised Council of Europe bodies, such as the Venice Commission, the Committee for the Prevention of Torture, the Group of States against Corruption, the European Commission against Racism and Intolerance, the

Commissioner for Human Rights and the European Commission for the Efficiency of Justice.

Based on the appended guidelines, a memorandum of understanding will be drafted between the Council of Europe and the European Union to create a new framework of enhanced co-operation and political dialogue. Particular focus should be put on how the European Union and its member states could make better use of available Council of Europe instruments and institutions, and on how all Council of Europe members could benefit from closer links with the European Union.

## 2. Relations with the OSCE

We encourage the Council of Europe to step up and rationalise co-operation with the OSCE, on the basis of their specific tasks and comparative advantages, while avoiding duplication of effort. In particular, we call for closer co-operation with the OSCE in the priority fields identified by the Coordinating Group and subsequently adopted by the governing bodies of the two organisations, starting with the fight against terrorism, the protection of the rights of persons belonging to national minorities, action against trafficking in human beings and the promotion of tolerance and non-discrimination.

In this connection, we welcome the appended joint Declaration on enhanced cooperation between the Council of Europe and the OSCE.

## 3. Relations with the United Nations

We encourage the Council of Europe to step up co-operation with the United Nations and its specialised agencies, in order both to promote the universal values shared by the member states of the Council of Europe in the human rights field and to achieve the United Nations Millennium Development Goals in Europe, including, in particular, everyone's entitlement to live in a balanced, healthy environment.

## **V - IMPLEMENTING THE ACTION PLAN: A TRANSPARENT AND EFFICIENT COUNCIL OF EUROPE**

We instruct the Committee of Ministers to take steps to ensure that this Action Plan is rapidly implemented by the various Council of Europe bodies, in conjunction where applicable with other European or international organisations.

As an urgent priority, we task the Committee of Ministers and the Secretary General, assisted by independent expertise, to give fresh impetus to the reform process of the Council of Europe's organisational structures and working methods. Building on efforts already in hand, the process shall aim at an efficient functioning of the Organisation according to its objectives and keeping fully in mind the need for budgetary restraints. Special attention should be paid to initiatives that will further secure transparency, cost-efficiency as well as internal co-operation and knowledge sharing.

This reform process will be subject to regular progress reports to the Committee of Ministers. It will be discussed at the Ministerial Meeting in May 2006.

## **Appendix 1**

### ***GUIDELINES on the Relations between the Council of Europe and the European Union***

1. The Council of Europe and the European Union base their relationship on all matters of common interest, in particular the promotion and protection of pluralistic democracy, the respect for Human Rights, fundamental freedoms and the rule of law, political and legal cooperation, social cohesion, and cultural interchange. These common values form the foundation of democratic stability and security to which our societies and citizens aspire, and help bring greater cohesion to Europe and further overall unity.
2. Enhanced partnership and complementarity should govern the future relationship between the Council of Europe and the European Union, in order to strengthen practical cooperation in all areas of common interest.
3. The common objective of a Europe without new dividing lines can best be served by making appropriate use of the norms and standards, as well as the experience and expertise developed in the Council of Europe over half a century.
4. Early accession of the European Union to the ECHR would strongly contribute to ensuring coherence in the field of Human Rights in Europe. The preparatory work should be accelerated so that this accession could take place as soon as possible after the entry into force of the Constitutional Treaty. Taking into account the competences of the European Community, accession to other Council of Europe conventions and involvement of Council of Europe mechanisms should be considered on the basis of a detailed review.
5. Legal cooperation between the Council of Europe and the European Union should continue and be further developed as useful and appropriate for the benefit of all European citizens, including by aiming for greater complementarity between European Union and Council of Europe legal texts. The European Union shall strive to transpose those aspects of Council of Europe Conventions within its competence into European Union Law.
6. The Council of Europe will, on the basis of its expertise and through its various organs, continue to provide support and advice to the European Union in particular in the fields of Human Rights and fundamental freedoms, democracy and the rule of law.
7. Cooperation between the European Union and specialised Council of Europe bodies should be reinforced. The European Union shall in particular make full use of Council of Europe expertise in areas such as human rights, information, cyber-crime, bioethics, trafficking and organised crime, where action is required within its competence.

8. The future Human Rights Agency of the European Union, once established, should constitute an opportunity to further increase cooperation with the Council of Europe, and contribute to greater coherence and enhanced complementarity.

9. Bearing in mind the common aim of strengthening democratic stability in Europe, the Council of Europe and the European Union should increase their common efforts towards enhanced pan-European relations, including further cooperation in the countries participating in the European Union 's Neighbourhood Policy and the Stabilisation and Association processes.

10. In order to achieve a qualitative improvement in the relationship, both organisations should work towards joint activities, when they add value to their respective endeavours. The European Union and the Council of Europe should consult regularly at all appropriate levels, including the political level, to make better use of each other's relevant expertise. Such consultations would better coordinate policy and action, and further monitor ongoing cooperation. Additionally, the European Union's presence should be strengthened by establishing as soon as possible a permanent office to the Council of Europe.

## **Appendix 2**

### **Declaration on Co-operation between the Council of Europe and the Organisation for Security and Co-operation in Europe**

The Member States of the Council of Europe and the participating States of the Organization for Security and Co-operation in Europe,

Recalling the decisions taken in December 2004 by the Committee of Ministers' Deputies of the Council of Europe (No. CM/865/01122004) and the Permanent Council of the Organization for Security and Co-operation in Europe (No. 637),

Recognizing the need to adapt relations between the two Organizations to the evolving international environment, with due respect for the aims and principles enshrined in the Council of Europe's Statute and the OSCE's Charter for European Security and other agreed documents and decisions of both Organizations,

Resolved to strive for a whole and free Europe without dividing lines based on shared values and a common commitment to democracy, respect for human rights, the rule of law, comprehensive security, social justice and market economy,

Convinced that, to achieve this objective, the two Organizations need to work more closely together in identifying effective co-ordinated responses to the threats and challenges of the twenty-first century, on the basis of the principles of complementarity, transparency and democratic accountability, while respecting the autonomy, different membership and distinctive tasks of each Organization,

Determined to base this enhanced co-operation on the existing legal acquis of the Council of Europe and the OSCE's political commitments,

Welcoming the work initiated by the Co-ordination Group established in December 2004, which illustrates the commitment of Member and participating States to enhanced co-operation between both Organizations,

Call on the Co-ordination Group to give priority in its work to the formulation of concrete recommendations on how to foster co-ordination and co-operation between the two Organizations in areas of common interest, taking into account their respective work in the field, and starting with questions concerning the fight against terrorism, the protection of the rights of persons belonging to national minorities, combating trafficking in human beings, as well as promoting tolerance and non-discrimination;

Agree that, to this end, various forms of co-operation between the two Organizations should be explored, such as joint meetings and joint activities, with more active involvement of the Member and participating States, in order to produce synergies and avoid unnecessary duplication, giving the fullest account however to the different nature and membership of the two organisations, and make best use of their comparative advantages;

Call for better co-ordination within the national administrations of the Member and participating States in order to ensure that the above principles are effectively implemented;

Decide to bring this Declaration to the attention of both the Council of Europe and the OSCE Parliamentary Assemblies and would welcome their intention to enhance co-operation between the two Assemblies.