

Press Release

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116th Session of the Committee of Ministers (Strasbourg, 18-19 May 2006) –

Conclusions of the Chair

The main theme of the 116th Session of the Committee of Ministers, chaired by Mr Mihai-Razvan Ungureanu, Minister for Foreign Affairs of Romania, was the follow-up to the Third Council of Europe Summit, one year on from Warsaw.

In reviewing progress with the implementation of the Summit decisions, the Ministers identified the following priorities:

- consolidation of the Council of Europe's system of human rights protection;
- relations between the Council of Europe and the European Union;
- reinforcement of the Council of Europe's action in favour of democracy and good governance;
- the Council of Europe's action to develop intercultural dialogue;
- implementation of Part V of the Action Plan of the Third Summit, concerning Council of Europe reform.

During their discussions, the Ministers noted the position and intentions of the Committee of Ministers' institutional partners in the Council of Europe on the issues on the agenda. They noted in particular the positive assessment made of the work carried out in the areas of intercultural dialogue and democracy (including local and regional democracy and transfrontier cooperation). In this context, they took note of the offer by Ukraine to host the plenary session of the Forum for the Future of Democracy in 2009. They underlined the importance of joint efforts from all Council of Europe actors for the success of the current reform process carried out under Chapter V of the Action Plan.

The participants in the session also took note with interest of the interim report of the Group of Wise Persons entrusted with drawing up a comprehensive strategy to secure the long-term effectiveness of the European Convention on Human Rights, which was presented by the Group's Chairman, Mr Iglesias.

The Ministers' decisions and conclusions on the range of issues which were on their agenda appear in the Session Communiqué.

The Council of Europe's action in favour of democratic stability in Europe though the promotion of its values and principles in the fields of human rights, democracy and the rule of law was foremost in the discussions. In this connection, the exchange of views with Mr Martti Ahtisaari, Special Envoy of the Secretary General of the United Nations for the future status process for Kosovo, at the informal ministerial meeting on the evening of 18 May, provided an opportunity to take stock of the negotiations on this subject and to discuss the Council of Europe's possible contribution to the process, in particular on matters relating to human rights protection, minority rights, decentralisation and the preservation of cultural heritage.

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A political organisation set up in 1949, the Council of Europe works to promote democracy and human rights continent-wide. It also develops common responses to social, cultural and legal challenges in its 46 member states.

Beyond Kosovo, particular attention was paid to the more general issue of stability in south-east Europe, having in mind the important referendum on Montenegro's independence, scheduled for 21 May. It was underlined that the referendum must be conducted in full respect of the relevant international standards and Ministers called on all the political forces of Serbia and Montenegro to act responsibly and to accept the results of the ballot. It was also recognised that a crucial phase would begin after the referendum, irrespective of the results. Reference was made to the need to continue the reforms in the fields of human rights, democracy and the rule of law and the Ministers agreed unanimously that the Council of Europe should continue the activities which it has carried out to this end for several years, in consultation with the other international bodies concerned.

Several Ministers also expressed concern that Serbia and Montenegro was still not giving the International Criminal Tribunal for the Former Yugoslavia (ICTY) the full and entire co-operation expected. They recalled that this co-operation was one of the fundamental undertakings entered into by Serbia and Montenegro when it joined the Council of Europe and they called on the country's authorities to take immediate steps to comply with this commitment.

Another issue addressed concerned the conduct of free and democratic elections in Europe. The Ministers expressed satisfaction that the parliamentary elections in Ukraine on 26 March 2006 had been in conformity with the relevant international standards. They also noted with satisfaction the positive assessment made by the Parliamentary Assembly of the rerun of the parliamentary elections in ten constituencies in Azerbaijan on 13 May, which was a prelude to future major elections in this country. In order to ensure that these elections take place in a fully democratic manner, the Committee of Ministers recalled the necessity of revising the electoral legislation in co-operation with the Venice Commission as soon as possible. The same point was made with regard to the current revision of the Armenian Electoral Code.

In the case of Belarus, several Ministers regretted that the presidential election of 19 March 2006 had not respected the international standards referred to above and expressed great concern about the continued deterioration of the situation concerning human rights and fundamental freedoms following the election. In this context, they urged the Belarus authorities to release all the persons arrested before and after the elections and to embark resolutely on a democratic reform process, particularly by guaranteeing the exercise of freedom of expression and association, in accordance with the country's international undertakings. In this respect, it was hoped that the Belarus authorities would co-operate actively in the implementation of the action plan recently adopted by the Council of Europe in order to foster its values and principles in the fields of human rights, democracy and the rule of law in Belarus.

It was noted that more than ever, the Council of Europe's standard-setting *acquis* and its adaptation to meet the new challenges facing Europe were critical elements for the strengthening of democratic stability in Europe. In this context, the Ministers welcomed the opening for signature at the Session of the Council of Europe's 200th treaty, the Convention on the Avoidance of Statelessness in relation to State Succession.

The Ministers also took note with satisfaction of the signatures and ratifications in recent months of (i) the Convention on the Prevention of Terrorism, (ii) the revised Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism and (iii) the Convention on Action against Trafficking in Human Beings.¹ They reaffirmed the importance of these legal instruments in the international fight against terrorism and human trafficking and consequently encouraged countries that had not yet signed or ratified these conventions to do so as soon as possible.

It was also pointed out that it was essential not only to sign and ratify conventions but also to implement effectively Council of Europe standards in domestic law and practice. The Ministers again stressed member states' individual and collective responsibility for ensuring that judgments of the European Court of Human Rights were fully applied, as an essential condition for the credibility of the Convention's supervisory system. They referred in particular to the four interim resolutions adopted by the Committee of Ministers in the case of *Ilaşcu and others v. Moldova and Russia*. They expect the Court's judgment in this case to be executed without any further delay.

Finally, the Ministers welcomed the emphasis placed over the past six months on areas where joint action by member states, based on Council of Europe values, could make a major contribution to democratic stability. In particular they:

¹ 7 new signatures and 2 ratifications were recorded during the Session. This brought the number of signatures to 33 for the Convention on the Prevention of Terrorism, 21 for the revised Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism and 28 for the Convention on Action against Trafficking in Human Beings.

- welcomed the efforts of the Council of Europe, on the strength of the Romanian Chairmanship's input, to promote a culture of democracy with the authorities and citizens of the member states, in particular through the network of political schools aimed to train new generations of leaders in the fundamental values of the Council of Europe (the first conference of the schools took place on 27 and 28 April in Bucharest), and the three-year action plan on education for democratic citizenship and human rights, launched on the occasion of the evaluation conference of the European Year of Citizenship through Education (2005) held in Sinaia on 27 and 28 April;

- noted with satisfaction the launch in early 2006 of the activities of the High-Level Task Force on Social Cohesion in the 21st century, which had been mandated to review the Council of Europe's strategy in this area. In this connection, they welcomed the adoption in April of the Ten-Year Action Plan on Equal Rights for People with Disabilities and the Romanian authorities' support for the plan's implementation, in the form of a regional seminar held in Constanta on 14-16 May 2006;

- gave their support for the Council of Europe's three-year programme "Building a Europe for and with Children", inaugurated in Monaco on 4 and 5 April 2006, after the conference on children's rights held in Bucharest on 1 and 2 February, expressing the hope that the programme would rapidly lead to practical and significant measures to improve children's rights, particularly where they live in difficult economic and social conditions;

- recalled their firm commitment to the total abolition of the death penalty in Europe and beyond. In this regard, they noted with satisfaction that since their previous session Protocol No. 13 to the ECHR had been ratified by Monaco, the Netherlands, Turkey and Luxembourg, and signed by Armenia on 19 May at the Treaty event organised in parallel to the session;

- stressed the importance of efforts to foster the rights of persons belonging to national minorities (including Roma and Travellers). They also welcomed the fact that, since the inauguration of the European Forum for Roma and Travellers in late 2005, the Romanian Chairmanship had supported this initiative, in particular by organising a conference in Bucharest on 4 May on the implementation and harmonisation of national policies on Roma, Sinti and Travellers;

- reiterated the importance they attach to the work carried out by the Council of Europe of Europe in the area of the protection of national minorities, particularly through the competent expert committee (DH-MIN) which held its 3rd meeting in Bucharest in March 2006. In this context they paid tribute to the Romanian Chairmanship's initiative in organising the same month in Brasov an international conference on the role of consultative bodies in the promotion of the participation of members of national universities in decision-making processes;

- gave their support to the Romanian Chairmanship in its efforts to promote intercultural dialogue, through the 3rd Intercultural Forum of the Council of Europe on "The promotion of intercultural dialogue between generations" (Bucharest, 17-18 March 2006) and the seminar on "Identity, citizenship and cohesion" (Bucharest, 5 May 2006), as well as to encourage the protection of the environment and sustainable development, with the Regional Conference held in Bucharest on 27 and 28 April 2006.

The Ministers once again underlined the importance of ensuring efficient interaction and creating synergies between the Council of Europe and its main partners on the European stage, so that citizens may reap practical benefits from international action in these different areas. In this respect they welcomed the useful cooperation between the Council of Europe, the European Union and the OSCE over the last six months, including through the high-level meetings held in Brussels on 30 January with the OSCE and in Strasbourg on 15 March with the European Union.

At the end of the session, Mr Sergey Lavrov, Minister for Foreign Affairs of the Russian Federation, informed his colleagues of the Russian Chair's priorities for the Committee of Ministers over the next six months. The transfer of the chairmanship from Mr Ungureanu to Mr Lavrov took place immediately afterwards.