

# Press Release

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## 22nd quadripartite meeting Council of Europe / European Union Strasbourg, 15 March 2006

### CONCLUDING STATEMENT

The 22nd Quadripartite Meeting between the Council of Europe and the European Union was held in Strasbourg on 15 March 2006 at the invitation of the Romanian Chair of the Committee of Ministers of the Council of Europe. It was the first meeting between the leaders of the two organisations since the Summit of Heads of State and Government of the 46 Council of Europe Member States in Warsaw on 17 and 18 May 2005, at which relations between the Council of Europe and the European Union were one of the key items on the agenda.

The participants were for the Council of Europe:

- Mr Anton Niculescu, Secretary of State for Foreign Affairs of Romania, Chair of the Committee of Ministers
- Mr Terry Davis, Secretary General of the Council of Europe.

and for the European Union :

- Mr Hans Winkler, Secretary of State for Foreign Affairs of Austria, President of the Council of the European Union,
- Ms Benita Ferrero-Waldner, Member of the European Commission, Commissioner for External Relations and European Neighbourhood Policy

The conclusions of the meeting are as follows:

### MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNCIL OF EUROPE AND THE EUROPEAN UNION

The participants expressed their determination to join forces and cooperate better in order to provide a stronger answer to the new challenges and threats which citizens in Europe and the two organisations are confronted with in the XXI<sup>st</sup> century. Recalling the clear message that the 46 Heads of State and Government of the Council of Europe - to which all the EU Member States belong – on the need to ensure complementarity between the work of the Council of Europe and the other organisations involved in building a democratic and secure Europe, they are committed to the creation of a new framework for enhanced cooperation and partnership between the two organisations.

They are resolved to conclude, as soon as possible, a substantive Memorandum of Understanding giving tangible form to these arrangements. They called for negotiations to progress rapidly, in a positive spirit, taking into account the achievements, specificities and prerogatives of each institution. The participants took note with interest, in this connection, of the contributions from Council of Europe Member States that are not members of the European Union and from the Council of Europe Secretary General.

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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.**

This work will also draw upon Jean-Claude Juncker's political vision of relations between the Council of Europe and the European Union. The report which the Heads of State and Government asked the Luxembourg Prime Minister to prepare in a personal capacity will undoubtedly bring an important contribution to the reflexion on the partnership between the two organisations, and the Memorandum of Understanding that is being negotiated will have to take account of it.

Without prejudging the results of the above mentioned exercises, this could be achieved by means of specific initiatives and programmes in fields within the Council of Europe's and the EU's remit which concern the human dimension of European integration and directly affect European citizens, such as human rights, democracy, the rule of law, youth, education and culture.

- **European Neighbourhood Policy and Stabilisation and Association Process countries**

The participants stressed that co-operation in these areas was directly linked to the principles and values underpinning the partnership between the two organisations, i.e. to the strengthening of democratic stability through the promotion of human rights, democracy and the rule of law.

It is therefore only natural that these policies should have a place in the Memorandum of Understanding being negotiated, particularly as the countries directly concerned have requested it.

Concerning in particular the European Neighbourhood Policy, it will also be necessary in the future to devise a joint reflection before relevant programmes are adopted, providing expertise for their preparation, implementation and follow-up. The participants agreed that this joint approach should be introduced as soon as possible so that initial results could be obtained in 2007. They considered that regular consultations involving the countries concerned, representatives of the Council of Europe and of the European Union could also be arranged to take stock of progress achieved and look forward.

- **European Union Agency for Fundamental Rights**

The European Union provided information about the state of progress of the establishment of the Fundamental Rights Agency and expressed appreciation for the substantive contributions made by the Council of Europe in recent months. The Agency is expected to bring real added value to the EU institutions and will contribute to more coherence and consistency in the EU human rights policy. The Council of Europe recalled that the Warsaw Declaration and Action Plan reaffirmed the role of the Organisation as the primary forum for the protection and promotion of human rights in Europe. It is a common understanding that unnecessary duplication with the Council of Europe's activities is to be avoided. Participation of an independent person appointed by the Council of Europe in the Agency's bodies will be important in this regard. The Secretary General recalled the drafting suggestions he sent to Vice-President Frattini on 11 January and called upon the European Union to take them on board in the final text of the draft Regulation establishing the Agency. The European Commission reiterated its readiness to work immediately with the Council of Europe on the bilateral cooperation agreement which will ensure synergies and complementarity between the Agency and the Council of Europe. All participants supported the need for both organisations to conclude rapidly a mutually satisfactory agreement as soon as the text of the draft regulation is finalised. Finally, they agreed that the future Agency should constitute an opportunity to further increase co-operation and synergy between the two organisations and contribute to greater coherence and enhanced complementarity in the protection of human rights and fundamental freedoms, including in the field of racism and xenophobia.

- **Human rights issues**

The participants reaffirmed the importance of the execution of judgements of the European Court of Human Rights. Referring to Article 46 of the European Convention on Human Rights, they called for the judgment handed down by the Court in the Ilaşcu case to be fully executed. Referring to the latest interim Resolution on the subject, recently adopted by the Committee of Ministers of the Council of Europe, they stressed that they set the utmost store by the immediate release of the applicants who were still in prison.

- **Joint Programmes**

Participants acknowledged that the development of European Commission/Council of Europe joint programmes constitutes an important means of pursuing common goals, in priority areas for both organisations, promoting European standards for the protection of human rights, democracy and the rule of law. The added value and potential for such co-operation is particularly evident in the joint initiatives to modernise European judicial and penal systems, assist in the fight against corruption and money-laundering, and train professionals to apply the

relevant European standards effectively. They recognised the particular benefits to be drawn from joint EC/CoE action both with SAP countries and with the countries covered by the European Neighbourhood Policy, and the essential positive role played by the Council of Europe in support of its member states.

Special attention was given to the valuable joint co-operation with the **Russian Federation**. Current EC/CoE joint programmes with Russia will end in 2006, and participants agreed together to examine the potential and possibilities for future joint projects. Both parties expressed support for the **Network of Schools of Political Studies** established by the Council of Europe. They agreed to explore ways to ensure sustainability of the Schools' Network through appropriate resources and funding.

The participants also noted that regional and transfrontier co-operation is an area deserving particular consideration in view of the contribution which it can make to the achievement of the objectives shared by the two organisations. They agreed to explore ways of working more closely together in this field.

## CURRENT POLITICAL QUESTIONS

### • **Serbia and Montenegro**

Participants reiterated their call to the authorities of Serbia and Montenegro to fully co-operate with the ICTY in order to prevent any delay in the country's path towards European integration. They took this opportunity to recall that all indictees still on the run in the region, in particular MM. Karadzic and Mladic, must be brought to justice as soon as possible. At the same time, they confirmed their determination to provide all necessary assistance to the authorities of Serbia and Montenegro on their way to European integration, welcoming the progress already made in this direction.

With regard to **Montenegro**, they commended the recent adoption by the Montenegrin Parliament of the law on referendum and the unstinting efforts of the EU Envoy Lajcak to facilitate dialogue between the majority and the opposition. They stressed the need for all political forces in both Serbia and Montenegro to act in a responsible manner in the run-up to the referendum and to respect its outcome. It was agreed that close contacts would be maintained between the two organisations in the coming months in order to review the situation and examine ways of reinforcing co-operation after the referendum.

With regard to **Kosovo**, both organisations reiterated their full support to United Nations Special Envoy for the future status process for Kosovo, Mr Ahtisaari, and underlined the need to ensure that all necessary resources be made available to him to accomplish his task. In this context, the Council of Europe recalled its readiness to continue to assist with the full implementation of its fundamental standards in the Kosovo legislation framework, in particular in the areas of human and minority rights, decentralisation and cultural heritage.

### • **Ukraine**

With regard to **Ukraine**, the participants underlined the crucial importance of the forthcoming parliamentary elections for the continuation and consolidation of the democratic reform process, for which both organisations pledged renewed support. They voiced satisfaction with the noticeable improvement in the electoral campaign in comparison to the last Presidential elections. However, there remain areas of concern, in particular the non-functioning of the Constitutional Court in the context of elections. Both parties welcomed Ukraine's clear commitment to pursue the democratic progress and reforms. It was noted that the establishment of a Council of Europe field presence in Kyiv would greatly contribute to enhancing co-operation between both organisations in their joint efforts to assist the democratic reform process in Ukraine.

### • **Belarus**

While welcoming the invitation for the OSCE to observe the up-coming March 19 presidential elections in **Belarus**, the participants expressed their deep concern for the pre-election situation in the country, where serious incidents of intimidation and obstruction had been reported. They urged the Belarusian authorities to now focus on their obligation to ensure a free and fair poll on 19 March. They also expressed deepening concern about growing restrictions on the media and civil society, in particular human rights and youth organisations, and deplored the failure of the Belarus authorities to fully investigate disappearances in recent years.

Both parties reaffirmed their determination to continue supporting civil society in Belarus for the advancement of democracy. They agreed to examine ways of reinforcing each other's activities for this purpose.