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## Committee on Political Affairs and Democracy

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

Rapporteur: Mr Michele NICOLETTI, Italy, SOC

#### Introductory memorandum

*This document is available on the Parliamentary Assembly Extranet website (restricted area for PACE national Delegations)*  
<http://assembly.coe.int/extranet>.

## 1. Introduction

1. The idea of a possible Fourth Summit of Heads of State and Government of Council of Europe member States was launched by the Standing Committee of the Assembly, at its meeting in Sofia, on 27 November 2015. According to the Sofia Declaration (see Appendix I), the aim of a Fourth Summit would be to defend and promote democratic security on the continent.

2. Adopted only a couple of weeks after the horror of the November terrorist attacks in Paris, the Sofia Declaration mentions the numerous political challenges Europe is facing today, both within and outside its borders. These call for a common response on the basis of shared principles and values, dialogue and solidarity. In the current critical situation, the Declaration calls on the 47 member States of the Council of Europe to focus on what unites them rather than what divides them, and avoid building new walls and drawing dividing lines.

3. The Bureau of the Assembly entrusted the Committee on Political Affairs and Democracy with the task of preparing a report on this subject, and I was appointed Rapporteur in March 2016.

4. I have since embarked upon a wider consultation process in order to establish whether the idea of a Fourth Summit as such is appropriate, and, if so, on which subject, for what exact purpose and when it would be best to organise it.

5. I wrote to the Chairpersons of all national delegations and political groups within the Assembly on 25 May 2016 (see Appendix II), as well as to four prominent international NGOs, with which the Assembly has established working relations, namely Amnesty International, the International Federation of Human Rights, the International Commission of Jurists, and Human Rights Watch. I have so far received 20 replies (see Appendix III) which are reproduced *in extenso* in document AS/Pol/Inf (2016) 13. I took note of the fact that the political groups will discuss the issue during the October part-session of the Assembly.

6. I have also held meetings with the Secretary General of the Organisation, Mr Thorbjørn Jagland, and have discussed the idea in Rome with my own country's authorities; in Berlin with the Minister of Foreign Affairs of Germany, Mr Frank-Walter Steinmeier; in Paris with the Secretary of State for European Affairs of France, Mr Harlem Desir, and in Moscow in the margins of the visit of the group leaders. I also presented the proposal of a Fourth Summit at the colloquium which the French delegation to the Assembly, led by our colleague, Mr René Rouquet, organised in Paris, on 12 September 2016, on *Is the idea of the defence of human rights in Europe outdated? The Council of Europe is more necessary than ever before*<sup>1</sup>. Several participants, including Mr Rouquet and the Secretary General of the Council of Europe, spoke in favour of a Fourth Summit. I intend to continue my discussions during the October part-session of the Assembly, including with the Minister of Foreign Affairs of Turkey, Mr Mevlüt Çavuşoğlu. Finally, I would like to visit London, at the earliest possible opportunity, to consult with the authorities of the United Kingdom.

7. Although it is still too early to draw any conclusions as to the idea as such, the content or the timing, the replies I have so far received from delegations and civil society, as well as my discussions in the various capitals, have encouraged me to pursue my task.

## 2. A brief overview of previous Council of Europe Summits

8. Before discussing any further the idea of a possible Fourth Summit, I think it is useful to briefly recall the three Summits of Heads of State and Government of Council of Europe member States, organised since the Organisation's establishment. Each of them has resulted in concrete advances, including the establishment of new bodies and mechanisms:

9. The first Summit was organised in 1993, in Vienna, a few years after the fall of the Berlin Wall, when the Organisation was confronted with the unique challenge of embracing the emerging democracies. It thus, *inter alia*, spelt out the criteria for the accession of the new member States; set the basis for establishing procedures for monitoring respect of accession commitments; led to the founding of the European Commission against Racism and Intolerance (ECRI), and proposed the drafting of a Framework Convention for the Protection of National Minorities.

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<sup>1</sup> For the programme of the colloquium as well as the speech by Mr Rouquet, see AS/Pol/Inf (2016) 19. A summary of the records will be available at a later stage.

10. In 1997, the Strasbourg Summit endorsed the establishment of the Group of States against Corruption (GRECO) and welcomed the establishment of a Single Court of Human Rights and of the Office of the Commissioner of Human Rights, as well as the drafting of a convention on the prevention of torture.

11. In 2005, the Warsaw Summit defined a roadmap for the Organisation following its unprecedented enlargement and led to a report on the relations between the European Union and the Council of Europe, which Mr Jean Claude Juncker presented to the Assembly one year later, in 2006. The Warsaw Summit also called for a greater synergy with the Organization for Security and Co-operation in Europe (OSCE); for an enhanced effectiveness of the European Convention of Human Rights; the further promotion of human rights through greater support to the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Commissioner for Human Rights and ECRI, and for more participation by NGOs in the work of the Organisation. Among other priorities, the 2005 Summit also enhanced the role of the Council of Europe in the fight against terrorism, launched a new mechanism to combat trafficking in human beings and proposed measures to combat violence against women.

### **3. Need for a Fourth Summit?**

12. As the Sofia Declaration also pointed out, today, more than ten years after the Organisation's last Summit, Europe is facing numerous political challenges, both within and outside its borders: the daily threat of terrorist attacks, migratory pressure, the rise of Euro-scepticism, nationalism and xenophobia and the re-emergence of divisions between Council of Europe member States. On-going wars in Syria and Libya, at the doors of Europe, threaten the security and stability on the continent.

13. Against such a background, it is our responsibility to fight nationalism and divisions and preserve and enhance our "common house". Having inherited the political success of a pan-European Organisation, we owe it to the generations to come to do everything within our power not to weaken what our predecessors have built.

14. Therefore, I suggest that bringing together the Heads of State and Government of Council of Europe member States in a Fourth Summit should aim at reaffirming the Council of Europe and re-launching its core mission as a pan-European Organisation, offering a common legal space to 820 million Europeans and promoting democratic security throughout the continent.

15. Whereas a Fourth Summit would offer a unique opportunity to its 47 member States to reaffirm, in the strongest possible terms and at the highest political level, their commitment to the common values and principles of democracy, the rule of law and human rights, upheld by the Organisation, we should also make sure to avoid any "paternalistic approach" and treat all member States of the Organisation equally and in mutual respect, whether they are small or big, whether they are old members or have joined more recently.

16. A brief overview of the replies received by 17 national delegations so far shows that most of them support my idea that, rather than creating new institutions and mechanisms, as the previous Summits did, a Fourth Summit should focus on the Organisation's core mission as explained above.

17. Under this main subject, sub-items proposed by my colleagues include the need to establish clear working relations between the Council of Europe and the European Union or the question of resources to be allocated to the Council of Europe, in particular in comparison to those allocated to European Union agencies, and the need to put an end to the policy of zero growth of the Organisation. This latter idea was further developed at the colloquium which the French delegation to the Assembly organised in Paris last month. Indeed I find it essential that a possible Fourth Summit of the Organisation addresses the budgetary issue as the future and role of the Organisation are inevitably dependent on that.

18. Also, a predominant place in the replies I received is given to the issue of the European Court of Human Rights, including the need to ensure prompt and full execution of its judgments and enhance resources allocated to it (again a comparison is suggested with the resources available to the Luxembourg court).

19. The role of the Council of Europe in the fight against terrorism, extremism and intolerance is raised in some of the replies sent by my colleagues.

20. For several delegations, a Fourth Summit should equally aim at enhancing the role of the Assembly as a strong pillar of European parliamentarianism.

21. The non-governmental organisations I have consulted insist on the need to enhance Council of Europe credibility by taking a stronger unified stance to condemn human rights violations and ensure that member States co-operate and duly implement their obligations. Also, the idea is suggested that the role of the Council of Europe field offices should be strengthened at national level so that they could create public awareness and promote national debates on human rights.

22. Last but not least, let me underline, that, whereas we are far from establishing the detailed agenda for a possible Fourth Summit, we can already agree on the pre-conditions for any future Summit to have any chance of success. First of all, we need high level participation: if we fail to bring together the Heads of State and Government themselves, the Summit loses its relevance. Then we should be able to discuss concrete ideas so as to re-launch the Organisation and push it forward, avoiding the risk of further regression.

#### **4. Closing remarks**

23. Only a few weeks ago, on 19 September, we celebrated the 70<sup>th</sup> anniversary since Winston Churchill pronounced his famous speech in Zurich and spoke about the “United States of Europe”. Today, we should recall the spirit of that speech which inspired the Hague Congress of 1948 which, in turn, led to the birth to our Organisation only a year later.

24. When discussing the prospects of a Fourth Summit of the Organisation, we should, in particular, remind ourselves that the objective of a united Europe is human dignity; that the strength of Europe lies, not in arms, but in freedom, and that the greater danger threatening the latter is division. If the words which served as the cement on which our Organisation was built sound more topical than ever today, the same goes for the aim for which the Council of Europe was designed, in the aftermath of the horror of the Second World War: *“achieving a greater unity between its members for the purpose of the safeguarding and realising the ideals and principles which are their common heritage”*.

25. We should probably return to the basics and bring forward the political project for a united Europe, based on respect and solidarity, trust and dialogue - and not simply on economic or financial interests.

26. I will of course further develop my thoughts at the end of my consultations.

## Appendix I

### *Sofia Declaration*

#### **AS/Per (2015) 08**

27 November 2015

## **Declaration**

Adopted by the Standing Committee on 27 November 2015<sup>2</sup>

The Parliamentary Assembly, meeting in Sofia today, recalls the aim of the Council of Europe's founding fathers who, in the aftermath of the horror of the Second World War, established this Organisation in order to "achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage". As Article 3 of the Organisation's Statute expressly spells out, its members have to collaborate sincerely and effectively in the realisation of precisely this aim.

Paying tribute to the 40th Anniversary of the Helsinki Final Act, the Assembly wishes to underline the important role its signature played in bringing to an end the Cold War. It recognises this agreement as a testament to what is possible when States make a concerted effort to set aside differences and strive for common understanding.

The Assembly is indeed convinced that the numerous political challenges Europe is facing today, both within and around its borders, call for a common response on the basis of shared principles and values, dialogue, trust and solidarity. In these critical moments, Council of Europe member States should focus on what unites them rather than what divides them, and avoid raising new walls and drawing dividing lines.

For this purpose and recognising the key role the Council of Europe can play in defending and promoting democratic security, the Parliamentary Assembly calls for a Summit of Heads of State and Government in order for the member States to reaffirm, at the highest political level, their commitment to the common values and principles of democracy, human rights and the rule of law upheld by the Organisation.

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<sup>2</sup> Submitted by Ms Dzhema Grozdanova (Bulgaria, EPP/CD), Chairperson of the Bulgarian Delegation.

## Appendix II

*Letter from Mr Nicoletti to Chairpersons of national delegations and political groups*

Strasbourg, 25 May 2016

Dear Chairperson,

As you are no doubt aware, at its meeting on 27 November 2015 in Sofia, our Standing Committee of the Parliamentary Assembly of the Council of Europe adopted a Declaration calling for a Summit of Heads of State and Government of the Council of Europe to defend and promote democratic security in Europe. I enclose the text of the Sofia Declaration for your convenience.

The Bureau of the Assembly subsequently entrusted the Committee on Political Affairs and Democracy with the task of preparing a report on this subject, and I was appointed Rapporteur on the *Call for a Council of Europe Summit to defend and promote democratic security in Europe* in March 2016.

In this context, after having consulted the Committee during the April 2016 part-session, I am writing to you to obtain your views on the idea of organising a Fourth Summit.

I would like to draw your attention to the fact that the Ministerial Conference held in Sofia, on 18 May 2016, dealt with the following four themes:

*Democratic security for all in challenging times* (sub-themes: tackling extremism and radicalisation leading to terrorism; responding to the refugee and migration crisis; the key role of democracy, rule of law and human rights in conflict resolution); *Securing the long-term effectiveness of the system of the ECHR*; *Council of Europe policy towards neighbouring regions*; *Cooperation with the European Union*.

A possible Fourth Summit could deal with the above-mentioned themes or other subjects we may identify in the Assembly.

In any event, the main objective of the Summit should be to re-launch the role of the Council of Europe as a pan-European Organisation in the present circumstances. Therefore, general reflections, including audacious ideas, on the fundamentals and the purpose of the Council of Europe are very welcome.

In order to prepare a report which would take into account, to the extent possible, the views of national delegations and political groups, I would be grateful if you could forward to me your reflections and proposals by the end of June 2016.

I thank you very much for your cooperation in this important matter.

Yours sincerely,

Michele Nicoletti  
Rapporteur

**Appendix III***List of replies***Call for a Council of Europe Summit to defend and promote democratic security in Europe**

Rapporteur: Mr Michele Nicoletti, Italy, SOC

<b>Consultation, by way of letter, of all national delegations and political groups of the Assembly, as well as of a limited number of non-governmental organisations, in regard to the holding of a next summit of heads of State and of government of member States of the Council of Europe</b>
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Letter from Mr Michele Nicoletti, 25 May 2016
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**Replies by national delegations**

Mr René Rouquet, Chairperson of the French delegation to the PACE, 1 June 2016
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Ms Dzhema Grozdanova, Chairperson of the Bulgarian delegation to the PACE, 2 June 2016
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Mr Michael Aastrup Jensen, Chairperson of the Danish delegation to the PACE, 2 June 2016
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Mr Talip Küçükcan, Chairperson of the Turkish delegation to the PACE, 15 and 29 June 2016
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Ms Ingrid Schou, Chairperson of the Norwegian delegation to the PACE, 15 June 2016
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Ms Gisela Wurm, Chairperson of the Austrian delegation to the PACE, 21 June 2016
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Mr Alfred Heer, Chairperson of the Swiss delegation to the PACE, 23 June 2016
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Delegation of Estonia to the PACE, 30 June 2016
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Mr Bernard Sabella, Chairperson of the Palestinian partner for democracy delegation to the PACE, 5 July 2016
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Ms Anne Brasseur, Chairperson of the Luxembourg delegation to the PACE, 6 July 2016
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Mr Ionuț Stroe, Chairperson of the Romanian delegation to the PACE, 6 July 2016
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Delegation of Finland to the PACE, 7 July 2016
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Ms Ioanneta Kavvadia, Chairperson of the Greek delegation to the PACE, 11 July and 18 September 2016
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Mr Pedro Agramunt, Chairperson of the Spanish delegation to the PACE, 12 July 2016
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Delegation of Liechtenstein to the PACE, 13 July 2016
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Mr Volodymyr Arieiev, Chairperson of the Ukrainian delegation to the PACE, 21 July 2016
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Ms Hermine Naghdalyan, Chairperson of the Armenian delegation to the PACE, 1 August 2016
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**Replies by NGOs**

International Commission of Jurists, Mr Wilder Tayler, Secretary-General, 1 July 2016
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Human Rights Watch, Mr Philippe Dam, Advocacy Director, Europe and Central Division, 4 July 2016
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Amnesty International, Ms Iverna McGowan, Head of the European Institutions Office & Advocacy Director, 2 September 2016
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