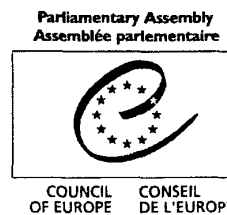


**Parliamentary Assembly**  
**Assemblée parlementaire**



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**Prov. Addendum 1**

2006 ORDINARY SESSION

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(second part)

REPORT

Fourteenth sitting

Thursday 13 April at 10 a.m.

**ADDENDUM 1**

**Follow-up to the Third Summit:**  
**Relations between the Council of Europe and the European Unions**

The following text was submitted for inclusion in the official report by a member who was present in the Chamber but was prevented by lack of time from delivering it.

Mr LUND (Denmark) – Fundamental rights and human rights are fundamental values for democracy, as well as for socialism as for all progressive left forces. Therefore, it is of extreme importance that the Council of Europe, the European Convention on Human Rights and the European Court of Human Rights exist.

The reason why we are having this discussion today is a wish in the EU to work with human rights. You can always wonder what the motives are behind this wish, but the consequence, no matter what kind of agency we will eventually have, will be a duplication of the work that is already being done by the Council of Europe.

Instead of creating new institutions and agencies in the EU, it would be much more sensible to strengthen and give more resources to the institution in Europe which already deals with the human rights questions. And this institution is, of course, the Council of Europe.

There are several reasons why we should be anxious about what must be characterized as potential institutional imperialism. First, the European Convention on Human Rights and the European Court of Human Rights are pan-European institutions. The EU covers only 25 out of the Council of Europe's 46 member states. It would be devastating if the EU agency should overshadow the European Court of Human Rights. Because of the fewer countries being a part of the EU, it would be much more difficult to put pressure on a country like Russia, which is responsible for the genocide in Chechnya – a part of Europe which can only be described as Europe's Darfur.

Secondly, the European Court of Human Rights is a 100% pure human rights court. In the EU, human rights would have to compete with other principles, for example the security of the EU, the fight against terrorism, or the free movement of goods, where the right to strike could be seen as a barrier to the free movement of goods.

Human rights are much better secured in a 100% human rights court – and that court is the European Court of the Human Rights – and not any EU-agency or, in the end, the European Court of Justice. The European Court of Justice has, through the years, been and still is very "activist". Therefore, there is no doubt that the EU, step by step, will duplicate the work of the Council of Europe regarding human rights.

The Council of Europe is not – and must not be - a mere kindergarten for upcoming members of the EU. The Council of Europe is something in itself and a unique institution fighting for human rights and promoting pan-European co-operation in various fields. Therefore, the only reasonable approach is to strengthen further the European Court of Human Rights instead of duplicating institutions.