

Nyt fra Europa rådet

Opdatering maj, kalender juni
Pressemeddelelse DK 7/07, 4. juni 2007

The Republic of Montenegro becomes 47th Council of Europe member State

[11/05/2007] On Friday 11 May, the Republic of Montenegro joined the Council of Europe as its 47th member. The accession ceremony took place in Strasbourg, just before the 117th session of the Organisation's Committee of Ministers. The ceremony began at 9am with a statement by Terry Davis, Secretary General of the Organisation followed by a speech by Milan Roćen, Foreign Minister of the Republic of Montenegro.

117th Session of the Committee of Ministers

(Strasbourg, 10-11 May 2007)

Final press release

Two years after the Summit of Heads of State and Government of the Council of Europe member States held in Warsaw in May 2005, the 117th Session of the Committee of Ministers, chaired by Mr Fiorenzo Stolfi, Minister of Foreign Affairs of San Marino, reviewed the implementation of the decisions taken at the Summit.

The Ministers warmly welcomed their colleague from the Republic of Montenegro, Mr Milan Roćen, on the occasion of the accession of Montenegro as the 47th member state of the Council of Europe.

1. Relations between the Council of Europe and the European Union

The Ministers welcomed the signature by the Council of Europe of the Memorandum of Understanding between the Council of Europe and the European Union which constitutes the new framework for enhanced co-operation the Heads of State and Government called for in Warsaw. They underlined the importance of this text for achieving greater unity between the states of Europe through respect for the shared values of democracy, human rights and fundamental freedoms and the rule of law, strengthening pan-European co-operation at the service of a Europe without dividing lines, along the lines of the guidelines adopted at the Warsaw Summit. They expressed their wish for swift and full implementation of the Memorandum.

The Ministers expressed their gratitude to the San Marino Chairmanship as well as to the previous chairmanships for their efforts in leading the preparation of the text and welcomed the contributions made by all parties involved in the negotiation.

The Ministers noted with satisfaction that the Memorandum was the first significant step in the follow-up to the report on the relations between the Council of Europe and the European Union prepared in his personal capacity by Jean-Claude Juncker, Prime Minister of Luxembourg, at the request of the Heads of State and Government. They considered an interim report discussed in the High-level follow-up group set up following the previous Ministerial Session on the feasibility of other recommendations in the strategic vision contained in Mr Juncker's report. Responding to one of the recommendations of the Juncker report, it was decided to revise the procedure concerning the appointment of the Secretary General in order to enhance the visibility of the work conducted by the Council of Europe and its relations with the European Union. It was agreed that work on follow-up to the Juncker report would be continued and kept under regular review at the future sessions, on the basis of updated reports to be prepared by the High-level group.

The Ministers welcomed the express reference in the Regulation establishing the European Union Agency for Fundamental Rights, adopted by the Council of the European Union on 15 February 2007, to the European Convention on the Protection of Human Rights and Fundamental Freedoms. They also welcomed the fact that this Regulation provides for coordination of the Agency's activities with those of the Council of Europe in a sense of complementarity and added value, in order to ensure the coherence of the human rights protection system in Europe. The Ministers took note of the ongoing negotiation of a cooperation agreement between the Council of Europe and the Agency – an agreement which they will have to approve - and underlined the importance that it reflect these goals of added value and complementarity. They also emphasised the importance of the sound implementation of the future agreement between the Council of Europe and the Agency.

2. Consolidation of the Council of Europe system of human rights protection

The Ministers reiterated their determination to secure the long-term effectiveness of the unique protection system of the European Convention on Human Rights. They paid tribute to the work of the Group of Wise Persons, which had been charged by the Council of Europe's Third Summit with making recommendations for this purpose.

In this context, the Ministers recalled the significant efficiency and capacity increases that Protocol No. 14 to the Convention would introduce. They expressed their strong hope, stressing the need for solidarity between all member states as collective guarantors of the Convention, that Protocol No. 14 will come into force in the nearest future and will become an important element of the Convention system.

The Ministers, stressing the importance of the Report of the Wise Persons' Group and the need to give it appropriate and speedy follow-up, in particular as regards the recommendations that could be implemented without amending the Convention, commended the San Marino Chairmanship for the organisation of the recent high-level colloquy on the future development of the European Court of Human Rights, as the start of a broader multidisciplinary consultation at European level. Important contributions have been made by the Parliamentary Assembly, the Court, the Secretary General, the Commissioner for Human Rights and civil society. The Ministers asked their Deputies to continue their reflection on measures to guarantee the long-term effectiveness of the control mechanism of the Convention, involving in this reflection all relevant actors, including civil society.

The Ministers reaffirmed that they will provide the Court with the necessary support in conformity with the Warsaw Action Plan, bearing in mind the necessary accompanying measures in the Council of Europe which contribute to securing the long-term effectiveness of the human rights protection system of the European Convention on Human Rights.

The Ministers also reaffirmed their determination to reinforce the institution of the Human Rights Commissioner of the Council of Europe in conformity with the Warsaw Action Plan. They looked forward to the memorandum on prospects for reinforced cooperation with the European Union, which the Commissioner would submit to their Deputies before the end of the year.

Recognising the important role of the monitoring mechanisms of the Council of Europe, including the European Committee for the Prevention of Torture and the European Commission against Racism and Intolerance, the Ministers expressed their continued support to the work of these mechanisms in protecting and promoting human rights and reaffirmed their pledge to provide them with the necessary means to carry out this work.

The Ministers took note of an interim report on the state of implementation of their 2006 Declaration on sustained action to ensure the effectiveness of the European Convention on Human Rights at national and at European levels. Stressing the need for resolute action to ensure full implementation of the 2006 Declaration, including swift and full execution of the Court's judgments as well as effective action at national level to reduce the need for individuals to apply to the Court, they asked their Deputies to present a comprehensive report at their 118th Session in May 2008, covering not only the follow-up to the 2006 Declaration but also the effects produced by Protocol No. 14 following its entry into force. They also welcomed the work of the European Commission on the Efficiency of Justice (CEPEJ), both its first report on the efficiency of European legal systems, and those dealing with the length of domestic procedures.

Recalling the importance of cohesive societies in Europe based on the values of the Council of Europe, Ministers called on member states to transcend the wounds of the past in a spirit of remembrance, to move ahead in mutual respect, reconciliation and tolerance and to prevent the spread of extremism.

The Ministers reiterated the concern expressed at the Third Summit on unresolved conflicts that still affect certain parts of the continent, and expressed their determination to ensure that the persons concerned be able to enjoy the protection of the rights guaranteed by the European Convention on Human Rights.

3. Follow-up to other priorities resulting from the Warsaw Summit

Recalling their determination to ensure complete implementation of the Action Plan adopted during the Warsaw Summit, the Ministers welcomed the progress made in streamlining the Council of Europe's activities in order to contribute to the fundamental objective of preserving and promoting human rights, democracy and the rule of law in line with the Warsaw Declaration and Action Plan. They emphasised the evolving character of this process, and agreed to examine achievements as well as possible further steps at their 118th Session.

Council of Europe activities to develop intercultural dialogue

The Ministers recalled their commitment to the promotion of intercultural dialogue as decided by the Heads of States and government in Warsaw and reaffirmed the importance they attached to the implementation of the strategy for developing intercultural dialogue, adopted by the Council of Europe in Faro in October 2005. They noted with satisfaction the progress made. They welcomed in particular the open and inclusive consultations in the preparation of the "White Paper on Intercultural Dialogue" to be worked out in 2007.

A crucial contribution has been made to the White Paper process through the San Marino Chairmanship's initiative concerning the religious dimension of intercultural dialogue. The Ministers welcomed the European Conference on the subject held in San Marino on 23 and 24 April 2007, which was a significant step in the dialogue with religious communities and civil society and were pleased that agreement was reached to hold the "Council of Europe annual exchanges on the religious dimension of intercultural dialogue", in spring 2008 on an experimental basis. This meeting which would provide an opportunity to conduct an open and transparent dialogue with participants representing the religions traditionally present in Europe and civil society on a theme inherent in the values of the Council of Europe. They also noted with satisfaction the official launching of the Kyiv Initiative Regional Programme open to all interested member states and international partners. The Ministers called for enhanced coordination of efforts in the field of intercultural dialogue with all relevant international organisations to avoid duplication and ensure complementarity of work.

Implementation of Chapter V of the Action Plan of the Third Summit

The Ministers took note of the report by their Deputies on the work accomplished since their last session on the reform process of the Council of Europe's organisational structures and working methods. The work carried out so far has followed the road map for reform presented at their last session and its timetable, focusing on 2008 as a target date for stocktaking and decisions on how to proceed. It constitutes a solid basis for further efforts. The Ministers reaffirmed the importance they attach to the reform process and instructed the Deputies and the Secretary General to make increased efforts centred on measures for greater cost efficiency, effectiveness, internal co-operation and transparency. They asked their Deputies to prepare a comprehensive report on the reform process for their 118th Session in May 2008.

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

The Ministers reaffirmed their commitment to reinforce Council of Europe action for democracy and good governance. They thanked the Russian authorities for the successful organisation of the 2nd Forum for the future of democracy in Moscow on 18-19 October 2006 and expressed their gratitude to Sweden for hosting the next session of the Forum on 13-15 June 2007 on the theme "Power and Empowerment – The interdependence of democracy and human rights".

Relations with other international organisations

The Ministers noted with satisfaction recent progress made towards greater co-operation between the Council of Europe and other international organisations, which is reflected by the resolution on co-operation between the United Nations and the Council of Europe adopted by the UN General Assembly on 13 November 2006. They instructed their Deputies to reinforce this co-operation in the different fields,

indicated by the resolution. They recalled in this connection the decisions adopted by their Deputies to achieve greater synergy between the activities of the Council of Europe and the United Nations in human rights matters. As regards co-operation with the OSCE, the Ministers welcomed the impetus given over the past two years to co-operation through the Council of Europe/OSCE Co-ordination Group and the organisation of an increasing number of joint activities.

Combating terrorism

The Ministers noted with satisfaction the forthcoming entry into force on 1 June 2007 of the Council of Europe Convention on the Prevention of Terrorism and called on the Council of Europe member states to sign and ratify it as soon as possible. They welcomed the ongoing work of the Committee of Experts on Terrorism (CODEXTER). They also welcomed the international conference "Why terrorism?", held in Strasbourg on 25-26 April 2007, underlining the necessity to strengthen international cooperation in the fight against terrorism.

Other follow-up

The Ministers took note of the progress made in the implementation of the various campaigns launched at the Warsaw Summit, in particular that on violence against women, including domestic violence, as well as the youth campaign "All different – all equal"; the progress achieved in the mainstreaming and coordination of children rights issues within the Council of Europe, in particular with the negotiation of a new convention on the protection of children against sexual abuse and exploitation; and the creation of the Enlarged Partial Agreement in Sport (EPAS) at their present session.

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The Ministers took note of the priorities of the incoming Chairmanship of the Committee of Ministers, presented by the Minister of Foreign Affairs of the Republic of Serbia, Mr Vuk Drašković.

The Council of Europe and the European Union sign an agreement to foster mutual cooperation

Strasbourg, 23.05.2007 - The Memorandum of Understanding, signed today on behalf of the European Union by Gunter Gloser (the German Minister of State for Europe) and Benita Ferrero-Waldner (the Commissioner for External Relations and European Neighbourhood Policy) creates an institutional framework to reinforce our cooperation in areas of common interest such as democracy, human rights, the rule of law, culture, education and social cohesion.

The Memorandum confirms the role of the Council of Europe as the benchmark for democracy, human rights and the rule of law in Europe. It also stipulates the need for coherence between EU legislation law and Council of Europe conventions in the fields of human rights and fundamental freedoms. The Memorandum underlines that early accession of the European Union to the Convention for the Protection of Human Rights and Fundamental Freedoms would greatly contribute to coherence in the field of human rights in Europe.

The Memorandum also envisages the possibility of consultation between the Council of Europe and the European Union at an early stage in the elaboration of standards in one or the other institution.

[Link to the full text of the Memorandum of Understanding between the Council of Europe and the European Union](#)

Council of Europe Education Ministers in favour of quality education for all

Istanbul, 05.05.2007 – Meeting in Istanbul on 4 and 5 May, on the Council of Europe’s 58th anniversary, the Education Ministers from the 49 signatory States of the European Cultural Convention of the Council of Europe concluded their discussions with the adoption of a final declaration, whereby they undertake to elaborate policies aiming at:

ensuring access to quality education for all, within a society that is more humane and more just, and lifelong learning;
 encouraging the active involvement of parents and civic commitment of all actors in society in order to ensure children’s success at school ;
 promoting children’s rights, in accordance with European and international legal instruments.

Underlining the fundamental role played by teachers, the participants in the Conference welcomed the Norwegian initiative to set up a Resource Centre on democratic citizenship and intercultural education, working in close liaison with the Council of Europe’s Education Directorate and contributing to its programme.

The Ministers present set as the main objective of the Council of Europe programme of co-operation the development of key competences for democratic culture and social cohesion.

They also expressed the wish that this declaration be fully integrated in the activities of the Council of Europe relating to the preparation of the White Paper on intercultural dialogue.

Council of Europe report on minority languages in Norway

Strasbourg, 18.05.2007 - The Council of Europe Committee of Ministers calls on Norway to strengthen the protection of its minority languages, on the basis of a report which has been drawn up by a committee of independent experts which monitors the application of the European Charter for Regional or Minority Languages.

The Committee of Ministers urges Norway to protect and promote the Kven language by adopting policies for standardising and improving the teaching of the language and increasing its use in public life. The Norwegian Government is also encouraged to step up its efforts to protect other languages, such as Sámi, Romani and Romanes, in fields such as education and social and health care.

The regional or minority languages protected under the Charter in Norway are Sámi, Kven, Romani and Romanes.

Link to [full text of the report and the Committee of Ministers’ recommendations](#)

Council of Europe: Reports on racism in Azerbaijan, Finland, Ireland and Monaco

Strasbourg, 24.05.2007 – The Council of Europe’s expert body on combating racism, the European Commission against Racism and Intolerance (ECRI), today released four new reports examining racism, xenophobia, antisemitism and intolerance in Azerbaijan, Finland, Ireland and Monaco. ECRI recognises that positive developments have occurred in all four of these Council of Europe member countries. At the same time, however, the reports detail continuing grounds for concern for the Commission:

Finland has ratified Protocol No.12 to the European Convention on Human Rights and strengthened its legal and institutional frameworks against racism and racial discrimination. But there is a need for a more consistent public commitment against racism and racial discrimination in all its forms in order to promote genuine ownership by society as a whole of the fight against these phenomena. The implementation of the existing institutional and legal frameworks against racism and racial discrimination still needs to be improved, including through evaluation measures.

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These new reports form part of a third monitoring cycle of Council of Europe member states' laws, policies and practices aimed at combating racism. ECRI's country-specific reports are available in English, French and the national language of the country concerned at <http://www.coe.int/ecri>. They cover all member states on an equal footing, from the perspective of protecting human rights. They examine whether ECRI's main recommendations from previous reports have been followed and, if so, to what degree of success and effectiveness.

Domme i nordiske sager ved Den Europæiske Menneskerettighedsdomstol

- 3.5.2007 Custers, Deveaux and Turk v. Denmark (nos. 11843/03, 11847/03 and 11849/03): No violation of Article 7 (no punishment without law);
- 10.5.2007 A.H. v. Finland (no. 46602/99): Violation of Article 6 §§ 1 and 3 (d), (right to a fair trial and right to obtain attendance and examination of witnesses);
- 22.5.2007 Muttilainen v. Finland (no. 18358/02): Violation of Article 6 § 1 (right to a fair trial);
- 22.5.2007 Toive Lehtinen v. Finland (no. 43160/98): Violation of Article 6 § 1 (right to a fair hearing within a reasonable time);
- 31.5.2007 A. and E. Riis v. Norway (no. 9042/04): Declared inadmissible
- 31.5.2007 Riihikallio and Others v. Finland (no. 25072/02): Violation of Article 6 § 1 (right to a fair hearing within a reasonable time).

Møder i juni

(hvor intet andet er nævnt, holdes mødet i Strasbourg)

- 5.-6. Ministerkomitéen
- 8. Dick Marty presents his second report on secret detentions in Europe (Paris, kl. 14.00)
- 11.-12. Konference: Cooperation against Cybercrime
- 13. Ministerkomitéen
- 13.-15. Forum for the Future of Democracy: Power and empowerment - the interdependence of democracy and human rights (Stockholm and Sigstuna)
- 19.-20. Ministerkomitéen
- 22. Ministerkomitéen (Beograd)
- 22.-24. Major consultation on the White Paper of the Council of Europe on Intercultural Dialogue (Lissabon)
- 25.-29. Session: Den Parlamentariske Forsamling (se dagsordenen på assembly.coe.int)

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