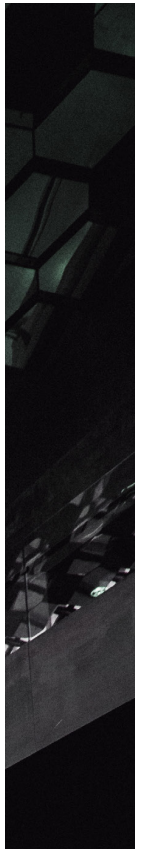


REYKJAVÍK SUMMIT | 16-17 MAY 2023



REYKJAVÍK DECLARATION

# United around our values

REYKJAVÍK SUMMIT OF  
THE COUNCIL OF EUROPE





# Reykjavík Summit of the Council of Europe: United around our values

## Reykjavík Declaration

**We, Heads of State and Government, have gathered in Reykjavík on 16 and 17 May 2023 to stand united against Russia's war of aggression against Ukraine and to give further priority and direction to the Council of Europe's work.**

The Council of Europe was founded in the wake of the Second World War, born out of the conviction that “the pursuit of peace based upon justice and international co-operation is vital for the preservation of human society and civilisation”. It is a peace project, built on the promise of “never again”, a promise that has been fundamentally challenged by Russia's war of aggression against Ukraine.

It underpins why we, the Leaders of Europe, have come together to state our resolve to unite around our values and against Russia's war of aggression against Ukraine, a flagrant violation of international law and everything we stand for. We have a common responsibility to fight autocratic tendencies and growing threats to human rights, democracy and the rule of law. Those core values are the bedrock of our continued freedom, peace, prosperity and security for Europe.

As we approach the 75th anniversary of the Council of Europe, our vision for the Organisation remains the same. Our European democracies are not established once and for all. We need to strive to uphold them each and every day, continuously, in all parts of our continent. The Council of Europe remains the guiding light that assists us in fostering greater unity among us for the purpose of safeguarding and realising these ideals and principles which are our common heritage. We reaffirm our commitment to developing mutual understanding among the peoples of Europe and reciprocal appreciation of our cultural diversity and heritage.

In the home of the Althingi, one of the world's oldest parliaments, we recommit to protecting our democratic foundations, and resolve to counter challenges to human rights and the rule of law by renewing our commitment to the Council of Europe's values and principles, working through our Committee of Ministers, Parliamentary Assembly and Congress of Local and Regional Authorities.



We reaffirm our deep and abiding commitment to the European Convention on Human Rights and the European Court of Human Rights (ECHR) as the ultimate guarantors of human rights across our continent, alongside our domestic democratic and judicial systems. We reaffirm our primary obligation under the Convention to secure to everyone within our jurisdiction the rights and freedoms defined in the Convention in accordance with the principle of subsidiarity, as well as our unconditional obligation to abide by the final judgments of the European Court of Human Rights in any case to which we are Parties.

We stand in solidarity with those affected by Russia's war of aggression against Ukraine and Russia's aggression against Georgia which we condemn in the strongest possible terms. We call, collectively, on the Russian Federation to comply with its international obligations and to immediately withdraw completely and unconditionally its forces from Ukraine, Georgia and the Republic of Moldova. We reassert our unwavering support for their sovereignty, independence and territorial integrity, within their internationally recognised borders.

We remain determined to strengthen the free and open international order based on the rule of law, respect for the UN Charter, the sovereignty, and territorial integrity, within internationally recognised borders, of all States, and respect for human rights and fundamental freedoms.

### **United for Ukraine and accountability**

We express our full support to Ukraine and its people. We will stand with Ukraine, for as long as it takes. Without accountability, there can be no lasting peace and we support the principles for a just and lasting peace as outlined in President Zelenskyy's Peace Formula. We therefore reaffirm the need for an unequivocal international legal response for all victims, as well as for the State of Ukraine.

We stress the universal principle that no statutes of limitation apply to genocide, crimes against humanity and war crimes, including conflict-related sexual violence, notably rape. Only by respecting the right to truth, to justice, to reparation and to guarantees of non-repetition will it be possible to overcome the past and create solid foundations to build unity in the spirit of harmony and co-operation with respect for human rights, democracy and the rule of law.

To this end, we have established the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine as outlined in Appendix I. We invite all member and observer States of the Council of Europe and the European Union, as well as any other State that is eligible according to the Register's Statute, to join.

We acknowledge that the Register is intended to constitute the first component of a future international comprehensive compensation mechanism and express willingness to engage with the international community in further developing such a mechanism to be established by a separate international instrument, which may include a claims commission and compensation fund, while emphasising the obligation for the Russian Federation to pay for the damages caused by this war of aggression.



We welcome international efforts to hold to account the political and military leadership of the Russian Federation for its war of aggression against Ukraine and the progress towards the establishment of a special tribunal for the crime of aggression as highlighted at the Summit of the Special Tribunal's Core Group chaired by President Zelenskyy. The Council of Europe should participate, as appropriate, in relevant consultations and negotiations and provide concrete expert and technical support to the process.

We call on the Russian Federation to immediately release all civilians forcibly transferred or unlawfully deported to the territory of the Russian Federation or to areas temporarily controlled or occupied by the Russian Federation, in particular children, and call on the Council of Europe to take action on the situation of the children of Ukraine, as set out in Appendix II.

We acknowledge the role played by the Committee of Ministers and the Parliamentary Assembly in providing a robust response to Russia's war of aggression against Ukraine and setting forth an ambitious agenda for our support to Ukraine and to ensure accountability.

In this context, we commit to strengthening the work of the Council of Europe to support and promote national and international efforts, including the work of the European Court of Human Rights, the International Criminal Court, and of the International Centre for the Prosecution of the Crime of Aggression against Ukraine. We call on all member States to ensure that perpetrators within their jurisdiction can be tried.

We will support Ukraine's reconstruction efforts, including through financing and implementing the Council of Europe's Action Plan for Ukraine "Resilience, Recovery and Reconstruction", and commit to using all means available within the Council, including through the Council of Europe Development Bank (CEB).

## United around our values

Throughout its history, the Council of Europe's standards on human rights, democracy and the rule of law have been pivotal to ensuring and strengthening individual freedoms, peace and prosperity in our member States. As we work to promote the rights of the child, we underline the importance of education to give children and young people the necessary references to grow up embracing our democratic values in culturally diverse societies and take an active part in the protection of our cultural heritage. We also stress the important role that the Council of Europe is playing to promote and protect the rights of persons belonging to national minorities.

Moreover, the Council of Europe has played a crucial role to ensure that Europe is a death penalty-free zone and should pursue the fight against the reintroduction of the death penalty, and in favour of its universal abolition, in all places and in all circumstances. It has also ensured that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is upheld.

We are committed to securing and strengthening democracy and good governance at all levels throughout Europe. We will work together to protect and promote the three fundamental, interdependent and inalienable principles of democracy, rule of law and



human rights, as enshrined in the Statute of the Council of Europe and in the European Convention on Human Rights.

However, democratic backsliding, external threats and new challenges lead us to strengthen our resolve and to adopt the Reykjavík Principles for Democracy, set forth in Appendix III. We commit to delivering on them to promote, protect and strengthen democracy throughout our member States and to engage in regular, high-level dialogue with member States and partners on the above-mentioned principles. The World Forum for Democracy, organised every year in Strasbourg, provides one opportunity for such an exchange.

We will continue supporting the Court's efficient and timely response to pending applications and redouble our efforts for the full, effective and rapid execution of judgments, including through developing a more co-operative, inclusive and political approach based on dialogue, as laid out in Appendix IV on "Recommitting to the Convention System as the cornerstone of the Council of Europe's protection of human rights".

We will also ensure the diligent respect for the rule of law, benefitting every citizen and building a European legal community of shared values and dialogue between the jurisdictions of its member States, including by raising the profile of, and strengthening the Venice Commission, by for example giving more visibility and status to its Rule of Law Checklist and exploring ways the Organisation can better support the implementation of its recommendations.

Social justice is crucial for democratic stability and security and in this regard we reaffirm our full commitment to the protection and implementation of social rights as guaranteed by the European Social Charter system. We will consider the organisation of a High-Level Conference on the European Social Charter, as a step to take further commitments under the Charter where possible.

We reiterate the pan-European role of the Council of Europe and in this regard, we will step up and strengthen the Council of Europe's engagement with democratic actors in Europe and its efforts to create an enabling environment for human rights defenders.

We will in particular pursue the work of the Contact Group on co-operation with Belarusian democratic forces and civil society, and will find ways to strengthen co-operation with Russian and Belarussian human rights defenders, democratic forces, free media and independent civil society.

## **United to meet current and future challenges**

The Council of Europe has played a pioneering global role in developing standards in emerging and new policy areas and we underline our collective determination to address current and future challenges.

We underline the urgency of additional efforts to protect the environment, as well as to counter the impact of the triple planetary crisis of pollution, climate change and loss of biodiversity on human rights, democracy and the rule of law. We therefore commit to strengthening our work on the human rights aspects of the environment and initiate



the Reykjavík process of focusing and strengthening the work of the Council of Europe in this field, as laid out in Appendix V on “The Council of Europe and the environment”.

We acknowledge the positive impact and opportunities created by new and emerging digital technologies while recognising the need to mitigate risks of negative consequences of their use on human rights, democracy and the rule of law, including new forms of violence against women and vulnerable groups generated and amplified by modern technologies, and, in this context, we commit to ensuring a leading role for the Council of Europe in developing standards in the digital era to safeguard human rights online and offline, including by finalising, as a priority, the Council of Europe’s Framework Convention on Artificial Intelligence.

We welcome the Council of Europe’s prominent role in international standard-setting on freedom of expression and related issues such as media freedom, and access to information and combatting hate speech and disinformation, including the instrumentalisation of history, in particular in the light of the increasing impact of digital technologies on these issues. We will continue our collective efforts for the safety of journalists and other media actors.

We recall the increasing challenges of migration and the necessity to fight against trafficking and smuggling of migrants. We commit to intensifying efforts to foster and improve international co-operation in this regard, while continuing to protect the victims and respect the human rights of migrants and refugees, as well as supporting frontline States, within the existing Council of Europe frameworks.

Dignity and equality are the foundation of modern European societies. We acknowledge the need to ensure equality and combat any kind of discrimination and the important role the Organisation plays in this regard. We therefore commit to strengthening work towards inclusive societies without marginalisation, exclusion, racism and intolerance. In this regard, we will use an intersectional approach in the work of the Council of Europe to address the multiple discriminations faced by people and groups in vulnerable and marginalised situations.

We recall that gender equality and the full, equal and effective participation of women in public and private decision-making processes are essential to the rule of law, democracy and sustainable development. We underline the pioneering role of the Council of Europe, including through the Istanbul Convention, in the fight against violence against women and domestic violence.

## **United in our vision for the Council of Europe**

Russia’s war of aggression against Ukraine has forced us to re-evaluate how we can best respond to the challenges facing us within Europe’s multilateral architecture and the international rules-based order. We therefore commit to strengthening the role of the Council of Europe in the evolving European multilateral architecture and in global governance by enhancing its external dimension, through its liaison offices and through a new engagement based on its core values with democracies in the world and its southern neighbourhood.



We will in particular strengthen our dialogue with our observer States, with which the Council of Europe and its member States share a set of fundamental values and common principles. We will also promote increased ratification of Council of Europe conventions that are open to non-member States through targeted universalisation campaigns, to advance compliance with the Organisation's ambitious standards beyond European borders. Through the active contribution of the observer States, our outreach can be further extended to non-member countries.

The European Union (EU) is the main institutional partner of the Council of Europe in political, legal, and financial terms. We underscore the importance of joint programmes between the EU and the Council as a key expression of this strategic partnership and mutual commitment to promoting common values. We welcome the unanimous provisional agreement on the revised draft accession instruments as an important accomplishment in the process of accession of the European Union to the Convention, and we express our commitment to its timely adoption. This will set the relations between the Council of Europe and the EU on a new path of reinforced co-operation.

We call for more political dialogue with other international organisations, including the UN and the OSCE, to strengthen the partnership between these organisations and the Council of Europe. We believe that further synergies are possible, notably when it comes to the implementation of the UN's Sustainable Development Goals (SDGs), and underscore the need to avoid duplication of work and possibly competing standards.

To achieve our objectives, we need a modern Council of Europe enabling us to meet current and future challenges as well as the expectations of future generations. We will ensure that the Council of Europe, and especially the Court, is financially sustainable, and that the Organisation is more agile, resilient and results-oriented, including through adopting an integrated budget based on agreed strategic priorities, and we will continue the reform process to achieve greater transparency, efficiency and effectiveness.

We further recognise the important role of the Organisation's co-operation dimension, including its field offices, in providing targeted support to beneficiaries on the ground and commit to further strengthening the work of the Organisation in the field, in co-operation with the countries concerned.

We set the Council on a new path of increased transparency and co-operation with its stakeholders, with strengthened visibility and sufficient resources. This should include a youth perspective in the Organisation's intergovernmental and other deliberations as youth participation in decision-making processes improves the effectiveness of public policies and strengthens democratic institutions through open dialogue. We also call for a review and further reinforcement of the Organisation's outreach to, and meaningful engagement with, civil society organisations and national human rights institutions.

Finally, we commit to strengthening the institution of the Council of Europe's Commissioner for Human Rights, particularly in light of the need for principled and swift action to address backsliding and other evolving human rights challenges; to continue to strengthen the co-operation and political dialogue with the Parliamentary Assembly, including through the increased use of the Joint Committee; and to support





the essential role of multilevel governance in delivering the Organisation's vision, including through the Congress of Local and Regional Authorities' role to implement the European Charter of Local Self-Government.

## **The Europe we want**

When we created the Council of Europe in 1949, it was against the backdrop of war in Europe. Those that came before us had the resolve to create the Council of Europe to unite European countries in the common belief that true democracies that uphold the rule of law and ensure respect for human rights were the best defence against authoritarianism, totalitarianism and war on our continent.

As we now gather here in 2023, our European democracies are under attack again. Russia's war of aggression against Ukraine is not just a violation of international law, but an attack on our democracies.

We see democratic security as key for member States to address current and future challenges together and to secure peace and prosperity in Europe. We consider that the Council of Europe, with its seat in Strasbourg, symbol of peace and reconciliation, is uniquely placed to bring together, on an equal footing, all countries of Europe to protect democratic security in Europe and to counter the undermining of human rights, democracy and the rule of law.

At this 4th Summit of the Council of Europe, our common resolve is to unite around our values and standards. With this Declaration, we set the path forward for our countries and for the Council of Europe, for the benefit of all Europeans, including future generations.



## Appendix I

### Declaration in support of the Enlarged Partial Agreement on the Register of Damage

We, the Heads of State and Government of [...], as well as the representatives of [...] and of the European Union,

Reiterating our condemnation in the strongest terms of the aggression of the Russian Federation against Ukraine and expressing our full support for Ukraine and our solidarity with its people and reiterating also our unwavering commitment to the independence, sovereignty and territorial integrity of Ukraine within its internationally recognised borders;

Condemning all violations of international law, including international human rights law and international humanitarian law, in particular attacks against civilians and civilian objects, including civilian infrastructure, cultural and religious heritage and the environment of Ukraine, and convinced of the exigent necessity to ensure comprehensive accountability in the context of the Russian Federation's aggression against Ukraine;

Bearing in mind the United Nations General Assembly Resolution A/RES/ES-11/5 of 14 November 2022 "Furtherance of remedy and reparation for aggression against Ukraine" recognising, inter alia, that the Russian Federation must bear the legal consequences of all of its internationally wrongful acts in or against Ukraine, including making reparation for the injury, and for any damage caused by such acts, and noting that this Resolution also recognises the need for the establishment of an international mechanism for reparation, and recommends the creation of an international register of damage in co-operation with Ukraine;

Having assembled here in Reykjavík on 16 May 2023, in the margins of the 4th Summit of the Council of Europe, express our political support by having joined or intending to join the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine established within the institutional framework of the Council of Europe.

In signature hereof:



## Appendix II

### Declaration on the situation of the children of Ukraine

We, Heads of State and Government,

Expressing solidarity with the Ukrainian people, who are defending not only their sovereign State but also the principles and values of the Council of Europe;

Calling on the Russian Federation to cease the aggression against Ukraine and respect its obligations under international law, including international humanitarian law;

Condemning the large-scale abuses and violations of the human rights and fundamental freedoms of children of Ukraine by the Russian Federation;

Condemning the attacks by the Russian Federation on civilian objects, including infrastructures protected under international humanitarian law, in particular places that generally have a significant presence of children, such as homes, hospitals, maternity clinics, schools, childcare facilities and recreational spaces;

Reaffirming that all children of Ukraine are entitled to enjoy the full range of human rights enshrined in relevant international legal instruments and that the best interests of the child shall be the primary consideration in all decision making;

Expressing grave concern with regard to the evidence of killings, injuries and sexual abuse of children, unlawful transfers and deportation of Ukrainian children by Russian forces to the Russian Federation and Belarus or to the areas temporarily controlled or occupied by the Russian Federation and their forcible placement under custody or adoption by Russian citizens, and other violations of their dignity and rights;

Underlining that all crimes committed against children must be independently investigated and their perpetrators must not go unpunished, pursuant to the general principles of international law and international humanitarian law, and reiterating our support for the indispensable work of national and international justice to ensure that all those responsible for the crimes committed in Ukraine are held to account;

Underlining the significance of the recent decision of the International Criminal Court to issue arrest warrants for the President of the Russian Federation, Vladimir Vladimirovich Putin, and the Commissioner for Children's Rights in the Office of the President of the Russian Federation, Maria Alekseyevna Lvova-Belova, in connection with the alleged war crimes of unlawful deportation and transfer of children from temporarily controlled or occupied areas of Ukraine to the Russian Federation;

Noting the findings and recommendations of the Council of Europe Commissioner for Human Rights on the human rights violations flowing from Russia's failure to return Ukrainian children who have been transferred to the Russian Federation, Belarus, and to the areas temporarily occupied by the Russian Federation to their families and legal guardians and on the situation of internally and externally displaced children fleeing the aggression of the Russian Federation against Ukraine, including the need to protect them from human trafficking, exploitation and sexual violence wherever they are;



Recognising that the level of protection and support offered to people fleeing Ukraine by Council of Europe member States has been commendable, while also noting challenges in addressing the special needs of children, especially with regard to guardianship and integrated child protection;

Aware of the need for additional protection and assistance measures for displaced children from Ukraine who are unaccompanied and separated, and those in a situation of multiple and intersecting vulnerabilities, such as children at risk of poverty or social exclusion, children with disabilities, orphans and Roma children or those at risk of violence, trafficking or revictimisation;

Taking note of the Ukrainian authorities' expectations that children who have been displaced or who have sought refuge in other Council of Europe member States, including those from institutions, will be repatriated to Ukraine when it is safe to do so;

Recalling the right of children to freely express their views in all matters affecting them and for their views to be given due weight in accordance with their age and maturity, and if necessary, to be provided with assistance to realise that right;

Bearing in mind that the Council of Europe Strategy for the Rights of the Child (2022-2027) calls for special procedural safeguards and support services for children in crisis and emergency situations;

Noting the State Parties', including the Russian Federation's, main obligations under the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), applicable in crisis and emergency situations and the relevant recommendations and statements of the Lanzarote Committee;

Welcoming the extensive efforts by the Council of Europe, in close co-operation with the Ukrainian authorities, to provide assistance with documenting abuses and violations of children's rights and enhancing the capacity of those working with children affected by the conflict;

Noting with appreciation the on-going efforts by Ukraine's authorities to both document violations of children's rights and to locate and return children who have been unlawfully deported or forced to seek refuge elsewhere;

Welcoming Ukraine's ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), and stressing the need to protect Ukrainian girls and boys from any form of violence, including sexual and gender-based violence, psychological violence and domestic violence, including as witnesses;

1. We underline the need to intensify efforts, at all levels of governance, to guarantee the effective protection of the rights of children of Ukraine in the current context and resolve, in full compliance with the applicable Council of Europe standards, to:
  - i. ensure the protection of all human rights and fundamental freedoms of the children of Ukraine, including their right to life, to freedom from violence, to respect for their family life, to non-discrimination, to enjoy their own language and culture, to social security, to the highest attainable standards of physical and mental health, education and housing, and to access to justice;



- ii. provide effective measures of protection, including guardianship, for unaccompanied and separated children in the context of migration and to ensure their proper identification and registration;
  - iii. support children from Ukraine living in alternative care in Council of Europe member States, including by taking all necessary measures to ensure the effective prevention of violence and sexual and gender-based violence in such settings;
  - iv. ensure the highest possible standard of reception and care so that children are hosted in line with the relevant standards of community- and family-based care, while recognising the legitimate desire of the Ukrainian authorities to keep track of these particularly vulnerable categories of children in order to enable their safe return to Ukraine;
  - v. ensure that children in Ukraine have effective access to integrated child protection systems, including the timely provision of psychological support tailored to their specific needs and paying particular attention to the rights and needs of children with disabilities;
  - vi. ensure the effective implementation of the recommendations of the Council of Europe monitoring bodies that concern the situation of children in Ukraine, as well as of the other bodies of the Council of Europe, including the Commissioner for Human Rights, and of the Special Representative of the Secretary General on Migration and Refugees;
  - vii. support the implementation of specific measures that target the protection and well-being of the children of Ukraine, including those in the Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction (2023-2026)” and the Council of Europe Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum (2021-2025);
  - viii. provide displaced children with opportunities to participate in decisions that affect them, in accordance with their age and maturity.
2. Furthermore, we are resolved to assist the Ukrainian authorities to implement a comprehensive reform of the child protection and care system, in due respect of the rights of the child, which will ensure that the best interest of the child is the primary consideration for the repatriation of children who have been displaced from Ukraine.
  3. We call on the Council of Europe to facilitate co-operation between States, the European Union, and relevant international organisations, through an appropriate mechanism, in order to:
    - exchange information on legal and policy frameworks regarding the situation, status and needs of children from Ukraine residing in its member States;
    - advise on the reform of the Ukrainian child protection and care system;
    - facilitate the sharing of relevant information, including information from the Network of Focal Points on Migration and, as far as possible, the co-ordination of measures taken with regard to the best interests of the children of Ukraine.



4. We are fully committed to fight against the impunity of perpetrators of crimes committed against children, including the deportation of children, by continuing our support for international and national jurisdictions investigating these crimes.
5. We are committed to working with the international community and to supporting the Ukrainian authorities to ensure the immediate return to Ukraine of children who have been unlawfully transferred and deported from Ukraine to the Russian Federation, Belarus or to the areas temporarily controlled or occupied by the Russian Federation.
6. We are determined to ensure co-operation and co-ordination with other international and European organisations, including civil society organisations, to safeguard and protect the rights, safety and well-being of the children of Ukraine.



## Appendix III

### Reykjavík Principles for Democracy

**We, the Heads of State and Government, are committed to securing and strengthening democracy and good governance at all levels throughout Europe. We will work together to protect and promote the three fundamental, interdependent and inalienable principles of democracy, rule of law and human rights, as enshrined in the Statute of the Council of Europe and in the Convention for the Protection of Human Rights and Fundamental Freedoms.**

**We consider democracy as the only means to ensure that everyone can live in a peaceful, prosperous and free society. We will meet our obligations under international law. We will prevent and resist democratic backsliding in our continent, including in situations of emergency, crisis and armed conflicts and will stand firm against authoritarian tendencies by enhancing our shared commitments as member States of the Council of Europe.**

**Together we commit to the following Reykjavik Principles and will:**

1. actively enable and encourage DEMOCRATIC PARTICIPATION at national, regional and local levels through free and fair elections. As appropriate, forms of participatory democracy, including deliberative democracy, may be encouraged;
2. hold ELECTIONS AND REFERENDA in accordance with international standards and take all appropriate measures against any interference in electoral systems and processes. Elections are to be grounded in respect for relevant human rights standards, especially FREEDOM OF EXPRESSION, FREEDOM OF ASSEMBLY AND FREEDOM OF ASSOCIATION, including for the creation of political parties and associations in accordance with national and international standards;
3. maintain and protect INDEPENDENT AND EFFECTIVE PARLIAMENTS AND OTHER DEMOCRATIC INSTITUTIONS which determine their own rules and procedures and in which representatives from across the political spectrum can participate. All elected representatives will maintain HIGH ETHICAL STANDARDS;
4. uphold the SEPARATION OF POWERS with appropriate checks and balances between different State institutions, at all levels, to prevent any excessive concentration of power;
5. ensure INDEPENDENT, IMPARTIAL AND EFFECTIVE JUDICIARIES. Judges must be independent and impartial in the exercise of their functions, and free from external interference, including from the Executive;
6. pursue a relentless FIGHT AGAINST CORRUPTION, including through prevention, and by holding accountable those exercising public power, and continue fighting organised crime;



7. ensure the right to FREEDOM OF EXPRESSION, including academic freedom and artistic freedom, to hold OPINIONS and to receive and impart information and ideas, both online and offline. Free, independent, plural and diverse media constitutes one of the cornerstones of a democratic society and journalists and other media workers should be afforded full protection under the law. Disinformation or misinformation posing a threat to democracy and peace will be countered, in a manner compatible with international law, including the right to freedom of expression and freedom of opinion;
8. invest in a DEMOCRATIC FUTURE by ensuring that everyone is able to play their role in democratic processes. Priority will be given to support the participation of young persons in democratic life and decision-making processes, including through education about human rights and core democratic values, such as pluralism, inclusion, non-discrimination, transparency and accountability;
9. reaffirm that CIVIL SOCIETY is a prerequisite for a functioning democracy and commit to supporting and maintaining a safe and enabling environment in which civil society, as well as human rights defenders, can operate free from hindrance, insecurity and violence;
10. ensure FULL, EQUAL AND MEANINGFUL PARTICIPATION IN POLITICAL AND PUBLIC LIFE for all, in particular for women and girls, free from violence, fear, harassment, hate speech and hate crime, as well as discrimination based on any ground.

We will share and promote these principles together with States and international organisations including the UN, the OSCE and the EU, as well as all those willing to work with the Council of Europe to further the achievement of greater unity and better global governance.





## Appendix IV

### Recommitting to the Convention System as the cornerstone of the Council of Europe's protection of human rights

We, the Heads of State and Government:

Recalling the extraordinary contribution of the system established by the European Convention on Human Rights (hereinafter "the Convention") to the protection and promotion of human rights and the rule of law in Europe, as well as its central role in the maintenance and promotion of democratic security and peace throughout the Continent;

Recalling the important achievements of the European Court of Human Rights (hereinafter "the Court") through its judgments and decisions in supervising compliance with the Convention and defending the values underpinning the Council of Europe;

Recalling that the work undertaken in the framework of the Interlaken process has contributed significantly to the tangible evolution of the Convention system;

Underlining the primary obligation for all High Contracting Parties to the Convention to secure to everyone within their jurisdiction the rights and freedoms defined in the Convention in accordance with the principle of subsidiarity, the importance of taking into account the case-law of the Court in a way that gives full effect to the Convention, and the unconditional obligation to abide by the final judgments of the Court in any case to which they are parties;

Underlining that the Russian Federation, despite no longer being a High Contracting Party to the Convention, still has the duty to co-operate with the Court and the binding and unconditional obligation under international law to implement all final judgments and decisions of the Court in relation to its acts or omissions capable of constituting a violation of the Convention that occurred until 16 September 2022;

Welcoming the unanimous provisional agreement on the revised draft accession instruments as an important accomplishment in the process of accession of the European Union to the Convention; underlining that the accession will enhance coherence in human rights protection in Europe, and encouraging timely adoption of that agreement;

Underlining the importance of the principle of subsidiarity and the margin of appreciation for the implementation of the Convention at the national level by the High Contracting Parties, reinforced by the entry into force of Protocol No. 15, as well as the notion of shared responsibility between the High Contracting Parties, the Court and the Committee of Ministers to ensure the proper functioning of the Convention system; also recalling that executive, national and local authorities, national courts and national parliaments bear responsibility for implementing the Convention and complying with the judgments of the Court;



Underlining the fundamental importance of the execution of the Court's judgments and the effective supervision of that process to ensure the long-term sustainability, integrity and credibility of the Convention system;

Underlining our rejection of attacks at high political levels on the rights protected by the Convention and the judgments of the Court seeking to safeguard them;

Recalling that the large majority of judgments are fully implemented but concerned also by lack of engagement, delays and failings in implementing certain judgments, undermining the authority of the Court and seriously threatening the effectiveness of the Convention; recalling in this context, the relevant decisions of previous Ministerial Sessions in which the Committee of Ministers' agreed to continue to enhance the efficiency of the process of supervision of execution of the Court's judgments, particularly its Human Rights meetings;

Regretting that problems encountered in implementing judgments at the national level are often due to limited resources and technical expertise;

Recognising that the Court's current resources are insufficient and unsustainable to adequately deal with the influx of new and pending applications, including inter-State applications arising from conflicts, many of which concern complex legal, political and societal issues as well as repetitive cases, which place a significant burden on the Court;

Consequently, undertake to:

### **Firmly recommit to the Convention System**

Reaffirm our unwavering commitment to the Convention system as a mechanism to promote peace and stability in Europe and the Council of Europe's core values of human rights, democracy and the rule of law;

Reaffirm our strong attachment to the right of individual application to the Court as a cornerstone of the system protecting the rights and freedoms set forth in the Convention;

Recommit to resolving the systemic and structural human rights problems identified by the Court and to ensure the full, effective and prompt execution of the final judgments of the Court, taking into account their binding nature and the obligations of the High Contracting Parties under the Convention whilst also recalling the importance of involving national parliaments in the execution of judgments;

Reaffirm also the principle of subsidiarity and that respondent States remain free to choose the means by which they discharge the obligation, under Article 46 of the Convention, to abide by the final judgments of the Court in any case to which they are a party;

Support the Court's efforts to ensure that, through the expeditious processing of individual and inter-State applications, in particular those arising from conflicts, States are held accountable for their actions;

Affirm the need to make every effort to ensure the execution of the Court's judgments by the Russian Federation, including through the development of synergies with other international organisations such as the United Nations;



Ensure the allocation of sufficient and sustainable resources to enable the Court to exercise its judicial functions effectively and to deal with its workload expeditiously;

Continue improving the effectiveness of the supervision mechanism of the execution of judgments and ensure that the Department for the Execution of Judgments has the necessary resources to assist member States and the Committee of Ministers in this task;

Recognise the role of the Council of Europe Commissioner for Human Rights and of national human rights institutions and civil society organisations in monitoring compliance with the Convention and the Court's judgments;

### **Develop a more co-operative, inclusive and political approach based on dialogue**

Affirm the need for a co-operative and inclusive approach, based on dialogue, in the supervision process to assist States in the execution of the Court's judgments;

Scale up co-operation programmes to assist member States in the implementation of judgments, which may involve, as appropriate, States facing the same or similar issues in implementation, and increase synergy between the Department for the Execution of Judgments and the Council of Europe co-operation programmes;

Call for greater synergy between Council of Europe monitoring and advisory bodies, the Department for the Execution of Judgments and other relevant Council of Europe departments, as appropriate, to facilitate the exchange of good practice and expertise among member States, and underline the importance of holding an annual meeting with national co-ordinators for the execution of judgments and the Department for the Execution of Judgments;

Call for a strengthening of the institutional dialogue between the Court and the Committee of Ministers on general issues related to the execution of judgments;

Take note of the comprehensive dialogue between the Court and the Supreme and Constitutional Courts of the States Parties including through the Superior Courts Network, and the advisory opinions of the Court, and encourage the strengthening of this dialogue;

Invite the President of the Committee of Ministers, the Secretary General, the President of the Parliamentary Assembly and the President of the Congress of Local and Regional Authorities to strengthen their political dialogue with their respective national interlocutors on the implementation of judgments;

Invite national authorities, as appropriate, to strengthen co-operation with local and regional authorities in order to facilitate the process of executing the judgments which concern them;

Call for a strengthening of political dialogue in the event of difficulties in the implementation of judgments and encourage the participation of high-level representatives from the respondent State;

Call on the Committee of Ministers to continue their work enhancing the tools available in the supervision of the execution of judgments with clear and predictable, gradual steps in the event of non-execution or persistent refusal to execute the final judgments of the Court, in an appropriate and flexible way, that takes into account the specificities of each case.



## Appendix V

### The Council of Europe and the environment

We, the Heads of State and Government, underline the urgency of taking co-ordinated action to protect the environment by countering the triple planetary crisis of pollution, climate change, and loss of biodiversity. We affirm that human rights and the environment are intertwined and that a clean, healthy and sustainable environment is integral to the full enjoyment of human rights by present and futures generations.

We underscore the role that the Council of Europe may play as an Organisation working not only in the area of human rights, democracy and the rule of law, but with a longstanding and widely acknowledged track record in protecting the environment, environmentally friendly landscape management and public health. It has both the tools and the structures to address human rights and the environment, in the spirit of co-operation and by sharing experience and promising practice.

We note that the right to a healthy environment is enshrined in various ways in several constitutions of the Council of Europe member States and the increased recognition of the right to a clean, healthy and sustainable environment in, inter alia, international instruments, regional human rights instruments, national constitutions, legislation and policies.

We recall the extensive case-law and practice on environment and human rights developed by the European Court of Human Rights and the European Committee of Social Rights. We appreciate the ongoing work of the Committee of Ministers, the Parliamentary Assembly, the Congress of Local and Regional Authorities, the Commissioner for Human Rights, the youth sector and other parts of the Council of Europe to strengthen the protection of human rights linked to the protection of the environment.

We consider the Convention on the Conservation of European Wildlife and Natural Habitats (the “Bern Convention”) a unique international instrument aimed at aligning national standards and practices in conserving wild flora and fauna and their natural habitats at pan-European level and beyond, providing the necessary tools to strengthen intergovernmental co-operation and giving an opportunity to civil society to engage with governments and bring to their attention concerns about threats to biodiversity and natural habitats and their detrimental consequences.

We recall that the Council of Europe Landscape Convention - the first international treaty devoted exclusively to all dimensions of the landscape – specifies that the landscape has an important public interest role in the cultural, ecological, environmental and social fields and is a key element of individual and social well-being, and that landscape protection, management and planning entail rights and responsibilities for everyone.

We recognise the importance of access to information, access to public participation in decision-making processes and access to justice in environmental matters, as set out in the Council of Europe Convention on Access to Official Documents (the “Tromsø Convention”).



We recognise and support the vital role of civil society and other stakeholders, including national human rights institutions, regional institutions for the protection and promotion of human rights, youth, indigenous peoples, religious leaders and communities, as well as cities, regions and other sub-national authorities and local communities, in the protection of the environment.

We consider that strengthened Council of Europe action in this field will contribute to progress towards the United Nations 2030 Agenda for Sustainable Development Goals.

Together we commit to:

- i. Strengthen our work at the Council of Europe on the human rights aspects of the environment based on the political recognition of the right to a clean, healthy and sustainable environment as a human right, in line with United Nations General Assembly Resolution 76/300, The human right to a clean, healthy and sustainable environment, and by pursuing implementation of the Committee of Ministers Recommendation CM/Rec(2022)20 on human rights and the protection of the environment;
- ii. Reflect on the nature, content and implications of the right to a clean, healthy and sustainable environment and, on that basis, actively consider recognising at the national level this right as a human right that is important for the enjoyment of human rights and is related to other rights and existing international law;
- iii. Encourage the Council of Europe Development Bank to focus on the social dimensions of climate change and environmental degradation, and to help member States achieve a fair and inclusive transition that leaves no one behind by funding projects in its key sectors of activity, in line with its strategic framework;
- iv. Conclude as soon as possible the Council of Europe's ongoing work on a convention superseding and replacing the European Convention on the Protection of Environment through Criminal Law and on the consideration of the need for and feasibility of a new instrument or instruments in the field of human rights and the environment;
- v. Initiate the "Reykjavik process" of strengthening the work of the Council of Europe in this field, with the aim of making the environment a visible priority for the Organisation. The process will focus and streamline the Organisation's activities, with a view to promoting co-operation among member States. We will identify the challenges raised by the triple planetary crisis of pollution, climate change and loss of biodiversity for human rights and contribute to the development of common responses thereto, while facilitating the participation of youth in these discussions. We will do this by enhancing and co-ordinating the existing Council of Europe activities related to the environment and we encourage the establishment of a new intergovernmental Committee on environment and human rights ("Reykjavik Committee").





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