

## Departamento de Europa

### COUNCIL OF EUROPE

#### Ministers' Deputies CM Documents

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#### Declaration

This year, the Council of Europe is celebrating its 60th anniversary. Since 1949, our Organisation has worked to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage. It has played a decisive role in fostering, throughout the continent, a Europe without dividing lines, united by the values of human rights, democracy and the rule of law. It has established itself as the European reference in these fields which are vital for the stability and security of our continent. As a pan-European forum for political dialogue and action, including in the legal and judicial area, the Council of Europe acts on a daily basis to transform these values into a reality for 800 million people. In this respect, we reiterate that we look forward to the day when Belarus is ready to join the Council of Europe with due respect for the Statute of the Organisation.

Two decades after the end of painful divisions of Europe and its progressive uniting around shared common values, we, the Ministers of Foreign Affairs of the member states of the Council of Europe, meeting in Madrid on 12 May 2009, reaffirm our commitment to the Organisation. We are determined to take its role forward, as defined in the Statute and developed further in Warsaw by our Heads of State and Government in 2005, on the basis of the following principles and guidelines:

1) The core objective of the Council of Europe is to preserve and promote human rights, democracy and the rule of law in Europe. All its activities should contribute to this objective.

2) Human rights are universal and indivisible. They are the inalienable rights of each and every individual. Ensuring that everyone Europe-wide can fully exercise his or her rights in practice and without discrimination constitutes the priority task of our Organisation. It has many achievements to its credit, including the abolition of the death penalty. It will continue its action to promote human rights in order to respond to the challenges of these changing times.

3) The European Court of Human Rights ensures the observance of the engagements undertaken by member states under the European Convention on Human Rights (ECHR) and represents the judicial dimension of this action. The Court has for 50 years been securing the protection in practice of the rights of individuals. We shall ensure that this continues to be the case by guaranteeing the long-term effectiveness of the irreplaceable mechanism of the Convention. We reaffirm the importance of the rapid implementation of the measures aimed at improving the ECHR system, and in particular those contained in Protocol No. 14 to the European Convention on Human Rights. In view of the urgency, it has been decided to allow provisional application of certain procedural reforms foreseen in Protocol No.14. We shall also step up our efforts to improve implementation of the Convention at national level, including through the full and complete execution of the judgments delivered by the Court. We welcome the initiative of organising at the beginning of 2010 a conference on the future functioning of the European Court of Human Rights.

4) The Council of Europe's Commissioner for Human Rights carries out his mandate in an outstanding way through action in the field and sustained dialogue with member states. The Commissioner's activity has become fundamental, including in times of crisis. We shall continue to lend him our active support, as well as to the Council of Europe independent monitoring mechanisms.

5) A commitment to promoting our values, which must guide all the activities of our Organisation, is also essential in the difficult field of the fight against terrorism. Meeting here today in Madrid, a city which has suffered deadly terrorist attacks, we resolutely reaffirm our determination to combat terrorism, paying due attention and support to victims, with strict respect for human rights and the rule of law. We are convinced that this fight will achieve success in the long term precisely because of our adherence to these values. This is where we see the Council of Europe making a contribution. We welcome the meeting today, also in Madrid, of the First Consultation of the Parties to the Council of Europe Convention on the Prevention of Terrorism, with a view to strengthening our efforts against this scourge which seriously jeopardises human rights and threatens democracy.

6) We are committed to strengthening the rule of law throughout the continent, building on the standard setting of the Council of Europe and its contribution to the development of European and international law. This invaluable work, carried out through legally binding conventions and other instruments, will be continued, in particular to respond to the serious threats represented by corruption and money laundering, organised crime and cybercrime. In addition, counterfeit medicines and the unregulated use of biotechnology require a concerted response at European level. At the same time, the Council of Europe will forge ahead with its efforts to make the most of the potential of the new technologies for the protection of human rights and the promotion of democracy.

7) The Council of Europe will also step up its action to make gender equality a reality and to promote the rights of children and persons with disabilities. It will pursue its efforts to fight human trafficking as well as to prevent and combat violence against women and children, including domestic violence.

8) In the context of the economic crisis and in response to the challenges posed by globalisation, the democratic stability of our societies is paramount. To this end, there must be strong social cohesion and the active exercise of democratic citizenship, involving in particular young people. To avert the risk of social exclusion, it is more essential than ever to protect the rights of the most vulnerable individuals and groups. There is a need

for vigorous action to combat all forms of intolerance, in particular by means of education, prevention and standard-setting. The Organisation will pursue its action in all these fields, including the promotion of cultural heritage and of intercultural dialogue based on respect for human rights, democracy and the rule of law, as advocated by the Council of Europe's White Paper. The co-operation initiated with the Alliance of Civilisations will contribute to this effort.

9) The extent of the tasks to be fulfilled is such that our Organisation must operate efficiently to promote the values it upholds. We shall therefore further strengthen co-operation between the Committee of Ministers and the other organs and bodies of the Council of Europe, in particular the Parliamentary Assembly and the Congress of Local and Regional Authorities of Council of Europe. Developing – with the help of the Conference of the International Non-Governmental Organisations (INGO) – interaction with civil society, whose action on the ground we applaud, will also remain one of our priorities.

10) Our Organisation, determined to contribute to the European architecture and to the continent's stability and security, will intensify its co-operation with other international organisations accordingly. We welcome the progress already made to this end since the Warsaw Summit, particularly with respect to the European Union. The Memorandum of Understanding between the two organisations gave new impetus to the partnership and political dialogue with the European Union, and its implementation must be pursued. This search for synergies with other international actors has also led to closer co-operation with the OSCE and the United Nations. We can only encourage these efforts.

11) The difficult economic context and serious budgetary constraints call more than ever for the efficient use of resources. Reforms to this end must be pursued, focusing on the Organisation's core objectives.

12) We remain concerned by confrontations and unresolved conflicts that affect certain parts of the continent. They put at risk the security, unity and democratic stability of member states and threaten the populations concerned. We reaffirm our support for the respect for the principles of international law set out in the United Nations Charter, the

CSCE Helsinki Final Act and other relevant texts. These matters were discussed during this Session to address all the issues which fall into the remit of the Council of Europe. We shall work together for reconciliation and political solutions in conformity with the norms and principles of international law.