Institutional relations between the EU and the Council of Europe

2022/2137(INI) - 18/04/2023 - Text adopted by Parliament, single reading

The European Parliament adopted by 494 votes to 76, with 76 abstentions, a resolution on institutional relations between the European Union and the Council of Europe.

Parliament considers it necessary to **strengthen institutional cooperation between the EU and the Council of Europe** and to give new impetus to bilateral cooperation in the field of promoting and defending democracy, the rule of law, fundamental and human rights, including minority rights.

As the EU has gradually developed into a political union, the number of areas in which the activities of the two organisations overlap and complement each other has increased. Members therefore believe that, in view of the frequent overlapping of competences, it is important to avoid duplication or divergence of standards and to set up appropriate consultation channels between the European Union and the Council of Europe which would allow the coordination of normative work in an incipient phase.

EU accession to the ECHR and other forms of cooperation on fundamental rights

Parliament welcomed the Commission’s and the Council’s renewed commitment to the EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the resumption of negotiations in 2020. It reaffirmed its strong **commitment and support** for the Union's accession to the ECHR and called on the Council and the Member States to do their utmost to resolve the outstanding issues and address all concerns raised by the Court of Justice of the European Union in order to bring the negotiations to a successful conclusion before the fourth Council of Europe summit, to be held on 16 and 17 May 2023 in Iceland.

The resolution stated that accession constitutes is a priority objective for both organisations and underlines the many advantages of EU accession to the ECHR: increased coherence between EU law and the Council of Europe's system of conventions, and harmonisation of human rights legislation and case law between the EU and the Council of Europe.

It further stressed that accession would place the EU under the jurisdiction of the European Court of Human Rights and would further strengthen the protection of EU citizens against the actions of the Union's institutions and bodies by allowing individuals to bring cases against the Union directly before the European Court of Human Rights. EU accession to the ECHR would also establish an indispensable external mechanism to ensure that the EU and its institutions and bodies fully respect human rights and the rule of law.

Parliament also advocates the **broadest possible alignment of the Union with the Council of Europe's Convention system** through the finalisation of its accession to other CoE treaties it has already signed, such as the Istanbul Convention, and working towards accession to other treaties to which it is not yet a party, such as the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Lanzarote Convention, the Criminal Law Convention on Corruption and the Civil Law Convention on Corruption. The Commission and the Member States are called on to make progress with regard to the accession by the European Union to the revised European Social Charter and to propose a clear timeframe for achieving that objective.

Partnership on the EU mechanism for democracy, rule of law and fundamental rights

Members believe that the Union and the Council of Europe should conclude a **dedicated agreement** on the mechanism for democracy, the rule of law and fundamental rights relating to all the values defined in Article 2 of the EU Treaty. Given the extensive cooperation on rule of law issues and the Union's extensive reliance on the Council of Europe's benchmarks, existing cooperation should be more formalised and structured, thus ensuring better cooperation and increased visibility for the Council of Europe's activities.

Parliament reiterated its call for the European Union to accede to the Framework Convention for the Protection of National Minorities (FCNM) and the European Charter for Regional or Minority Languages (ECRML). It called for closer legal ties between the EU and the Council of Europe on minority rights, especially in view of the enlargement process to the Western Balkans, Turkey, Ukraine, Moldova and Georgia.

The EU and the Council of Europe should also continue to cooperate on **matters linked to supporting the work of journalists, protecting media freedom and countering hate speech and the manipulative spread of disinformation and foreign and domestic interference in electoral processes.**

Cooperation in the field of education, culture and linguistic diversity

Parliament called on the EU to strengthen its engagement with the Council of Europe in the field of education, encouraging the development of a common frame of reference for civic education, with a focus on democracy, the rule of law and human rights.

Members underlined the importance of cooperation, in particular as regards the promotion and protection of regional and minority languages and cultures. They reiterated their call on the Commission and the Council to strengthen cooperation with the Council of Europe to promote the fundamental values of cultural diversity, intercultural dialogue and sustainable territorial development of lesser-known destinations, while preserving, protecting and enhancing the cultural and natural heritage of these sites.

Parliamentary cooperation

Given the growing importance of parliamentary democracy under the Lisbon Treaty, parliamentary cooperation between the EU and the Council of Europe could be deepened and, on the basis of Rules 223 and 225 of its Rules of Procedure, the Council of Europe should be able to play a more active role in the European Parliament. Members proposed the **creation of an interparliamentary delegation** for enhanced cooperation, to improve law-making in the shared fields of activity, to raise awareness, to provide for an exchange on each other’s activities and functioning and to contribute to a more systematic dissemination of information and a more structured and regular dialogue.

The Commission is invited to initiate a revision of the 2007 Memorandum of Understanding to take into account the new competencies the EU gained with the entry into force of the Lisbon Treaty, as well as to **formalise the strategic partnership of cooperation** that has been consolidated between the two institutions, in particular in the rule of law, democracy and fundamental rights, including the rights of minorities.