

## 2005 Warsaw Summit: Questions & Answers

### Why a summit at this point?

The Council of Europe member states agreed on 8 July 2004 to hold a Summit of Heads of State and Government in Warsaw on 16 and 17 May 2005, at the invitation of the Polish government, which is chairing the Committee of Ministers. This will be the third summit organised by the Council of Europe, following those in Vienna in 1993 and Strasbourg in 1997.

While Vienna was the summit embodying outreach to the East, and Strasbourg the summit of consolidation of democracy in the new member states, the Warsaw Summit, will be the first to bring together all the countries of Europe (with the exception of Belarus). Europe is finally reunited under one roof, sharing common values and objectives. This is why the political leaders are talking about the “Summit of European Unity”.

**“The decision of the Committee of Ministers of 8 July 2004 on convening the Third Summit of the Council of Europe was a response to the need for further action on creating Europe without dividing lines. As Chair of the Committee of Ministers and the host country, Poland is making every effort to ensure the political success of the Summit.” Jan Truszczyński, Polish Deputy Foreign Minister, representing the Chairmanship of the Committee of Ministers.**

**“I see this Summit as a time for commitment, but also for taking stock and for imparting fresh momentum. The Council of Europe has a bright future ahead. Our organisation, different in its size and objectives from the European Union, plays an irreplaceable role in the process of European integration. It is the very foundation stone of that process. And as far as I know, no building, however ambitious, can do without foundations.” Michel Barnier, French Foreign Minister, Parliamentary Assembly, January 2005.**

### Why a Summit in Warsaw?

Warsaw is a highly symbolic capital city. It is one of the crossroads of European 20th century history:

- Warsaw suffered greatly in recent European history, particularly during the Nazi era;
- It was also the capital of the resistance to Communism with the historic role of Solidarnosc;

- Poland was among the first of the countries of central and eastern Europe to join the Council of Europe after the fall of the Berlin Wall (1990: accession of Hungary and 1991: accession of Poland).

The castle where the Summit will be held was completely destroyed during the war and rebuilt thanks to donations from the Polish diaspora. It is a strong symbol of European renewal following the tragedy of the Second World War.

### What are the objectives of the Summit?

At a time when enlargement of the European Union is redrawing Europe, the Summit should reassert the Council of Europe's role as guardian of the fundamental values which are common to the whole continent. At its winter part-session in January 2005, the Parliamentary Assembly said that it was expecting the heads of state and government to state in clear terms exactly where the Council of Europe fits into the institutional landscape of Europe and to provide it with a "clear political mandate for the coming years".

"The purpose of the Summit is to set priorities for the Council of Europe and reinforce its position as a key partner within the new 21st century European architecture. The Summit is expected to adopt a new Council of Europe mission Statement reflecting its statutory objective to achieve greater unity among member states, based on the core commitment to democracy, human rights and the rule of law, as well as to social cohesion, education and culture as enabling factors for their development." Secretary General Terry Davis, Oslo, September 2004.

#### **(1) Political cohesion: Bringing Europe ever closer together**

The peoples of Europe will not sign up or give their essential backing to the idea of European unity while there is still some confusion and duplication of activities with other organisations. Accordingly, the Summit should clarify the role of the Council of Europe and strengthen its co-operation and co-ordination with the all the European institutions.

The specific role of the Council of Europe, which distinguishes it from other organisations and which needs to be restated at the Summit is to defend fundamental values. As such, it is a unique forum for co-operation and exchange. It is in line with this role that it has, particularly since the fall of the Berlin Wall, offered its support to the countries of central and eastern Europe in their transition to greater democracy. Even today, it remains one of the most important co-operation organisation for the many countries which are not yet members of the European Union, some of which are not likely to become so in the near future.

**The Summit "should provide this Organisation with a clear political mission for the years to come. It should provide guidance for more effective co-operation between**

**the different European institutions.” René van der Linden, on his election as President of the Parliamentary Assembly.**

**“The Council of Europe must be strong in its areas of strength and must sustain its level of excellence in areas which it knows better than anyone else: the safeguarding of human rights, democracy and the rule of law. Herein lies the specific identity of our organisation.” Michel Barnier, French Foreign Minister.**

## **(2) Developing democracy**

Conflicts often arise from violations of human rights and failure to uphold the rule of law. To prevent such violations and maintain peace, the Council of Europe focuses its activities on ensuring respect for democracy and its fundamental values. In this way it plays a key role in promoting and consolidating democratic security, as an essential complement to military security. It is the best placed to be the guardian of democracy.

It is for this reason that it has been proposed to establish a Council of Europe Forum for the Future of Democracy to strengthen democracy, political freedoms and citizens’ participation, in line with the conclusions of the Barcelona Conference on 17-19 November 2004. Open to all member states and civil society, represented by policymakers, officials, practitioners or academics, the Forum would enable the exchange of ideas, information and examples of best practices, as well as discussions on possible future action.

**“Consolidation and extension of democracy, human rights and the rule of law must always remain at the heart of the Council of Europe’s mission. I hope very much that the Summit will affirm those values as our basis. I hope that we will be able to give more resources to the promotion of democracy” Terry Davis, Secretary General.**

## **(3) Human Rights**

The European Convention on Human Rights is one of the most significant achievements in the Council’s history. Some 800 million Europeans now benefit from an unparalleled system of human rights protection, which is supplemented by the Council’s work on upholding social rights, protecting national minorities and guaranteeing freedom of speech. The Council also works towards eliminating all forms of torture, discrimination and inequality across Europe.

For over ten years, the Council of Europe has been sounding a warning to alert member states and other international organisations to the need for co-operation in the fight against trafficking in human beings. Today, the Council is poised to launch a new European convention. It is anticipated that the European Convention on Action against Trafficking in Human Beings will be opened for signature at the Summit. The Convention stresses the need for increased protection of the victims of trafficking, which

forms part of the treaty's three Ps: prosecution of traffickers, protection of victims, and prevention. The Convention also provides for an independent monitoring mechanism.

**“Trafficking in human beings is a modern form of slavery, it is therefore both a crime and a blatant affront to human dignity. The Council of Europe has worked hard to offer to its member States an excellent tool to effectively combat trafficking and protect its victims: a binding legal instrument. I cannot see how and why a single State could refuse to join us in this combat.” Maud de Boer-Buquicchio, Deputy Secretary General.**

The Council of Europe is also working together with its member governments to combat terrorism – one of today's biggest threats to human rights – whilst continuing to protect fundamental rights and freedoms. The Council has already adopted a series of important measures in this respect, and it is expected that the Summit will endorse two new Council of Europe conventions concerning the prevention and financing of terrorism.

**“We can develop effective measures to combat international terrorism, and we can provide security, without sacrificing freedom, civil liberties, human rights and the rule of law - the values on which the Council of Europe was founded.” Terry Davis, Secretary General.**

The Council's Court of Human Rights has changed the way respect for and defence of human rights are perceived and has given rise to greater expectations in this field. So much so that it has become a victim of its own success. Because of a growing delay in dealing with applications submitted (an annual 25-30% increase in cases), radical reform is required to enable it to continue fulfilling its unique role.

The new protocol to the European Convention on Human Rights (Protocol No. 14) should lead to more effective functioning of the Court, introducing more rationalised and speedier processing of applications. This protocol, opened for signature in 2004, should be ratified as quickly as possible. Member states will be called upon to do this at the Summit.

**“I believe it to be of the utmost importance that the member States of the Council of Europe ratify the Protocol as rapidly as possible. We believe that the Protocol does provide helpful procedural tools to enable the Court to further streamline its procedures and speed up its adjudication of cases.” Luzius Wildhaber, President of the Court, January 2005.**

#### **(4) Rule of law: encouraging states to accede to the core conventions**

The Council of Europe has produced 195 conventions and treaties. These texts reflect a commitment to harmonising legislation in Europe. When a state signs and ratifies a convention, it also agrees to incorporate its provisions into domestic law, thereby helping create a series of common legal standards in societies based on the rule of law.

Member states should sign, ratify and implement the major conventions. One of the Summit's objectives will be to encourage them to do so.

#### **(5) Social cohesion, education and culture: Building a Europe for everyone**

Social cohesion, as well as education and culture, are essential enabling factors for realizing Council of Europe core values and for the long-term security of Europeans. The Council of Europe seeks to combat all forms of exclusion and discrimination, and to promote a model of democratic culture, actively involving civil society and citizens.

No matter how perfect the institutional architecture of democracy may be, a democratic society is unconceivable without citizens' active and competent engagement with democracy. In recognition of this, the development and transmission of democratic culture through multi-faceted action in the fields of education and youth has been put forward as one of the key priorities for the Summit.

Cultural diversity is not only a fundamental European value but also an indispensable condition for stable and cohesive societies. The Summit will approve specific action to promote cultural diversity, enhance access to culture and heritage, and foster the development of intercultural dialogue.

**“Today we face a new resurgence of the tension between diversity and identity. Cultural and religious identity is sometimes used as a justification of inter-ethnic tension, racist, anti-Semitic and xenophobic acts. It is crucial to realise that as the Council of Europe mobilises to meet these challenges, our work in the field of culture remains fundamental. Building inclusive, stable, and peaceful societies based on shared values means that these values need to be reborn in the minds and hearts of every generation.” Secretary General Terry Davis, Wroclaw, December 2004.**