

# OUR RIGHTS, OUR FUTURE



*Annual report  
of the Secretary General  
of the Council of Europe*

**2024**



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of the Secretary General  
of the Council of Europe  
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**French edition**

*Nos droits, notre avenir*

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Layout:  
Documents and Publications  
Production Department (SPDP),  
Council of Europe

Photos: Council of Europe

Council of Europe Publications  
F-67075 Strasbourg Cedex  
[www.coe.int](http://www.coe.int)

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Printed at the Council of Europe

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Marija Pejčinović Burić  
Secretary General of the Council of Europe

# INTRODUCTION

## BY THE SECRETARY GENERAL

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Last April, I published my 2023 report on the state of democracy, human rights and the rule of law, inviting member states to recommit to the values and standards of the Council of Europe. A few weeks later, they did. At our 4th Summit of Heads of State and Government of the Council of Europe, European leaders issued their “Reykjavik Declaration”, a strong statement making clear their commitment to address the democratic backsliding that we see in many parts of our continent today, and to ensure that European standards are applied to the fast-changing societies in which we live. The words contained in that declaration are robust and ambitious, as they must be. However, it is not enough to show that we are “united around our values”, vital though that is. Rather, we must build on words with deeds. We must show that we are also united in our action.

■ Delivering on the Reykjavik Declaration requires a partnership approach. Member states must be ready to put their shoulder to the wheel, taking the decisions and putting in the hard work required to reach agreement with one another and to put change into effect at home, sometimes in difficult circumstances. The Council of Europe’s role is to provide them with the forum, structures and support that they need to bring that about. It is too early to make general assessments about how successful we have been or will go on to be in delivering on the promise of Reykjavik. It is not too early to show that an immense amount of work has already gone into creating the conditions and structures required for that success. That is the primary focus of *Our rights, our future*. It shows that one year on from the declaration, the foundations for progress are built, they are strong, and we are now deep in the delivery phase.

■ The 4th Summit’s clear priority was providing support for Ukraine, and ensuring accountability for the Russian Federation’s brutal, illegal and ongoing war of aggression there. This remains of primary importance to our Organisation. European leaders endorsed the creation of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (the Register) to record the loss and harm being inflicted on the ground and to serve as a first and necessary step towards a comprehensive international compensation mechanism. Less than a year on, the Register has staff and offices in The Hague, with a satellite office in Kyiv, and has received its first submissions. By the end of 2023, 43 states and the European Union had all joined the Register. This is testament to our collective determination to hold Russia to account for its crimes, recognising that this is crucial for any sustainable peace.

■ This sentiment also underpins our ongoing support for Ukraine’s Prosecutor General in the investigation of gross human rights violations and our response to the summit’s call for increased support for Ukrainian children affected in various ways by the current aggression. The newly created Consultation Group on the Children of Ukraine provides a multilateral platform on the situation, needs and status of children who have fled from Ukraine to other member states, and who are often separated from their parents or guardians. This complements our work helping governments meet the physical and psychological needs of all Ukrainian refugees. We have also been clear that the Russian Federation must return children who have been deported or unlawfully transferred to Russia or territories that it occupies temporarily, and our Lanzarote Committee continues its efforts to hold Russia responsible for the protection of those children under the terms of the Convention on the Protection of Children against Sexual Abuse and Sexual Exploitation (CETS No. 201, Lanzarote Convention), to which it remains a party.

■ Our work to ensure accountability sits alongside the range of other measures that we are taking in support of Ukraine, including our Action Plan for Ukraine “Resilience, Recovery and Reconstruction”, 2023-2026, and significant new investment from the Council of Europe Development Bank.

More broadly, the Reykjavik Declaration made clear what should be done to ensure the long-term success of our system of the European Convention on Human Rights (ETS No. 5, the Convention), including the need for member states to execute fully the final judgments of the European Court of Human Rights (the Court) and implement the European Convention on Human Rights at the national level. In addition to our regular work supporting this, we have now:

- ▶ taken steps to better enable civil society organisations to provide input into the execution process;
- ▶ engaged more closely with other international organisations – notably the European Union’s Frontex and the Organization for Security and Co-operation in Europe (OSCE) – over ways in which to work together on the execution of judgments;
- ▶ established a new execution co-ordinators network to strengthen domestic capacity to implement Court judgments;
- ▶ expanded the range and availability of our online Human Rights Education for Legal Professionals programme (HELP) courses to raise awareness and understanding of the Convention and case law from the Court;
- ▶ launched our Open Council of Europe Academic Networks (OCEAN), connecting universities and academics to promote Council of Europe standards; and
- ▶ worked closely with the European Union to make progress towards its accession to the European Convention on Human Rights.

European leaders also used the 4th Summit to agree a set of Reykjavik Principles for Democracy, through which to measure and ensure the long-term health of European democratic systems. Following my proposal, the new Steering Committee for Democracy has been set up to provide effective policies that will give tangible meaning to these principles, on which we are already active. For example:

- ▶ **Independent, impartial and effective judiciaries**
  - Our European Committee on Legal Co-operation (CDCJ) is drafting a convention on the protection of the profession of the lawyer, recognising the need for protection against undue interference.
  - The Group of States against Corruption (GRECO) assessed how states were complying with its recommendations on preventing the corruption of judges and prosecutors and on safeguarding the integrity, transparency, accountability and independence of the judiciary.
  - The European Commission for the Efficiency of Justice (CEPEJ) has designed a tool to help countries reduce their backlog of court cases.
- ▶ **The fight against corruption, money laundering and organised crime**
  - The ministers responsible for anti-money laundering policies used a high-level meeting in Warsaw to adopt a declaration confirming their commitment to improve relevant regimes and follow MONEYVAL’s strategic priorities for 2023-2027.
  - The Convention 108 Committee adopted guidelines on data protection for the processing of personal data for anti-money laundering/countering the financing of terrorism purposes.
- ▶ **Freedom of expression**
  - A Europe-wide campaign for the safety of journalists has been launched, calling on member states to adopt or strengthen national action plans and protection mechanisms.
  - An extended implementation guide to the Committee of Ministers recommendation on the safety of journalists was issued.
  - Two reports were published, “Good practices for sustainable news media financing” and “Local and regional media: watchdogs of democracy, guardians of community cohesion”, making recommendations to support robust and independent media.
- ▶ **A democratic future**
  - Toolkits on civic participation have been issued and citizens’ assemblies and other initiatives have been carried out.
  - The 26th Education Ministers’ Conference adopted our Education Strategy 2030, “Learners first”, which seeks to renew education’s democratic and civic mission, enhance its social responsibility and advance digital transformation grounded in human rights.



- There has been a review of the Council of Europe’s Reference Framework of Competences for Democratic Culture and the Joint Council on Youth (CMJ) has adopted a road map that aims to strengthen implementation of the Charter on Education for Democratic Citizenship and Human Rights Education.
- The CMJ has also adopted guidelines on youth participation and elements for a Council of Europe reference framework for a youth perspective, which it has proposed for adoption at the May 2024 Ministerial Session.

▶ **Civil society**

- The Committee of Ministers adopted new, standard-setting recommendations on the fundamentals of good democratic governance for all levels of government and on the practice of deliberative democracy.
- Following a series of internal reforms to improve access to Council of Europe structures, the Committee of Ministers welcomed my road map for engagement with civil society, which foresees measures in all aspects of the Organisation’s work.

▶ **Full, equal and meaningful participation in political and public life**

- The circle of membership of the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, Istanbul Convention) has continued to expand, with both the European Union and the Latvian Parliament ratifying it; the Committee of Ministers has adopted guidelines on the place of men and boys in gender equality; and a new Gender Equality Strategy (2024-2029) has been adopted.
- A recommendation on the active political participation of national minority youth has also been adopted by the Committee of Ministers.
- A range of recommendations and other steps have been taken to counter hate speech and hate crime, including against Roma and Travellers, lesbian, gay, bisexual, trans and intersex (LGBTI) people and migrants and refugees.

■ This list is far from exhaustive. Indeed, on all the Reykjavik Principles for Democracy, there are many examples of specific actions undertaken in the last year, not to mention the ongoing monitoring and co-operation work that does so much good on these and other subject matters.

■ There is however another key area in which we are forging ahead on the Reykjavik priorities. European leaders made clear the importance of unity in meeting not only current issues, but future challenges too. They were right to adopt this forward-looking perspective and we have been fast to respond on the issues that they singled out.

- ▶ **Artificial intelligence (AI)** – The Council of Europe recognises that AI promises transformative change to the ways in which we live and work. We are determined to play our part in helping governments to harness the benefits of this, while mitigating the risks, and we have taken initiatives that aim to achieve just that. Some of these are recent and feature in this report. Prime among them is our framework convention on AI, based on Council of Europe and other international standards. This transversal and legally binding text will help governments assess and address the adverse impacts caused by AI systems to human rights, democracy and the rule of law and provide a legal basis for international co-operation. The negotiations included all Council of Europe member states, the European Union, every G7 country and a range of others. The aim is to open the convention for signature shortly after the publication of this report and that, while made in Europe, countries around the world will be able to join it. It will be a unique, international instrument for injecting ethics into AI, and it comes at a critical moment in the evolution of this game-changing technology.
- ▶ **The environment** – Recognising the triple planetary crisis caused by pollution, climate change and the loss of biodiversity, we know that this is the moment to expand our range of existing environmental tools with new instruments that correspond to the urgency of this challenge. Our response includes creating a new Directorate of Social Rights, Health and the Environment and an Inter-Secretariat Task Force on the Environment that will make proposals for a strategy and action plan; preparing a study on the need for and feasibility of an additional legal treaty, possibly including additional protocols to the European Convention on Human Rights and the European Social Charter (ETS No. 35); and drafting a new, legally binding convention on protecting the environment through criminal law that will address environmental crime and promote co-operation in this field.
- ▶ **The trafficking and smuggling of migrants** – This heinous crime continues to shift and adapt to take advantage of human desperation, often ending in the tragic loss of life. We must do everything that we can to stop it. Our Action Plan for Fighting the Smuggling of Migrants continues to play an important

role here and the European Committee on Crime Problems (CDPC), has been tasked with preparing a report by the end of this year on the need for, and feasibility of, a legal treaty in this field.

■ Taken together, these and other activities amount to a substantial downpayment on the investment that the Council of Europe and its member states must make over the coming months and years: an investment in peace, based on the greater unity of our member states. This was always the purpose of our Organisation, and it remains so. The challenges facing Europe today are a stark reminder of just how important this is.

■ Some of these challenges are sudden and shocking, such as pandemics, cost-of-living crises and wars. Some are long-standing and chronic, including discrimination against minorities, making social rights a reality and the threat of governments eroding our fundamental rights and freedoms. Finally, some of them are new, evolving and acute, not least technological change and dramatic changes to our environment that harm the water we drink, the air that we breathe and the land on which we live and raise families.

■ As we celebrate 75 years of the Council of Europe, we should be confident in ourselves and our capacity to address these challenges, harnessing the opportunities provided by multilateralism. We have faced terrible circumstances before, and we have overcome them. We can do that again. This is the very purpose of the European Convention on Human Rights, and the system that has emerged from it. Our rights do not apply only at one moment in time, or to a specific situation. Instead, they are built to apply over the decades, and in whatever circumstances we find ourselves. They are not an end point or a destination, but rather a moral compass for our journey through life. The Reykjavik Declaration was an important milestone at a moment of profound concern for our continent, but we have found our direction. Now, the journey must continue.



**Marija Pejčinović Burić**  
Secretary General of the Council of Europe





## DECLARATION IN SUPPORT OF THE ENLARGED PARTIAL AGREEMENT ON THE REGISTER OF DAMAGE

We, the undersigned,

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 Reykjavik on 16 and 17 May 2023, in the margins of the Summit of the Council of Europe, express our political support by having joined or signed the Enlarged Partial Agreement on the Register of Damage Caused by the Russian Federation Against Ukraine established within the Council of Europe.

# CHAPTER 1

## UNITED FOR UKRAINE AND ACCOUNTABILITY

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**R**ussia's war of aggression against Ukraine has caused death, destruction, dislocation and immeasurable suffering. Thousands of civilians have been killed or injured. Over 10 million have been forced to flee their homes, including over 6 million who have sought refuge outside of Ukraine. The Ukrainian authorities and international observers have recorded thousands of war crimes based on chilling reports of torture, inhumane treatment, sexual violence and other gross violations of international humanitarian law and human rights. The aggression has caused devastating and widespread damage to buildings and infrastructure in almost every region of the country and reversed 15 years of development progress. Behind every destroyed home, hospital or school there is a Ukrainian life that has been affected, and the lasting toll of aggression on the Ukrainian population is beyond measure.

■ As part of the Council of Europe's contribution to the rebuilding and recovery of Ukraine, following the immense destruction caused by Russia's brutal aggression, the Committee of Ministers adopted, in close consultation with the Ukrainian authorities, a €50 million Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023-2026<sup>1</sup> to heighten the resilience of public institutions through strengthening democratic governance and the rule of law, and protecting citizens' human rights.

■ The Council of Europe will work with the Ukrainian authorities to address their urgent needs and priorities, notably in the areas of constitutional justice; combating corruption and money laundering; developing independent, effective and trustworthy justice; facilitation of the participation of Ukrainian parliamentarians in the work of the Parliamentary Assembly; promoting freedom of expression and freedom of the media; decentralisation; building the resilience and capacity of local and regional authorities; and strengthening protection of national minority rights.

■ On 17 May 2023, at the 4th Summit of Heads of State and Government of the Council of Europe (the Reykjavik Summit), Secretary General Marija Pejčinović Burić, Prime Minister of Iceland Katrín Jakobsdóttir, Prime Minister of the Netherlands Mark Rutte, the then Foreign Minister of Iceland and Council of Europe Committee of Ministers' President Thórdís Kolbrún Reykjaförð Gylfadóttir, Prime Minister of Ukraine Denys Shmyhal and Minister of Justice of Ukraine Denys Maliuska announced the establishment of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine through an enlarged partial agreement.

### REGISTER OF DAMAGE CAUSED BY THE AGGRESSION OF THE RUSSIAN FEDERATION AGAINST UKRAINE

■ The Register was established as a response to the United Nations General Assembly resolution on the furtherance of remedy and reparation for aggression against Ukraine, of 14 November 2022,<sup>2</sup> which recognised that Russia must be held to account for its violations of international law in Ukraine, including by making reparations. The resolution also recognised the need for a reparations mechanism and recommended the setting-up of an international register of damage as a first step.

1. Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023-2026, [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680a96440](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a96440).
2. United Nations General Assembly Resolution A/RES/ES-11/5, "Furtherance of remedy and reparation for aggression against Ukraine", <https://digitallibrary.un.org/record/3994481?ln=en&v=pdf>.

■ The historic decision to set up the Register was announced at the Reykjavik Summit on 17 May 2023. It represents one of the first practical steps to holding Russia accountable for the damage and suffering caused by its aggression and paves the way towards a future international comprehensive compensation mechanism.

■ The Register has its seat in The Hague (the Netherlands), and a host state agreement was concluded with the Government of the Netherlands in July 2023. The Register will also have a satellite office in Kyiv (Ukraine).

## The Register's mandate and functions

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■ The Register will serve as a record of all eligible claims for compensation for damage, loss and injury caused by Russian aggression in Ukraine and will act as a repository for supporting evidence for such claims. It will provide a fully digital platform onto which claimants can submit their claims and evidence. Eligibility is based on three criteria: damage must have occurred in the territory of Ukraine; it must have occurred on or after 24 February 2022; and it must be linked to Russian aggression.

■ The Register will receive and process information on the claims of damage and related evidence; categorise, classify and organise such claims; assess and determine the eligibility of claims for inclusion in the Register, and record eligible claims for the purposes of future examination and evaluation.

■ To facilitate this process, the Register is developing a set of rules and procedures, including a comprehensive list of categories of damage, claim forms, evidentiary rules for each category and other necessary information.

■ The Register will not examine the substance of claims, determine responsibility or award compensation – these will be the tasks of a future compensation mechanism – although the Register is mandated to facilitate and participate in the work of setting up such a mechanism.

## Participation

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■ The Register was set up as an enlarged partial agreement<sup>3</sup> which is open to both Council of Europe member states and non-member states. Its budget is funded by annually assessed contributions of participant states and voluntary contributions. The Netherlands and the European Union covered investment costs relating to its start-up and the development and establishment of its key systems.

■ Any state that voted in favour of the United Nations General Assembly Resolution on the furtherance of remedy and reparation for aggression against Ukraine can become a participant or an associate member by notifying the Council of Europe Secretary General. Other states can join subject to approval by the Register's executive body, the Conference of Participants, which is made up of participants and associate members and tasked with designating the executive director, approving the annual budget and agreeing the Register's rules and procedures, while providing oversight.

■ At the end of 2023, 43 states and the European Union had joined the Register<sup>4</sup> – 40 as participants and four as associate members. Participants have full membership rights, including voting rights in the Conference of Participants, and commit to contribute yearly to the Register's budget. Associate members are not required to make annual contributions, although they can do so voluntarily, which gives them full voting rights for the relevant financial year. In 2023, Albania, Canada, the European Union and the United States of America made such contributions. Those that do not contribute to the budget do not have the right to vote in the Conference of Participants but can attend and make written and verbal statements.

■ The Conference of Participants met three times during 2023. The constitutive meeting was held on 27 June 2023 in Strasbourg when Ambassador Sandy Moss (United Kingdom) was elected as chair, Ambassador Tanja Gonggrijp (the Netherlands) as first vice chair and Ambassador Emil Ruffer (Czech Republic) as second vice chair, each for a three-year term of office. Rules of procedure and rules on the appointment and removal of board members were also adopted. Markiyany Kliuchkovskiyi (Ukraine) was designated as executive director.

■ The second meeting of the Conference of Participants, held in Riga on 12 September 2023, was devoted to financial issues, including approving the 2023 budget and the procedure for appointing board members.

3. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680ab2595](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680ab2595). After this report was finalised, the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine became fully operational and opened for the submission of claims on 2 April 2024, <https://rd4u.coe.int/en/-/register-of-damage-for-ukraine-opens-for-claims>.

4. See [www.coe.int/en/web/conventions/full-list?module=partial-agreement-members&numeroAp=17](http://www.coe.int/en/web/conventions/full-list?module=partial-agreement-members&numeroAp=17).

■ On 16 November 2023, the Conference of Participants met in Strasbourg for its third meeting during which it elected seven members to the board and adopted the annual budget for 2024 and, provisionally, for 2025.

## The Register's board

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■ The Register's board proposes the rules and regulations, subsequently approved by the Conference of Participants, implements them as appropriate and makes the final decisions on the eligibility of claims to be recorded. The board meets on a quarterly basis, reporting quarterly to the Conference of Participants on the number of claims received and the number of eligible claims recorded in the Register, the relevant categories and the total amount of compensation sought.

■ Seven board members, working in their independent capacities, were appointed for a three-year term of office, renewable once, at the third Conference of Participants meeting. Chiara Giorgetti (Italy), Veijo Heiskanen (Finland), Yulia Kyrpa (Ukraine), Aleksandra Mężykowska (Poland), Lucy Reed (United States), Robert Spano (Iceland) and Norbert Wühler (Germany) have wide expertise in international law and reparations and have had experience in setting up and working with mass claims programmes based on international law. They held their inaugural meeting from 11 to 15 December 2023 in The Hague, when they adopted the rules of procedure, discussed the categories of claims eligible for submission to the Register and elected former European Court of Human Rights President Robert Spano as chair and Chiara Giorgetti, Professor at Richmond Law School, as vice chair.

■ Potential categories of claims identified by the board are expected to include:

- ▶ loss of life, torture and sexual violence, as well as personal injury;
- ▶ involuntary displacement and forced relocation of individuals;
- ▶ loss of property and revenue, and other forms of economic loss;
- ▶ damage to critical infrastructure and other governmental facilities;
- ▶ damage to historical and cultural heritage;
- ▶ environmental damage.

■ The board will also urgently address the collection and recording of claims from individuals who have been most affected by the war and claims related to critical infrastructure in Ukraine. Work continues to identify other categories of claims. At the time of writing, it is expected that the start date for submitting claims will be in spring 2024.

## The Register's secretariat

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■ The secretariat, led by the executive director, will have up to 45 staff members, with 10 working in its satellite office in Ukraine. It ensures the day-to-day operation of the Register and its systems, including processing and categorising incoming claims and developing a digital platform.

## **RESILIENCE, RECOVERY AND RECONSTRUCTION – THE COUNCIL OF EUROPE'S SUPPORT TO UKRAINE**

■ In close consultation with the Ukrainian authorities, the Council of Europe's Committee of Ministers adopted a record €50 million Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023-2026 as part of the Organisation's contribution to Ukraine's recovery following the immense destruction caused by Russia's aggression. The aim is to heighten the resilience of public institutions through strengthening democratic governance and the rule of law and protecting citizens' human rights.

■ Thanks to generous voluntary contributions, in particular from the German authorities, the Parliamentary Assembly of the Council of Europe has facilitated the participation of the Ukrainian parliamentary delegation in all of its work since the large-scale aggression. The Assembly has moreover adopted several key resolutions relating to the legal, political and other consequences of the war on Ukraine, covering aspects such as the setting-up of the Register, the future compensation mechanism, the establishment of a special tribunal for the crime of aggression and the situation of the children of Ukraine.

■ The Council of Europe Development Bank (CEB) has given loans and grants to support member countries which are hosting refugees fleeing the war.

■ The Committee of Ministers recognised the achievements of the Ukrainian authorities in continuing to work towards executing the judgments of the European Court of Human Rights throughout 2022 and 2023, despite extremely difficult circumstances, demonstrating their commitment to the European Convention on Human Rights by promptly submitting action plans and reports. In 2023, the Committee of Ministers ended supervision of 75 cases against Ukraine (including 10 leading cases), but there remain 766 cases pending (including 103 leading cases).

■ In April 2023, the Department for the Execution of Judgments of the European Court of Human Rights (DEJ) organised a meeting in Warsaw (Poland), with the expert network on the execution by Ukraine of the Court's judgments, to share information about measures to address long-standing structural and complex problems. In November 2023, the DEJ held a meeting with representatives of Ukrainian investigative bodies, including the police, the State Bureau of Investigations, the Office of the Prosecutor General and the State Security Service, on outstanding issues related to the execution of the Kaverzin/Afanasyev groups of cases,<sup>5</sup> which identified inefficiency in investigations into allegations of torture. In December 2023, the DEJ organised a study visit to Strasbourg for staff from the Office of the Government Agent, the Office of the Prosecutor General, the Ministry of Internal Affairs and the Ukrainian national police.<sup>6</sup>

■ Co-operation projects, including projects on remote justice,<sup>7</sup> were set up to reinforce the rule of law in Ukraine and provide support for the justice system to operate in the context of war, assisting both the War Crimes Department in the Office of the Prosecutor General and law-enforcement authorities.<sup>8</sup> Experts gave advice on handling alleged war crimes and human rights violations<sup>9</sup> in line with the European Convention on Human Rights to staff from the Office of the Prosecutor General, judges and lawyers, and advised the government and parliament on legislative reform. The Human Rights Education for Legal Professionals programme produced and used specially designed training material,<sup>10</sup> resulting in 11 000 Ukrainian users by the end of 2023.

■ The projects also aimed at reinforcing victims' rights, mapping how the Ukrainian authorities have brought in relief measures and mechanisms for civilians affected by the war and helping them in their efforts to provide victim-centred remedies which are compatible with the Register and the "Riga Principles".<sup>11</sup> The ombudsman's operational capacity to handle grave human rights violations was strengthened.

■ Projects to help Ukraine in its justice reforms continued. These reforms are essential if the judiciary is to be able to handle the immense increase in cases caused by the war and also for Ukraine's application for European Union membership.<sup>12</sup> The Council of Europe provided advice on compliance with European standards, strengthening the functioning of judicial self-governing bodies, decreasing the number of vacancies in the judiciary (more than 2 000 posts of judges are still vacant, out of a total of about 7 000), improving case management and the system of enforcing judicial decisions.<sup>13</sup>

■ Matters of safety, security and integrity have been part of the Council of Europe's support for Ukraine, which has included work to ensure that relevant institutions continue to gather strength and are able to withstand risks of corruption and other economic crime. Ukraine has remained closely and actively engaged in the work of the Group of States against Corruption, the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), the Conference of the Parties to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198), and the development of a new framework convention on artificial intelligence. Ukraine has helped European Union member states to implement the sanctions regime against Russia in an effective and harmonised way. Ukraine's active participation in activities to protect the integrity of sport have led to targeted support by the Enlarged Partial Agreement on Sport (EPAS).

5. *Kaverzin v. Ukraine* (Application No. 23893/03), *Afanasyev v. Ukraine* (Application No. 38722/02).

6. Work on implementation of the Court's judgments by Ukraine was supported by the following projects of the Council of Europe: *Fostering Human Rights in the Criminal Justice System in Ukraine*; *Support to Development of the Constitutional Justice in Ukraine* (Partnership for Good Governance III); *Strengthening Ukrainian Law Enforcement Agencies during War and the Post-War Period*; *Ensuring the Effective Implementation of the Right to a Fair Trial (Article 6 of the ECHR) in Ukraine*.

7. See [www.coe.int/en/web/human-rights-rule-of-law/-/cepej-consultations-with-the-ukrainian-judicial-authorities-on-the-improvement-of-the-legislation-on-the-remote-justice-in-the-context-of-the-ongoing-](http://www.coe.int/en/web/human-rights-rule-of-law/-/cepej-consultations-with-the-ukrainian-judicial-authorities-on-the-improvement-of-the-legislation-on-the-remote-justice-in-the-context-of-the-ongoing-).

8. Strengthening Ukrainian Law Enforcement Agencies during War and the Post-War Period Project.

9. Fostering Human Rights in the Criminal Justice System in Ukraine Project.

10. The project *HELP for Ukraine including during wartime* is the only country-specific project launched under the Council of Europe Human Rights Education for Legal Professionals programme.

11. See <https://rm.coe.int/moj-declaration-riga-principles-final-en/1680ac8728>.

12. See the Secretary General's *speech* at the Lugano Recovery Conference on 4 July 2022: "The Council of Europe is helping Ukraine, not least through supporting the country's EU aspirations".

13. *Support to the Functioning of Justice in the War and Post-War Context in Ukraine* Project.



■ In 2023, the Division for Co-operation in Police and Deprivation of Liberty (CPDL) supported the Ukrainian Justice Ministry in implementing a national penitentiary strategy, co-funded by the European Union, to build modern prison and probation systems that emphasise rehabilitative approaches in the context of war and the post-war recovery period. A meeting of experts in Kyiv assessed how the strategy aligned with Council of Europe standards and judgments of the European Court of Human Rights. The strategy includes innovative rehabilitation programmes, such as one for inmates with substance use disorders, a manual for psychological and psychosocial support of inmates with mental health issues and procurement of information technology equipment so that 40 prisons can have access to the Unified Register of Convicts and Detainees. The Council of Europe International Co-operation Group on Drugs and Addictions (Pompidou Group) carried out training on opioid agonist treatment for staff of two prisons in Rivne and Lutsk and completed a feasibility study for the creation of a prison-based therapeutic community in Odesa.

■ The Commissioner for Human Rights responded to Russia's aggression against Ukraine with a series of emergency missions<sup>14</sup> to neighbouring countries in March 2022; two country visits to Ukraine in May 2022<sup>15</sup> and February/March 2023;<sup>16</sup> a memorandum<sup>17</sup> on the human rights consequences of the war, published in July 2022; and a report<sup>18</sup> on the human rights situation of Crimean Tatars in Crimea, published in April 2023. She also made numerous statements<sup>19</sup> on specific human rights issues and the situation of particularly vulnerable people, including the need to reunite<sup>20</sup> Ukrainian children transferred to Russia and Russian-occupied territories with their families.

■ Independent experts on the European Commission against Racism and Intolerance (ECRI) stressed that the invasion of Ukraine was preceded by, and still features, ultra-nationalist political discourse and propaganda (ECRI 2022 statement<sup>21</sup> on the consequences of the aggression of the Russian Federation against Ukraine). ECRI warned that hate speech and hate-motivated violence may lead to the most serious crimes, including genocide, crimes against humanity and war crimes (Annual report<sup>22</sup> on ECRI's activities covering the period from 1 January to 31 December 2022). During 2023, ECRI held consultations with the Ukrainian Parliament Commissioner for Human Rights: discussions included challenges and limitations faced by equality bodies (ECRI's 2023 Annual Seminar with Equality Bodies).<sup>23</sup>

■ The Advisory Committee<sup>24</sup> on the Framework Convention for the Protection of National Minorities (ETS No. 157, FCNM) and the Committee of Experts<sup>25</sup> on the European Charter for Regional or Minority Languages (ETS No. 148) have condemned Russia's aggression in the strongest terms and continue to follow the situation of national minorities in Ukraine closely. In June 2023, the Committee of Experts adopted a statement<sup>26</sup> as a way of supporting the Ukrainian authorities in strengthening the protection of minority languages in the country. In September 2023, the advisory committee met representatives of Ukrainian national minorities and the country's authorities in Krakow (Poland), at the launch of a joint European Union–Council of Europe project on anti-discrimination and minority rights.

■ Government experts from the Council of Europe's Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI) prepared a study on preventing and combating hate speech in times of crisis, including an analysis of hate speech in Europe since February 2022, based on responses from state authorities and others. The Intercultural Cities programme (ICC) closely monitored the situation in the cities of its Ukrainian network<sup>27</sup> and acted to help ICC member cities in Ukraine and Poland hosting people fleeing the war. In 2022, the ICC Network adopted a declaration by mayors<sup>28</sup> containing programming measures for peer support to war-torn

14. See [www.coe.int/en/web/commissioner/-/commissioner-urges-more-coordinated-efforts-by-all-member-states-to-meet-the-humanitarian-needs-and-protect-the-human-rights-of-people-fleeing-the-war](https://www.coe.int/en/web/commissioner/-/commissioner-urges-more-coordinated-efforts-by-all-member-states-to-meet-the-humanitarian-needs-and-protect-the-human-rights-of-people-fleeing-the-war).

15. See [www.coe.int/en/web/commissioner/-/visit-to-ukraine-commissioner-mijatovic-calls-for-continuous-support-and-justice-for-victims-of-the-war](https://www.coe.int/en/web/commissioner/-/visit-to-ukraine-commissioner-mijatovic-calls-for-continuous-support-and-justice-for-victims-of-the-war).

16. See [www.coe.int/en/web/commissioner/-/urgent-action-needed-to-reunite-ukrainian-children-transferred-to-russia-and-russian-occupied-territories-with-their-families](https://www.coe.int/en/web/commissioner/-/urgent-action-needed-to-reunite-ukrainian-children-transferred-to-russia-and-russian-occupied-territories-with-their-families).

17. See [www.coe.int/en/web/commissioner/-/the-commissioner-publishes-her-memorandum-on-the-human-rights-consequences-of-the-war-in-ukraine](https://www.coe.int/en/web/commissioner/-/the-commissioner-publishes-her-memorandum-on-the-human-rights-consequences-of-the-war-in-ukraine).

18. See [www.coe.int/en/web/commissioner/-/commissioner-draws-attention-to-crimean-tatars-struggle-for-human-rights](https://www.coe.int/en/web/commissioner/-/commissioner-draws-attention-to-crimean-tatars-struggle-for-human-rights).

19. See [www.coe.int/en/web/commissioner/thematic-work/war-in-ukraine](https://www.coe.int/en/web/commissioner/thematic-work/war-in-ukraine).

20. See [www.coe.int/en/web/commissioner/-/urgent-action-needed-to-reunite-ukrainian-children-transferred-to-russia-and-russian-occupied-territories-with-their-families](https://www.coe.int/en/web/commissioner/-/urgent-action-needed-to-reunite-ukrainian-children-transferred-to-russia-and-russian-occupied-territories-with-their-families).

21. See [www.coe.int/en/web/european-commission-against-racism-and-intolerance/statements](https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/statements).

22. See <https://rm.coe.int/ar2022-ecri23-16-eng/1680ab5b52>.

23. See [www.coe.int/en/web/european-commission-against-racism-and-intolerance/2023-annual-seminar1](https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/2023-annual-seminar1).

24. See <https://rm.coe.int/acfc-statement-on-the-russian-aggression-against-ukraine-2022-05-20/1680a69959>.

25. Statement by the Committee of Experts, June 2022.

26. Statement by the Committee of Experts, June 2023.

27. Lutsk, Melitopol, Odesa, Pavlohrad, Sumy, Vinnytsia.

28. See [www.coe.int/en/web/interculturalcities/-standwithukraine](https://www.coe.int/en/web/interculturalcities/-standwithukraine).

Ukrainian cities, which led ICC members such as Stavanger (Norway)<sup>29</sup> to offer substantial support for the Ukrainian network of the ICC. In June 2023, the ICC organised an academy on the integration of migrants and refugees together with Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (OSCE/ODIHR), the United Nations High Commissioner for Refugees (UNHCR), the Organisation for Economic Co-operation and Development and the Union of Polish Metropolises, offering training courses in intercultural competences for staff of local authorities in Poland.<sup>30</sup>

■ The Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026 was adjusted following a needs analysis and consultations with authorities and representatives of the national minorities and Roma.<sup>31</sup> A conference in Berlin in June 2023 considered ways to incorporate the needs of internally displaced Roma into recovery plans for Ukraine; nine grants were awarded to organisations in Chernihiv, Kyiv, Odesa, Transcarpathia, Vinnytsia, Volyn and Zaporizhzhia, involving about 3 000 people in activities to boost the active participation of national minorities. Support was provided in preparing the Strategy for the Protection and Integration of the Roma National Minority into Ukrainian Society 2021-2030 and in promoting and protecting the rights of national minorities, including Roma, and minority languages. The Council of Europe is in constant contact with the Ukrainian authorities and civil society to advance LGBTI rights in line with ECRI conclusions<sup>32</sup> and help with the drafting of legislation that would introduce registered partnerships for same-sex couples in line with the Court’s judgments.<sup>33</sup>

■ The Reykjavik Summit led to the creation of the Consultation Group on the Children of Ukraine to serve as a multilateral platform on the situation, status and needs of children from Ukraine residing in Council of Europe member states; advise on reform of the Ukrainian child protection and care system; and share information. The Reykjavik Summit also stressed Russia’s obligations in crisis and emergency situations under the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.<sup>34</sup> The Committee of the Parties to the Lanzarote Convention (Lanzarote Committee)<sup>35</sup> questioned Russia as a matter of urgency on measures taken to protect Ukrainian children deported or unlawfully transferred to Russia or territories it temporarily occupies and later adopted a statement<sup>36</sup> underlining that, by not co-operating, Russia “thwarts the achievement of the ‘common goal of protecting children against sexual exploitation and sexual abuse’ as set out in the preamble to the [Lanzarote] Convention”.

■ The project Protecting the Rights of Ukrainian Children during War and in the Post-War Context in Ukraine has contributed extensively to improving the lives of children through the review of child-friendly justice, training in psychological support, monitoring the rights of children in the context of the armed conflict, training of trainers on preventing child sexual abuse and strengthening knowledge of child identification and protection measures concerning child victims or those at risk of violence.

■ The Conference of International Non-Governmental Organisations (CINGO), the platform for international non-governmental organisations in the Council of Europe, has also prepared statements on the support to children staying in and migrating from Ukraine,<sup>37</sup> on conflict in Ukraine and refugees<sup>38</sup> and on the situation of women in Ukraine.<sup>39</sup> A webinar was organised in 2022 on Ukrainian children’s right to education in Polish schools<sup>40</sup> and emergency measures. A statement on the rights of Ukrainian children<sup>41</sup> was published in 2023.

■ The project Safeguarding Freedom of Expression and Freedom of Media in Ukraine<sup>42</sup> is addressing the pressing demands of the media in the country. In 2023, the Council of Europe provided guidance on reform

29. See [www.coe.int/web/interculturalcities/stavanger](http://www.coe.int/web/interculturalcities/stavanger).

30. [Rethinking Welcoming Policies from an Intercultural Perspective; Data-Collection for Refugee Reception at the Community Level: Review of Options and Support Materials – Policy Brief; Long-Term, Sustainable Housing Solutions for the Intercultural City – Policy Brief](#).

31. The term “Roma and Travellers” is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term “Gens du voyage”, as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

32. See <https://rm.coe.int/ecri-conclusions-on-the-implementation-of-the-recommendations-in-respe/16809e8277>.

33. *Maymulakhin and Markiv v. Ukraine* (Application No. 75135/14, 1 June 2023).

34. See [www.coe.int/en/web/children/lanzarote-convention](http://www.coe.int/en/web/children/lanzarote-convention).

35. See [www.coe.int/en/web/children/lanzarote-committee](http://www.coe.int/en/web/children/lanzarote-committee).

36. See <https://rm.coe.int/statement-regarding-cooperation-by-the-russian-federation-in-the-conte/1680acb3e9>.

37. See <https://rm.coe.int/support-for-children-from-ukraine-en/1680a5d3a3>.

38. See <https://rm.coe.int/communique-ukraine-migration-refugees-09-03-2022/1680a5c5e7>.

39. See <https://rm.coe.int/statement-on-ukraine-committee-ngos-as-advocates-for-gender-equality-a/1680a5c5e8>.

40. Webinar of 28 March 2022.

41. Statement of 24 March 2023.

42. See [www.coe.int/en/web/freedom-expression/safeguarding-freedom-of-expression-and-freedom-of-media-in-ukraine-fex-fom](http://www.coe.int/en/web/freedom-expression/safeguarding-freedom-of-expression-and-freedom-of-media-in-ukraine-fex-fom).

of Ukrainian media legislation,<sup>43</sup> and legislation was further aligned with European standards, leading to a positive assessment by the European Union as part of Ukraine's membership application.

■ The Centre of Expertise for Good Governance (CEGG) and the European Committee on Democracy and Governance (CDDG) are supporting multilevel governance reforms in Ukraine through the programme Strengthening Good Democratic Governance and Resilience in Ukraine.<sup>44</sup> A high-level dialogue on good democratic governance in Ukraine in the post-war period was held in Strasbourg in November 2022, leading to a series of follow-up actions and expert support relating to the electoral cycle. As a result, the Ukrainian authorities developed a draft road map on good democratic governance in the post-war period, with the Council of Europe providing expert analysis and engaging in discussions with Ukrainian partners based on recommendations provided by the European Commission for Democracy through Law (Venice Commission) and the OSCE/ODIHR in a recent joint opinion.<sup>45</sup>

■ The Parliamentary Assembly, in co-operation with the Venice Commission secretariat, is working to support the Ukrainian authorities in the preparation of post-war elections, in close co-ordination with the country's Central Election Commission, parliamentary actors and other national and international partners.

■ The Council of Europe supported civil society, voluntary and community-based initiatives to build up skills and structures to engage with local authorities, internally displaced persons, youth and vulnerable groups to work together to help communities affected by the war to recover and reconstruct their lives. The project Strengthening Democratic Resilience through Civic Participation during the War and in the Post-War Context in Ukraine<sup>46</sup> supported local authorities to engage citizens of host communities in developing integration strategies for internally displaced persons. Since 2023, specific municipal programmes to support the voluntary sector have been developed and implemented in 18 pilot municipalities.

■ The Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023-2026<sup>47</sup> includes a newly introduced component on culture and cultural heritage and the Council of Europe and Ukrainian authorities are working together to identify priority areas for co-operation, such as integrating heritage into reconstruction and development processes.

■ The European Support Fund for the Co-production and Distribution of Creative Cinematographic and Audiovisual Works (Eurimages) offered special support to Ukrainian film professionals to document the impact of the war on their country and its people, through documentaries or fiction. A partnership with the Ukrainian Film Institute allowed Eurimages to support the international promotion and marketing campaigns of selected Ukrainian feature films.

■ The Council of Europe is fully engaged with all international partners, including the Dialogue Group on Accountability for Ukraine and Ukraine's working group on the implementation of the "Peace Formula".

■ The Council of Europe will continue to work with the Ukrainian authorities to address their urgent needs and priorities, especially in the areas of constitutional justice; combating corruption and money laundering; developing independent, effective and trustworthy justice; promoting freedom of expression and freedom of the media; and strengthening protection of the rights of national minorities.

43. See <https://rm.coe.int/dgi-2023-03-ukraine-tp-law-on-media-2751-9297-4855-1-2753-6081-2551-1/1680aa72df>.

44. See Strengthening Good Democratic Governance and Resilience in Ukraine [www.slg-coe.org.ua/?lang=en](http://www.slg-coe.org.ua/?lang=en).

45. See [www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2023\)025-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2023)025-e).

46. See [www.coe.int/en/web/participatory-democracy/strengthening-civil-participation-in-democratic-decision-making-in-ukraine](http://www.coe.int/en/web/participatory-democracy/strengthening-civil-participation-in-democratic-decision-making-in-ukraine).

47. See [www.coe.int/en/web/programmes/-/resilience-recovery-and-reconstruction-council-of-europe-adopts-new-action-plan-for-ukraine](http://www.coe.int/en/web/programmes/-/resilience-recovery-and-reconstruction-council-of-europe-adopts-new-action-plan-for-ukraine).



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME



Judge  
PESANI

## CHAPTER 2

# SECURING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

**A**t the Reykjavik Summit, leaders of Council of Europe member states reiterated their deep and abiding commitment to the European Convention on Human Rights and the European Court of Human Rights as the ultimate guarantors of human rights across the European continent and renewed their commitment to abide by the final judgments of the Court.

### EXECUTION OF THE JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS

Responsibility for executing the Court's judgments lies with the country concerned and the Committee of Ministers supervises execution at its four annual human rights meetings, with the help of the Department for the Execution of Judgments of the European Court of Human Rights. The DEJ supports states by means of regular contact to ensure that victims of violations obtain appropriate redress and/or that general measures are taken to prevent similar violations occurring in the future. Many other sectors within the Council of Europe support member states in identifying and carrying out the measures needed to fully implement the Court's judgments.

In 2023, 160 cases or groups of cases concerning 30 states were examined, compared to 145 in the preceding year. In 2023, the Committee of Ministers ended supervision of 980 cases (including 180 leading cases requiring specific and often wide-ranging measures by states to prevent similar violations), but there remain 6 386 cases pending (including 1 323 leading cases). In 2023, the DEJ conducted over 35 country missions,<sup>48</sup> which included a meeting in Warsaw with the Network of Experts on the Implementation of Judgments of the European Court of Human Rights by Ukraine. The DEJ also held more than 90 bilateral meetings, online and in person, with most member states.

The Commissioner for Human Rights addressed four Rule 9 communications<sup>49</sup> to the Committee of Ministers in 2022 and 2023 in cases and groups of cases against four member states: *Identoba and Others v. Georgia*,<sup>50</sup> *Sejdić and Finci group v. Bosnia and Herzegovina*,<sup>51</sup> *McKerr group v. the United Kingdom*<sup>52</sup> and *Ilias and Ahmed group v. Hungary*.<sup>53</sup>

The Parliamentary Assembly (the Assembly) continued its work to monitor implementation of the Court's judgments and published its 11th report on this subject in April 2023, urging member states to take prompt and effective measures to execute the Court's judgments.<sup>54</sup> In November 2023, the Sub-Committee<sup>55</sup> on the Implementation of Judgments of the European Court of Human Rights convened in Zagreb to discuss how Assembly members can further promote execution of the Court's judgments and explored new activities to enhance the role of both national parliamentarians and the Assembly.

48. Countries concerned: Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Finland, France, Georgia, Germany, Greece, Latvia, North Macedonia, Poland, Romania, Serbia, Slovenia, Switzerland, Türkiye, Ukraine, United Kingdom.

49. Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements, <https://rm.coe.int/16806eebf0>.

50. *Identoba and Others v Georgia* (Application No. 73235/12), <https://rm.coe.int/submission-in-the-cases-identoba-and-others-v-georgia-group-of-cases-b/1680ad3450>.

51. *Sejdić and Finci group v. Bosnia and Herzegovina* (Application No. 27996/06).

52. *McKerr group v. the United Kingdom* (Application No. 28883/95).

53. *Ilias and Ahmed group v. Hungary* (Application No. 47287/15).

54. *Resolution 2494 (2023) and Recommendation 2252 (2023)*, "Implementation of judgments of the European Court of Human Rights", adopted on 26 April 2023.

55. See [www.coe.int/en/web/execution/-/meeting-of-the-pace-sub-committee-on-the-implementation-of-judgments-of-the-european-court](http://www.coe.int/en/web/execution/-/meeting-of-the-pace-sub-committee-on-the-implementation-of-judgments-of-the-european-court).

■ The Congress of Local and Regional Authorities of the Council of Europe (the Congress) has underlined its willingness to strengthen its contribution to the execution of judgments and, together with the DEJ, is exploring areas where action by local and regional authorities is required.<sup>56</sup>

■ Other Council of Europe monitoring and advisory bodies, including ECRI,<sup>57</sup> the European Commission for the Efficiency of Justice,<sup>58</sup> the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)<sup>59</sup> and the Venice Commission,<sup>60</sup> ensure a comprehensive approach and the Committee of Ministers relies on their recommendations and reports in its supervisory role, where appropriate.

■ The Human Rights Education for Legal Professionals programme continued to provide invaluable support in promoting effective implementation of the Court's judgments, including in the dedicated module on the execution of the Court's judgments, published in 2022, in close co-operation with the DEJ. In 2023, the Greek version of the HELP course on freedom of expression, the Croatian version of the HELP/UNHCR course on asylum and human rights<sup>61</sup> and the Romanian version of the HELP course on hate crime were launched with a focus on implementing relevant Court judgments. A meeting was held in Belgrade on the new project,<sup>62</sup> HELP in the Western Balkans, aimed at strengthening execution of judgments in the region.

■ Links between the Committee of Ministers and the Court on the issue of execution were strengthened. The Court submitted a memorandum<sup>63</sup> at the Reykjavik Summit emphasising the importance of member states' commitment to executing its judgments and decisions. The Court President addressed the Committee of Ministers twice in 2023.<sup>64</sup> In March 2023, a seminar entitled "Binding force: institutional dialogue between the European Court of Human Rights and the Committee of Ministers under Article 46 of the European Convention on Human Rights" was held to discuss ways to strengthen co-operation between the two institutions. The president also participated in an international conference during Latvia's Committee of Ministers Presidency on the role of the judiciary in executing the Court's judgments.

■ The DEJ and the Court's Registry enhanced their co-operation through a number of joint meetings, including meeting the Romanian authorities to discuss execution of judgments concerning properties nationalised during the communist period.<sup>65</sup> There were more joint country missions with the Registry, such as a mission<sup>66</sup> to Belgrade in May 2023 to discuss the implementation of the Court's judgments concerning delayed enforcement of court decisions against socially owned companies in Serbia.<sup>67</sup> The DEJ and the Court's Registry have also continued their co-operation in the context of a working group to ensure more effective follow-up of execution of the Court's judgments and thematic meetings have commenced.

■ The DEJ published four new thematic factsheets<sup>68</sup> and three updates and improved the visibility of statistics on its website.<sup>69</sup>

■ In 2023, the Committee of Ministers received 225 contributions from civil society organisations (CSOs) and 14 contributions from national human rights institutions (NHRIs). This was a record number, which highlights increased participation in the supervision of execution of the Court's judgments. The DEJ held multiple bilateral meetings with various CSOs and NHRIs throughout the year and actively participated in several events.<sup>70</sup> It also collaborated with the European Network of National Human Rights Institutions and the European Implementation Network to organise a capacity-building seminar for NHRIs in November 2023 in Strasbourg.

56. Resolution 493 (2023) "Delivering on the Reykjavik summit: revised Congress priorities, working procedures and structures", adopted by the Congress during the 45th Session on 24 October 2023, Document CG(2023)45-12, paragraph 9.

57. See, for example, the Notes, 1475th meeting, 19-21 September 2023 (DH), *Ilias and Ahmed group v. Hungary*, (Application No. 47287/15).

58. See, for example, the Notes, 1468th meeting, 5-7 June 2023 (DH), *Gazsó group v. Hungary* (Application No. 48322/12).

59. See, for example, the Notes, 1475th meeting, 19-21 September 2023 (DH), *Vasilescu v. Belgium* (Application No. 64682/12).

60. See, for example, the Decision, 1459th meeting, 7-9 March 2023 (DH), *Navalnyy and Ofitserov group v. Russian Federation* (Application No. 46632/13).

61. See [www.coe.int/en/web/execution/-/launch-of-help/unhcr-course-on-asylum-and-human-rights-for-croatian-judges](http://www.coe.int/en/web/execution/-/launch-of-help/unhcr-course-on-asylum-and-human-rights-for-croatian-judges).

62. See [www.coe.int/en/web/help/-/hrtf-council-of-europe-help-in-the-western-balkans-new-project](http://www.coe.int/en/web/help/-/hrtf-council-of-europe-help-in-the-western-balkans-new-project).

63. See [www.echr.coe.int/Documents/Memorandum\\_Summit\\_Reykjavik\\_2023\\_ENG.PDF](http://www.echr.coe.int/Documents/Memorandum_Summit_Reykjavik_2023_ENG.PDF).

64. See [www.echr.coe.int/w/exchange-of-views-with-the-committee-of-ministers-of-the-council-of-europe](http://www.echr.coe.int/w/exchange-of-views-with-the-committee-of-ministers-of-the-council-of-europe); and [www.echr.coe.int/w/exchange-of-views-with-the-committee-of-ministers](http://www.echr.coe.int/w/exchange-of-views-with-the-committee-of-ministers).

65. *Văleanu and Others v. Romania* (Application No. 59012/17).

66. See [www.coe.int/el/web/execution/-/serbia-execution-of-echr-judgments-concerning-delayed-enforcement-of-court-decisions-against-socially-owned-companies](http://www.coe.int/el/web/execution/-/serbia-execution-of-echr-judgments-concerning-delayed-enforcement-of-court-decisions-against-socially-owned-companies).

67. *R. Kačapor and Others group v. Serbia* (Application No. 2269/06).

68. See [www.coe.int/en/web/execution/thematic-factsheets](http://www.coe.int/en/web/execution/thematic-factsheets).

69. See [www.coe.int/en/web/execution](http://www.coe.int/en/web/execution).

70. In November 2023, the DEJ attended the 6th regional meeting of NPMs and CSOs of the OSCE region on mental health in detention.

■ On 29 November 2023,<sup>71</sup> the Committee of Ministers adopted a decision based on a recommendation from the Committee of Ministers' Rapporteur Group on Human Rights to publicly release the indicative annual planning of cases to help civil society and others to plan and provide input into the execution process.

■ The Reykjavik Declaration stressed the need to make every effort to ensure that Russia executes Court judgments, including by working with other international organisations such as the United Nations. The DEJ has been exploring ways to co-ordinate with UN bodies and, in June 2023, held several bilateral meetings in Geneva with key UN bodies, including the Special Rapporteur on the Situation of Human Rights in Russia and the secretariat of the United Nations Working Group on Enforced or Involuntary Disappearances. The DEJ is working with the secretariat of the United Nations High Commissioner for Refugees to discuss cases related to asylum and migration. In December 2023, the DEJ welcomed the UN Special Rapporteur to Strasbourg. During her visit, the Special Rapporteur held several meetings, including with the Secretary General and the Committee of Ministers. The DEJ also organised regular meetings<sup>72</sup> with civil society to ensure that the Committee of Ministers remains informed about the current human rights situation in Russia.

■ In November 2023, the DEJ met fundamental rights monitors from the European Union European Border and Coast Guard Agency (Frontex) to discuss ways to enhance co-operation and ensure the effective implementation of the Court's judgments.

■ The DEJ has also been engaging with the OSCE to promote execution of the Court's judgments and participated in conferences in both October and November 2023.<sup>73</sup>

## EFFECTIVE IMPLEMENTATION OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS AT EUROPEAN AND NATIONAL LEVELS

■ For the Convention to play its "central role in the maintenance and promotion of democratic security and peace throughout the continent",<sup>74</sup> it must be effectively applied at national level. National executives, national and local authorities, national courts and national parliaments bear responsibility for implementing the Convention and complying with the judgments of the Court.

■ Accession of the European Union to the Convention is essential to ensure coherence in the human rights architecture of Europe. In April 2023, negotiations between Council of Europe member states and the European Union led to a provisional agreement on revised draft accession instruments, with one outstanding issue regarding acts committed in the area of the European Union's common foreign and security policy. The European Union has informed the Committee of Ministers of its intention to resolve this outstanding issue internally as soon as possible (related cases are currently pending before the Court of Justice of the European Union). Resolution of this issue, in conjunction with the revised draft accession instruments, is expected to provide a complete legal basis for the European Union's accession. In the Reykjavik Declaration, the member states of the Council of Europe welcomed the provisional agreement as an important milestone in the European Union accession process and expressed their commitment to its timely adoption.

■ The Steering Committee for Human Rights (CDDH) maintained its focus on issues relating to the functioning of the Convention system.<sup>75</sup> In September 2022, the Committee of Ministers adopted guidelines on preventing and remedying violations of the Convention,<sup>76</sup> proposing practical procedural and institutional measures to be taken by member states to prevent violations through effective national implementation and to remedy violations found by the Court. In December 2022, the CDDH adopted a report on the effective processing and resolution of interstate cases, many of which involve large-scale human rights violations,<sup>77</sup> based on which the Committee of Ministers adopted a declaration<sup>78</sup> calling on the states involved to help the Court to investigate such violations and inviting the Court to ensure their effective and speedy examination and resolution. Working on the effective protection of human rights in situations of crisis, the CDDH produced a

71. CM/Del/Dec(2023)1482/4.5 – Securing the long-term effectiveness of the system of the European Convention on Human Rights – Enhancing the tools available to the Committee of Ministers in the supervision of the execution of ECtHR judgments, [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680ad5094](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680ad5094).

72. See [www.coe.int/ro/web/execution/-/exchange-of-views-between-the-committee-of-ministers-and-civil-society-on-execution-of-cases-against-russia-concerning-human-rights-violations-in-the-transnistrian-region-of-the-republic-of-moldova](http://www.coe.int/ro/web/execution/-/exchange-of-views-between-the-committee-of-ministers-and-civil-society-on-execution-of-cases-against-russia-concerning-human-rights-violations-in-the-transnistrian-region-of-the-republic-of-moldova).

73. "Warsaw human dimension conference", organised by the OSCE/ODIHR.

74. Recommitting to the Convention system as the cornerstone of the Council of Europe's protection of human rights, Reykjavik Declaration, Appendix IV.

75. See <https://rm.coe.int/terms-of-reference-of-the-steering-committee-for-human-rights-for-2022/1680a74d3d>.

76. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680a7b73b](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a7b73b).

77. See <https://rm.coe.int/steering-committee-for-human-rights-cddh-cddh-report-on-the-effective-/1680a96acb>.

78. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680aad39a](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680aad39a).

report on member states' practice in relation to derogations from the Convention in situations of crisis,<sup>79</sup> and a draft Committee of Ministers' toolkit for assessing measures taken by the state in crisis situations.

■ In November 2023, the CDDH adopted a report evaluating the effectiveness of the system for selecting and electing judges, the means to ensure due recognition of their status and service with the Court and possible additional safeguards to preserve their independence and impartiality.<sup>80</sup>

■ The Assembly continued to support the Committee of Ministers' supervision of the execution of judgments<sup>81</sup> and promote implementation of the Convention. In April 2023, the Assembly adopted a resolution on the European Convention on Human Rights and national constitutions, encouraging mutual understanding, mutual respect and dialogue between national and European courts.<sup>82</sup>

■ The Convention's effective implementation is at the core of the Commissioner for Human Rights' mandate. In 2022 and 2023,<sup>83</sup> the Commissioner alerted member states to practices, legislation or reforms weakening human rights protection<sup>84</sup> or raising questions regarding their compliance with the Convention and the Court's case law.<sup>85</sup> The Commissioner also published thematic documents calling on member states to abide by the Convention and Court's case law, including on artificial intelligence and human rights,<sup>86</sup> and on unlawful pushback of refugees, asylum seekers and migrants.<sup>87</sup>

■ In 2022 and 2023, opinions by the Venice Commission helped to implement the Court's judgments. For example, in 2023 the Venice Commission recommended<sup>88</sup> constitutional amendments in Bulgaria which concerned reform of the Prosecutor's Office in relation to long-standing issues.<sup>89</sup> In another opinion<sup>90</sup> concerning anti-corruption measures in the Republic of Moldova, it recommended verifying that draft laws, existing laws and administrative practices were compatible with Convention standards and the Court's case law. The Court continues to draw upon opinions and reports issued by the Venice Commission,<sup>91</sup> notably in cases concerning the independence of the judiciary.

■ In line with the Reykjavik Declaration,<sup>92</sup> the Council of Europe also continued its work to implement the Convention in member states through co-operation projects aimed at helping to both prevent and remedy violations. The Council of Europe immediately gave support to national authorities to help them respond to the human rights consequences of large-scale crises, including the Russian aggression against Ukraine<sup>93</sup> and beyond,<sup>94</sup> and the refugee influx in Armenia in autumn 2023.<sup>95</sup> Advice and support was also provided for the development of institutional capacity, structures or legislation to apply the Convention nationally.<sup>96</sup> The Court's findings are the basis of the design of co-operation programmes and priority is given to those that assist member states in implementing the Court's judgments.<sup>97</sup> A new multilateral initiative was set up,

79. See <https://rm.coe.int/steering-committee-for-human-rights-cddh-draft-report-on-member-states/1680a96acd>.

80. See <https://rm.coe.int/steering-committee-for-human-rights-cddh-cddh-report-on-issues-relatin/1680ad91ac>.

81. See the section "Execution of the judgments of the European Court of Human Rights".

82. [Resolution 2491 \(2023\)](#) "European Convention on Human Rights and national constitutions".

83. See the [Commissioner for Human Rights' annual activity report 2023](#).

84. For example, the [report](#) following the Commissioner's visit to the United Kingdom and her subsequent [letter](#) on the United Kingdom's "Illegal Migration Bill".

85. For example the recommendations specifically referring to these requirements contained in the reports following her visits to [Austria](#), [the Czech Republic](#), [Georgia](#), [Malta](#), [Spain](#), [Serbia](#), her letters to the authorities of [Azerbaijan](#), [Estonia](#), [Finland](#), [Greece](#), [Ireland](#), [Italy](#), [Latvia](#), [the Netherlands](#) and [North Macedonia](#), and her statements on [France](#), [Lithuania](#), [Serbia](#), [Sloviaka](#) and the [United Kingdom](#).

86. Commissioner for Human Rights, "Report Human rights by design - future-proofing human rights protection in the era of AI".

87. Pushed beyond the limits – Four areas for urgent action to end human rights violations at Europe's borders, <https://rm.coe.int/pushed-beyond-the-limits-urgent-action-needed-to-end-human-rights-viol/1680a5a14d>.

88. See [www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)039-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)039-e).

89. *S.Z. v. Bulgaria* (Application No. 29263/12) and *Kolevi v. Bulgaria* (Application No. 1108/02) groups of judgments.

90. See [www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2023\)032-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2023)032-e).

91. See, for example, the 2022 Grand Chamber judgment in *Grzęda v. Poland* (Application No. 43237/13) and the 2023 judgment in *Catană v. Republic of Moldova* (Application No. 43572/18 (in French only)).

92. See also the Committee of Ministers' decisions on the occasion of the 70th anniversary of the Convention, [CM/Del/Dec\(2020\)130/4](#).

93. See Chapter 1.

94. [Strengthening the Human Rights Protection of Refugees and Migrants in the Republic of Moldova](#); [HELP e-Desks on asylum/migration for lawyers assisting people fleeing the war in Ukraine](#).

95. See [Council of Europe to prepare package of measures in response to refugee influx in Armenia following special representative on migration and refugees visit](#).

96. For example in [Georgia \(Enhancing Implementation of Human Rights Practices and Education in Georgia\)](#); [Türkiye \(Supporting the Effective Implementation of Turkish Constitutional Court Judgments in the Field of Fundamental Rights\)](#).

97. For example in [Albania \(Improving the Protection of the Right to Property and Facilitating Execution of ECtHR Judgments in Albania \(D-REX III\)\)](#); [Armenia \(Support to the Effective Execution of the Judgments of the European Court of Human Rights in Armenia\)](#); [Azerbaijan \(Support for the Improvement of the Execution of the European Court Judgments by Azerbaijan\)](#); [Bosnia and Herzegovina \(Initiative for Legal Certainty and Efficient Judiciary in Bosnia and Herzegovina – Phase III\)](#); the [Republic of Moldova](#), where support is provided for the functioning of the Advisory Council of the Government Agent ([Strengthening the Human Rights-Compliant Criminal Justice System in the Republic of Moldova](#)); [Ukraine \(Fostering Human Rights in the Criminal Justice System in Ukraine\)](#).



creating an execution co-ordinators network to strengthen domestic capacity,<sup>98</sup> enabling member states to support each other in their efforts to implement Court judgments.

■ Emphasis was put on making Convention case law accessible. A multilateral project on enhancing subsidiarity<sup>99</sup> was launched, making the Convention-promoting, knowledge-sharing platform<sup>100</sup> available to the public as of October 2022, with translation into non-official languages ongoing. Work continued to support the Superior Courts Network<sup>101</sup> and strengthen legal professionals' ability to identify and address Convention-related issues at national level. The Council of Europe Human Rights Education for Legal Professionals programme expanded steadily and demand for its online courses remained high (approximately 140 000 online at the end of 2023, for 50 HELP courses,<sup>102</sup> with over 600 national versions already available online). New courses were launched and work continues to empower ombudsman institutions, independent national human rights institutions, national preventive mechanisms (NPMs) and civil society to play their part in upholding human rights. The activities of the European Forum of National Preventive Mechanisms against torture expanded, bringing NPMs from all over Europe together for joint substantive work. The Open Council of Europe Academic Networks<sup>103</sup> initiative was launched, connecting universities and academics, and promoting Council of Europe standards.

■ Support was also provided to non-member states in the Mediterranean region and in Central Asia<sup>104</sup> to strengthen their systems of national human rights protection and to encourage legal professionals in these countries to apply or refer to human rights standards developed by the Court.

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98. Project [Support to Efficient Domestic Capacity for the Execution of ECtHR Judgments \(Phase 1\)](#). This project aims at helping member states to ensure that Recommendation [CM/Rec\(2008\)2](#) of the Committee of Ministers to member states on efficient domestic capacity for rapid execution of judgments of the European Court of Human Rights is given full effect, the importance of which was highlighted by the Committee of Ministers during the 130th Session in Athens in November 2020.

99. Project [Enhancing Subsidiarity: Support to the ECHR Knowledge-Sharing and Superior Courts Dialogue](#).

100. [ECHR Knowledge Sharing](#).

101. Superior Courts Network, [www.echr.coe.int/superior-courts-network](http://www.echr.coe.int/superior-courts-network).

102. Council of Europe HELP programme, <http://rm.coe.int/council-of-europe-help-programme-catalogue-of-online-courses/16809e0eb7>.

103. [OCEAN website](#).

104. [HELP in Central Asia](#) (a component of the "Rule of Law in Central Asia" Programme).



## CHAPTER 3

# ADVANCING SOCIAL JUSTICE, GOOD HEALTH AND A SUSTAINABLE ENVIRONMENT

The year 2023 was marked by serious challenges affecting every country in Europe. The energy and cost-of-living crisis had a severe impact on the most vulnerable and was compounded by the ongoing triple crisis of pollution, climate change and the loss of biodiversity. The Council of Europe is responding to these challenges with a range of legal texts and with activities covering social rights, health and the environment and by creating a new Directorate of Social Rights, Health and Environment – including a Department on the Reykjavik Process and the Environment – within the Directorate General Human Rights and Rule of Law.

### EFFECTIVE IMPLEMENTATION OF THE EUROPEAN SOCIAL CHARTER

■ The [Reykjavik Declaration](#) stated that: “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.”

■ This statement is a tribute to the importance of the revised European Social Charter (ETS No. 163, the Charter)<sup>105</sup> in the Council of Europe’s human rights architecture. With its legally binding provisions and its monitoring procedures – the reporting procedure and the collective complaints procedure – the Charter is widely regarded as Europe’s social constitution and the benchmark for social rights protection across the continent.

■ In March 2023, the Committee of Ministers’ working party on improving the European Social Charter system (GT-CHARTÉ)<sup>106</sup> completed its work with a report<sup>107</sup> on the longer-term substantive and procedural issues relevant to improving the Charter system, such as implementation of existing rights, promotion of additional commitments, new rights, the personal scope of the Charter and accession to the Charter by the European Union. The Committee of Ministers agreed to review these issues in due course.

■ The year 2023 was pivotal for the Charter system, with reforms<sup>108</sup> adopted by the Committee of Ministers in September 2022 being rolled out. The reforms aim at increasing the efficiency and impact of the Charter reporting procedure while reducing the reporting burden for member states. Countries were asked to submit an ad hoc report<sup>109</sup> on a critical or emerging social-rights topic for the first time by the end of 2023, with the cost-of-living crisis being chosen as the theme, given inflation reaching levels not seen in the last four decades disproportionately hitting the most vulnerable, low-income households in our societies. The reports will be examined by the European Committee of Social Rights (ECSR) in 2024.

105. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treaty-num=163](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treaty-num=163).

106. See [www.coe.int/en/web/cm/gt-charte](http://www.coe.int/en/web/cm/gt-charte).

107. [CM\(2022\)196](#).

108. See [www.coe.int/en/web/european-social-charter/reform-process-of-the-european-social-charter](http://www.coe.int/en/web/european-social-charter/reform-process-of-the-european-social-charter).

109. See <https://rm.coe.int/appendix-ad-hoc-report-questions/1680abb137>.

■ In the period 2022-2023, the ECSR adopted a series of landmark decisions on collective complaints. These include *Validity Foundation v. Finland*<sup>110</sup> on measures to protect the life and health of people with disabilities during the Covid pandemic (no violation), *Syndicat CFDT de la métallurgie de la Meuse v. France*<sup>111</sup> on the issue of compensation in unlawful dismissal cases (violation), *Finnish Society of Social Rights v. Finland*<sup>112</sup> on the level of social security and social assistance benefits (violation), *Confédération générale du travail (CGT) v. France* on the right to strike in state administrations (violation), *European Disability Forum (EDF) and Inclusion Europe v. France*<sup>113</sup> on effective access for people with disabilities to autonomous and socially included living (violation) and *Associação Sindical dos Profissionais da Polícia (ASPP/PSP) v. Portugal*<sup>114</sup> on retaliatory measures against trade union representatives (violation).

■ The ECSR's Conclusions 2022<sup>115</sup> on the theme of labour rights in 33 countries were published in March 2023. The ECSR noted positive developments in some countries on the right to strike and on legislative measures covering harassment and sexual harassment at work. It also identified shortcomings in law and in practice, including on issues such as fair remuneration, collective bargaining, sexual harassment in the workplace and collective redundancy procedures. The Charter's Governmental Committee finalised its follow-up to the ECSR's Conclusions 2021<sup>116</sup> on rights related to health, social security and social protection and addressed several recommendations to states parties, which were adopted by the Committee of Ministers in December 2023.

■ The ECSR stepped up its activities under the procedure on non-accepted provisions, which now covers all 42 States Parties to the Charter. Productive meetings were held with Denmark and Latvia in 2023 and several member states have announced their intention to accept additional provisions of the Charter.

■ Finally, the Lithuanian authorities have offered to host the high-level conference on the Social Charter on 3 and 4 July 2024, in the context of their upcoming Committee of Ministers presidency.

## SECRETARIAT OF THE COUNCIL OF EUROPE DEVELOPMENT BANK

■ In the Reykjavik Declaration, European leaders acknowledged the value of the Council of Europe Development Bank in supporting the reconstruction of Ukraine, while encouraging it to focus on the social dimensions of climate change and environmental degradation.

■ The year 2023 marked the start of a new phase of the CEB's engagement with Ukraine. From the beginning of the Russian war against Ukraine, the CEB provided essential support amounting to more than €1.3 billion to Ukrainian refugees and their host communities. Following Ukraine's accession as its 43rd member in June 2023, the CEB's operations turned swiftly to providing financing "for Ukraine in Ukraine".

■ In November 2023, five months after the country's accession, the CEB approved its first loan to Ukraine to the amount of €100 million, as part of a World Bank framework operation. The funding will help strengthen primary healthcare, support mobile teams that provide essential health services to remote areas, finance the renovation of damaged health infrastructure and address other urgent health needs, including mental health.

■ The CEB is also deploying targeted grant support to meet the needs of the most vulnerable in Ukraine, drawing from its trust funds, notably its Ukraine Solidarity Fund. A first direct grant of €2 million was signed to this effect in September 2023, financing critical home repairs for over 500 vulnerable households in conflict-affected areas.

■ Looking ahead, the CEB remains strongly committed to supporting Ukraine's recovery, reconstruction and long-term social development – in line with the orientations set out in its five-year Strategic Framework 2023-2027,<sup>117</sup> approved by its member states in December 2022.

110. See <https://rm.coe.int/cc-197-2020-dmerits-en/1680ac58b9>.

111. See <https://hudoc.esc.coe.int/eng/?i=cc-175-2019-dmerits-en>.

112. See <https://hudoc.esc.coe.int/fre/?i=cc-172-2018-dmerits-en>.

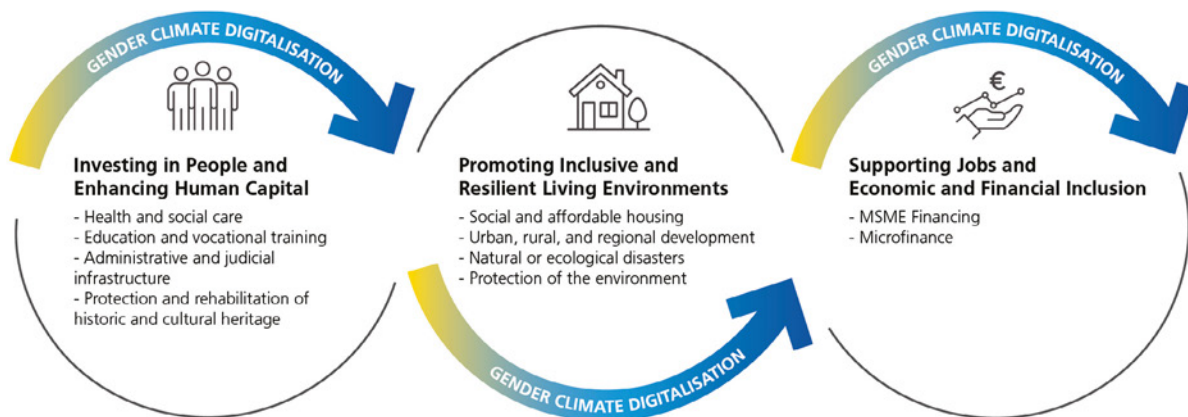
113. See <https://hudoc.esc.coe.int/fre/?i=cc-168-2018-dmerits-en>.

114. See *Decision on the merits in Associação Sindical dos Profissionais da Polícia (ASPP/PSP) v. Portugal*, Complaint No. 179/2019.

115. See [www.coe.int/en/web/european-social-charter/-/the-european-committee-of-social-rights-publishes-its-conclusions-on-labour-rights](https://www.coe.int/en/web/european-social-charter/-/the-european-committee-of-social-rights-publishes-its-conclusions-on-labour-rights).

116. See [www.coe.int/en/web/european-social-charter/-/several-problems-relating-to-health-and-social-protection-still-persist-in-europe](https://www.coe.int/en/web/european-social-charter/-/several-problems-relating-to-health-and-social-protection-still-persist-in-europe).

117. See <https://coebank.org/en/news-and-publications/news/at-glance-the-council-of-europe-development-banks-strategic-framework-2023-2027/>.



■ Housing and health will remain two central areas of engagement, recognising the country's formidable needs and building on the CEB's long-standing experience in these areas. The CEB will also co-ordinate closely with the Ukrainian authorities, international partners and the Council of Europe and its Kyiv office to identify synergies and leverage support where it is most needed.

■ The CEB, with its social mandate, recognises that climate change can erode social development, affecting vulnerable people and communities disproportionately. Climate action is one of the cross-cutting themes of the CEB's Strategic Framework 2023-2027. By integrating social investments with climate considerations, the CEB supports a just and inclusive transition to a decarbonised and climate-resilient future while targeting progress on social cohesion. In 2023, almost 50% of CEB projects had both climate and social benefits.

■ The CEB's project with the self-governing region of Trenčín in Slovakia is an example where climate action and social inclusion are addressed in concert. Through this project, the CEB supports investments in regional development, social care and healthcare sectors in a territory heavily affected by the phasing-out of coal mining.

■ Another example is the energy efficiency enhancements in affordable and social housing in Sector 5 of Bucharest. Approved in November 2023, the project<sup>118</sup> will prevent energy poverty and improve health conditions through higher housing quality. Investments of this nature emphasise how progress in socio-economic and living conditions can be achieved hand in hand with climate objectives.

## HEALTH AND HUMAN RIGHTS

■ Protecting human rights for all in the field of health is a key objective in democratic societies, as demonstrated during the Covid-19 crisis. The Council of Europe is actively supporting its member states in achieving this goal through unique action in the fields of biomedicine, drugs and addictions, along with combating the counterfeiting of medical products and trafficking in human organs.

■ To address inequities in healthcare, the Committee of Ministers adopted CM/Rec (2023)1 on equitable access to medicinal products and medical equipment in a situation of shortage.<sup>119</sup> The Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO) adopted a guide to health literacy, contributing to trust building and equitable access to healthcare,<sup>120</sup> with particular attention being paid to people in vulnerable situations.

■ The protection of the human rights of people in vulnerable situations was the focus of a conference on promoting autonomy in mental healthcare<sup>121</sup> organised under the Latvian Presidency of the Committee of Ministers, where a report on the Court's case law relevant to mental health was presented. This event took place in the context of the development of a new draft recommendation on the promotion of autonomy in mental healthcare.

■ The report of the round table on human rights and neurotechnologies,<sup>122</sup> co-organised with the Organisation for Economic Co-operation and Development, was published, and the CDBIO organised a pilot youth forum on AI in biomedicine.

118. See <https://coebank.org/en/project-financing/projects-approved-administrative-council/bucharest-sector-5-municipal-infrastructure/>.

119. CM/Rec (2023)1 on equitable access to medicinal products and medical equipment in a situation of shortage.

120. Guide to health literacy, contributing to trust building and equitable access to healthcare.

121. Conference on promoting autonomy in mental healthcare.

122. Round table on neurotechnologies and human rights framework – Do we need new rights?

■ The European Committee on Legal Co-operation published a comparative study on access of people conceived by gamete donation to information on their origins. It will constitute the basis for future work on a draft recommendation on the rights of donor-conceived people to know their origins.

■ Following up on strategic priorities decided at the Reykjavik Summit, the Pompidou Group is developing policy guidelines covering online addictions (with the Steering Committee on Media and Information Society (CDMSI)) and human rights and drug policies (with the Steering Committee for Human Rights), with the objective of preparing two draft Committee of Ministers recommendations. It also launched a project to create an online course on criminal justice and community responses to drug use and addictions under the Council of Europe HELP programme.

■ Ukraine joined the Pompidou Group in January 2022 and efforts continue to integrate all relevant authorities and interlocutors (including civil society), despite the war. A co-operation programme is being run to support the introduction of opioid agonist treatment in Ukrainian prisons and pre-trial detention and to establish a therapeutic community for treating substance disorders in the Odesa prison, based on the successful experiment carried out in Pruncul prison next to Chişinău (Republic of Moldova) since 2018. The Pompidou Group is also providing legal expertise on a draft law on rehabilitation under discussion within the Verkhovna Rada.

■ Designed to deal comprehensively with threats to public health and the lives and well-being of people through criminal law, the Council of Europe Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health (CETS No. 211, the MEDICRIME Convention)<sup>123</sup> has been ratified by many member states and other countries. In line with the priorities defined in the Reykjavik Declaration, the [MEDICRIME Committee](#) has focused its work on finalising its first monitoring round report on protection of public health in times of pandemics, a survey on falsification of medical products for veterinary use and a feasibility study for a possible MEDICRIME 24/7 network to strengthen international co-operation on criminal matters. A Strategy 2024-2025<sup>124</sup> to combat fake medical products and a guidance note on the term “counterfeit” were adopted. European and African countries continue to be supported in drafting their legislative and regulatory frameworks and are being provided with training for legal professionals and law-enforcement authorities.



■ The Committee of the Parties was set up in 2022 to monitor the implementation of the Convention against Trafficking in Human Organs (CETS No. 216). It has adopted its rules of procedure, organised a country profile questionnaire and decided the theme of the first monitoring round: prevention and awareness mechanisms to counter trafficking in human organs.

123. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatyid=211](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatyid=211).

124. See [The Council of Europe’s MEDICRIME Committee adopts a MEDICRIME strategy for 2024-2025](#).

## QUALITY OF MEDICINES AND HEALTHCARE

■ In the ever-evolving landscape of healthcare, the European Directorate for the Quality of Medicines & HealthCare (EDQM) continued to play a pivotal role in advancing quality standards and ensuring the availability of safe, quality medicines. The EDQM's contribution to the Council of Europe's key objectives in 2022 and 2023 support access to fundamental rights in this area and constitute an essential element of sustainable development.

■ Russia's war of aggression against Ukraine resulted in the suspension of Russia and Belarus as EDQM observers to the European Pharmacopoeia Commission and their exclusion from the intergovernmental activities of the EDQM, as decided by the Committee of Ministers in March and June 2022.

■ The EDQM continued to expand its global outreach, welcoming new observer states to the European Pharmacopoeia Commission in 2022 and 2023 (Ethiopia, Kyrgyzstan and Egypt). By forging partnerships and networks with national authorities, official control laboratories, industry and healthcare professionals' associations in Europe and beyond, the EDQM has reinforced its role as a global leader in setting and promoting quality and ethical standards for pharmaceuticals and their use and for substances of human origin and consumer protection.

■ A cornerstone of the EDQM's success lies in collaboration. Over 2 000 experts from regulatory authorities, industry, academia and the healthcare professions make a difference to healthcare for millions of patients each year through their participation in the intergovernmental committees managed by the EDQM and over 60 specialised European Pharmacopoeia Commission working groups. Throughout 2022 and 2023, the EDQM continued to emphasise collaboration, recognising that collective efforts yield the most significant impact.

■ In response to the dynamic landscape of medical innovation, the EDQM has played a crucial role in establishing and updating quality standards for cutting-edge medicines. This includes the development of standards for mRNA vaccines, monoclonal antibodies and nanomedicines. By setting rigorous standards, the EDQM helps ensure that the latest medical advances meet safety and efficacy requirements, ultimately benefiting patients worldwide.

■ Recognising the impact of medicine shortages on global healthcare, the EDQM has undertaken new initiatives to address and mitigate these challenges. Based on a request from member states and by working closely with relevant stakeholders, the EDQM has developed a strategy aimed at managing shortages. Working groups have been set up to manage two complementary medium-term projects. The first is to create a guide to support national competent authorities and healthcare professionals in identifying and selecting medicines that may be in short supply during public health emergencies and that can be prepared in hospital and/or community pharmacies. The second is to compile a European Drug Shortages Formulary, a collection of texts describing methods for the preparation and quality control of standardised unlicensed pharmaceutical preparations that can be used as a temporary replacement for essential licensed medicines that may be unavailable during a crisis.

■ In 2023, the EDQM took a forward-looking approach by developing a strategic foundation that extends into the years to come. Central to this vision is a heightened focus on sustainability. Recognising the interconnectedness of health, the environment and society, the EDQM is committed to incorporating sustainability principles into its activities. This includes efforts to reduce environmental impact, promote ethical practices, including animal welfare, and contribute to the broader global goals of sustainable development.

## THE REYKJAVIK PROCESS AND THE ENVIRONMENT

■ The Reykjavik Declaration included an entire appendix on the Council of Europe and the environment, stressing "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", while committing the Council of Europe to strengthening its work "on the human rights aspects of the environment and initiate the Reykjavik Process of focusing and strengthening the work of the Council of Europe in this field".

■ The Reykjavik Process gathered steam in 2023 throughout the Organisation. In January 2024, a Department on the Reykjavik Process and the Environment was set up within the newly formed Directorate of Social Rights, Health and Environment in the Directorate General Human Rights and Rule of Law. The Inter-Secretariat Task Force on the Environment has been set up to make proposals for a Council of Europe strategy and action plan on the environment.

■ The Parliamentary Assembly also continues its long-standing focus on this topic, in particular through the work of its Network of Parliamentarians for a healthy environment, and is closely following and supporting the reflection on the legal framework, strategic directions and structures which are now being put in place. The Assembly's Recommendation 2477 (2023) on the environmental impact of armed conflicts underlines the need "to adequately protect human living space, the environment and the human rights to life and to a healthy environment in the context of armed conflict". The same recommendation also calls for the creation of a permanent international mechanism to address compensation claims for environmental damage resulting from armed conflicts and calls on member states to enhance their legal arsenal for criminalising and effectively prosecuting ecocide.

■ The Steering Committee for Human Rights prepared a recommendation on human rights and the protection of the environment<sup>125</sup> which was adopted by the Committee of Ministers in September 2022, calling on member states to actively consider recognising at national level the human right to a clean, healthy and sustainable environment. It then began preparing a study on the need for and feasibility of an additional legal treaty, possibly including additional protocols to the European Convention on Human Rights and to the European Social Charter. The CDDH expects to transmit this study to the Committee of Ministers in June 2024. In May 2023, the Icelandic Committee of Ministers Presidency organised a high-level conference on the right to a clean, healthy and sustainable environment in practice.

■ A new legally binding convention on protecting the environment through criminal law is being drawn up to provide a framework to address environmental crime and promote co-operation in the field. The Consultative Council of European Prosecutors (CCPE) issued an opinion drawing specific attention to the role of prosecutors in protecting the environment through criminal, administrative and civil law.<sup>126</sup>

■ The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (ETS No. 104, Bern Convention) launched a strategic plan<sup>127</sup> with new standards and recommendations for controlling invasive alien species, combating illegal killing of birds and developing the Emerald Network of conservation areas. The Committee of Permanent Correspondents of the EUR-OPA Major Hazards Agreement adopted guidelines and a recommendation<sup>128</sup> on the use of social media for successful disaster risk communication. Olympiads for high school students were organised to raise young people's awareness of hazards and to improve their skills in disaster prevention and preparedness, part of the project BeSafeNet – Protect Yourself from Hazards.

■ The Advisory Committee on the Framework Convention for the Protection of National Minorities<sup>129</sup> is addressing environmental issues on the basis that the extraction of natural resources, large-scale industrial projects and tourism threaten the cultural identity of national minorities. It is promoting national minorities' participation in all decisions affecting them. The Steering Committee for the Rights of the Child organised a thematic exchange on the rights of the child and the environment and discussed how Council of Europe human rights texts might be used.

■ In June 2023, the Commissioner for Human Rights published a Human Rights Comment<sup>130</sup> on the increasing repression, criminalisation and stigmatisation of peaceful environmental protests in Europe. In September 2023, she addressed<sup>131</sup> the Court at the hearing in the case of *Duarte Agostinho and Others v. Portugal and 32 Others* which concerns the negative impact of climate change on human rights, particularly those of young people.

■ In October 2022, the [Congress of Local and Regional Authorities](#) highlighted the fact that local and regional governance is now inextricably linked to environmental challenges. In its recommendation,<sup>132</sup> the Congress underlined the role of Europe's local and regional authorities in sustainable development and the environment and recommended the drafting of an additional protocol to the European Charter of Local Self-Government on this issue. The aim of this additional protocol would be to commit member states to raising awareness of local and regional authorities so that they better develop policies that take account of environmental challenges. In its work to support local and regional authorities, the Congress released the third

125. See <https://rm.coe.int/0900001680a83df1>.

126. *Opinion No. 17 (2022)* of the Consultative Council of European Prosecutors on the role of prosecutors in the protection of the environment.

127. See <https://rm.coe.int/tpvs18e-2023-strategic-plan-final/1680ada084>.

128. See <https://rm.coe.int/apcat-2023-01rec-recommendation-on-social-media-in-drr-en/1680adcb90>.

129. See [www.coe.int/en/web/minorities](http://www.coe.int/en/web/minorities).

130. See [www.coe.int/en/web/commissioner/-/crackdowns-on-peaceful-environmental-protests-should-stop-and-give-way-to-more-social-dialogue](http://www.coe.int/en/web/commissioner/-/crackdowns-on-peaceful-environmental-protests-should-stop-and-give-way-to-more-social-dialogue).

131. See the *Hearing of the Grand Chamber of the European Court of Human Rights in the case of Duarte Agostinho and Others v. Portugal and 32 Others*.

132. *Congress Recommendation 484 (2022)* "A fundamental right to the environment: a matter for local and regional authorities".



volume<sup>133</sup> of the human rights handbook for local and regional authorities dedicated to the environment and sustainable development. On 4 July 2023, the President of the Brandenburg State Parliament and the Chair of the Congress Monitoring Committee co-signed the Potsdam declaration<sup>134</sup> for a shared commitment to a clean, healthy and sustainable environment.

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133. See <https://rm.coe.int/human-rights-handbook-for-local-and-regional-authorities-vol-3-environ/1680a8b534>.

134. See <https://rm.coe.int/cgmon-2023-12prov-en-the-potsdam-declaration-shared-commitment-to-a-cl/1680abe765>.



# CHAPTER 4

## ACTING FOR EQUALITY, DIVERSITY AND RESPECT

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**T**he Reykjavik Declaration stressed the importance of gender equality and the fight to prevent violence against women and domestic violence, carried out under the Convention on Preventing and Combating Violence against Women and Domestic Violence, highlighting the Council of Europe's pioneering role and the intergovernmental work done by the Gender Equality Commission (GEC).

■ The Parliamentary Assembly has significantly improved gender parity within its own membership and structures following changes to its Rules, accompanied by the creation of the "Women at PACE" network of female parliamentarians. It works intensively on different aspects of gender equality and the fight against gender-based violence, including for example work on sexual violence in periods of war and conflict, the role of men and boys in stopping gender-based violence against women and girls, gender mainstreaming in migration policies and supporting the participation of women both as candidates and voters in parliamentary elections.

■ The Council of Europe supported member states in implementing the Group of Experts on Action against Trafficking in Human Beings' (GRETA) recommendations based on the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197). In the Reykjavik Declaration, the Heads of State and Government of the Council of Europe pledged to strengthen the work towards inclusive societies without racism and intolerance and the promotion and protection of national minority rights.

■ The European Commission against Racism and Intolerance, and the independent expert monitoring bodies to promote and protect national minorities and minority languages – the Advisory Committee on the Framework Convention for the Protection of National Minorities and the Committee of Experts of the European Charter for Regional or Minority Languages – monitored developments in their respective areas.

■ Governmental experts from all member states participated in the work of the Steering Committee on Anti-discrimination, Diversity and Inclusion to ensure European policy development and standard setting. Comprehensive programmes of targeted support to member states helped ensure follow-up and implementation of monitoring recommendations and standards on anti-discrimination, diversity and inclusion.

■ Council of Europe activities to protect and promote children's rights were guided by the Strategy for the Rights of the Child (2022-2027),<sup>135</sup> led by the Steering Committee for the Rights of the Child (CDENF).

■ The fight against sexual abuse and sexual exploitation of children remains high on the Organisation's agenda, with continued monitoring of how the Lanzarote Convention is implemented. Co-operation projects to promote the rights of the child have seen a significant increase in recent years.

### GENDER EQUALITY, VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE, HUMAN TRAFFICKING

#### Gender equality

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■ Sexism and gender stereotypes remain a major barrier to the realisation of gender equality. The campaign Sexism: See it. Name it. Stop it!<sup>136</sup> and Committee of Ministers Recommendation CM/Rec(2019)1 on preventing and combating sexism<sup>137</sup> continued to prove useful. The GEC's review of the recommendation's implementation, finalised in 2023, showed some progress at national level and highlighted promising initiatives, demonstrating the role played by women's non-governmental organisations in this area.

135. See <https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27>.

136. See <https://human-rights-channel.coe.int/stop-sexism-en.html>.

137. See <https://rm.coe.int/prems-055519-gbr-2573-cmrec-2019-1-web-a5/168093e08c>.

■ The Committee of Ministers adopted guidelines on the place of men and boys in gender equality policies and in policies to combat violence against women,<sup>138</sup> detailing a range of measures member states should take. The guidelines focus on men and boys as agents of change, the negative impact of gender stereotypes on men and boys, the promotion of gender equality in care activities and the role of men and boys in preventing and combating violence against women. The GEC also completed work, together with the Steering Committee on Anti-discrimination, Diversity and Inclusion, on a study on artificial intelligence, equality and discrimination,<sup>139</sup> which will form the basis of a future recommendation.

■ Member states continued to implement the Council of Europe Gender Equality Strategy 2018-2023<sup>140</sup> and adopted the new Gender Equality Strategy (2024-2029)<sup>141</sup> on 6 March 2024. The Council of Europe increasingly considered gender in policies and activities in areas such as anti-doping, legislative reforms, hate crime and the rights of Roma and Travellers.

■ The Vigdís Prize for Women's Empowerment, a joint initiative of the Icelandic Government and the Parliamentary Assembly, was launched at the Reykjavik Summit. The prize pays tribute to former Icelandic President Vigdís Finnbogadóttir, the first woman in the world to be elected as a head of state. The prize will reward outstanding initiatives which promote the empowerment of women in all their diversity, with a broad remit covering achievements in gender equality or equal participation in, and access to, decision making, as well as action to encourage inclusive policies and practice. Eligible candidates can be individuals or civil society groups. The prize will be presented during each June part-session of the Parliamentary Assembly.

## Violence against women and domestic violence

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■ The Reykjavik Declaration acknowledged the need to mitigate the risk of negative consequences from new and emerging digital technologies, including new forms of violence against women and vulnerable groups that are generated and amplified by modern technologies.

■ In 2022, the Republic of Moldova, Ukraine and the United Kingdom ratified the Convention on Preventing and Combating Violence against Women and Domestic Violence,<sup>142</sup> the most comprehensive legal tool addressing violence against women and girls, as both a violation of their human rights and a form of discrimination. The European Union ratified the Istanbul Convention in June 2023. The Parliament of Latvia ratified the convention in November 2023 and the deposit of the instrument of ratification took place on 10 January 2024. As of 31 January 2024, there were 39 Parties to the Istanbul Convention.<sup>143</sup>

■ With 36 evaluation reports adopted by the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)<sup>144</sup> by the end of 2023, the baseline evaluation procedure under the Istanbul Convention is coming to an end. In November 2022, GREVIO adopted a questionnaire to be used in its first thematic evaluation round in 2023 focusing on building trust by delivering support, protection and justice. The questionnaire built on challenges identified during monitoring and highlights the need for a victim-centred approach, with priority given to victims' concerns and needs. Council of Europe co-operation programmes<sup>145</sup> are guided by GREVIO findings.

■ In 2023, the Parliamentary Assembly held the following plenary debates: "Istanbul Convention: progress and challenges" (Resolution 2479 (2023)), "Preventing and combating violence against women with disabilities" (Resolution 2514 (2023)), "The role and responsibility of men and boys in stopping gender-based violence against women and girls" (Resolution 2480 (2023)), "Finding solutions for marital captivity" (Resolution 2481 (2023)) and "Conflict-related sexual violence" (Resolution 2476 (2023)).

138. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680ab680e](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680ab680e).

139. Study on the impact of artificial intelligence systems, their potential for promoting equality – including gender equality – and the risks they may cause in relation to non-discrimination, available at <https://rm.coe.int/study-on-the-impact-of-artificial-intelligence-systems-their-potential/1680ac99e3>; online training courses "AI and discrimination", available at [www.coe.int/en/web/inclusion-and-antidiscrimination/ai-and-discrimination](http://www.coe.int/en/web/inclusion-and-antidiscrimination/ai-and-discrimination).

140. See <https://rm.coe.int/prems-093618-gbr-gender-equality-strategy-2023-web-a5/16808b47e1>.

141. See [www.coe.int/en/web/genderequality/-/council-of-europe-adopts-gender-equality-strategy-for-2024-2029](http://www.coe.int/en/web/genderequality/-/council-of-europe-adopts-gender-equality-strategy-for-2024-2029).

142. See [www.coe.int/en/web/istanbul-convention/about-the-convention](http://www.coe.int/en/web/istanbul-convention/about-the-convention).

143. Chart of signatures and ratifications of Treaty 210, available at [www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treatynum=210](http://www.coe.int/en/web/conventions/full-list?module=signatures-by-treaty&treatynum=210).

144. See [www.coe.int/en/web/istanbul-convention/country-monitoring-work](http://www.coe.int/en/web/istanbul-convention/country-monitoring-work).

145. See [www.coe.int/en/web/genderequality/co-operation-projects](http://www.coe.int/en/web/genderequality/co-operation-projects).

## Human trafficking

■ The Council of Europe Convention on Action against Trafficking in Human Beings<sup>146</sup> presently covers 48 countries – all the Council of Europe member states, along with Belarus and Israel – and is monitored by the Group of Experts on Action against Trafficking in Human Beings. During its country visits, GRETA has continued collecting information on steps taken to prevent and limit the risks of trafficking of Ukrainian refugees.

■ In June 2023, GRETA launched the **fourth evaluation round**, with a thematic focus on addressing vulnerabilities to human trafficking, including in information and communication technologies.

■ The Committee of Ministers' recommendation<sup>147</sup> on preventing and combating trafficking in human beings for the purpose of labour exploitation was adopted in September 2022 and promoted at an event in Poland and round-table meetings in Bulgaria, Denmark, Georgia, Malta, Romania and the United Kingdom. In its judgment in the case of *Krachunova v. Bulgaria*,<sup>148</sup> the Court found that victims of human trafficking have a right to claim compensation from their traffickers in respect of lost earnings.

■ The Council of Europe has supported member states in their efforts to implement GRETA's recommendations through co-operation in Bosnia and Herzegovina, Malta, North Macedonia and Serbia, as well as in Morocco and Tunisia. The HELP e-learning course on combating trafficking in human beings was revised and updated.

## ANTI-DISCRIMINATION, DIVERSITY AND INCLUSION, ROMA AND TRAVELLERS, NATIONAL MINORITIES, REGIONAL AND MINORITY LANGUAGES, LGBTI PEOPLE, MIGRANTS

■ The European Commission against Racism and Intolerance adopted a new set of sixth-cycle country monitoring reports, published two new general policy recommendations aimed at addressing anti-Muslim racism and intolerance against LGBTI individuals<sup>149</sup> and worked with equality bodies on intersectionality and enhancing their independence and effectiveness. Its annual report for 2022,<sup>150</sup> it showed how member states had followed up on the almost 100 priority recommendations made in the fifth monitoring cycle and found that 62% were implemented partially, although only 20% were fully implemented in a timely manner.

■ The year 2023 saw the 25th anniversary of the entry into force of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. Co-operation with external partners increased, notably with the OSCE High Commissioner on National Minorities. The Advisory Committee on the FCNM initiated its sixth monitoring cycle and reinforced its thematic work on education.

■ The Committee of Experts on the European Charter for Regional or Minority Languages successfully carried out the 2018 reform of the monitoring mechanism and caught up with delays caused by the Covid-19 pandemic. The main challenges were identified as intensified "securitisation" of minorities (representation of minorities by populists as an inherent security threat), hate speech and scapegoating, systemic discrimination against Roma and Travellers, the impact of climate change and insufficient implementation of monitoring recommendations.

■ In 2022 and 2023, the Steering Committee on Anti-discrimination, Diversity and Inclusion prepared the recommendation on the active political participation of national minority youth,<sup>151</sup> adopted by the Committee of Ministers in October 2023. It now also serves as an additional monitoring tool carried out by the FCNM Advisory Committee.

■ The European Committee on Crime Problems and the CDADI prepared a draft Committee of Ministers recommendation on combating hate crime<sup>152</sup> which was finalised by the end of 2023, and further work was carried out with the GEC on artificial intelligence.<sup>153</sup> Training courses on the opportunities and risks of AI systems related to non-discrimination and equality were organised with equality bodies in Belgium and France.

146. See [www.coe.int/en/web/anti-human-trafficking/anti-trafficking-convention](http://www.coe.int/en/web/anti-human-trafficking/anti-trafficking-convention).

147. Recommendation CM/Rec(2022)21.

148. *Krachunova v. Bulgaria*, Application No. 18269/18.

149. General Policy Recommendation No. 5 (revised) on preventing and combating anti-Muslim racism and discrimination and General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

150. Annual report on ECRI's activities, published in June 2023.

151. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680accd27](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680accd27).

152. See [www.coe.int/en/web/committee-of-experts-on-hate-crime/home](http://www.coe.int/en/web/committee-of-experts-on-hate-crime/home).

153. Study on the impact of artificial intelligence systems, their potential for promoting equality, including gender equality, and the risks they may cause in relation to non-discrimination; training courses on AI & Discrimination.

Through its Committee of Experts on Roma and Traveller Issues, the CDADI prepared and sent to the Committee of Ministers for adoption a draft recommendation on equality for Roma and Traveller women.

Roma and Travellers continued to face social exclusion, discrimination, hate speech and antigypsyism.<sup>154</sup> Court judgments<sup>155</sup> and ECRI reports once again highlighted school segregation and the lack of effective investigation into allegations of ill-treatment against Roma,<sup>156</sup> with resources and technical expertise directed towards supporting execution of Court judgments.<sup>157</sup> Capacity-building activities were organised for police officers<sup>158</sup> and there was regular co-operation with representatives of the media and media regulatory authorities.<sup>159</sup> Inclusive education principles and tools to tackle school segregation of Roma and Traveller children were priorities in 2023.<sup>160</sup> The ninth International Roma and Traveller Women Conference<sup>161</sup> fostered female empowerment. For its part, the Parliamentary Assembly held a plenary debate on institutional racism of law enforcement authorities against Roma and Travellers (Resolution 2523 (2023)).

The CDADI prepared two thematic reports on legal gender recognition<sup>162</sup> and LGBTI-phobic hate crime.<sup>163</sup> Round tables in Albania,<sup>164</sup> France<sup>165</sup> and Romania<sup>166</sup> focusing on hate crime<sup>167</sup> completed the review of the Committee of Ministers' recommendation<sup>168</sup> on combating discrimination on grounds of sexual orientation or gender identity. A third thematic review will assess access to healthcare for LGBTI people and includes a round-table meeting in Bosnia and Herzegovina and five multistakeholder discussions.<sup>169</sup> Work began on drafting a recommendation on the rights of intersex people.<sup>170</sup> A joint Council of Europe–European Union project on combating anti-LGBTI hate speech and violence started in November 2023, and a HELP module on LGBTI asylum seekers was launched in December 2023.<sup>171</sup> The Parliamentary Platform for the rights of LGBTI people in Europe aims to foster parliamentary support for this topic at international and national levels.

Through its Committee of Experts on Intercultural Integration, the CDADI prepared a study on comprehensive strategies for inclusion.<sup>172</sup> The Intercultural Cities programme<sup>173</sup> continued to support local and

154. ECRI country monitoring reports 2023 on [Azerbaijan](#), [Cyprus](#), [Georgia](#), [Hungary](#), [North Macedonia](#), [Poland](#); GRETA reports on [Greece](#), [North Macedonia](#), [Poland](#), [Slovenia](#), [Serbia](#); Advisory Committee on the FCNM opinions on [Albania](#), [Austria](#), [the Republic of Moldova](#), [the Netherlands](#), [Romania](#), [Switzerland](#) and [the United Kingdom](#). See Committee of Ministers resolutions on the implementation of the FCNM in [the Netherlands](#), [Romania](#) and [Kosovo](#)\*.

\* All references to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

155. [Elmazova and Others v. North Macedonia](#) (Application Nos. 11811/20 and 13550/20, 13 December 2022); [Szolcsán v. Hungary](#) (Application No. 24408/16, 30 March 2023). See also [Adrian Salay v. Slovakia](#) (Application No. 29359/22, communicated on 18 September 2023). Similar issues are underlined by Council of Europe reports on [Albania](#), [the Czech Republic](#), [Hungary](#), [North Macedonia](#), [Romania](#) and [Slovakia](#).

156. ECRI country monitoring reports 2023 on [Azerbaijan](#), [Cyprus](#), [Georgia](#), [Hungary](#), [Luxembourg](#), [North Macedonia](#) and [Poland](#). See also [M.B. and Others v. Slovakia](#) (No. 2) (Application No. 63962/19, 7 February 2023); [Memedova and Others v. North Macedonia](#) (Application No. 42429/16, 24 October 2023); [Kuruova and Horvathova v. Slovakia](#) (Application No. 29229/22, communicated on 6 November 2023). Parliamentary Assembly, Standing Committee (Vaduz) [Resolution 2523 \(2023\)](#) Institutional racism of law enforcement authorities against Roma and Travellers, 28 November 2023.

157. [Execution of judgments of the European Court of Human Rights – Roma and Travellers](#), December 2023; [16th Dialogue Meeting with Roma and Traveller civil society](#); The European Roma Rights Centre (ERRC) calls for the participation of civil society organisations in a mentoring scheme focusing on the implementation of judgments of the European Court of Human Rights.

158. The Council of Europe's Roma and Travellers Team announces the development with the OSCE/ODIHR of a joint training on addressing racially motivated crimes against Roma, Sinti and Travellers; Webinar on Good Practices for Training Law Enforcement Officials on Protecting the Rights of Roma, Sinti and Travellers; Effective and non-discriminatory policing of Roma, Sinti and Traveller communities.

159. Equality and Freedom from Discrimination for Roma "EQUIROM".

160. Inschool project: Inclusive Schools Making a Difference for Roma Children.

161. Deputy Secretary addressed Roma and Traveller women's conference in Skopje; 15th meeting of the Council of Europe Dialogue with Roma and Traveller civil society.

162. See <http://rm.coe.int/thematic-report-on-legal-gender-recognition-in-europe-2022/1680a729b3>.

163. See <https://rm.coe.int/gt-adi-sogi-2023-3-en-european-report-sogiesc-based-hate-crime-final-t/1680ac3c18>.

164. Report on Hate Crimes and other Hate-motivated Incidents against LGBTI people in Albania (Albanian version).

165. Report on Hate Crimes and other Hate-motivated Incidents based on Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics in France (in French).

166. Report on Hate Crimes and other Hate-motivated Incidents against LGBTI people in Romania (Romanian version).

167. European Roundtable: combating SOGIESC-based hate crime across Europe, 27 October 2022.

168. [CM/Rec\(2010\)5](#) on measures to combat discrimination on grounds of sexual orientation or gender identity.

169. European Roundtable on Advancing Healthcare Access for LGBTI People in Europe, 15 November 2023.

170. Human rights of intersex people: work launched on new Council of Europe recommendation, 27 January 2023.

171. HELP course on LGBTI Persons in the Asylum Procedure.

172. See <https://rm.coe.int/feasibility-study-on-comprehensive-strategies-for-inclusion-/1680abce89>.

173. The Intercultural Cities programme supports cities in reviewing their policies through an intercultural lens and developing comprehensive intercultural strategies to help them manage diversity positively and realise the diversity advantage, available at [www.coe.int/en/web/interculturalcities/](http://www.coe.int/en/web/interculturalcities/).

regional authorities in developing comprehensive intercultural strategies and maximising the benefits of diversity: 33 intercultural integration strategies were developed or updated, over 300 people trained and two capacity-building manuals produced.<sup>174</sup> Two joint Council of Europe–European Union projects contributed to inclusive integration policies in Cyprus<sup>175</sup> and Finland.<sup>176</sup>

■ The European Committee on Legal Co-operation adopted a guide for practitioners on administrative detention of migrants and asylum seekers<sup>177</sup> based on the European Convention on Human Rights and other existing standards.

■ The Parliamentary Assembly addressed the most pressing issues facing migrants, refugees and asylum seekers in the member states, in particular their humanitarian situation? notably in congestion points, and the stigmatisation they face. The Assembly also proposed concrete solutions on how to welcome Afghans and Belarusians in exile.

### Special Representative of the Secretary General (SRS) on Migration and Refugees

In the past two years, the [Special Representative of the Secretary General on Migration and Refugees](#) focused on supporting Council of Europe member states to protect the millions fleeing Ukraine, mostly women, children and the elderly. Targeted support was put in place in line with the recommendations of the fact-finding missions of the Special Representative of the Secretary General<sup>178</sup> and in the framework of the Council of Europe Action Plan on Vulnerable Persons in the context of Migration and Asylum (2021–2025).<sup>179</sup>

With her visit to Bulgaria, the SRS on Migration and Refugees returned to a broader focus of her fact-finding missions, examining the situation of persons who had fled Ukraine, but also of other migrants, asylum seekers and refugees, and in particular unaccompanied and separated children.

The SRS also continued to co-ordinate the implementation of the action plan, which resulted in the adoption of several tools and standards, in particular the new practitioner’s guide on administrative detention of migrants prepared by the European Committee for Legal Co-operation, two new HELP modules on LGBTI people in asylum procedures and on transition to adulthood and a joint guide on the fundamental rights of children at European borders prepared in co-operation with the European Union’s Fundamental Rights Agency (FRA).

■ The Committee of Ministers recommendation on multilevel policies and governance for intercultural integration;<sup>180</sup> the online training programme on alternative narratives and inclusive communication<sup>181</sup> developed by the Intercultural Cities programme; the recognition of qualifications through the European Qualifications Passport for Refugees;<sup>182</sup> tools aiming at strengthening the capacities for linguistic integration of both adults<sup>183</sup> and children,<sup>184</sup> and access to healthcare,<sup>185</sup> including mental health, remain key to fighting discrimination and allow for effective inclusion and integration in the longer term.

■ Racist and LGBTI-phobic hate speech undermines the equality, diversity and inclusion of Europeans and poses a threat to full, equal and meaningful participation in political and public life. Hate speech not only affects individuals who are directly targeted, but also people belonging to the same minority or group.<sup>186</sup>

174. [Designing a training course on intercultural competence; Equality data collection and analysis to combat systemic discrimination.](#)

175. Building structures for intercultural integration in Cyprus and Enhancing structures and policies for intercultural integration in Cyprus, available at [www.coe.int/en/web/interculturalcities/intercultural-integration-in-cyprus](http://www.coe.int/en/web/interculturalcities/intercultural-integration-in-cyprus).

176. Building an inclusive integration approach in Finland, available at [www.coe.int/en/web/interculturalcities/inclusive-integration-approach-in-finland](http://www.coe.int/en/web/interculturalcities/inclusive-integration-approach-in-finland).

177. See <https://rm.coe.int/administrative-detention-of-migrants-and-asylum-seekers-guide-for-prac/1680ad4c43>.

178. See [www.coe.int/en/web/special-representative-secretary-general-migration-refugees/country-reports](http://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/country-reports).

179. See <https://rm.coe.int/action-plan-on-protecting-vulnerable-persons-in-the-context-of-migrati/1680a409fc>.

180. See [https://search.coe.int/cm/pages/result\\_details.aspx?objectid=0900001680a6170e](https://search.coe.int/cm/pages/result_details.aspx?objectid=0900001680a6170e).

181. See [www.coe.int/en/web/interculturalcities/training-inclusive-communication](http://www.coe.int/en/web/interculturalcities/training-inclusive-communication).

182. See [www.coe.int/en/web/education/recognition-of-refugees-qualifications](http://www.coe.int/en/web/education/recognition-of-refugees-qualifications).

183. See [www.coe.int/en/web/language-support-for-adult-refugees](http://www.coe.int/en/web/language-support-for-adult-refugees).

184. See [www.coe.int/en/web/language-policy/young-migrants](http://www.coe.int/en/web/language-policy/young-migrants).

185. See [www.coe.int/en/web/bioethics/guide-to-health-literacy](http://www.coe.int/en/web/bioethics/guide-to-health-literacy).

186. See, in particular, General Policy Recommendation No. 15 on combating hate speech of the [European Commission against Racism and Intolerance](#) and [CM/Rec\(2022\)16](#) on combating hate speech and the [explanatory memorandum](#) drawn up by the CDADI jointly with the CDMSI.

The Reykjavik Declaration stressed the need to ensure full, equal and meaningful participation in political and public life for all and free from hate speech.

■ The Committee of Ministers recommendation<sup>187</sup> on combating hate speech outlines the regulatory framework to address hate speech and non-legal measures covering public officials; elected bodies and political parties; and traditional, online and social media. The CDADI and the Council of Europe Steering Committee on Media and Information Society are working on a compilation of good practices based on the recommendation. In October 2023, the CDADI published a study on preventing and combating hate speech in times of crisis, highlighting how recent crises have worsened incidences of hate speech.<sup>188</sup> Guidance has been produced on how to use the Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189).<sup>189</sup>

■ Parliamentary Assembly activities in the framework of electoral co-operation projects promote international standards and good practices of the Council of Europe member states to ensure inclusiveness and counter hate speech and incitement of hatred during electoral processes. On 8 May, the Assembly's No Hate Parliamentary Alliance, a network of parliamentarians committed to proactively countering racism, intolerance and hate speech, held a seminar on countering hate speech and hate crime in Vienna, in co-operation with the Austrian Parliament and the European Union's Fundamental Rights Agency. The discussions revolved around three main themes, namely the intersectional approach, data collection and victim protection. Currently, one of the main priorities of the alliance is promoting the revised Charter of European Political Parties for a Non-Racist and Inclusive Society. By signing the charter, political parties commit to refraining from using, promoting or inciting any form of denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping or stigmatisation.

#### **Special Representative of the Secretary General on antisemitic, anti-Muslim and other forms of religious intolerance and hate crimes.**

The Office of the Special Representative on antisemitic, anti-Muslim and other forms of religious intolerance and hate crimes was created in January 2023. It plays a co-ordinating role within the Council of Europe and represents the Organisation on international platforms, enhancing visibility of its work.

Responding to the dramatic spike in antisemitism since the Hamas terrorist attack on Israel on 7 October 2023, the Special Representative and his office have worked to promote Council of Europe values, participating in regional and global networks and platforms to share the Organisation's expertise in combating antisemitism. The Special Representative participated in the drafting and co-signed the "Joint statement by special envoys and representatives combating antisemitism",<sup>190</sup> an important voice of the international community in condemning the rise of antisemitic acts in Europe and proposing practical measures to fight this unacceptable phenomenon.

In parallel, anti-Muslim hatred rose to previously unseen levels, prompting need for action and guidance beyond national borders. The Special Representative worked with peers from the European Commission and member and observer states to issue a first joint statement<sup>191</sup> highlighting this problem and calling for action to address and counter anti-Muslim hatred. A co-ordination meeting on combating anti-Muslim hatred was held in March 2024 in Strasbourg.

■ ECRI has consistently recommended setting up effective monitoring mechanisms on hate speech, taking appropriate measures to educate people and provide professionals with suitable training, offering support to those targeted by hate speech, encouraging prompt responses to hate speech and ensuring better accountability, including in the context of criminal proceedings.

■ Based on ECRI's recommendations, the Council of Europe supports member states to counter hate speech through training equality body staff, law-enforcement officials, prosecutors and judges. Support includes a youth ambassadors programme, drafting of guidelines for the media and electoral bodies and guidance for civil society and public officials.<sup>192</sup>

187. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680a67955](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680a67955).

188. [Study on preventing and combating hate speech in times of crisis](#).

189. [International conference on xenophobia and racism committed through computer systems](#).

190. [Joint Statement](#) by special envoys and representatives combating antisemitism.

191. [Joint Statement](#) of the coordinators, special representatives, envoy and ambassadors on combating anti-Muslim hatred and discrimination.

192. [Inclusion and anti-discrimination](#). Other efforts include the updated HELP course on combating hate speech.



ECRI experts repeatedly expressed concerns about inflammatory rhetoric used by politicians and other public figures and the growth of hateful content online.<sup>193</sup> The rise of antisemitic hate speech in Europe after the Hamas terror attacks of 7 October generated legitimate fears among Jewish people about their safety.<sup>194</sup> It is also worrying that some political leaders and parties adopted anti-Muslim rhetoric and programmes: one political party made “cleansing” of Muslims its main political platform.<sup>195</sup> The FCNM Advisory Committee also found that hate speech is widespread on the internet and particularly targets specific minority communities, such as Jews, Muslims and Roma and Travellers.<sup>196</sup> Ample evidence shows increasing xenophobic, divisive and antagonistic language being used in political and public discourse.<sup>197</sup>

Initiatives were taken to specifically counter LGBTI-phobic hate speech by engaging with representatives of Orthodox churches in Cyprus, Greece, Montenegro, North Macedonia and Serbia. Projects are also underway to combat hate speech in sports, including LGBTI-phobic hate speech.

The anti-rumours methodology of the Council of Europe’s Intercultural Cities programme is an important tool that analyses rumours in communities to address deeper issues about the causes and consequences of stereotypes and prejudice and their links to hate speech, with training having taken place in 2022 and 2023 in Cyprus and Finland.<sup>198</sup>

## CHILDREN’S RIGHTS

The 2022 Council of Europe Strategy for the Rights of the Child (2022-2027)<sup>199</sup> is the main policy framework for activities to protect and promote the rights of the child, with the Steering Committee for the Rights of the Child leading intergovernmental work in this area.

Reporting systems on violence against children, targeting professionals and volunteers, have been strengthened thanks to the 2023 Committee of Ministers recommendation.<sup>200</sup> The Committee of Experts on the Prevention of Violence has been set up to prepare a feasibility study and a non-binding legal text, based on findings that comprehensive, human rights-based sexuality education can be a powerful tool to protect children and young people from sexual violence and other types of harmful behaviour.

The fight against sexual exploitation and sexual abuse of children remains a priority. The [Lanzarote Committee](#) monitored implementation of the Lanzarote Convention<sup>201</sup> and finished evaluating how children are protected against sexual exploitation and sexual abuse by means of child self-generated sexual images and/or videos. It marked the European Day<sup>202</sup> on the Protection of Children against Sexual Exploitation and Sexual Abuse by highlighting the importance of learning from victims of childhood sexual violence to inspire policy change. The committee also completed assessment of how countries are complying with measures to protect children in the context of migration and developed practical tools for professionals to protect children from sexual exploitation and sexual abuse in crisis and emergency situations.

The Committee of Ministers adopted the first international legal text<sup>203</sup> setting human rights standards on age assessment in the context of migration.

The CDENF finalised a report on children as defenders of human rights, the first study on the recognition, protection and empowerment of child human rights defenders in Council of Europe member states. A guide on children’s participation in decisions about their health was adopted by the CDENF and the CDBIO.

The Council of Europe called on member states to adapt their justice systems to children’s needs. The CDENF and the European Committee on Legal Co-operation approved a draft recommendation on the rights

193. [ECRI sixth-cycle report on Azerbaijan](#); [ECRI sixth-cycle report on Bulgaria](#); [ECRI sixth-cycle report on Poland](#).

194. [Statement on the rise of antisemitism in Europe as a result of the current conflict in the Middle East](#) adopted by ECRI at its 93rd plenary meeting (5-8 December 2023) and [Statement](#) issued by the Secretary General of the Council of Europe on 15 November 2023. See also the [joint statements](#) on antisemitism and anti-Muslim hatred co-signed by the Special Representative of the Secretary General on antisemitic, anti-Muslim and other forms of religious intolerance and hate crimes in November 2023.

195. [ECRI sixth-cycle report on Denmark](#).

196. FCNM Advisory Committee: [fifth opinion on Austria](#); [fourth opinion on the Netherlands](#); [fifth opinion on Switzerland](#); [fifth opinion on the Republic of Moldova](#); [fifth opinion on Albania](#); [fifth opinion on Romania](#).

197. [ECRI sixth-cycle report on Greece](#); [ECRI sixth-cycle report on Hungary](#).

198. See the [antirumours handbook](#) and European Union–Council of Europe joint projects in [Cyprus](#) and [Finland](#).

199. See <https://rm.coe.int/council-of-europe-strategy-for-the-rights-of-the-child-2022-2027-child/1680a5ef27>.

200. See [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680ac62b1](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680ac62b1).

201. See [www.coe.int/en/web/children/lanzarote-convention](http://www.coe.int/en/web/children/lanzarote-convention).

202. See [www.coe.int/en/web/children/2023-edition](http://www.coe.int/en/web/children/2023-edition).

203. See [https://search.coe.int/cm/pages/result\\_details.aspx?objectId=0900001680a96350](https://search.coe.int/cm/pages/result_details.aspx?objectId=0900001680a96350).

and best interests of the child in parental separation proceedings. Parallel work to prepare a recommendation on the rights and best interests of the child in care proceedings is underway.

■ The Council of Europe has strengthened support to its member states to implement the Barnahus (Children's House), a multidisciplinary and interagency child-friendly justice model. Four co-operation projects are ongoing in Croatia, Finland, Ireland and Spain, following a successfully completed project in Slovenia.

■ A mapping study was published on multidisciplinary and interagency child-friendly justice models responding to violence against children in Council of Europe member states, entitled "Barnahus: a European journey".<sup>204</sup> In 2022, the European Day<sup>205</sup> on the Protection of Children against Sexual Exploitation and Sexual Abuse focused on ensuring child-friendly justice through Barnahus structures in Europe.

■ In connection with the Strategy for the Rights of the Child, the Parliamentary Assembly adopted a recommendation on mental health and well-being of children and young adults and a recommendation on preventing addictive behaviours in children.

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204. See <https://rm.coe.int/barnahus-a-european-journey-mapping-study-on-multidisciplinary-and-int/1680acc3c3>.

205. See [www.coe.int/en/web/children/2022-edition](http://www.coe.int/en/web/children/2022-edition).





## CHAPTER 5

# BUILDING TRUST IN PUBLIC INSTITUTIONS

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**A**t the Reykjavik Summit, leaders of Council of Europe member states pledged to work together to protect and promote the principles of democracy, the rule of law and human rights. In adopting the [Reykjavik Principles for Democracy](#), the heads of state and government committed to upholding the separation of powers; ensuring independent, impartial and effective judiciaries; and encouraging democratic participation through free and fair elections.

■ Several Council of Europe bodies are actively working towards these objectives through a range of activities, including advisory opinions, monitoring and assistance. Intergovernmental committees offer solutions to legal problems that individuals may encounter in their relationship with public services, such as statelessness, access to origins, parental separation proceedings, the use of artificial intelligence by public administrations and gender mainstreaming in law reforms.

■ The Parliamentary Assembly is using the Reykjavik Principles for Democracy as a set of guidelines in various aspects of its work, including its monitoring procedures, election observation mandate and electoral co-operation activities, as well as in the activities of its Committee on Political Affairs and Democracy. A major parliamentary conference organised by the Assembly and the Swiss Parliament in Bern gathered the Council of Europe's electoral cycle stakeholders, national electoral administrations and international partners to discuss elections in times of crisis. Following election observation missions conducted in Bulgaria, Montenegro, Poland, Serbia and Türkiye, PACE observers issued a number of recommendations to upgrade the legal framework and electoral practices in the countries observed.

### DEMOCRACY THROUGH LAW (VENICE COMMISSION)

■ The Venice Commission continued to provide legal advice to its member states,<sup>206</sup> helping them to bring their legal and institutional structures in line with European standards on democracy, human rights and the rule of law. The number of requests for opinions has increased considerably over the last three years. Reports on subjects of general interest, such as the ratification of international treaties,<sup>207</sup> have also been prepared. The Venice Commission also organised 21 conferences to spread knowledge and use of European standards.

■ The Reykjavik Declaration undertook to raise the profile of the Venice Commission and strengthen it by giving more visibility and status to its "Rule of law checklist"<sup>208</sup> and exploring ways in which the Council of Europe can better support the implementation of its recommendations.

■ Since the end of 2022, the Venice Commission has instigated follow-up opinions which re-examine revised draft constitutions and laws in the light of previous recommendations. In 2022 and 2023, it adopted 15, showing that member states find them useful in their efforts concerning important constitutional and legislative reforms.

206. Opinions and other documents adopted by the Venice Commission are available at: [https://venice.coe.int/WebForms/documents/by\\_opinion.aspx?v=all](https://venice.coe.int/WebForms/documents/by_opinion.aspx?v=all).

207. CDL-AD(2022)001.

208. CDL-AD(2016)007.

■ The Venice Commission keeps close contact with decision-making authorities, carrying out visits and follow-up activities relating to core areas of reforms over the last two years.

■ The Venice Commission provided legal advice to states in their fight against corruption, on reforms to anti-corruption bodies and on the creation of anti-corruption courts.<sup>209</sup> Legal advice was also provided in the context of de-oligarchisation processes in certain countries,<sup>210</sup> with a December 2023 conference “Money and democracy – an uneasy relationship”, organised by the Venice Commission and the Academy for European Human Rights Protection, which explored how the undue influence of big money on democratic decision making and erosion of the rule of law can be exposed, monitored, contained and prevented.

■ Other opinions covered reforms to the judiciary and prosecution services.<sup>211</sup> Major issues concerned the organisation and efficiency of the justice system, appointments, careers and discipline of judges, judicial independence and judicial and prosecutorial councils.

■ The Venice Commission continued to co-operate with constitutional courts, enabling the exchange of information and cross-fertilisation. This includes the adoption of amicus curiae briefs following requests by constitutional courts. Its expertise was instrumental in setting up the Advisory Group of Experts to assist the Ukrainian authorities in evaluating the moral qualities and professional competence of candidate judges to the Constitutional Court of Ukraine.<sup>212</sup>

■ It also continued to promote the Venice Principles<sup>213</sup> on protecting and promoting ombudsman institutions with three opinions<sup>214</sup> and helped organise the International Ombudsman Conference “The role of Ombudsman institutions in the world: between realities and possibilities”, which was attended by more than 60 ombudsman institutions.

■ In 2022 and 2023, the Venice Commission adopted several opinions and other documents advising states on electoral law reforms.<sup>215</sup> Venice Commission representatives also accompanied Parliamentary Assembly election observation delegations to advise on the legal framework of 10 elections in Council of Europe member states.

■ The Venice Commission organised the 19th European Conference of Electoral Management Bodies “Artificial intelligence and electoral integrity” in November 2022 and the fourth round of the Scientific Electoral Experts Debates, which focused on the stability of electoral law, in November 2023.

■ Lastly, the Venice Commission implemented co-operation programmes in Central Asia, the Southern Mediterranean and Latin America funded by extrabudgetary resources and through joint programmes with the European Union. This has helped spread Council of Europe and Venice Commission standards internationally.

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209. [CDL-AD\(2023\)004](#), Ukraine – Amicus curiae brief on certain questions related to the procedure for appointing to office and dismissing the Director of the National Anti-Corruption Bureau and the Director of the State Bureau of Investigation; [CDL-AD\(2023\)032](#), Republic of Moldova – Joint opinion on the draft law on the anti-corruption judicial system and on amending some normative acts.

210. [CDL-AD\(2023\)017](#), Georgia – Final opinion on the draft law on de-oligarchisation; [CDL-AD\(2023\)019](#), Republic of Moldova – Final opinion on limiting excessive economic and political influence in public life (de-oligarchisation); [CDL-AD\(2023\)018](#), Ukraine – Opinion on the Law “On the prevention of threats to national security related to the excessive influence of persons with significant economic or political weight in public life (oligarchs)”.

211. For example [CDL-AD\(2022\)045](#), Romania – Urgent opinion on three laws concerning the justice system; [CDL-AD\(2022\)043](#), Serbia – Follow-up opinion to the Opinion on three revised draft laws implementing the constitutional amendments on the judiciary; [CDL-AD\(2023\)015](#), France – Joint opinion on the Superior Council of Magistracy and the status of the judiciary as regards nominations, mutations, promotions and disciplinary procedures; [CDL-AD\(2023\)029](#), the Netherlands – Joint opinion on legal safeguards of the independence of the judiciary from the executive power.

212. By nominating its Honorary President, Hanna Suchocka, as a candidate member and Richard Barrett, its member in respect of Ireland, as a candidate substitute member of the Advisory Group of Experts, the Venice Commission also contributed to the preparation of the Advisory Group of Experts’ regulations and its methodology for assessing moral qualities and professional competences of candidates.

213. [CDL-AD\(2019\)005](#).

214. [CDL-AD\(2022\)033](#), Andorra – Opinion on the Law on the creation and functioning of the Ombudsman; [CDL-AD\(2022\)028](#), Kazakhstan – Opinion on the draft constitutional law “On the Commissioner for Human Rights”; [CDL-AD\(2023\)038](#), Kyrgyzstan – Opinion on the draft constitutional law “On the Akyikatchy (Ombudsman) of the Kyrgyz Republic”.

215. For example [CDL-AD\(2023\)030](#), Armenia – Joint opinion on draft amendments to the Electoral Code and related legislation; [CDL-AD\(2022\)047](#), Georgia – Joint opinion on draft amendments to the Election Code and the Law on Political Associations of Citizens; [CDL-AD\(2023\)020](#), Germany – Joint opinion on the amendments of the German Federal Election Act; [CDL-AD\(2023\)031](#), Republic of Moldova – Joint opinion on amendments to the Electoral Code and other related laws concerning ineligibility of persons connected to political parties declared unconstitutional.

### Judicial independence

■ The Committee of Ministers has dealt with many cases concerning the independence of the judiciary during its supervision of execution of Court judgments. Several involved the importance of introducing effective and adequate safeguards to prevent abuse against members of the judiciary, such as sanctions, early dismissals or arbitrary removals from office,<sup>216</sup> and others covered restrictions to judges' freedom of expression when they criticised reforms or how judicial bodies were run.<sup>217</sup> The Committee of Ministers also welcomed reforms adopted to introduce safeguards by some states.<sup>218</sup>

■ The Venice Commission assessed whether a judicial council complied with international standards, taking into consideration guarantees against both political influence and corporatism.<sup>219</sup> It recommended caution in including the justice minister in the composition of a judicial council, since this could raise questions about its self-governing nature, and stressed that the minister should not participate or have the right to vote in disciplinary proceedings.<sup>220</sup> The Committee of Ministers stressed that legislation must be rapidly introduced to guarantee the right of the Polish judiciary to elect members of the National Council of the Judiciary and welcomed the reform of the Judicial-Legal Council of Azerbaijan in line with its recommendations and those of the Group of States against Corruption.<sup>221</sup>

■ The Consultative Council of European Prosecutors issued an opinion emphasising the institutional value of Councils of Prosecutors for the effective and impartial functioning of prosecution services and provided a set of recommendations on their status, composition, competence and functioning.<sup>222</sup>

■ Support for justice reforms continued to be provided through bilateral and regional co-operation projects. Particular attention was given to assisting member states in implementing Court judgments concerning independence and impartiality<sup>223</sup> and relevant Venice Commission (and joint Venice Commission–Directorate

216. See, for instance, Decision [CM/Del/Dec\(2023\)1483/H46-25](#) of the 1483rd meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-25 *Grzęda v. Poland* (Application No. 43572/18), 5-7 December 2023 (DH); Interim Resolution [CM/ResDH\(2023\)487](#) adopted at the 1483rd meeting of the Committee of Ministers – Execution of the judgments of the European Court of Human Rights, *Reczkowicz group v. Poland* (Application No. 43447/19) and *Broda and Bojara v. Poland* (Application No. 26691/18), 7 December 2023; Decision [CM/Del/Dec\(2023\)1483/H46-24](#) of the 1483rd meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-24 *Juszczyszyn v. Poland* (Application No. 35599/20) and *Żurek v. Poland* (Application No. 39650/18), 5-7 December 2023 (DH).

217. See, for instance, Decision [CM/Del/Dec\(2023\)1483/H46-17](#) of the 1483rd meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-17 *Baka v. Hungary* (Application No. 20261/12), 5-7 December 2023 (DH); Decision [CM/Del/Dec\(2023\)1468/H46-7](#) of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-7 *Miroslava Todorova v. Bulgaria* (Application No. 40072/13), 5-7 June 2023 (DH); Decision [CM/Del/Dec\(2023\)1468/H46-38](#) of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-38 *Oleksandr Volkov group v. Ukraine* (Application No. 21722/11), 5-7 June 2023 (DH); Decision [CM/Del/Dec\(2023\)1483/H46-24](#) of the 1483rd meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-24 *Juszczyszyn v. Poland* (Application No. 35599/20) and *Żurek v. Poland* (Application No. 39650/18), 5-7 December 2023 (DH). See also, in this respect, [Opinion No. 25 \(2022\)](#) of the Consultative Council of European Judges (CCJE) on freedom of expression of judges, providing general guidance and specific recommendations on which parameters to consider when judges exercise their right to freedom of expression, both inside and outside the court, including in the media and social media.

218. Resolution [CM/ResDH\(2023\)129](#) of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, *Kövesi v. Romania* (Application No. 3594/19), 5-7 June 2023 (DH) and Resolution [CM/ResDH\(2023\)345](#) of the 1480th meeting of the Committee of Ministers of the Council of Europe, *Camelia Bogdan v. Romania* (Application No. 36889/18), 8 November 2023. See also the [Opinion of the Bureau of the Consultative Council of European Judges](#) following a request of the Association of Judges of Ukraine concerning the issues related to the transfer of judges in the context of re-organisation of the court system, 22 August 2023.

219. [CDL-AD\(2022\)019](#), Republic of Moldova – Joint opinion on the draft law on amending some normative acts (judiciary); [CDL-AD\(2023\)006](#) and [CDL-AD\(2023\)033](#), Georgia – Follow-up opinions to previous opinions concerning the Organic Law on Common Courts; [CDL-AD\(2023\)011](#), Montenegro – Follow-up opinion to the Opinion on the draft amendments to the Law on the Judicial Council and Judges.

220. [CDL-AD\(2022\)050](#), Montenegro – Opinion on the draft amendments to the Law on the Judicial Council and Judges; [CDL-AD\(2023\)039](#), Bulgaria – Opinion on the draft amendments to the constitution; [CDL-AD\(2023\)015](#), France – Joint opinion on the Superior Council of Magistracy and the status of the judiciary as regards nominations, mutations, promotions and disciplinary procedures. See also [Catană v. Republic of Moldova](#), judgment of 21 February 2023 (Application No. 43237/13 (in French only)), paragraph 75.

221. Decision [CM/Del/Dec\(2023\)1468/H46-18](#) of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-18 *Reczkowicz group v. Poland* (Application No. 43447/19), *Broda and Bojara v. Poland* (Application No. 26691/18) and *Grzęda v. Poland* (Application No. 43572/18), 5-7 June 2023 (DH); Decision [CM/Del/Dec\(2023\)1475/H46-6](#) of the 1475th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court's judgments, H46-6 *Mammadli group v. Azerbaijan* (Application No. 47145/14), 19-21 September 2023 (DH).

222. [Opinion No. 18 \(2023\)](#) of the CCPE on Councils of Prosecutors as key bodies of prosecutorial self-governance.

223. Among others, in [Armenia](#), [Bosnia and Herzegovina](#) and [Georgia](#).

General Human Rights and Rule of Law) opinions.<sup>224</sup> Targeted advice was provided on drafting and revising legislative and regulatory frameworks on the status of judges or prosecutors; on legal safeguards to judicial independence, and on institutional reforms of judiciaries and Bar councils. Capacity-building exercises were organised for judges and other legal professionals. The composition and functioning of judicial self-regulatory bodies remained a focus in co-operation projects, along with rules and processes for selection, appointment, promotion and evaluation of judges and prosecutors.<sup>225</sup>

■ The European Committee on Legal Co-operation continues to draft a convention on the protection of the profession of lawyers, which recognises the important role they and their professional associations play in strengthening the rule of law and the need to protect them against undue interference in the exercise of their functions.

■ In the fight against corruption within the judiciary, the Venice Commission urged a comprehensive and coherent approach, with due regard to the stability of judicial systems. It said that judicial vetting should be an exceptional mechanism, that the stability of judicial mandates should not be questioned each time a new majority is formed in parliament<sup>226</sup> and that the vetting of sitting members of a judicial council or sitting judges in general could be introduced only as a measure of last resort and only if ordinary means had no effect.<sup>227</sup>

■ In 2022 and 2023, the Group of States against Corruption assessed how states were complying with its recommendations on preventing corruption of judges and prosecutors and on safeguarding the integrity, transparency, accountability and independence of the judiciary.<sup>228</sup> It found that several member states had made progress. New codes of ethics have been adopted, together with practical reforms regarding guidance and training. Financial disclosures, conflicts of interest and gifts are some of the issues dealt with in the new regulations. Mechanisms for the appointment and evaluation of judges have also evolved as far as transparency and accountability are concerned. Some member states have taken steps to strengthen the role of judicial councils in fostering judicial independence and reducing the scope for discretionary or biased decision making in line with GRECO's recommendations.

■ GRECO observed that a more systematic approach was necessary in training and providing confidential counselling for judges and prosecutors on integrity matters. It noted that certain countries must make additional efforts to develop adequate arrangements to shield the prosecution service from undue influence and interference in the investigation of criminal cases. This is particularly important for the prosecution of high-profile corruption cases.

## Efficiency of judicial systems

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■ Inefficient judicial systems require a combination of approaches to strengthen management and increase the efficiency of court proceedings, including digitalisation and electronic communication between courts, the parties, their legal representatives and others.<sup>229</sup>

■ The European Commission for the Efficiency of Justice designed a tool<sup>230</sup> to help countries reduce the backlog of court cases based on the evaluation report on European judicial systems.<sup>231</sup> It added "Guidelines on gender equality in the recruitment and promotion of judges"<sup>232</sup> and a guide promoting mediation to resolve administrative disputes in Council of Europe member states<sup>233</sup> to its set of tools to improve access to justice for professionals and users.

224. For example in [Serbia](#).

225. For example in [Ukraine](#).

226. [CDL-AD\(2023\)005](#), Republic of Moldova – Joint opinion on the draft law on the external assessment of judges and prosecutors and the joint follow-up opinions [CDL-AD\(2023\)023](#) and [CDL-AD\(2023\)035](#); see also [CDL-AD\(2023\)027](#), Ukraine – Joint follow-up opinion to the Joint opinion on the draft amendments to the Law "On the Judiciary and the Status of Judges" and certain laws on the activities of the Supreme Court and judicial authorities.

227. [CDL-AD\(2022\)023](#), Ukraine – Joint amicus curiae brief on certain questions related to the election and discipline of the members of the High Council of Justice. See also [CDL-AD\(2022\)022](#), Bulgaria – Opinion on the draft amendments to the Judicial System Act concerning the Inspectorate to the Supreme Judicial Council; [CDL-AD\(2023\)005](#), Republic of Moldova – Joint opinion on the draft law on the external assessment of judges and prosecutors.

228. Some 30 member states (Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Cyprus, Czech Republic, Denmark, France, Georgia, Germany, Greece, Hungary, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Republic of Moldova, Monaco, North Macedonia, Poland, Portugal, Romania, San Marino, Serbia, Spain, Switzerland, Türkiye, Ukraine) were assessed in the compliance procedure under the fourth evaluation round tackling "Corruption prevention in respect of members of parliament, judges and prosecutors".

229. See, for instance, [CDL-AD\(2022\)011](#) Kosovo – Opinion of the Venice Commission on the Concept Paper on the Vetting of Judges and Prosecutors and draft amendments to the constitution.

230. CEPEJ(2023)9, available at <https://rm.coe.int/cepej-2023-9final-backlog-reduction-tool-en-adopted/1680acf8ee>.

231. [Special file – Report "European judicial systems" – CEPEJ Evaluation report – 2022 Evaluation cycle](#).

232. CEPEJ(2022)10, available at <https://rm.coe.int/cepej-2022-10-guidelines-on-gender-equality-en-adopted/1680a95679>.

233. CEPEJ(2022)11, available at <https://rm.coe.int/cepej-2022-11-promoting-administrative-mediation-en-adopted/1680a95692>.



■ As part of the Action Plan on Digitalisation for a Better Justice (2022-2025),<sup>234</sup> CEPEJ developed a new evaluation tool to operationalise the 2018 artificial intelligence ethical charter,<sup>235</sup> which provides a set of verifications that judicial bodies should follow when using AI. It is closely linked to the new CEPEJ [Resource Centre on Cyberjustice and AI](#), which serves as a hub for reliable information on AI systems in the digital transformation of the judiciary. A “Guide on judicial e-auctions”<sup>236</sup> and “Guidelines on online alternative dispute resolution”<sup>237</sup> have also been created to support member states’ efforts to digitalise their justice systems.

■ CEPEJ provided targeted assistance on its tools and guidelines through bilateral co-operation projects, especially on cyberjustice, the modernisation of court management and mediation.<sup>238</sup> Broader co-operation projects also supported the efficiency of justice by strengthening the capacity of higher courts or reinforcing the enforcement of national judicial decisions.<sup>239</sup>

■ The Consultative Council of European Judges issued an opinion on the use of assistive technology in the judiciary, which underlines that the purpose of using technology in judicial systems is to support the work of judges and better secure access to justice for court users.<sup>240</sup> In a similar vein, the CCPE produced a thematic study on digitalisation in the work of prosecution services, regarding international co-operation.<sup>241</sup>

■ The Committee of Ministers welcomed the adoption of reforms,<sup>242</sup> the establishment or strengthening of remedies<sup>243</sup> against the excessive length of judicial proceedings and measures taken to reduce the backlog of cases.<sup>244</sup> At the same time, in some cases it said there was a lack of progress in establishing remedies<sup>245</sup> or the need to prioritise the establishment of remedies,<sup>246</sup> or the need for further reforms.<sup>247</sup>

## PRISONS – POLICE – DEPRIVATION OF LIBERTY

### CPT

■ Between January 2022 and December 2023, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment organised 34 visits (16 in 2022 and 18 visits in 2023), consisting of 17 periodic visits and 17 ad hoc visits and published 27 reports. The CPT also organised high-level talks with senior officials with the authorities in six countries.<sup>248</sup>

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234. CEPEJ(2021)12, available at <https://rm.coe.int/cepej-2021-12-en-cepej-action-plan-2022-2025-digitalisation-justice/1680a4cf2c>.
235. CEPEJ Assessment Tool for the Operationalisation of the European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their Environment, CEPEJ(2023)16, 4-5 December 2023.
236. CEPEJ(2023)11, available at <https://rm.coe.int/cepej-2023-11-en-guide-on-judicial-e-auctions-1-/1680abb674>.
237. CEPEJ(2023)19, available at <https://rm.coe.int/cepej-2023-19final-en-guidelines-online-alternative-dispute-resolution/1680adce33>.
238. See lists of [completed](#) and [ongoing](#) CEPEJ co-operation projects in 2022 and 2023.
239. For example in [Ukraine](#) and in [Armenia](#).
240. Opinion No. 26 (2023) of the CCJE “Moving forward: the use of assistive technology in the judiciary”.
241. Thematic study of the CCPE on digitalisation in the work of prosecution services and international co-operation.
242. Decision CM/Del/Dec(2022)1451/H46-37 of the 1451st meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-37 R. *Kačapor and Others group v. Serbia* (Application No. 2269/06), 6-8 December 2022 (DH) and Decision CM/Del/Dec(2023)1483/H46-35 of the 1483rd meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-35, R. *Kačapor and Others group v. Serbia* (Application No. 2269/06), 5-7 December 2023 (DH).
243. Decision CM/Del/Dec(2022)1451/H46-18 of the 1451st meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-18, *Olivieri and Others v. Italy* (Application No. 17708/12), 6-8 December 2022 (DH); Decision CM/Del/Dec(2023)1475/H46-18 of the 1475th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-18 *McFarlane v. Ireland* (Application No. 31333/06), 19-21 September 2023 (DH); see also, with respect to civil proceedings, Decision CM/Del/Dec(2023)1468/H46-13 of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-13 *Gazsó group v. Hungary* (Application No. 48322/12), paragraph 4, 5-7 June 2023 (DH).
244. See, for instance, Decision CM/Del/Dec(2023)1475/H46-34 of the 1475th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-34 *Jevremović group v. Serbia* (Application No. 3150/05), paragraph 4, 19-21 September 2023 (DH).
245. Decision CM/Del/Dec(2023)1468/H46-13 of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-13 *Gazsó group v. Hungary* (Application No. 48322/12), paragraph 5, 5-7 June 2023 (DH), with respect to administrative and criminal remedies.
246. Decision CM/Del/Dec(2023)1468/H46-37 of the 1468th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-37 *Merit group v. Ukraine* (Application No. 66561/01) and *Svetlana Naumenko group v. Ukraine* (Application No. 41984/98), paragraph 9, 5-7 June 2023 (DH).
247. Decision CM/Del/Dec(2023)1475/H46-34 of the 1475th meeting of the Committee of Ministers of the Council of Europe, Supervision of the execution of the Court’s judgments, H46-34 *Jevremović group v. Serbia* (Application No. 3150/05), paragraph 6, 19-21 September 2023 (DH).
248. Bulgaria, Croatia, Greece, Lithuania, North Macedonia and Poland.

■ As police ill-treatment is at the core of the CPT's mandate, the CPT carried out, in 2022 and 2023, three targeted ad hoc visits<sup>249</sup> to examine the treatment of those deprived of their liberty by the police. CPT recommendations on fundamental legal safeguards against ill-treatment (notification of custody, access to a lawyer, access to a doctor and information on rights) have not yet been fully implemented in certain countries. Moreover, the material conditions of detention in police establishments were often poor. That said, CPT reports demonstrate a general trend towards an improvement in the treatment of those deprived of their liberty by the police in most of the countries visited.

■ With some notable exceptions, detention conditions in immigration detention facilities visited have improved overall. Ad hoc visits to migration detention facilities, including police and border guard stations and immigration removal centres, were carried out.<sup>250</sup> While monitoring joint return operations by air supported by the European Border and Coast Guard Agency, the CPT observed that the treatment of migrants appeared to have improved. However, unlawful informal forcible removal operations (pushbacks) and the ill-treatment of foreign nationals deprived of their liberty in the context of forced removals at borders remain an issue of concern. The CPT dedicated the substantive section of its 32nd General Report<sup>251</sup> in 2023 to this topic.

■ Efforts to improve the material conditions in the prison estate were being made in all countries visited. However, much remained to be done in this area, as was the case with reducing overcrowding, the development of programmes of activities, the introduction of an individual risk and needs assessment and individual sentence planning. Prison healthcare services continued to be deficient in several countries, especially as regards access to specialist doctors (including mental healthcare professionals) and maintaining the equivalence of care and professional independence of prison healthcare staff.<sup>252</sup> In many countries, there continued to exist an excessive resort to segregation or isolation in prisons (on disciplinary, administrative or security grounds, or for the needs of the investigation). In most countries the legal provisions regulating prisoners' contact with the outside world remained well below the CPT's standard (at least one visit of at least an hour's duration per week).

## Police and deprivation of liberty

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■ Building on the conclusions and recommendations of the CPT, the [Division for Co-operation in Police and Deprivation of Liberty](#) continued to assist member states in addressing shortcomings within their systems regarding probation, police, prisons and other places where people deprived of their liberty are held, such as psychiatric institutions and social care homes. It also continued to assist them in integrating Council of Europe standards into their regulatory and operational frameworks, upholding human rights-compliant policing and enhancing practices related to the execution of penal sanctions.

■ Support was provided to member states in improving the human rights of prisoners<sup>253</sup> through a wide range of tools, such as the provision of healthcare in prisons,<sup>254</sup> including mental health, introducing and piloting various treatment programmes for inmates, supporting national programmes for the rehabilitation of violent extremist prisoners, further enhancing prison and probation co-operation and multi-agency work, improving juvenile justice systems and strengthening education and training for penitentiary staff.<sup>255</sup>

■ Increasing attention was paid to improving the quality of mental healthcare in prisons through specialised tools,<sup>256</sup> such as suicide prevention protocols,<sup>257</sup> policies and tailor-made strategies and action plans on mental health or attracting more medical personnel into the prison system.<sup>258</sup> Medical and non-medical prison staff gained knowledge and skills on selected issues relevant to the physical and mental health of inmates. Sometimes support was extended through the provision of medical equipment,<sup>259</sup> which helped improve services offered to prisoners.

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249. Montenegro in June 2022, Azerbaijan in December 2022 and Serbia in March 2023.

250. Türkiye in September 2022, the United Kingdom in November 2022 and March/April 2023 and Greece in November/December 2023.

251. See <https://rm.coe.int/1680aabe2b>.

252. On this matter, the CPT carried out ad hoc visits to Greece (November 2022) and Georgia (March 2023).

253. See, for example, "Enhancing the Disciplinary and Reward Procedures for Prisoners in Türkiye – Cooperation in police and deprivation of liberty".

254. See, for example, "Healthcare in prisons discussed at high-level meeting with North Macedonia's Ministers of Health and Justice".

255. See, for example, "The capacities of the Albanian Training Centre for prison staff further enhanced".

256. See, for example, "Enhancing healthcare provision in Georgia's penitentiary system".

257. See, for example, "Strengthening the Protection of the Rights of Persons in Detention in Armenia".

258. See, for example, "Romania: Strengthening the provision of health care and mental health care in prisons".

259. See, for example, "Strengthening the prison and probation reforms, provision of health care and treatment of patients in closed institutions in the Republic of Moldova".

■ Ensuring the sustainable management of violent extremist prisoners<sup>260</sup> and other radicalised inmates was one of the CPDL's priorities in 2023, with efforts to improve the release process and post-penal support.

■ The CPDL continued to support national authorities in addressing systemic problems in policing and investigating alleged police misconduct.<sup>261</sup> National independent monitoring and investigation bodies<sup>262</sup> and civil society organisations improved their practices on ensuring police accountability<sup>263</sup> for human rights violations and improving transparency of police action.

■ The CPDL provided a framework to assist the Republic of Moldova in its prison and probation service reforms. In Armenia, emphasis was put on strengthening the capacities of probation service staff to treat different categories of offender risk,<sup>264</sup> including through electronic monitoring. The CPDL carried out projects in Serbia on the rights of people placed in social care institutions and psychiatric establishments.<sup>265</sup>

■ The Council of Europe Police Network held its second annual conference dedicated to activities in a context of violence and use of force. The network, currently chaired by Germany and comprised of representatives of 44 out of the 46 Council of Europe member states, focuses on issues regarding police activities and human rights.

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260. See, for example, "HF III – Enhancing co-operation in the Western Balkans in managing violent extremism in prisons and preventing further radicalisation after release".

261. See, for example, "HF III Bosnia and Herzegovina – Further strengthening the treatment of detained and sentenced persons in line with European standards".

262. See, for example, "Execution of ECHR's judgements and the functioning of the External Oversight Mechanism discussed at a roundtable in Skopje".

263. See, for example, "HF III Montenegro – Enhancing Human Rights protection for detained and sentenced persons".

264. See "Strengthening the Probation Service in Armenia".

265. See "HF III Serbia – Enhancing the human rights protection for detained and sentenced persons".



# CHAPTER 6

## UPHOLDING THE SAFETY, SECURITY AND INTEGRITY OF SOCIETY AND PERSONS

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**T**he Council of Europe has a strong track record of standard setting, monitoring and effective mutual assistance and technical co-operation in the areas covered by this chapter, with new and pressing challenges arising constantly and requiring adapted responses. The Reykjavik Summit gave impetus to the work of the Council of Europe on criminal law, the environment and new technologies.

### CORRUPTION

■ The [Group of States against Corruption](#) carried out 17 evaluation visits in 2022 and 2023,<sup>266</sup> monitoring how its members prevent corruption and promote integrity in central governments and law-enforcement agencies, the focus of GRECO's [fifth evaluation round](#). In June 2023, GRECO decided<sup>267</sup> that the theme of its sixth evaluation round would be preventing corruption and promoting integrity at the sub-national level and preparations are underway, involving the Congress of Local and Regional Authorities of the Council of Europe.

■ GRECO continued the [fourth evaluation round](#), working for recommendations to prevent corruption among members of parliament, judges and prosecutors to be implemented.

■ GRECO adopted 16 evaluation reports and 62 compliance reports. It once more noted that member states engaged with the process and had made progress with implementing its recommendations. It is crucial that such progress continues, especially as regards integrity in central government.

### MONEY LAUNDERING

■ The Council of Europe continued its comprehensive efforts to tackle money laundering and terrorism financing through the monitoring work of [MONEYVAL](#) and the [Conference of the Parties](#) to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (COP198). MONEYVAL's evaluations showed a moderate level of implementation and effectiveness and the COP198 saw similar results in respect of the convention. Continued peer pressure through MONEYVAL mutual evaluations and the COP198's thematic reviews is essential to improve implementation and the quality of measures taken.

■ Twenty-one MONEYVAL member states and territories were monitored through onsite visits, mutual evaluation reports and follow-up or compliance procedures.<sup>268</sup>

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266. To Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Cyprus, the Czech Republic, Portugal, Romania and Türkiye in 2022 and to Andorra, Armenia, Georgia, Italy, the Republic of Moldova, Monaco, Switzerland and the United States in 2023.

267. See [www.coe.int/en/web/greco/-/greco-decides-to-examine-prevention-of-corruption-and-promotion-of-integrity-at-the-sub-national-level-in-its-sixth-evaluation-round](http://www.coe.int/en/web/greco/-/greco-decides-to-examine-prevention-of-corruption-and-promotion-of-integrity-at-the-sub-national-level-in-its-sixth-evaluation-round).

268. MONEYVAL continued its fifth round of mutual evaluations and published reports on Azerbaijan, Bulgaria, Estonia, Liechtenstein, Monaco, Montenegro, North Macedonia and Romania. The process is ongoing for the United Kingdom's Crown Dependencies of Jersey and Guernsey. The committee adopted 10 follow-up reports, with a particular focus on the standards on new technologies, notably cryptocurrencies.

■ At a high-level meeting held in Warsaw in April 2023, ministers responsible for anti-money laundering policies adopted a declaration confirming their commitment to improve their AML/CFT/CPF regimes<sup>269</sup> and follow MONEYVAL's strategic priorities (2023-2027).<sup>270</sup> Joining the Council of Europe's Committee of Ministers in condemning Russian aggression against Ukraine, the ministers supported further proportionate legal responses, including seizure and confiscation measures.

■ During 2022 and 2023, the COP198 adopted country-specific reports, as well as reports on the management of frozen or seized assets, international recidivism and confiscated property.<sup>271</sup> It also issued an interpretative note on the implementation of the provision on corporate liability.

## ECONOMIC CRIME

■ GRECO's findings served as a framework for technical assistance and co-operation activities provided by the [Economic Crime and Co-operation Division](#). This co-operation focused on legislative reforms, strengthening institutional structures, capacity building and the sharing of good practices. It included a wide range of topics: electronic asset declaration systems using enhanced verification methods; prevention and management of conflicts of interest; methodological tools for corruption proofing of legislation; mutual legal assistance in criminal matters; detection and investigation of illicit enrichment; and business integrity and anti-corruption compliance in the private sector. These activities covered member states and neighbouring jurisdictions in Europe, Central Asia, the Middle East and North Africa.

■ The Council of Europe engaged in numerous capacity-building activities aiming to strengthen, develop and promote the application of innovative tools to assess and mitigate emerging money laundering and terrorism financing risks, and to foster better understanding of the cross-jurisdictional aspects of these phenomena. Many member states<sup>272</sup> were also supported in strengthening their legislative, institutional and policy frameworks, introducing effective policies and procedures against money laundering and terrorist financing, and in developing effective measures for harmonised implementation of the European Union's sanctions regime against Russia.<sup>273</sup>

## ARTIFICIAL INTELLIGENCE

■ The global and wide-ranging risks to human rights, democracy and the rule of law by the development and deployment of AI technology require a common approach and close co-operation between states and supranational and intergovernmental organisations.

■ The Council of Europe [Committee on Artificial Intelligence](#)<sup>274</sup> started work in April 2022 to draft a framework convention on AI based on Council of Europe and other relevant international standards. This legally binding text will include provisions on the assessment and mitigation of risks and adverse consequences of AI systems on human rights, democracy and the rule of law and it will provide a legal basis for international co-operation and the exchange of information.

■ The negotiation process is global and includes Council of Europe and European Union member states, all the members of the G7 and other countries. The final text will have the potential for significant global reach, placing the Council of Europe at the centre of worldwide regulation efforts. It is scheduled for adoption by the Committee of Ministers in May 2024 to coincide with the 75th anniversary of the Council of Europe.

269. See <https://rm.coe.int/moneyval-2023-hldeclaration-en/1680ab0ae3>.

270. See <https://rm.coe.int/moneyvalstrategy2023-2027-en/1680ab0b06>.

271. See [Reports on the implementation of CETS No.198](#). These include assessment of the implementation of the convention by Estonia as a new state party, as well as of the follow-up measures taken by selected parties to address implementing gaps in respect of Article 11 (Montenegro, Russian Federation, Serbia and Türkiye), Article 25 (Armenia, Azerbaijan, North Macedonia, San Marino and Serbia) and Article 14 (Russian Federation).

272. Such as Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Georgia, Lithuania, the Republic of Moldova, Portugal, Romania, Serbia, Slovakia and Ukraine.

273. Cyprus, the Czech Republic, Denmark, Hungary, Latvia, Lithuania, Malta, Romania, Slovenia and Spain received support in this field.

274. The CAI is composed of the Council of Europe member states, other states with observer status (Argentina, Australia, Canada, Costa Rica, Israel, Japan, Mexico, Peru, Uruguay and the United States of America), the United Nations, the European Union, the Organisation for Economic Co-operation and Development and representatives of civil society, industry and academia, as well as representatives of relevant Council or Europe bodies and committees.

■ The European Committee on Legal Co-operation adopted a comparative study on administrative law and the use of AI in Council of Europe member states<sup>275</sup> and produced a revised version of the handbook *The Administration and you*.<sup>276</sup>

## CYBERCRIME

■ The [Convention on Cybercrime](#) (ETS No. 185, Budapest Convention)<sup>277</sup> continued to play a key role in shaping the international criminal justice response to cybercrime. Close to 70 countries, including 45 Council of Europe member states, are now parties to it. Over 130 countries have adopted substantive criminal provisions in line with the treaty.

■ The Second Additional Protocol to the Convention on Cybercrime (CETS No. 224) on enhanced co-operation and disclosure of electronic evidence<sup>278</sup> was opened for signature in May 2022 and rapidly gathered 43 signatories.<sup>279</sup> It provides new tools for enhanced co-operation and disclosure of electronic evidence, including direct co-operation with service providers in other countries and instant co-operation in emergency situations where lives are at risk. These are complemented by a system of safeguards to prevent misuse.

■ The Council of Europe [Cybercrime Programme Office](#) (C-PROC) in Romania provided extensive technical assistance on strengthening legislation; sustainable training for law enforcement, prosecutors and the judiciary; targeting proceeds from crime online; protecting children against sexual exploitation and abuse; and private-public international co-operation. Specific support was provided to Ukraine, including on the use of electronic evidence to prosecute war crimes. With C-PROC, the Council of Europe remains a global leader on capacity building in the fields of cybercrime and electronic evidence.

## DATA PROTECTION

■ The Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (CETS No. 223, Convention 108+)<sup>280</sup> counts 31 parties and will enter into force when it reaches 38. The [Convention 108 Committee](#) has adopted guidelines on the use of personal data in political campaigns,<sup>281</sup> national digital identity<sup>282</sup> and data protection for the processing of personal data for anti-money laundering/countering financing of terrorism purposes.<sup>283</sup> It developed new model contractual clauses for transborder flows of personal data,<sup>284</sup> issued a report on the human rights impact of Pegasus spyware<sup>285</sup> and developed an interpretation note on exceptions and restrictions to the basic principles of personal data protection. Co-operation activities have supported countries in aligning their legislation with the convention and provided training.<sup>286</sup>

## CRIMINAL LAW

■ The new Council of Europe Convention on the Protection of the Environment through Criminal Law (ETS No. 172) will be a milestone in the Reykjavik Process<sup>287</sup> and the first legally binding treaty with a global reach to address environmental crime.

■ The [European Committee on Crime Problems](#) continued to implement the Council of Europe Action Plan on Fostering International Co-operation and Investigative Strategies in Fighting the Smuggling of Migrants.<sup>288</sup> This smuggling has been identified in the Reykjavik Declaration as a major challenge. Following the Reykjavik Summit, the CDPC was tasked by the Committee of Ministers with the preparation of a report, assessing the

275. [Artificial intelligence and administrative law](#).

276. Available at <https://rm.coe.int/the-administration-and-you/16808eb47e>.

277. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=185](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=185).

278. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=224](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=224).

279. Two countries ratified the convention: Serbia and Japan.

280. Available at [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=223](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=223).

281. Available at <https://rm.coe.int/guidelines-on-data-protection-and-election-campaigns-en/1680a5ae72>.

282. Available at <https://rm.coe.int/prems-010823-gbr-2051-national-digital-identity-final-web-2762-4423-83/1680aa6b24>.

283. See [www.coe.int/en/web/data-protection/-/guidelines-on-data-protection-for-the-processing-of-personal-data-for-anti-money-laundering/countering-financing-of-terrorism-purposes](http://www.coe.int/en/web/data-protection/-/guidelines-on-data-protection-for-the-processing-of-personal-data-for-anti-money-laundering/countering-financing-of-terrorism-purposes).

284. See [www.coe.int/en/web/data-protection/convention-108-committee-t-pd](http://www.coe.int/en/web/data-protection/convention-108-committee-t-pd).

285. See [www.coe.int/en/web/freedom-expression/-/pegasus-spyware-and-its-impacts-on-human-rights](http://www.coe.int/en/web/freedom-expression/-/pegasus-spyware-and-its-impacts-on-human-rights).

286. Including Burkina Faso, Chile, Costa Rica, Ecuador, Gabon, Gambia, Georgia, Vanuatu and countries from the Middle East and North Africa region.

287. [Appendix V of the Reykjavik Declaration – “The Council of Europe and the environment”](#).

288. Available at <https://rm.coe.int/cdpc-2019-9fin-en/1680aa37bf>.

need for and feasibility of a possible legal treaty in this field by the end of 2024. The [Council of Europe Network of Prosecutors on Migrant Smuggling](#) met in 2022 and 2023.

■ The CDPC and the CDADI approved a draft recommendation on combating hate crime in 2023, which is expected to be adopted by the Committee of Ministers in 2024 and contains measures for preventing and investigating hate crime and assisting victims.

■ The Council of Europe conventions on co-operation in criminal matters are essential to the fight against organised crime and impunity in general. Through its permanent sub-committee (PC-OC), the CDPC updates and facilitates the day-to-day application of the conventions. The Committee of Ministers has endorsed a policy paper on the accession by non-member states to these conventions,<sup>289</sup> the ongoing update of the European Convention on Mutual Assistance in Criminal Matters (ETS No. 30)<sup>290</sup> and numerous new tools for practitioners.

## TERRORISM

■ In 2022, the Committee of Ministers of the Council of Europe adopted two major recommendations guiding member states in addressing the challenges of using information collected in conflict zones as evidence in criminal proceedings against terrorist offences<sup>291</sup> and ensuring risk-based management of individuals indicted or convicted for terrorism offences.<sup>292</sup>

■ The Council of Europe also adopted its second Counter-Terrorism Strategy, for 2023 to 2027,<sup>293</sup> which tailors future strategic action to continuing and emerging needs in the fight against terrorism. The aim is to strengthen national capacities to prevent and respond to new terrorist threats while providing adequate protection for vulnerable groups and individuals.

■ Formal negotiations began in the Council of Europe Committee on Counter-Terrorism (CDCT) in 2023 on a pan-European definition of the term “terrorism”, tackling the long-standing challenges stemming from the absence of a common legal understanding of what constitutes terrorism. The text of the definition was agreed upon by the CDCT at its 11th plenary meeting held in Helsinki (Finland) in December 2023. The definition will be integrated into the existing Council of Europe counter-terrorism legal framework, notably the Council of Europe Convention on the Prevention of Terrorism (ETS No. 196).<sup>294</sup>

■ The Council of Europe also hosted three major conferences that brought together policy makers, practitioners and experts to discuss solutions to the following issues: “Transnational terrorist threats from emerging and re-emerging violent extremist movements”, “Terrorist communications” (including online) and “Abuse of livestreaming, gaming and virtual reality services and platforms by terrorist actors”. Close co-operation is in place with the United Nations<sup>295</sup> and the Organization for Security and Co-operation in Europe.

## INTEGRITY AND GOVERNANCE OF SPORT

■ As the Reykjavik Summit stressed, sport has an instrumental role in creating equality, diversity and respect, as well as upholding the safety, security and integrity of all individuals and communities. With France hosting both the Olympic and Paralympic Games in 2024 – the year of the Council of Europe’s 75th anniversary – there is an opportunity to celebrate those shared values.

■ As sport continues to face important challenges and threats, safeguarding its integrity is key to protecting its social and educational role. The latest milestone is the setting-up of an international network of magistrates and prosecutors responsible for sports (MARS) under the aegis of the Enlarged Partial Agreement on Sport. Judges and prosecutors play an essential role in the protection of sport integrity at the level of investigations, trials and sanctioning. MARS participants will increase their awareness of the latest trends and challenges and exchange best practices, thus strengthening international co-operation in sport justice and making the fight against cross-border crime linked to sports more efficient.

289. Available at [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=0900001680aa1e33](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680aa1e33).

290. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=030](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=030).

291. [CM/Rec\(2022\)8](#) of the Committee of Ministers to member States on the use of information collected in conflict zones as evidence in criminal proceedings related to terrorist offences.

292. [CM/Rec\(2022\)7](#) of the Committee of Ministers to member States on the risk assessment of individuals indicted or convicted for terrorist offences.

293. See [https://search.coe.int/cm/pages/result\\_details.aspx?ObjectId=0900001680a9ad67](https://search.coe.int/cm/pages/result_details.aspx?ObjectId=0900001680a9ad67).

294. Available at [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=196](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=196).

295. Counter-Terrorism Committee Executive Directorate (UN CTED), United Nations Office on Counterterrorism (UNOCT) and the United Nations Office of Drugs and Crime (UNODC).



■ In September 2023, the Committee of Ministers Declaration on sport integrity<sup>296</sup> stressed the central role of sport. This declaration was prompted by serious concerns concerning the constantly evolving threats to integrity in sport. It underlines governments' willingness to combat these threats and ensure fair and clean competitions at all levels.

■ The Parliamentary Assembly discussed the question of the possible participation of Russian and Belarusian athletes in the upcoming Paris Olympic Games and adopted Resolution 2507 (2023) in which it considered that such participation, even under a neutral banner, should not be permitted in the context of the current war of aggression against Ukraine. It also underlined the importance of sport as a catalyser for the integration of migrants and refugees in Resolution 2503 (2023) "Social inclusion of migrants, refugees and internally displaced persons through sport".

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296. Available at [https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectID=0900001680acb64b](https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=0900001680acb64b).



# CHAPTER 7

## ANCHORING DEMOCRATIC VALUES IN EUROPEAN SOCIETIES

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In 2022 and 2023, work on democratic governance and civil society focused on promoting good democratic governance at all levels, in both principle and practice, and enhancing the opportunity and capacity for participation of citizens and civil society. The CDDG drafted two ground-breaking, and standard-setting, international legal texts on the fundamentals of good democratic governance for all levels of government and on the practice of deliberative democracy and its complementarity to representative democracy, both of which were adopted by the Committee of Ministers in 2023.

■ The Europe-wide campaign for the safety of journalists was launched in October 2023, aiming to help member states implement Council of Europe standards on freedom of expression and safety of journalists, with technical assistance being offered for national media law reform.

■ The Reykjavik Summit's recognition of the crucial role of education in upholding democracy was followed up by an ambitious education strategy, validated by the Council of Europe Standing Conference of Ministers of Education in September.

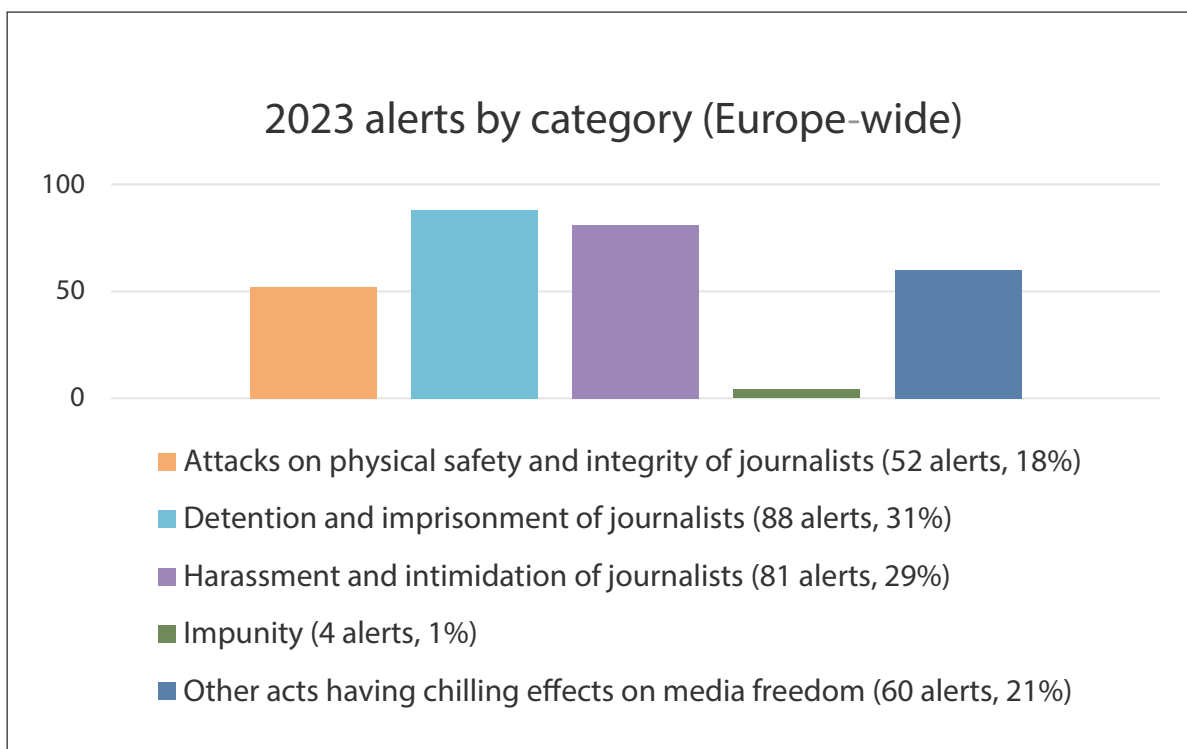
■ The Reykjavik Declaration also promoted the integration of young people's perspective and the promotion of youth participation in decision making.

■ Culture and cultural heritage remain common powerful vectors for democratic participation based on Council of Europe values, with activities continuing in 2022-2023, especially during the Latvian Committee of Ministers Presidency with the conference "The Nicosia Convention: a criminal justice response to offences relating to cultural property" in Riga, on 15 and 16 June 2023.

### FREEDOM OF EXPRESSION AND INFORMATION/SAFETY OF JOURNALISTS

■ The rise of generative artificial intelligence in 2023 could be a game changer for the right to free expression and media freedom. Along with immersive technologies and myriad new digital platforms, AI is transforming the way we seek, receive, impart and share information, knowledge and ideas, affecting human rights in both positive and negative ways. At the same time, many threats to freedom of expression remain. The media sector is struggling to maintain its survival and disinformation is still a significant threat to Europe's democracies. Journalists continue to be victims of harassment, attacks and even murder, all of which have been aggravated by the Russian war of aggression against Ukraine. As of the end of 2023, the Platform to promote the protection of journalism and safety of journalists (the Platform) documented three journalists killed in 2023, 120 journalists in detention and 32 cases of impunity for murder throughout Europe.<sup>297</sup>

297. Platform to promote the protection of journalism and safety of journalists <https://fom.coe.int/en/accueil>.



These concerns transcend state boundaries and necessitate responses at both the national and international levels. The Reykjavik Declaration highlighted the Council of Europe’s leading role in developing standards in the digital era to protect human rights online and offline.

New standards were developed in 2023 to help strengthen frameworks for protecting free expression and media freedom. The [Steering Committee on Media and Information Society](#) adopted two guidance tools: the “Guidance note on countering the spread of online mis- and disinformation” and the “Guidelines on the responsible implementation of AI systems in journalism”.<sup>298</sup> The CDMSI also finalised the draft recommendation on countering the use of strategic lawsuits against public participation (SLAPPs), which will be transmitted to the Committee of Ministers for possible adoption. The text was drawn up in response to the steady increase in abusive litigation designed to prevent or hinder public debate on matters of public interest. The urgent need for member states to act together against SLAPPs was also stressed in an Assembly resolution<sup>299</sup> and recommendation, and the accompanying report.

The biennium 2024-2025 will see the continuation of policy work on the effects of digitalisation on free expression. Two expert committees will develop standards on online safety and the implications of generative artificial intelligence for freedom of expression. The CDMSI will also continue to work on immersive technologies, which may pave the way for a virtual future but also raise a significant number of complex issues, as outlined in the recent report on the metaverse and discussed at the informal Committee of Ministers meeting on 14 September 2023.

On 5 October 2023, a Europe-wide campaign for the safety of journalists was launched to improve the implementation of Council of Europe standards. The campaign was endorsed by the Parliamentary Assembly<sup>300</sup> and calls on member states to adopt or strengthen national action plans and protection mechanisms. It will include public events to increase awareness about the value of free and independent media to democracy. The campaign launch and the first meeting of the designated national focal points coincided with the issuing of the extended implementation guide<sup>301</sup> to the Committee of Ministers’ recommendation concerning the safety of journalists.<sup>302</sup>

298. Available at <https://rm.coe.int/cdmsi-2023-014-guidelines-on-the-responsible-implementation-of-artific/1680adb4c6>.

299. Assembly [Resolution 2531 \(2024\)](#) and [Recommendation 2267 \(2024\)](#) “Countering strategic lawsuits against public participation (SLAPPs): an imperative for a democratic society”.

300. [Recommendation 2268 \(2024\)](#) “Guaranteeing media freedom and the safety of journalists: an obligation of member States”.

301. Available at <https://rm.coe.int/prems-102223-gbr-2018-how-to-protect-journalists-part-ii-16x24-web/1680acae91>.

302. Recommendation [CM/Rec\(2016\)4](#) of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors.

■ The partner organisations of the Platform continued dialogue with member states on documented threats. They also held informal exchanges of views with the Committee of Ministers and onsite advocacy visits. New features were added to the Platform in July 2023, such as the option to distinguish between Council of Europe member states and other European countries, a three-month time frame for filing replies and an outline of expected follow-up steps to alerts.

■ The Commissioner for Human Rights' work on freedom of expression and media freedom was heavily focused on the safety of journalists, particularly those covering conflict situations, as well as legislative measures, the need to curb impunity and SLAPPs. These issues were prominently addressed in the reports on the visits to Serbia and Spain, as well as in the letters addressed to the authorities of Azerbaijan, Georgia and Bosnia and Herzegovina (the National Assembly of Republika Srpska). The Commissioner also followed up on her previous work on the murder of Daphne Caruana Galizia with letters to the Maltese Government and Parliament urging them to implement the recommendations of the public inquiry report into the murder of Daphne Caruana Galizia and the effective exercise of the right to freedom of expression. The Commissioner also published four Human Rights Comments on various aspects of free expression including spyware,<sup>303</sup> crackdowns on peaceful environmental protests<sup>304</sup> and online hate speech against women.<sup>305</sup> Regarding gender violence online, the Secretary General published a report entitled "The safety of female journalists" in November 2023.<sup>306</sup>

■ Co-operation programmes offered guidance to several member states carrying out reforms of media laws. As part of the enlargement process, the European Union made positive assessments of changes in media laws in Ukraine, the Republic of Moldova and Georgia that bring them in line with Council of Europe standards. Two major conferences were organised within the co-operation activities with the Eastern Partnership countries to discuss the implications of the Russian war of aggression against Ukraine for freedom of expression, "Media in times of war" in October 2022 (in Tbilisi) and "Freedom of expression in times of war" in December 2023 (in Chişinău).

■ The Council of Europe Convention on Access to Official Documents (CETS No. 205)<sup>307</sup> is the only international legal treaty which guarantees a general right to access official documents held by public authorities. With four new ratifications since 2022, the convention currently covers 15 countries. The [Access Info Group](#), which monitors implementation of the convention, is expected to adopt a baseline evaluation report on 11 countries in June 2024.

■ Access to reliable information is hampered by the media's continued decline in viability. Local and regional media have been especially vulnerable to this trend. In 2023, two reports were published by the Congress – "Good practices for sustainable news media financing"<sup>308</sup> and "Local and regional media: watchdogs of democracy, guardians of community cohesion"<sup>309</sup> – which offer recommendations to member states and media outlets on actions to support robust and independent media.

## DEMOCRATIC GOVERNANCE AND DIALOGUE/CIVIL SOCIETY

■ Promoting good democratic governance at all levels and enhancing the opportunity and capacity for citizens and civil society to participate was a key focus in 2022 and 2023. The European Committee for Democracy and Governance drafted two standard-setting texts which were adopted by the Committee of Ministers in 2023.<sup>310</sup> The [CEGG](#) conducted six peer reviews to address reforms of public administration, local finance, public ethics, civil participation and decentralisation. It also provided 20 policy and legislative advice documents to support the alignment of legislation and policy with Council of Europe standards in 25 member states. In Armenia, the CEGG helped develop the capacities of frontline communities dealing with large numbers of refugees from Karabakh. The European Label of Governance Excellence (ELoGE) continued to implement the Committee of Ministers recommendation on good democratic governance. The Committee of Ministers set up a new Steering Committee on Democracy (CDDEM) as from 1 January 2024 and ended the mandate of the CDDG.

■ The Congress continued promoting good governance through its monitoring work and co-operation activities. In 2023, the Congress supported the National Association of Local Authorities of Georgia to develop

303. [Highly intrusive spyware threatens the essence of human rights.](#)

304. [Crackdowns on peaceful environmental protests should stop and give way to more social dialogue.](#)

305. [No space for violence against women and girls in the digital world.](#)

306. [SG/Inf\(2023\)37](#) (restricted).

307. Available at [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=205](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=205).

308. Report produced by the Committee of Experts on Increasing Resilience of Media and endorsed by the CDMSI, available at <https://rm.coe.int/msi-res-2022-08-good-practices-for-sustainable-media-financing-for-sub/1680adf466>.

309. Congress of Local and Regional Authorities, [Report CG\(2023\)45-11 final](#).

310. [Recommendation CM/Rec\(2023\)5](#) to member States on the principles of good democratic governance and [Recommendation CM/Rec\(2023\)6](#) to member States on deliberative democracy.

its own Human Rights Localisation Strategy and in strengthening the dialogue with the Public Defender's Office and the Administration of the Government. As a follow-up to Reykjavik, the Centre of Expertise for Good Governance was integrated in the secretariat of the Congress to improve effectiveness of the Council of Europe work on multilevel governance.

■ In 2023, two conferences were organised to promote good electoral practices: "E-voting and use of ICT in elections" and "The role of electoral training centres". Thematic study visits for the election management bodies of Albania, Bulgaria, Georgia and the Republic of Moldova allowed for improved co-operation and sharing of experiences and best practice. Support was provided to the Republic of Moldova's Central Electoral Commission to draft the new electoral code, which entered into force on 1 January 2023.

■ Toolkits on civil participation<sup>311</sup> were provided and methods such as citizens' assemblies, consultation platforms and educational games took place in 12 member states between 2022 and 2023. The Council of Europe's [School of Participatory Democracy](#) developed and implemented a comprehensive eight-month training cycle at national and international level. Specific attention was given to youth within the participatory project in Georgia.<sup>312</sup> A study on mapping deliberative democracy<sup>313</sup> was prepared and the BePART civil participation forum<sup>314</sup> was launched by the Directorate General of Democracy and Human Dignity, the Conference of International Non-Governmental Organisations and the Congress of Local and Regional Authorities to provide an interactive overview and a platform for best practices. The Congress also supported the organisation of the second Citizens' Assembly of the City of Mostar and the first Citizens' Assembly of the city Banja Luka, in Bosnia and Herzegovina.

■ The [CINGO](#) made country visits to Finland<sup>315</sup> and Bosnia and Herzegovina,<sup>316</sup> meeting local NGOs and public authorities to discuss civil society's participation in public decision-making processes. It also explored the potential for future support and co-operation with pro-democracy Belarus and Russian civil society.

■ The Reykjavik Principles for Democracy highlight the commitment of member states to supporting and maintaining a safe and enabling environment in which civil society can operate free from hindrance, insecurity and violence. The Expert Council on NGO Law, an independent expert body appointed by the CINGO, supports freedom of association by reviewing and assessing laws which affect NGOs. In 2022, it prepared a thematic study on the execution of Court judgments<sup>317</sup> involving freedom of association and a study on NGOs and the implementation of measures against money laundering and terrorist financing.<sup>318</sup> It also produced opinions on the compatibility of legislation or proposed legislation with European standards in Belarus,<sup>319</sup> Croatia<sup>320</sup> and Italy.<sup>321</sup>

■ From the 2019 Helsinki decisions to the 2023 Reykjavik Summit, a series of measures were put in place to enhance the meaningful engagement of civil society in Council of Europe work. The Committee of Ministers adopted terms of reference and working methods for intergovernmental steering committees (2022-2025) to strengthen the role of civil society by inviting NGOs to become observers. A handbook for NGOs on working with the Council of Europe was published in 2022 and is also available via the civil society portal. On the International Day of Democracy, 15 September 2023, the Secretary General organised her first regular exchange of views with civil society,<sup>322</sup> with around 100 INGOs and other NGOs taking part. The Committee of Ministers' Rapporteur Groups on human rights, democracy and justice held an informal exchange of views with representatives of civil society on challenges faced by human rights defenders.<sup>323</sup> The Committee of Ministers welcomed the Secretary General's [road map](#) for engagement with civil society in December 2023. The road map foresees measures to engage civil society, including youth civil society, in all aspects of the Organisation's work.

■ The [World Forum for Democracy](#) is a platform for political decision makers and activists to debate solutions to key challenges for democracies worldwide. In 2022, over 900 participants from 80 countries exchanged ideas and experiences on how to create new possibilities for a truly democratic future at the forum entitled

311. See [www.coe.int/en/web/good-governance/toolkits](http://www.coe.int/en/web/good-governance/toolkits).

312. See [www.coe.int/en/web/participatory-democracy/projects](http://www.coe.int/en/web/participatory-democracy/projects).

313. Available at <https://rm.coe.int/-mapping-deliberate-democracy/1680a87f84>.

314. See <https://bepartforum.org/>.

315. See [www.coe.int/en/web/ingo/finland1](http://www.coe.int/en/web/ingo/finland1).

316. See [www.coe.int/en/web/ingo/bosnia-and-herzegovina](http://www.coe.int/en/web/ingo/bosnia-and-herzegovina).

317. See <https://rm.coe.int/the-execution-of-judgments-involving-freedom-of-association-15-march-2/1680a5db86>.

318. See <https://rm.coe.int/expert-council-moneyval-study-17-05-2022-en/1680a68923>.

319. Available at <https://rm.coe.int/coe-expert-council-opinion-on-belarus-2022-en/1680a8a2b7>.

320. Available at <https://rm.coe.int/conf-exp-2023-2-opinion-amendments-to-the-croatia-law-on-associations-/1680aac3e3>.

321. Available at <https://rm.coe.int/expert-council-conf-exp-2023-opinion-italy-30-jan-2023-en/1680a9fe26>.

322. See [www.coe.int/en/web/portal/-/secretary-general-s-roadmap-on-civil-society-engagement-with-the-council-of-europe](http://www.coe.int/en/web/portal/-/secretary-general-s-roadmap-on-civil-society-engagement-with-the-council-of-europe).

323. Member States hold informal exchange of views with representatives of civil society.

“Democracy: a new hope?”<sup>324</sup> The theme of the 11th World Forum was “Democracy = Peace?”<sup>325</sup> and addressed how democracy can be strengthened to safeguard peace, with over 1 400 participants taking part. Speakers underscored that democracy alone does not ensure peace and that, while democratic nations often exhibit a predisposition toward peace, peace is not an automatic by-product of democracy, and that the credibility of international institutions is challenged when common rules are perceived as being applied selectively. The final report made recommendations focused on political reforms, ensuring a plurality of voices, e-democracy, online governance and media, and fostering democratic literacy and competences for democratic citizenship.

## EDUCATION

■ The pivotal role education plays in upholding democracy featured prominently in the [10 Reykjavik Principles for Democracy](#). These principles emphasise the need for youth participation in democracy through education about human rights and democratic values such as pluralism, inclusion, and transparency.

■ The 26th Council of Europe Standing Conference of Ministers of Education convened in Strasbourg on 28 and 29 September 2023 on the theme of the transformative power of education and adopted resolutions on future work.<sup>326</sup> The ministers agreed to proclaim 2025 the European Year of Digital Citizenship Education. The “Education in times of emergencies and crisis (EDURES)” toolkit,<sup>327</sup> which promotes a holistic understanding of the role of education in community resilience and robustness was presented. They also agreed the Council of Europe Education Strategy 2030, entitled “Learners first: education for today’s and tomorrow’s democratic societies”.<sup>328</sup> This strategy focuses on enhancing the quality and accessibility of education, ensuring equitable opportunities and fostering knowledge and skills acquisition. It revolves around three priorities: renewing education’s democratic and civic mission, enhancing its social responsibility and advancing digital transformation grounded in human rights.

■ The year 2023 saw the first review of the Council of Europe’s [Reference Framework of Competences for Democratic Culture \(RFCDC\)](#), assessing its integration into member states’ formal education since 2018. A project was initiated to embed the framework into vocational education and training covering curriculum integration, assessment and trainer education. The first meeting of the RFCDC working group on education for sustainable development also took place. The Council of Europe provided specialised support to several member states for RFCDC implementation through collaborative projects. Efforts also focused on co-ordinating the European Network of Information Centres and National Academic Recognition Information Centres (ENIC-NARIC networks) to support the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (ETS No. 165, Lisbon Recognition Convention).<sup>329</sup> Georgia’s participation in the [European Qualifications Passport for Refugees](#) expanded the initiative to 22 countries. Higher education projects addressed themes such as academic freedom, the democratisation of science and digital or AI challenges.

■ The Council of Europe Platform on Ethics, Transparency and Integrity in Education (ETINED) plenary in 2023 was dedicated to tackling education fraud. Key topics included raising student awareness of education fraud, establishing an observatory/monitoring mechanism, assessing AI’s role in education fraud, and developing methods to identify and combat such fraud.

■ The publication *Digital citizenship education from a parent’s perspective*,<sup>330</sup> part of the digital citizenship education framework, details survey and interview findings from over 21 000 parents across 47 countries. The Artificial Intelligence and Education Expert Group continued work on several subjects related to the regulation of AI systems in education and AI implications, including a policy toolbox on teaching and learning with and about AI. The report *Artificial intelligence and education – A critical view through the lens of human rights, democracy and the rule of law*<sup>331</sup> was published as part of the artificial intelligence and education project.

■ Capacity building remained central to the [European Centre for Modern Languages \(ECML\)](#) in 2023. Activities included a webinar on literacy and second language learning for adult migrants and six workshops on the Common European Framework of Reference for Languages. The ECML also hosted 46 capacity-building events in 22 member states, supporting over 1 500 language professionals. Topics ranged from integrating adult migrants into the workplace to enhancing language education.

324. See <https://rm.coe.int/world-forum-for-democracy-2022-final-report/1680aab8bd>.

325. See <https://rm.coe.int/world-forum-for-democracy-2023-final-report/1680ae2e2c>.

326. See <https://rm.coe.int/resolutions-26th-session-council-of-europe-standing-conference-of-mini/1680abee7f>.

327. See [www.coe.int/en/web/education/-/education-in-emergencies-and-crises-a-new-policy-making-tool-for-education-actors](http://www.coe.int/en/web/education/-/education-in-emergencies-and-crises-a-new-policy-making-tool-for-education-actors).

328. Available at <https://rm.coe.int/education-strategy-2024-2030-26th-session-council-of-europe-standing-c/1680abee81>.

329. See [www.coe.int/en/web/conventions/full-list/-/conventions/treaty/165](http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/165).

330. Available at <https://rm.coe.int/prems-009722-gbr-2511-digital-citizen-education-parents-perspective-90/1680a95e57>.

331. Available at <https://rm.coe.int/prems-092922-gbr-2517-ai-and-education-txt-16x24-web/1680a956e3>.

■ The intergovernmental programme on history education launched the Educating for Diversity and Democracy – Teaching History in Contemporary Europe project. Annual forums discussed history education's role in fostering democratic culture. The [Observatory on History Teaching in Europe \(OHTe\)](#) released reports on history teaching, contributing to a growing discourse on educational innovation and democratic engagement in Europe.

■ The Reykjavik Summit and the Council of Europe's Education Strategy 2030 mark a new era in education for democracy. By focusing on civic and citizenship education, addressing the social dimension and embracing digital transformation, we can pave the way for a more democratic, inclusive and digitally savvy Europe.

## YOUTH

■ The Reykjavik Declaration integrated a youth perspective into the Council of Europe's work and promoted youth participation in decision making. These measures will improve the effectiveness of public policies and strengthen democratic institutions through open dialogue and stronger networks for youth civil society, in partnership with the [European Youth Forum \(YFJ\)](#). The youth perspective builds upon the existing principle of co-management,<sup>332</sup> the programme of the [European Youth Centres](#) and of the [European Youth Foundation \(EYF\)](#) which are working to develop practices, benchmarks and standards for youth policies and youth work. The [rejuvenating politics](#) initiative of the Congress also contributes to integrating a youth perspective to the work of the Organisation.

■ The [Joint Council on Youth](#) adopted elements for a Council of Europe reference framework for a youth perspective, promoting the idea of thinking with youth, learning from and with youth, participating with youth and acting with and for youth. The CMJ has proposed that the Committee of Ministers adopt the reference framework at its 133rd Ministerial Session in May 2024.

■ The youth sector and its partners have mobilised to support young people and youth workers in Ukraine and those who have taken refuge in other countries. By February 2023, 44 youth centres and facilities in Ukraine had been destroyed, depriving young people of safe spaces and youth workers of an environment in which to help traumatised young people.

■ Concerns about young people's mental health, access to rights and other challenges, along with the prospect of a disrupted future, motivated the youth sector to help to build Ukrainian youth workers' competences to meet the specific needs of young people faced with the realities of war. A system of mentoring, peer-to-peer learning, support and counselling has been set up by youth centres that hold the Council of Europe Quality Label for Youth Centres. Numerous training sessions and workshops on values-based and trauma-informed youth work, human rights education and other subjects have been organised by the Youth for Democracy in Ukraine programme.<sup>333</sup> EYF support is being provided through a special call to finance projects to strengthen the capacities of youth leaders, foster social cohesion and inclusion, address mental health and personal development issues and focus on young women, girls and vulnerable groups.

■ The CMJ adopted guidelines on youth participation, to strengthen the implementation of the Committee of Ministers recommendation on citizenship and participation of young people in public life,<sup>334</sup> and the Congress resolution on the revised European Charter on the Participation of Young People in Local and Regional Life.<sup>335</sup> A new Committee of Ministers recommendation on Roma youth participation<sup>336</sup> provides a basis for partnerships for the inclusion of young Roma, and for action and advocacy to address the consequences of antigypsyism on younger Roma and support their potential as change makers in their communities and society.

■ In 2022 and 2023, the EYF provided financial support to 292 projects by youth organisations that promoted peace, understanding and co-operation between young people in Europe and beyond, at all levels. Several youth centres have newly been awarded the Council of Europe [Quality Label for Youth Centres](#), while other quality label awards have been renewed.

■ Follow-up to the 2022 youth campaign "Democracy here – Democracy now", which raised awareness about how to reverse democratic backsliding by strengthening young people's trust in democratic institutions, continues as a new programme entitled "Youth revitalising democracy". This programme is based on

332. See [www.coe.int/en/web/youth/co-management](http://www.coe.int/en/web/youth/co-management).

333. [Youth for Democracy in Ukraine](#).

334. [CM/Rec\(2006\)14](#).

335. Congress [Resolution 152 \(2003\)](#).

336. [CM/Rec\(2023\)4](#).



the [call for action](#) issued by 450 young activists and decision makers from the campaign.<sup>337</sup> A special EYF call supported almost 50 projects, uniting young people around the values of the Reykjavik Principles.

■ The CMJ continued to work on a Committee of Ministers recommendation on young people and climate action. Once adopted, the recommendation will encourage and guide member states in creating the means to ensure young people can play a meaningful role in policy and decision making on climate-related issues.

■ A new road map devised at the 2022 Turin Forum on the present and future of citizenship and human rights education, aiming to strengthen implementation of the Charter on Education for Democratic Citizenship and Human Rights Education (EDC/HRE),<sup>338</sup> was adopted by the CMJ in October 2023.

## CULTURE AND CULTURAL HERITAGE

■ As 2024 marks 70 years of the European Cultural Convention (ETS No. 18), culture and cultural heritage remain powerful vectors for consolidating European societies around the values of the Council of Europe.

■ The Steering Committee for Culture, Heritage and Landscape (CDCPP) focused its work on the implementation of the decisions of the Council of Europe Conference of Ministers of Culture (Strasbourg, 1 April 2022) and the Reykjavik Summit following the adoption of the recommendation on library legislation and policy in Europe.<sup>339</sup> The 2023 thematic session “Embracing democratic values in culturally diverse societies – The role of culture, heritage and landscape in supporting children and young people to become active and engaged citizens”, also explored ways of supporting young people’s democratic participation through culture.

■ In 2022 and 2023, the Council of Europe Free to Create programme addressed the challenges artists face in the practice of their right to freedom of artistic expression. The first report on artistic freedom in Europe, published in 2023, recommended ways that the arts, cultural authorities, organisations, artists and cultural workers could promote this important human right.<sup>340</sup> The Council of Europe’s digital exhibit “Free to Create, Create to be Free”<sup>341</sup> has continued to expand with artworks submitted by member states. In 2023, [Eurimages](#) launched the three-year Pilot Programme for Series Co-productions, a financing tool for high-quality co-productions. In parallel, work on a possible convention to facilitate the co-production of series continued, providing a legal framework for the equitable integration of various partners.

■ Cultural heritage activities, such as the conference on the Convention on Offences relating to Cultural Property (CETS No. 221, Nicosia Convention)<sup>342</sup> were organised during the Latvian Presidency of the Committee of Ministers. To encourage member states to ratify the Nicosia Convention, a brochure “The Nicosia Convention in 10 questions and answers”<sup>343</sup> was published.

■ The European Heritage Days,<sup>344</sup> a joint project of the Council of Europe and the European Union, and Europe’s largest heritage programme, continued encouraging citizens to take an active part in the protection of cultural heritage, to strengthen intercultural dialogue and to promote an open and diverse society. The [Cultural Routes of the Council of Europe](#) continued to be a direct and effective tool for promoting the Reykjavik Declaration. Backed by 40 member states with its 47 certified Cultural Routes and with over 3 500 network members, the Cultural Routes drive innovation across five pivotal fields of action: research and development, the preservation of historical heritage, fostering cultural and educational exchanges among youth, supporting contemporary cultural and artistic endeavours, and promoting sustainable cultural tourism and development.

■ Actions to promote the ratification by member states of the Council of Europe Convention on the Value of Cultural Heritage for Society (CETS No. 199, Faro Convention)<sup>345</sup> emphasised the importance of involving citizens in the definition and management of cultural heritage. The European Cultural Heritage Strategy for the 21st century<sup>346</sup> pursued an inclusive approach, involving local, regional, national and European public authorities, heritage professionals and civil society.

337. See [www.coe.int/en/web/democracy-here-now/call-for-action](http://www.coe.int/en/web/democracy-here-now/call-for-action).

338. See [www.coe.int/en/web/edc/charter-on-education-for-democratic-citizenship-and-human-rights-education](http://www.coe.int/en/web/edc/charter-on-education-for-democratic-citizenship-and-human-rights-education).

339. [CM/Rec\(2023\)3](#).

340. Available at <https://go.coe.int/GYWMc>.

341. See <https://freetocreate.art/>.

342. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=221](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=221).

343. Available at <https://rm.coe.int/the-nicosia-convention-in-10-questions-and-answers-/1680aae7f1>.

344. See [www.europeanheritagedays.com/](http://www.europeanheritagedays.com/).

345. See [www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=199](http://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=199).

346. See [www.coe.int/en/web/culture-and-heritage/strategy-21](http://www.coe.int/en/web/culture-and-heritage/strategy-21).

**[www.coe.int](http://www.coe.int)**

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.