

Manifesto

26 January 2022, Strasbourg

We, the undersigned human rights civil society organisations from across the European continent, announce the start of an international Campaign to Uphold Rights in Europe (CURE).

We share a firm belief in the founding idea of the Council of Europe (CoE) and the value therein: the Council as a guardian and promoter of a pan-European legal framework in human rights, democracy and rule of law, and as a pioneer in developing international norms and standards. In the 20th century, the organisation made substantial progress in building a united Europe based on common values, overcoming divisions and promoting cooperation. The CoE plays a unique role bringing together almost the entire European continent around shared legal norms and standards, rather than political or economic interests.

In the 21st century, the fulfilment of the CoE's statutory role of protecting human rights and fundamental freedoms, upholding the rule of law and genuine democracy for over 800 million Europeans has been increasingly challenged. This challenge can be linked to the accession of many new members to the CoE in the 1990s, but also to more recent political opposition to supranational oversight of human rights which has been growing globally.

Today, member states systematically fail to act jointly on key issues, including in addressing major human rights and rule of law violations by their peers, due to a lack of political will or prevalence of other political considerations, as well as differences and disagreements between them. Therefore, the impact of the CoE, including its Committee of Ministers (CM), on serious and systemic violations remains very limited. This negative pattern leaves victims of violations unprotected, and induces impunity and recurring violations.

Over the years, we have witnessed an explosion of the number of complaints submitted to the European Court of Human Rights (ECtHR). This explosion has been addressed by several measures aimed at increasing the efficiency of the Court as a key human rights mechanism. However, the implementation of ECtHR judgements by a number of member states remains a major problem, which undermines the entire protection system created under the European Convention on Human Rights (ECHR). The lack of commitment by states to genuinely implement ECtHR judgements and incorporate CoE bodies' recommendations also manifests itself in the disconnection between CoE decisions and the foreign policies of member states.

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The CoE suffers from a lack of resources, and many of its key bodies, including the Court and the Department for the Execution of ECtHR Judgements (DEJ), seem overburdened and understaffed. In general, the work of CoE bodies is often perceived as technocratic and lacking transparency. Visibility of the Council's activities to the European public is low, depriving it of popular support. The CoE does not effectively tap the potential of its major ally, civil society; channels for civil society engagement with the CoE remain insufficient.

In addition to these chronic problems, several crises have shaken the CoE in the last decade, undermining its credibility and putting into question its ability to effectively pursue its mission in countries with autocratic governments, such as Azerbaijan, Russia, Turkey – but also in a much larger group of member states: Bulgaria, Hungary, Italy, Malta, Poland, etc. The reaction of the CoE bodies and member states to the challenges has unfortunately been slow and inconsistent.

Is political will to do what is needed to defend human rights, the rule of law and democracy in the face of determined assaults in short supply? We want to campaign for the Council of Europe to muster that will and to fulfil its statutory role.

The Campaign sets out to provide expertise and advocate:

- for additional occasions and spaces for European civil society to contribute analysis and advice on how to better implement the ECHR and react to persistent violations of CoE norms and standards;
- on specific themes/ cases on which key ECtHR judgements are being neglected or CoE bodies' expert conclusions are not followed up by the CM and/ or the member states;
- for stronger repercussions against member states which systematically fail to abide by their CoE obligations;
- for proposals to speed up and strengthen CoE reaction to anti-democratic trends in Europe;
- on how CoE standards and monitoring findings can be better employed in regular processes of decision-making by national governments and in situations of unclear or disputed authority.

We are committed to working towards realisation of our vision that:

- the Council of Europe has become a dynamic, well-resourced, transparent organisation, well known to the European public, standing strong to promote and guarantee rights and freedoms, rule of law and democracy;
- the ECtHR works more effectively, deciding its cases without major delays, and applies the same minimal standards to all member states without exception;

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- the member states strive to genuinely implement ECtHR judgements in their laws and policies, including by strengthening national institutions and following up on the decisions and expert opinions of other CoE bodies;
- the member states take much more decisive, proactive and consistent legal and political action to address grave violations by their peers;
- effective mechanisms of rapid response to crisis situations and reprisals are in place and employed;
- the CoE can access and effectively operate in “grey zones” and conflict areas;
- the CoE has effective integrity mechanisms of protecting itself from corruption and unethical behaviour;
- civil society is embraced as an equal partner in elaborating CoE positions and decisions.

We invite concerned civil society organisations, governments, diplomats, parliamentarians, CoE officials and staff, legal professionals, experts, journalists and active citizens to support the Campaign.

The people of Europe need a strong and effective Council of Europe, capable of fulfilling its founding mission and responding to new challenges to human rights, democracy and rule of law. It is upon all concerned people, states and organisations to make this happen.

Member Organisations of the Campaign:

Bulgarian Helsinki Committee (Bulgaria)
Centre for Civil Liberties (Ukraine)
Centre for International Protection (France)
Civil Rights Defenders (Sweden)
Election Monitoring and Democracy Studies Centre (Azerbaijan)
European Implementation Network (international network, Secretariat in Strasbourg)
EU-Russia Civil Society Forum (international network, Secretariat in Berlin)
FIDH – International Federation for Human Rights (international organisation, headquarters in Paris)
Human Rights Centre “Memorial” (Russia)
International Commission of Jurists (international membership, Secretariat in Geneva)
Moscow Helsinki Group (Russia)
Netherlands Helsinki Committee (the Netherlands)
Norwegian Helsinki Committee (Norway)
Public Verdict Foundation (Russia)
YUCOM – Lawyers’ Committee on Human Rights (Serbia)

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