

CONV 688/03

NEW VERSION

CONTRIB 305

COVER NOTE

from: Secretariat

to: Convention

Subject : Declaration on a closer institutional partnership between the Council of Europe and the European Union

The Secretary-General of the Convention has received the attached contribution from:
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J. Santer, A. Severin, G. Stuart, E. Teufel, F. Timmermans, G. Vella and E. Wittbrodt.

Declaration on a reinforced institutional partnership between the Council of Europe and the European Union

“Avoiding new dividing lines in Europe”

1. The Council of Europe and the European Union share the same values and pursue common objectives aimed at building a peaceful, stable, democratic and prosperous Europe.
2. It is therefore quite natural that the main feature of the ties which have been forged between the Council of Europe and the European Community is partnership, in keeping with the Treaty on the European Communities, which recommends that the European Community establish all appropriate forms of co-operation with the Council of Europe (Article 303) and more specifically that co-operation with the Council of Europe should be fostered in the fields of education (Article 149, paragraph 3) and culture (Article 151, paragraph 3).
3. This partnership takes the form of consultation at the highest level, which has increased since 1989 owing to the “quadripartite” meetings at which the leaders of the two institutions meet. It is also reflected in the significant increase in the number of joint Council of Europe/European Commission technical assistance programmes. In this connection, attention should be drawn to the importance of the “Joint Declaration on Co-operation and Partnership between the Council of Europe and the European Commission”, dated 3 April 2001, aimed at giving fresh impetus to efforts to strengthen co-operation between the Council of Europe and the European Community.
4. Co-operation between the European Parliament and the Council of Europe Parliamentary Assembly - which is a pan-European assembly in which all European national parliaments are represented - has also increased significantly over the last few years at bureau and committee level.
5. The first to reap the benefits of the strengthening of relations between the Council of Europe and the European Union are the candidate countries for accession to the latter. Their membership of the Council of Europe is not only proof of their democratic credentials but also prepares them more effectively for accession to the European Union.

6. We think that the synergy between the enlarged European Union and the Council of Europe should be enshrined in the future constitutional treaty. This would ensure the development of a Europe in which the enlargement of the European Union would continue within a wider framework of co-operation based on the Council of Europe's standard-setting work, which links the whole of Europe through its conventions and legal instruments.

7. The Laeken Declaration of December 2001 pointed out that relations between the European Union and other European states which are its immediate neighbours are particularly important for both parties. Moreover, in December 2002, the Copenhagen European Council stated that the European Union should seize the opportunity offered by enlargement to strengthen its relations with neighbouring countries on the basis of common values. We point out emphatically that the European Union itself said that it was determined to avoid the formation of new dividing lines in Europe and to promote stability and prosperity within and beyond its new borders.

8. The Convention on the Future of Europe should, therefore, take account of the advantages offered by the Council of Europe on account of its pan-European dimension, its crucial role in building democratic institutions and its experience and achievements in the fields of human rights, the rule of law, the protection of minorities and local and regional authorities. It is a valuable and irreplaceable political forum for dialogue and co-operation at parliamentary, governmental and regional level, where all European states, irrespective of whether or not they are members of the European Union, co-operate on an equal footing.

9. The European Union, by deepening and widening its tasks since the Treaty on European Union (Maastricht 1992), is active in fields (the area of freedom, security and justice, fundamental rights and certain aspects of foreign and common security policy) in which the Council of Europe has considerable experience. In its revision of existing treaties, the Convention on the Future of Europe should therefore take account of Council of Europe bodies and activities in the formulation and implementation of European Union policies in order to avoid duplication of effort and wastage of resources.

10. We, the undersigned, ask that, under Title IX of the preliminary draft constitutional treaty, entitled “the European Union and its immediate environment”, proposing that the European Union consider the privileged relations it could have with neighbouring states, Article 303 of the Treaty on the European Communities be maintained within the future Constitutional Treaty and that its scope of application be extended to include all fields of activity falling within the remit of the European Union.

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