

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

CDDG(2016)Compendium

Strasbourg, 30 June 2016

**COMPENDIUM OF THE MOST RELEVANT COUNCIL OF EUROPE TEXTS  
IN THE AREA OF DEMOCRACY**

The "Compendium of the most relevant Council of Europe texts in the area of democracy" which follows was drawn up by the Secretariat (Directorate General of Democracy) under the supervision of the European Committee on Democracy and Governance (CDDG) in accordance with the decision taken by the Committee of Ministers at the 1224<sup>th</sup> meeting of the Ministers' Deputies (1 April 2015).

At their 1258<sup>th</sup> meeting (1 June 2016) the Ministers' Deputies took note of the Compendium and authorised the Secretariat to publish it on line.

**COMPENDIUM OF THE MOST RELEVANT COUNCIL OF EUROPE TEXTS  
IN THE AREA OF DEMOCRACY**

The Secretariat of the Council of Europe has prepared this Compendium with a view to assembling the most relevant Council of Europe texts in the area of democracy for internal programming purposes. The Council of Europe bodies are therefore the primary beneficiaries and users of this document. [However, the Compendium constitutes a very practical and handy compilation of texts that can be of interest to a wider audience. For this reason, it has been decided to make it public via the Council of Europe's website.]

The choice of texts is not meant to restrict the definition of democracy to the areas covered by them. It simply reflects the state of play as regards the texts adopted by the Council of Europe bodies in areas that fall into a shared definition of democracy.

The compilation that follows has no legal force nor authoritative status.

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## Chapter A - FUNCTIONING OF DEMOCRATIC INSTITUTIONS

### Free and fair elections

Additional Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms  
[\[Additional Protocol\]](#)

Article 3

European Charter of Local Self-Government

[\[CETS 122\]](#)

Article 3

*Committee of Ministers*

Declaration on the Code of good practice on referendums

[Decl\(27.11.2008\)E](#)

Recommendation on measures concerning media coverage of election campaigns

[CM/Rec\(2007\)15E](#)

Recommendation on legal, operational and technical standards for e-voting

[CM/Rec\(2004\)11E](#)

Declaration on the Code of good practice in electoral matters

[Decl\(13.5.2004\)E](#)

*Parliamentary Assembly*

Resolution on ensuring greater democracy in elections

[Resolution 1897 \(2012\)E](#)

Resolution on Thresholds and other features of electoral systems which have an impact on representativity of national parliaments in Council of Europe member States

[Resolution 1705 \(2010\)E](#)

*Congress*

Recommendation on criteria for standing in local and regional elections

[Rec 375 \(2015\)E](#)

*Venice Commission*

Report on the misuse of administrative resources during electoral processes

[CDL-AD\(2013\)033-E](#)

Report on electoral rules and affirmative action for national minorities' participation in decision-making process in European countries

[CDL-AD\(2005\)009-E](#)

Code of good practice in electoral matters

[CDL-AD\(2002\)023rev-E](#)

### The role of the opposition

*Parliamentary Assembly*

Resolution on procedural guidelines on the rights and responsibilities of the opposition in a democratic parliament

[Resolution 1601 \(2008\)E](#)

## Separation of powers

### *Parliamentary Assembly*

Resolution on the democratic functioning of national parliaments

[Resolution 1154\(1998\)E](#)

### *Venice Commission*

Report on the scope and lifting of parliamentary immunities

[CDL-AD\(2014\)011-E](#)

### *Consultative Council of European Judges (CCJE)*

Opinion on the position of the judiciary and its relation with the other powers of state in a modern democracy

[Opinion no.18 \(2015\)E](#)

## Independence of the judiciary

Convention for the Protection of Human Rights and Fundamental Freedoms

[\[CETS 005\]](#)

Articles 5, 6

### *Committee of Ministers*

Recommendation on the independence, efficiency and responsibility of judges

[CM/Rec\(2010\)12E](#)

### *Venice Commission*

Report on the Independence of the Judicial System:

Part I: The Independence of Judges

[CDL-AD\(2010\)004E](#)

Report on European Standards as regards the Independence of the Judicial System:

Part II - the Prosecution Service

[CDL-AD\(2010\)040E](#)

Report on Judicial appointments

[CDL-AD\(2007\)028-E](#)

### *Consultative Council of European Judges (CCJE)*

Magna Carta of Judges

[CCJE \(2010\)3E Final](#)

Opinion on standards concerning the independence of the judiciary and the irremovability of judges

[Opinion no. 1 \(2001\)E](#)

Opinion on the principles and rules governing judges' professional conduct, in particular ethics, incompatible behaviour and impartiality

[Opinion no. 3 \(2002\)E](#)

Opinion on the relations between judges and prosecutors in a democratic society

[Opinion no.12 \(2009\)E](#)

### *Consultative Council of European Prosecutors (CCPE)*

Opinion on European norms and principles concerning prosecutors

[Opinion no. 9 \(2014\)E](#)

**Vertical distribution of powers**

European Charter of Local Self-Government

[\[CETS 122\]](#)

Article 2

*Committee of Ministers*

Recommendation on capacity building at local and regional level

[CM/Rec\(2007\)12E](#)

Recommendation on local and regional public services

[CM/Rec\(2007\)4E](#)

Recommendation on the processes of reform of boundaries and/or structure of local and regional authorities

[CM/Rec\(2004\)12E](#)

*Congress*

Recommendation on the right of local authorities to be consulted by other levels of government

[Rec 328 \(2012\)E](#)

*Council of Europe Conference of Ministers responsible for Local and Regional Government - Utrecht, the Netherlands, 16 - 17 November 2009*

Council of Europe Reference Framework for Regional Democracy

Report by the Secretary General

[CM\(2010\)3E](#)

**Good governance**

Council of Europe Convention on Access to Official Documents

[\[CETS 205\]](#)

Additional Protocol to the European Charter of Local Self-government

[\[CETS 207\]](#)

*Committee of Ministers*

Recommendation on electronic democracy (e-democracy)

[CM/Rec\(2009\)1E](#)

Recommendation on the principles of good governance in sport

[CM/Rec\(2005\)8E](#)

Recommendation on electronic governance ("e-governance")

[CM/Rec\(2004\)15E](#)

Recommendation on access to official documents

[CM/Rec\(2002\)2E](#)

Recommendation on codes of conducts for public officials

[CM/Rec\(2000\)10E](#)

Resolution on the twenty guiding principles for the fight against corruption

[Resolution \(97\) 24E](#)

Recommendation on the implementation of the principle of subsidiarity

[CM/Rec R\(95\)19E](#)

Congress

Recommendation on political integrity of local and regional elected representatives

[Rec 60 \(1999\)E](#)

*Council of Europe Conference of Ministers responsible for Spatial/regional planning* - Nafplion, Greece, 14 - 15 June 2014

Nafplion Declaration: Promoting Territorial Democracy in Spatial Planning

[16CEMAT-2014-5-RES1-E](#)

*Council of Europe Conference of Ministers responsible for local and regional government* – Valencia, Spain, 15 - 16 October 2007

Valencia Declaration: Declaration on a Council of Europe Strategy for Innovation and Good Governance at Local Level

[CM\(2008\)14E](#)

Extract from the Valencia Declaration: Strategy for Innovation and Good Practice at Local Level

[\(Strategy 2007\\_EN\)](#)

## Chapter B - FREEDOM OF EXPRESSION

### Media Independence

Convention for the Protection of Human Rights and Fundamental Freedoms

[\[CETS 005\]](#)

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*Committee of Ministers*

Recommendation on public service media governance

[CM/Rec\(2012\)1E](#)

Declaration on Public Service Media Governance

[Decl\(15.02.2012\)E](#)

Recommendation on a new notion of media

[CM/Rec\(2011\)7E](#)

Declaration on the independence and functions of regulatory authorities for the broadcasting sector

[Decl\(26.03.2008\)E](#)

Recommendation on the remit of public service media in the information society

[CM/Rec\(2007\)3E](#)

Declaration on the guarantee of the independence of public service broadcasting in the member states

[Decl\(27.09.2006\)E](#)

Declaration on freedom of expression and information in the media in the context of the fight against terrorism

[Decl\(02.03.2005\)E](#)

Declaration on freedom of political debate in the media

[Decl\(12.02.2004\)E](#)

Recommendation on "Hate Speech"

[CM/Rec R\(97\)20E](#)

*Council of Europe Conference of Ministers responsible for Media and Information Society - Belgrade, Serbia, 7-8 November 2013*

Political Declaration: Freedom of Expression and Democracy in the Digital Age Opportunities, rights, responsibilities ([Declaration Belgrade 2013](#))

Resolution No 1: Internet Freedom

Resolution No 2: Preserving the essential role of media in the digital age

### Media pluralism and diversity

Convention for the Protection of Human Rights and Fundamental Freedoms

[\[CETS 005\]](#)

Article 10

*Committee of Ministers*

Recommendation on a new notion of media

[CM/Rec\(2011\)7E](#)

Declaration on the role of community media in promoting social cohesion and intercultural dialogue

[Decl\(11.02.2009\)E](#)



Recommendation on measures concerning media coverage of election campaigns  
[CM/Rec\(2007\)15E](#)

Recommendation on media pluralism and diversity of media content  
[CM/Rec\(2007\)2E](#)

Declaration on protecting the role of the media in democracy in the context of media concentration  
[Decl\(31.01.2007\)E](#)

Recommendation on measures to promote media pluralism  
[CM/Rec R\(99\)1E](#)

*Parliamentary Assembly*

Resolution on increasing transparency of media ownership  
[Resolution 2065 \(2015\)E](#)

Resolution on indicators for media in a democracy  
[Resolution 1636 \(2008\)E](#)

*Council of Europe Conference of Ministers responsible for Media and Information Society - Belgrade, Serbia, 7 - 8 November 2013*

Political Declaration: Freedom of Expression and Democracy in the Digital Age Opportunities, rights, responsibilities ([Declaration Belgrade 2013](#))

Resolution No 1: Internet Freedom

Resolution No 2: Preserving the essential role of media in the digital age

### **Safety of journalists and others performing public watchdog functions**

*Committee of Ministers*

Recommendation on the protection of whistleblowers  
[CM/Rec\(2014\)7E](#)

Declaration on the protection of journalism and safety of journalists and other media actors  
[Decl\(30.04.2014/2\)E](#)

Declaration on the protection and promotion of investigative journalism  
[Decl\(26.09.2007\)E](#)

Recommendation on the right of journalists not to disclose their sources of information  
[CM/Rec R\(2007\)7E](#)

Recommendation on the protection of journalists in situations of conflict and tensions  
[CM/Rec R\(96\)4E](#)

Guidelines on protecting freedom of expression and information in times of crisis  
[\(Guidelines\)](#)

*Parliamentary Assembly*

Resolution on mass surveillance  
[Resolution 2045 \(2015\)E](#)

Resolution on national security and access to information  
[Resolution 1954 \(2013\)E](#)

Resolution on the protection of "whistle-blowers"  
[Resolution 1729 \(2010\)E](#)

Recommendation on democratic oversight of the security sector in member states  
[Recommendation 1713 \(2005\)E](#)

*Council of Europe Conference of Ministers responsible for Media and Information Society - Belgrade, Serbia, 7 - 8 November 2013*

Political Declaration: Freedom of Expression and Democracy in the Digital Age Opportunities, rights, responsibilities ([Declaration Belgrade 2013](#))

Resolution No 3: Safety of Journalists

### **Protection of freedom of expression on the internet**

Convention for the Protection of Human Rights and Fundamental Freedoms  
[\[CETS 005\]](#)  
Article 10

*Committee of Ministers*

Recommendation on protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality

[CM/Rec\(2016\)1E](#)

Declaration on ICANN, human rights and the rule of law

[Decl\(03.06.2015\)E](#)

Declaration on the World Summit on the Information Society (WSIS) +10 review and the extension of the mandate of the Internet Governance Forum (IGF)

[Decl\(03.06.2015\)E](#)

Recommendation on the free, transboundary flow of information on the Internet

[CM/Rec\(2015\)6E](#)

Recommendation on a Guide to human rights for Internet users

[CM/Rec\(2014\)6E](#)

Declaration on Risks to Fundamental Rights stemming from Digital Tracking and other Surveillance Technologies

[Decl\(11.06.2013\)E](#)

Declaration on Internet governance principles

[Decl\(21.09.2011/2\)E](#)

Recommendation on the protection of individuals with regard to automatic processing of personal data in the context of profiling

[CM/Rec\(2010\)13E](#)

Recommendation on measures to promote the respect for freedom of expression and information with regard to Internet filters

[CM/Rec\(2008\)6E](#)

Recommendation on measures to promote the public service value of the Internet

[CM/Rec\(2007\)16E](#)

Recommendation on promoting freedom of expression and information in the new information and communications environment

[CM/Rec\(2007\)11E](#)

Declaration on human rights and rule of law in Information Society

[Decl\(13.5.2005\)\\_CM\(2005\)56E final](#)

Declaration on freedom of communication on the Internet  
[Decl\(28.05.2003/3\)E](#)

Declaration on a European policy for new information technologies  
[Decl\(07.05.99/3\)E](#)

*Parliamentary Assembly*

Resolution on the right to Internet access  
[Resolution 1987 \(2014\)E](#)

*Council of Europe Conference of Ministers responsible for Media and Information Society - Belgrade, Serbia, 7 - 8 November 2013*

Political Declaration: Freedom of Expression and Democracy in the Digital Age Opportunities, rights, responsibilities ([Declaration Belgrade 2013](#))

Resolution No 1: Internet Freedom

Resolution No 2: Preserving the essential role of media in the digital age

## Chapter C - FREEDOM OF ASSEMBLY AND FREEDOM OF ASSOCIATION

### Political Parties and trade unions

Convention for the Protection of Human Rights and Fundamental Freedoms

[\[CETS 005\]](#)

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Convention on the Participation of Foreigners in Public Life at Local Level

[\[CETS 144\]](#)

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European Social Charter (revised)

[\[CETS 163\]](#)

Articles 5, 19

*Committee of Ministers*

Recommendation on common rules against corruption in the funding of political parties and electoral campaigns

[CM/Rec\(2003\)4E](#)

*Parliamentary Assembly*

Resolution on procedural guidelines on the rights and responsibilities of the opposition in a democratic parliament

[Resolution 1601 \(2008\)E](#)

Resolution on restriction on political parties in the Council of Europe member States

[Resolution 1308 \(2002\)E](#)

Recommendation on financing political parties

[Rec 1516 \(2001\)E](#)

*Venice Commission*

Report on the method of nomination of candidates in political parties

[CDL-AD\(2015\)020-E](#)

Guidelines on political party regulation

[CDL-AD\(2010\)024-E](#)

Code of good practice in the field of political parties

[CDL-AD\(2009\)002-E](#)

Guidelines and explanatory report on legislation on political parties: some specific issues

[CDL-AD\(2004\)007rev-E](#)

Guidelines and report on the financing of political parties

[CDL-INF\(2001\)008-E](#)

Guidelines on prohibition and dissolution of political parties and analogous measures

[CDL-INF\(2000\)001-E](#)

### Enabling Civil Society

*Committee of Ministers*

Declaration on the Code of Good Practice for civil participation in the decision-making process

[Decl\(21.10.2009\)E](#)

Recommendation on the role of national youth councils in youth policy development  
[CM/Rec\(2006\)1E](#)

Recommendation on the participation of citizens in local public life  
[CM/Rec\(2001\) 19E](#)

*Venice Commission*

Joint Guidelines on Freedom of Association (OSCE/ODIHR)  
[CDL-AD\(2014\)046E](#)

OSCE/ODIHR - Venice Commission Guidelines on Freedom of Peaceful Assembly (2nd edition)  
[CDL-AD\(2010\)020E](#)

### **Ensuring legal guarantee for NGO foundation and existence**

*Committee of Ministers*

Recommendation on the principle of autonomy of sport in Europe  
[CM/Rec\(2011\)3E](#)

Recommendation on the legal status of non-governmental organisations in Europe  
[CM/Rec\(2007\)14E](#)

Recommendation on the revised European Sports Charter  
[CM/Rec R\(92\)13 REV\\_E](#)

## Chapter D - EQUALITY AND NON-DISCRIMINATION

### Equality between women and men

Convention for the Protection of Human Rights and Fundamental Freedoms

[\[CETS 005\]](#)

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*Committee of Ministers*

Recommendation on gender mainstreaming in sport

[CM/Rec\(2015\)2E](#)

Recommendation on gender equality and media

[CM/Rec\(2013\)1E](#)

Recommendation on the protection and promotion of the rights of women and girls with disabilities

[CM/Rec\(2012\)6E](#)

Recommendation on the role of women and men in conflict prevention and resolution and in peace building

[CM/Rec\(2010\)10E](#)

Declaration: Making gender equality a reality

[Decl\(12.5.2009\)\\_CM\(2009\)68E final](#)

Recommendation on the inclusion of gender differences in health policies

[CM/Rec\(2008\)1E](#)

Recommendation on gender equality standards and mechanisms

[CM/Rec\(2007\)17E](#)

Recommendation on balanced participation of women and men in political and public decision making

[CM/Rec\(2003\)3E](#)

Recommendation on the protection of women against violence

[CM/Rec\(2002\)5E](#)

Recommendation on gender mainstreaming

[CM/Rec\(98\)14E](#)

Recommendation on reconciling work and family life

[CM/Rec\(96\)5E](#)

Recommendation on the elimination of sexism from language

[CM/Rec\(90\)4E](#)

Declaration on equality of women and men

[Decl\(16.11.88\)E](#)

Recommendation on legal protection against sex discrimination

[CM/Rec\(85\)2E](#)

Recommendation on concerning women migrants

[CM/Rec\(79\)10E](#)

*7th Council of Europe Conference of Ministers responsible for Equality between Women and Men - Baku, Azerbaijan, 24-25 May 2010*

Resolution 1: "Bridging the gap between de jure and de facto equality to achieve real gender equality"

[MEG 7 \(2010\) 1 resolution](#)

**Non-discrimination**

Convention for the Protection of Human Rights and Fundamental Freedoms

[\[CETS 005\]](#)

Article 14

Protocol No 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms

[\[Protocol No 12\]](#)

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European Social Charter (revised)

[\[CETS 163\]](#)

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Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine

[\[CEST 164\]](#)

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*Committee of Ministers*

Guidelines of the Committee of Ministers to member States on the protection and promotion of Human rights in culturally diverse societies

[CM/Del/Dec\(2016\)1249/4.6-app8](#)

Recommendation on measures to combat discrimination on grounds of sexual orientation and gender identity

[CM/Rec\(2010\)5E](#)

Recommendation on the prevention of racism, xenophobia and racial intolerance in sport [CM/Rec\(2001\)6E](#)

*European Commission against Racism and Intolerance (ECRI)*

Compilation of General Policy Recommendations 1-14

[CRI\(2014\)17E](#)

## Chapter E - INCLUSIVE SOCIETIES AND DEMOCRATIC CITIZENSHIP

### Citizens' Participation

European Convention on the Participation of Foreigners in Public Life at Local Level

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European Social Charter (revised)

[\[CETS 163\]](#)

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[\[CETS 207\]](#)

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*Committee of Ministers*

Recommendation on the participation of persons with disabilities in political and public life

[CM/Rec\(2011\)14E](#)

Recommendation on the evaluation, auditing and monitoring of participation and participation policies at local and regional level

[CM/Rec\(2009\)2E](#)

Recommendation on citizenship and participation of young people in public life

[CM/Rec\(2006\)14E](#)

Recommendation on the participation of young people in local and regional life

[CM/Rec\(2004\)13E](#)

Recommendation on the participation of citizens in local public life

[CM/Rec\(2001\)19E](#)

*European Ministerial Conference on Equality between Women and Men - Istanbul, Turkey, 13 - 14 November 1997*

Declaration on equality between women and men as a fundamental criterion of democracy

[MEG-4\(1997\) 18E](#)

### Participation and representation of women

*Parliamentary Assembly*

Resolution on political parties and women's political representation

[Resolution 1898 \(2012\)E](#)

*Venice Commission*

Declaration on Women's Participation in Elections

[CDL-AD\(2006\)020E](#)

### Participation of young people

*Committee of Ministers*

Recommendation on the access of young people from disadvantaged neighbourhoods to social rights

[CM/Rec\(2015\)3E](#)

Recommendation on the participation of children and young people under the age of 18

[CM/Rec\(2012\)2E](#)



Recommendation on youth information

[CM/Rec\(2010\)8E](#)

Recommendation on youth participation and the future of civil society

[CM/Rec\(1997\)3E](#)

*Parliamentary Assembly*

Recommendation on promoting the participation by children in decisions affecting them

[Recommendation 1864 \(2009\)E](#)

Recommendation on the participation of young people in political and institutional life

[Recommendation 1019 \(1985\)E](#)

[Congress](#)

Revised European Charter on the participation of young people in local and regional life

[\(21 May 2003\)](#)

Recommendation on “Europe 2000 youth participation: the young people as citizens”

[Rec 59 \(1999\)E](#)

*Conference of ministers responsible for youth: “The future of the Council of Europe youth policy: Agenda 2020” - Kyiv, Ukraine, 10 - 11 October 2008*

Final Declaration of the 8<sup>th</sup> Council of Europe Conference of ministers responsible for youth: “The future of the Council of Europe youth policy: Agenda 2020”

[\(final declaration\)](#)

## **Participation of minorities**

European Charter for Regional or Minority Languages

[\[CETS 148\]](#)

Articles 10, 12, 13

Framework Convention for the Protection of National Minorities

[\[CETS 157\]](#)

Articles 5, 10, 14, 15

*Venice Commission*

Report on electoral rules and affirmative action for national minorities’ participation in decision-making process in European countries

[CDL-AD\(2005\)009E](#)

## **Education for democratic citizenship**

*Committee of Ministers*

Declaration: “United around our principles against violent extremism and radicalisation leading to terrorism”

[Decl\(19.5.2015\)\\_CM\(2015\)74E final](#)

Recommendation on ensuring quality education

[CM/Rec\(2012\)13E](#)

Recommendation on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education

[CM/Rec\(2010\)7E](#)

Recommendation on education for democratic citizenship

[CM/Rec\(2002\)12E](#)

Declaration and programme on education for democratic citizenship, based on the rights and responsibilities of citizens

[Decl\(07.05.99\)4E](#)

### **Integration policies: standards and mechanisms**

European Social Charter (revised)

[\[CETS 163\]](#)

Articles 19

*Committee of Ministers*

Recommendation on the access of young people from disadvantaged neighbourhoods to social rights

[CM/Rec\(2015\)3E](#)

Recommendation on ensuring full, equal and effective participation of persons with disabilities in culture, sports, tourism and leisure activities

[CM/Rec\(2013\)3E](#)

Recommendation on ensuring full inclusion of children and young persons with disabilities into society

[CM/Rec\(2013\)2E](#)

Recommendation on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education

[CM/Rec\(2010\)7E](#)

Declaration on human rights in culturally diverse societies

[Decl\(01.07.2009\)E](#)

Recommendation on life projects for unaccompanied migrant minors

[CM/Rec\(2007\)9E](#)

Declaration on Cultural diversity

[Decl\(07.12.2000\)E](#)

Recommendation on "Hate Speech"

[CM/Rec R \(97\)20E](#)

*Congress*

Recommendation on the European Revised Urban Charter II (2008):  
Manifesto for a new urbanity

[Rec 251 \(2008\)E](#)

*Venice Commission*

Joint guidelines on the legal personality of religious or belief communities

[CDL-AD\(2014\)023E](#)

Guidelines for legislative reviews of laws affecting religion or belief

[CDL-AD\(2004\)028E](#)

*European Commission against Racism and Intolerance (ECRI)*

Compilation of General Policy Recommendations 1-14

[CRI\(2014\)17E](#)