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**EUROPEAN COMMITTEE ON DEMOCRACY AND GOVERNANCE  
(CDDG)**

**NOTICEABLE RELEVANT ACTIVITIES  
OF OTHER COUNCIL OF EUROPE BODIES**

**(from April to 3 November 2022)**

The CDDG is invited to take note of the information contained herein, which can support discussions concerning other specific agenda items.

Secretariat Memorandum  
prepared by the  
Directorate General of Democracy and Human Dignity  
Democratic Governance Division

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## 1. Introduction

This document aims to update the CDDG on noticeable recent Council of Europe activity or developments of particular relevance for the Committee's own work and information, since the 15<sup>th</sup> meeting in April 2022. Note for the French speakers: in principle the links lead to pages where a French version of the information can be accessed.

## 2. Secretary General of the Council of Europe

- April 2022: publication of the [annual report of the Secretary General entitled "Moving forward"](#). The 12 chapters cover the implementation of the European Convention on Human Rights; Freedom of expression; the fight against social inequalities and poverty, inequality, racism, xenophobia; non-discrimination; independent, efficient and resilient judicial systems; the fight against corruption, money laundering and cybercrime; the fights against human trafficking; artificial intelligence; environmental degradation and climate change; civil society; education for democratic citizenship and youth.
- April-November 2022: various statements of the Secretary General condemning the Russian Federation's war in Ukraine, including a joint statement with Ireland's Minister for Foreign Affairs and Chair of the Council of Europe's Committee of Ministers and the President of the Parliamentary Assembly, [condemning the illegal annexation of occupied territories in Ukraine](#) (30 September).

## 3. Committee of Ministers

- 5 October 2022: publication of a [report on the future of the Council of Europe](#) by a High-Level Reflection Group chaired by Ireland's former President Mary Robinson. Among the immediate follow-up actions considered, discussions are going on in the Committee of Ministers on a possible fourth summit of heads of State and government to be held in May 2023 in Helsinki. See item 3 of the CCDG agenda of the 16<sup>th</sup> meeting and document CDDG(2022)9 for further information.
- 8 September: the Committee of Ministers has agreed to hold regular exchanges with representatives of Belarusian democratic opposition forces and that a "Contact group" be set up within the Council of Europe.
- May-November 2022: Ireland took over the presidency of the Committee of Ministers, and as from 9 November 2022 (until May 2023), Iceland has the presidency. [Link](#) to the webpage of the current and previous presidencies, priorities and programmes.

### **Requests for CDDG comments to recommendations of the Assembly and Congress, and follow-up given with references to the CDDG**

On 7 September, the Committee of Ministers adopted a [reply to Assembly Recommendation 2212 \(2021\)](#) "More participatory democracy to tackle climate change"

On 14 September, the Committee of Ministers adopted a [reply to Assembly Recommendation 2232\(2022\)](#) "Safeguarding and promoting genuine democracy in Europe"

On 27 September, the Committee of Ministers adopted a [reply to Congress Recommendation 472 \(2022\)](#) "Beyond elections: the use of deliberative methods in European municipalities and regions"

### **Selected recommendations to member States and other texts adopted in the reference period**

- Recommendation [CM/Rec\(2022\)20](#) on human rights and the protection of the environment
- Recommendation [CM/Rec\(2022\)18](#) on countering education fraud
- Recommendation [CM/Rec\(2022\)16](#) on combating hate speech
- Recommendation [CM/Rec\(2022\)13](#) on the impacts of digital technologies on freedom of expression
- Recommendation [CM/Rec\(2022\)12](#) on electoral communication and media coverage of election campaigns
- Recommendation [CM/Rec\(2022\)10](#) on multilevel policies and governance for intercultural integration

## **4. Parliamentary Assembly of the Council of Europe (PACE)**

In the reference period, the Assembly adopted *inter alia* the following texts:

- Report, Rec 2232 and Res 2437 "[Safeguarding and promoting genuine democracy in Europe](#)" (April 2022). The recommendation calls for new ways of optimising and intensifying Council of Europe activities in the area of democracy and democratic governance so as to increase their impact and consistency; to set up a permanent platform on democracy; to consider setting up an early warning mechanism within the Council of Europe to prevent or address worrying developments with regard to compliance with democratic standards and practices in member States; to consider establishing increased co-operation with other international organisations which share the Council of Europe's values and which play an active role in strengthening democratic resilience.<sup>1</sup>

<sup>1</sup> The Committee of Ministers solicited comments from the CDDG to prepare a response to this recommendation; these comments were approved by written procedure

- Report, Rec 2235 and Res 2444 "[Recent challenges to security in Europe: what role for the Council of Europe?](#)" (June 2022) – the recommendation invites the Committee of Ministers to: set up a democratic resilience initiative that will monitor democratic developments in member States; enhance the exchange of best practice in all areas relating to democracy and democratic governance; establish a mechanism to monitor developments in Council of Europe member States related to civil society, freedom of association and civil participation and engagement; consider strengthening and expanding the Council of Europe's activities relating to confidence-building measures and conflict prevention, including in their civil-society and cross-border co-operation dimensions; convene a 4th Summit of Heads of State and Government of the Council of Europe, which would address, inter alia, the promotion of democratic security, how to counter the backsliding of democracy, ways to rejuvenate democracy and spur citizen engagement and the setting up of a Council of Europe early warning mechanism to address threats to the rule of law, democratic standards and human rights protection.<sup>2</sup>
- A variety of reports/resolutions/recommendation on public governance and related issues such as Report, Rec 2230 and Res 2435 "[Fighting and preventing excessive and unjustified use of force by law-enforcement officers](#)" (April 2022); Report and Res 2448 "[Humanitarian consequences and internal and external displacement in connection with the aggression of the Russian Federation against Ukraine](#)" (June 2022); Report and Res 2454 "[The control of online communication: a threat to media pluralism, freedom of information and human dignity](#)"; Report and Res 2443 "[The role of political parties in fostering diversity and inclusion: a new Charter for a non-racist society](#)" (June 2022); Report and Res 2445 "[The continuing need to restore human rights and the rule of law in the North Caucasus region](#)" (June 2022); Report and Res 2462 "[Pushbacks on land and sea: illegal measures of migration management](#)" (October 2022); Report and Res 2458 "[Misuse of the Schengen Information system by Council of Europe member States as a politically-motivated sanction](#)" (October 2022)
- Various reports on the honouring of their obligations and commitments by member States (Georgia, Hungary, Malta, Romania, Türkiye)

An overview of reports and work under PACE's monitoring work, especially as concerns reforms and the functioning of democratic institutions is provided on [this webpage](#). Reports currently under preparation include, as far as the Committee on political affairs and democracy is concerned: "Assessing the functioning of the partnership for democracy"; "Strengthening the role of the Council of Europe as a cornerstone of the European political architecture"; "Relationship between the parliamentary majority and the opposition in a

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<sup>2</sup> See footnote above

democracy"; "Call for a national political reform process in Belarus"; "The challenge of far-right ideology to democracy and human rights in Europe"; "Political consequences of the Russian Federation's aggression against Ukraine"; "Protecting the pillars of democracy during health crises". [Link to the full list](#) of reports under preparation, also by other committees of the Assembly.

## 5. Congress of Local and Regional Authorities

- 1 June: President of the Congress of Local and Regional Authorities, M. Leendert Verbeek has marked the 10th anniversary of the entry into force of the Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority by [urging](#) States that have not yet done so to sign and ratify the instrument.
- On International Day of Democracy (15 September), the Congress President issued a [statement](#) calling for strengthening democratic resilience on the European continent.

At its 43<sup>rd</sup> session (25-27 October), the Congress elected its new Secretary General (Mr Mathieu Mori, France) to head the secretariat services of the Congress, and it adopted *inter alia* (see [link](#) for the full list):

- a report "Towards a green reading of the European Charter of Local Self-Government"; Resolution 489(2022); Recommendation 484(2022). In the latter, the Congress:
  - calls on the Committee of Ministers to invite the respective national authorities of the member States of the Council of Europe to adopt a "green" approach towards reading and implementing the Charter under the angle of environmental protection; to increase efforts to engage local and regional authorities in environmental decision making; to improve awareness raising on the need to integrate climate change measures into their local policies; to take all appropriate measures to support subnational authorities in implementing their obligations stemming from multi-lateral environmental agreements; to sign and ratify the Additional Protocol on the right to participate in the affairs of a local authority;
  - **"invites the Committee of Ministers to ask the European Committee on Democracy and Governance (CDDG) and/or another appropriate body of the Council of Europe to draw up, in consultation with the Congress, an additional protocol to the Charter** [underlined by the Secretariat] *that would seek to enhance the right and capacities of subnational authorities to respond effectively to the environmental challenges and to this end, in particular, legally acknowledge their right to be duly consulted and participate in environmental decision making."*

- a report on “Smart cities and regions – prospects for a human rights-based governance approach”; Resolution 486 (2022); Recommendation 480 (2022)
- a report on “Hate speech and fake news: the impact on working conditions of local and regional elected representatives”; Resolution 485 (2022); Recommendation 478 (2022)
- various monitoring reports regarding the implementation of the European Charter of Local Self-Government (Belgium, Czech Republic, Denmark, Sweden) and the way local elections have taken place (Albania, Serbia, Sweden).

## 6. European Court of Human Rights

- The selection of key cases for the first and second quarter of 2022 was released in August 2022 – see also [full list](#) of periodic selections.
- New or updated factsheets on case-law were released in the reporting period, including on [Political parties and associations](#), the [COVID-19 health crisis](#), the [Independence of the justice system](#), [New technologies](#), [mass surveillance](#), [Protection of journalistic sources](#), [gender equality](#) (discrimination, violence against women), [protection of personal data](#) – see [full list](#) of factsheets.
- [Case law guides](#) were updated in the reporting period, including those on data protection, environment, mass protests, right to a fair trial (civil and criminal limb), freedom of assembly and association, right to free elections, prohibition of discrimination, derogation in time of emergency.

## 7. European Commission for Democracy through Law (Venice Commission)

Among the various [legal opinions and studies](#) released on specific issues in individual requesting countries included one concerning the Republic of Moldova (Opinion 1090/2022 concluding that a measure banning the display of symbols used by Russia’s army during its aggression against Ukraine “respects the requirements of legality, legitimacy and proportionality.” Apart from support to Council of Europe election observation missions in various countries and various cooperation activity events, the following relevant developments can be highlighted:

- Organisation of an [international round table “Civil society: empowerment and accountability”](#) (Strasbourg, 13 September 2022) under the Irish Presidency
- 19th European Conference of Electoral Management Bodies [“Artificial Intelligence and Electoral Integrity”](#) (14-15 November)
- Digital transformation of public administration- 16<sup>th</sup> UniDem Med seminar (23-24 November)

## 8. Group of States against Corruption (GRECO)

In the reference period, GRECO published further country evaluation reports and compliance reports (which assess follow-up action in response to an earlier evaluation):

- Criminalisation of corruption; transparency of political financing: see [table](#)
- Integrity / corruption concerning members of parliament, judges and prosecutors: see [table](#)
- Integrity / corruption of top executive (central government) functions and law enforcement authorities: see [table](#)
- Ad hoc reports concerning areas of particular concern: see [here](#)

## 9. Justice systems (CEPEJ, CCJE, CCPE)

- 5-6 May 2022: the **Consultative Council of European Prosecutors** held its [annual conference](#) on the Public Prosecutor's independence and accountability in the context of protecting individual rights and other issues.
- 20 May 2022: the **Consultative Council of European Judges** [announced](#) the preparation of a new opinion on freedom of expression of judges.
- 5 October 2022: The Commission for the efficiency of justice (CEPEJ) published its [new biennial Evaluation Report on European judicial systems](#) ([link](#) to all CEPEJ news)

## 10. Conference of International Non-Governmental Organisations (CINGO)

- In May, a practical guide "Working with the Council of Europe – a practical guide for civil society" was published on the new Council of Europe [homepage for civil society](#) organisations was set-up to strengthen interactions
- In June, the on-line [BePart Civil Participation Forum](#) became operational as a living tool to showcase good practice examples, from civil society and governments, regarding civil participation.
- 7 September: a new awareness raising video "Civil society: sustaining Democracy" was [released](#).

## 11. Elections and civil participation

- At the initiative of the Division of Elections and Participatory Democracy, and in cooperation with the various Council of Europe bodies dealing with election law, monitoring of elections, cooperation activities in those fields etc., a new [dedicated website](#) was created to compile these various resources and to facilitate access of stakeholders to all pertinent information regarding elections.

## 12. World Forum for Democracy (WFD)

The 10<sup>th</sup> edition of the World Forum for Democracy was held on 7-9 November 2022: ["Democracy: A New Hope?"](#)

## 12. Other developments

**Artificial Intelligence:** The [Committee on Artificial Intelligence](#) held its second meeting on 21-23 September at which it examined a preliminary draft convention and decided to create a working group to deal with further drafting work.

**Commissioner for Human Rights:** recent reports on individual countries pointing to desirable reforms in a variety of areas including the functioning of public institutions can be found here: <https://www.coe.int/en/web/commissioner/news> . On 14 October, the Commissioner issued a public [statement](#) calling on "all member states to address poverty systematically and comprehensively, including by pursuing fiscal policies that are firmly based on human rights".

### Treaties under the responsibility of the CDDG, situation as on 3 November 2022<sup>3</sup>:

Treaty (number in the Council of Europe European treaties series)	Changes
European Outline Convention on Transfrontier Cooperation between Territorial Communities or Authorities (106)	None (39 ratifications)
European Charter of Local Self-Government (122)	all countries have already ratified it
Convention on the Participation of Foreigners in Public Life at Local Level (144)	None (9 ratifications)
Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (159)	None (24 ratifications)
Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation (169)	None (23 ratifications)
Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) (206)	None (7 ratifications)
Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (207)	Ratification by Portugal (16/09/22) (21 ratifications)

<sup>3</sup> See [https://search.coe.int/cm/Pages/result\\_details.aspx?Reference=CM\(2021\)132](https://search.coe.int/cm/Pages/result_details.aspx?Reference=CM(2021)132) . For the full list, including the text and information on the status of signature and ratification: <https://www.coe.int/en/web/conventions/full-list>