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## **“Europe in a time of unrest and upheaval – strong values and a future-proof Council of Europe”**

### **The Danish Chairmanship of the Committee of Ministers of the Council of Europe (November 2017 to May 2018)**

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The Council of Europe was created as a direct consequence of the European catastrophe during World War II, and for almost 70 years Denmark has been closely involved in supporting, strengthening and promoting the work and development of the organisation. The Council of Europe has played a vital part in Europe’s democratic development and the protection of human rights in Europe. This is a heritage the Danish chairmanship will protect and carry on.

Democracy, the rule of law and the respect for human rights are deeply rooted in the Danish population and are fundamental principles of the Danish Constitution. Therefore, it was only natural for Denmark to be among the first countries to sign the European Convention on Human Rights in 1950. Since then, Denmark has worked through the Council of Europe to secure its citizens’ right to freedom from oppression and compulsion. We have been strong and committed defenders of the fundamental freedoms, including freedom of expression, equality, freedom of assembly and freedom of religion or belief. We will continue to be so.

When Denmark takes over the chairmanship of the Committee of Ministers of the Council of Europe on 15 November 2017, it will be more than 20 years since Denmark was last entrusted with this important role. The world has undergone extensive change during those 20 years. Europe and the Council of Europe look different today, and the number of members of the Council of Europe has increased substantially so that it now encompasses 47 European countries. Furthermore, a number of non-member states have signed conventions and other legal instruments of the Council of Europe. This is a welcome development that testifies to the importance of the Council of Europe and the strength of European values.

But it is a transformational moment for Europe. Challenges such as migration, extremism, terrorism and organised crime have created insecurity and fear. Fundamental European values are under pressure, from inside as well as from outside. We must address these challenges openly and in an honest dialogue with each other.

The Council of Europe plays a very special role as a platform for dialogue between European countries. To uphold this role we need a Council of Europe that is aware of the current challenges and assists in making the changes that are necessary to preserve and protect the fundamental values on which the Council of Europe is built. We must stand firm on our values and refute populism and simplistic solutions, but at the same time, we must dare to tackle real problems and be ready to implement the necessary reforms. This is decisive in maintaining a strong and relevant organisation in the future too.

The Danish chairmanship will support the Council of Europe in continuing to be an organisation with strong political values and clear legal standards that defends and protects human rights, democracy, gender equality and the rule of law. The question is how best to fulfil this ambition? The answer involves governments, national parliaments, regional and local authorities, civil society and the private sector.



Democracy based on the rule of law and with respect for human rights must not and cannot be taken for granted. Nor is it a static concept. It develops continuously and adapts to the times and changing circumstances. This is why the main priority of the Danish chairmanship is to maintain a strong human rights system that is also focused and balanced. It is necessary to continue the current reform process if the system is to remain effective and if we are to retain broad support for its work and role as guardian of human rights in Europe.

A strengthened dialogue between the member States, national courts and the European Court of Human Rights on the interpretation of the Convention, including the use of the principle of subsidiarity and the margin of appreciation, will make the Court stronger in the longer term. A key objective for the Danish chairmanship is to find new ways to jointly ensure such a strengthened dialogue on developments in the Court's jurisprudence; a dialogue in which civil society should also play a key role. Our goal is a system that has both the necessary impact and understanding of local needs and conditions.

The Danish chairmanship believes this to be the best way of maintaining a relevant and strong organisation that is a central pillar in European countries' cooperation on important issues. In this context, Denmark has whole-heartedly supported the Secretary General's efforts to reform the organisation of the Council of Europe.

When it comes to human rights, equality – both between women and men and equal opportunities regardless of sexual orientation or gender identity is a prerequisite for the full enjoyment of freedom and equal opportunities. Equality between women and men is a prerequisite for a well-functioning democracy, growth and prosperity. Human rights also apply to persons with disabilities; there is a need here to change prejudices and stereotypes, thus providing better opportunities for persons with disabilities to take part in society. Equal rights and opportunities will be focal points for the Danish chairmanship.

The Council of Europe must continue to combat torture – also on the European continent where regrettably torture is still used in some areas. Sharing good national examples and practices is one of the means of achieving this objective. Therefore, the Danish chairmanship will take charge to make sure that the fight against torture is strengthened.

The rooting of democratic values in our societies and the teaching of democratic principles are two of the keys to countering challenges posed by radicalisation and extremism. Therefore, the Danish chairmanship will also focus on the involvement of children and young people in democracy with the long-term objective of shaping future, democratic citizens.

In order to protect our values and strengthen and develop the important work of the Council of Europe, while at the same time ensuring an effective and relevant organisation, the Danish chairmanship will therefore focus particularly on five themes that can be gathered under the following headings: 1) The European human rights system in a future Europe, 2) Equal opportunities, 3) Involvement of children and young people in democracy, 4) Changing attitudes and prejudices about persons with disabilities and 5) Combating torture.

In addition to this, the Danish chairmanship will support the day-to-day work with the many other important causes on the agenda of the Council of Europe.



## 1. The European human rights system in a future Europe

Denmark is and has always been a strong supporter of the European human rights system. During the Danish chairmanship it will be an important priority to ensure that the system, also in the future, is effective and relevant maintaining its vital role in Europe.

The current reform process builds on the results of the High-Level Conferences in Interlaken (2010), Izmir (2011), Brighton (2012) and Brussels (2015) on the future of the European Court of Human Rights. Although the current reform process has led to notable improvements, the Convention system is still facing considerable challenges. The significant backlog of cases has been a serious impediment to the Court's functionality and authority for a long time. The same is true of the lack of enforcement and implementation of judgments, many of which deal with serious systemic and structural problems in the member States that should be addressed.

Before the end of 2019, the Committee of Ministers must decide whether the measures adopted in the reform process so far have proven to be sufficient to assure the sustainable functioning of the control mechanism of the Convention or whether more profound changes are necessary. Approaching this deadline, the Danish chairmanship wishes to ensure that the reforms already adopted are implemented, including though the ratification of Protocol No. 15 to the Convention by all member States, and launch a renewed discussion on the future work of reforming the Convention system beyond 2019.

It will be a priority for the Danish chairmanship to shed light on how we handle the challenge resulting from the fact that the European Court of Human Rights, through its judgments, increasingly has influence on policy areas of critical importance to member states and their populations. It must be ensured that there is a sufficient ongoing dialogue, including at policy level, on the development of human rights. This includes *inter alia* questions such as the scope of the dynamic interpretation of the Convention and the need to take into account the principle of subsidiarity and its functional tool, the margin of appreciation.

It is the view of the Danish chairmanship that enhanced communication and dialogue between the central players, which must take place with respect for the Court's role and independence will strengthen the authority and effectiveness of the Convention system. It is our belief that enhanced communication will ensure a better mutual understanding between the member States and the Court. This will ultimately lead to better decisions and increase support and ownership of the Convention system.

To support such renewed discussion, Denmark will host a High-Level Expert Conference in Kokkedal near Copenhagen on 22–24 November 2017. The Conference will be entitled: "2019 and Beyond – Taking Stock and Moving Forward from the Interlaken Process".

Among the main questions to be discussed at the conference are: 1) To what extent have the objectives defined in the Interlaken Process been achieved? 2) What will it take for us to carry out our vision of a Court of Human Rights that is able to concentrate on serious and widespread violations, systemic and structural problems and on important issues concerning the interpretation and application of the Convention? 3) Should we consider new ideas to meet the challenges, which the Convention system will likely face in the future? 4) How can we ensure strong and long-term support for and ownership of the Convention system at a time where populations and decision-makers are increasingly questioning the authority of the Convention system?



Based on the Expert Conference, and subsequent dialogue with stakeholders, the Danish chairmanship will hold a meeting of ministers in Denmark in April 2018 hosted by the Minister of Justice. The purpose will be to adopt a political declaration that takes stock of the current reform process, proposes new measures to strengthen the Convention system, and provides guidance for further reform work.

## **2. Equal opportunities**

Gender equality is fundamental to a democracy and a precondition for the freedom and opportunities of the individual. This applies in education and training, in the labour market, in the political debate and in society in general. Equal opportunities for women and men are a vital starting point for people to develop their talents and use their abilities. Gender equality contributes to growth, welfare and social cohesion.

The Danish chairmanship will work to strengthen the gender equality work in the Council of Europe, including by focusing on how to involve more men in promoting gender equality. The Danish chairmanship will also host an international conference on gender equality in Copenhagen in May 2018 where the Council of Europe's new Gender Equality Strategy will be launched.

The Danish chairmanship will work to ensure that people in Europe live in societies with freedom for the individual and where everyone is treated equally –regardless of gender, sexual orientation or gender identity. That is why the chairmanship will also focus on the fundamental right to choose your partner and be open about your sexual orientation and gender identity. In partnership with the Council of Europe's Parliamentary Assembly, a conference will be held regarding private and family life of LGBTI persons, including opportunities for marriage, adoption, etc.

## **3. Involvement of children and young people in democracy**

The rooting of democratic values in our societies and the teaching of democratic principles are two key factors in countering the challenges posed by radicalisation and extremism. Therefore, the Danish chairmanship will also focus on the involvement of children and young people in democracy with the long-term objective of shaping future, democratic citizens.

The education of democratic citizens and the creation of inclusive communities is an important way to combat radicalisation, extremism and propaganda, which unfortunately exist in many European societies today. The Danish chairmanship wishes to contribute to the continued efforts to develop children and young people's democratic competencies through their active participation on a local as well as a regional level.

In this connection, the educational system is essential. Schools particularly play an important part in shaping future, democratic citizens and creating communities that increase learning, promote equality, reduce the extent of bullying and protect children and young people against negative influences in extremist environments.

Democratic values are encouraged by acknowledging children and young people as active citizens with a right to influence their own lives, through broadly based association activities in inclusive communities and by developing democratic competencies through both formal and informal training and education.



The Danish chairmanship will hold a seminar in Copenhagen in April 2018, entitled “Democratic culture – carrying words into action”. The Council of Europe’s “Reference Framework of Competences for Democratic Culture” will be the structure for the seminar, partly by inspiring children and young people’s development of the competency “critical thinking” and partly by creating a framework for the Council of Europe’s launch of a new network for the member States, whose task will be to work on implementing the reference framework at national level. The seminar will thus contribute to children and young people’s development of democratic competences. This concerns the formal educational system, informal activities that contribute to experience with active citizenship, cooperation with local players and civil society organisations as well as digital citizenship.

#### **4. Changing attitudes and prejudices about persons with disabilities**

An important part of the equality work and of ensuring human rights is to dispose of prejudice and negative attitudes. This applies especially in relation to persons with disabilities. Less prejudice and more knowledge of their rights will mean that persons with disabilities get better living conditions and opportunities to realise their dreams. At the same time, society will benefit from the resources of persons with disabilities.

The Danish chairmanship wishes to strengthen cooperation between member states on the human rights work in the disability field, focusing on changing attitudes. The objective is for persons with disabilities to, in practice, enjoy their human rights. This will be done through on the Council of Europe Disability Strategy ”Human Rights – A reality for all”. The cooperation will include exchange of experience, knowledge, methods and new approaches to changing attitudes.

The Danish chairmanship will host a working seminar in Copenhagen in December 2017. At the seminar, representatives of the member States, civil society organisations and experts will focus intensively on the work in individual member States with regard to changing attitudes and raising awareness of human rights in the disability field. The objective is to launch initiatives in the individual member States with a view to creating progress in terms of development and implementation. This will take place through the exchange of experience, specific cases, dialogue and input from experts.

In addition, the Danish chairmanship will focus on combating violence and abuse against persons with disabilities, especially girls and women with disabilities. Among other things, this will be done in connection with the International Day for the Elimination of Violence against Women, on 25 November 2017, where the chairmanship will raise awareness of the prevention of violence and abuse against girls with disabilities.

#### **5. Combating torture**

Torture and other inhuman and degrading treatment or punishment constitute egregious abuse of the individual and are serious crimes condemned by all member States of the Council of Europe on several occasions. All member States have committed themselves to combating torture. There is still much that needs to be done, given that these violations continue in some areas of Europe.

In cooperation with civil society and with support from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Danish chairmanship will focus on the fight against torture in Europe. Among other things, this



focus will be in the form of a seminar in Copenhagen in March 2018, the general theme of which will be combating torture in the early stages of police custody and pre-trial detention.

The Danish chairmanship wishes to focus on these particular stages as international studies show that this is when torture is most often committed. All the member states of the Council of Europe have committed themselves to preventing torture and the seminar will be held in this spirit. Consequently, focus will be on emphasising and sharing good national examples and practice – and on an open dialogue about the challenges that might stand in the way of our joint commitment.



## Calendar of activities during the Danish chairmanship

- 1. Handing over of the chairmanship from the Czech Republic to Denmark**  
*Place: Strasbourg, 15 November 2017*  
*Responsible Danish Authority: The Danish Ministry of Foreign Affairs*
- 2. International conference of experts on the European human rights system in the future Europe**  
*Place: Kokkedal, 22–24 November 2017*  
*Responsible Danish Authority: The Danish Ministry of Justice*
- 3. Meeting of the standing committee of the Council of Europe Parliamentary Assembly**  
*Place: Copenhagen, the Danish Parliament, 24 November 2017*  
*Responsible Danish Authority: The Danish Parliament*
- 4. Working seminar – changing attitudes and prejudice about persons with disabilities**  
*Place: Copenhagen, 13-14 December 2017*  
*Responsible Danish Authority: The Danish Ministry for Children and Social Affairs*
- 5. First 2018 Session of the Council of Europe Parliamentary Assembly**  
*Place: Strasbourg, 22–26 January 2018*  
*Responsible Danish Authority: The Danish Parliament*
- 6. Barbershop Conference – discussion of gender equality among the ambassadors of the Ministers' Deputies**  
*Place: Strasbourg, January 2018*  
*Responsible Danish Authority: The Danish Ministry of Foreign Affairs*
- 7. Conference – combating torture**  
*Place: Copenhagen, 22-23 March 2018*  
*Responsible Danish Authority: The Danish Ministry of Foreign Affairs*
- 8. Conference on the private and family life of LGBTI persons**  
*Place: Copenhagen, 2 March 2018*  
*Responsible Danish Authority: The Danish Parliament and the Danish Ministry of Foreign Affairs*
- 10. 35<sup>th</sup> Session of the Congress of Local and Regional Authorities**  
*Place: Strasbourg, 26–28 March 2018*  
*Responsible Danish Authority: Local Government Denmark and Danish Regions*
- 11. Meeting of ministers of justice on the European human rights system in the future Europe**  
*Place: Denmark, 12–13 April 2018*  
*Responsible Danish Authority: The Danish Ministry of Justice*
- 12. Seminar “Democratic culture – from words to action”**  
*Place: Copenhagen, 23–24 April 2018*  
*Responsible Danish Authority: The Danish Ministry of Education, the Danish Ministry of Justice and the Danish Ministry of Immigration and Integration*



**13. Second 2018 Session of the Council of Europe Parliamentary Assembly**

*Place: Strasbourg, 23–27 April 2018*

*Responsible Danish Authority: The Danish Parliament*

**14. International gender equality conference – launch of the new Council of Europe  
Gender Equality Strategy**

*Place: Copenhagen, 3–4 May 2018*

*Responsible Danish Authority: The Danish Ministry of Foreign Affairs*

**15. 128<sup>th</sup> Session of the Council of Europe**

*Place: Elsinore, 17–18 May 2018*

*Responsible Danish Authority: The Danish Ministry of Foreign Affairs*