Origin and development of the Council of Europe

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The idea of convening a European assembly first arose at the **Congress of Europe**, held in The Hague on 10 May 1948 by the *International Committee of the Movements for European Unity*. The Congress closed with the participants adopting a political resolution calling for the convening of a European assembly, the drafting of a charter of human rights and the setting up of a court responsible for ensuring compliance with that charter.

In July 1948, the French Government took up the idea launched at the Hague Congress and proposed the establishment of a European assembly. But the British Government was doubtful and called for more detailed information on how exactly such an assembly was to be convened. In order to clarify the matter, the *International Committee of the Movements for European Unity* drew up specific proposals and, on 18 August 1948, presented them to the governments concerned in the form of a memorandum.

The French Government approved the proposals set out in the August 1948 memorandum and, supported by the Belgian Government, referred the plan to the Standing Committee of the Treaty of Brussels on 2 September 1948. Consequently, France and Belgium submitted proposals to the other signatory states to the Treaty of Brussels (Luxembourg, the Netherlands and the United Kingdom) for the setting up of a European assembly which would have a consultative role and be responsible for representing the views of the European public. The assembly would consist of representatives appointed by the various national parliaments and would adopt resolutions by a majority of votes cast.

However, the British rejected the idea of an international institution whose members were not appointed by their governments. They envisaged the establishment of a ministerial committee whose composition would vary according to the issues to be addressed and which would be accompanied by parliamentary delegations and other experts.

On 26 October 1948, in order to reconcile both positions, the Consultative Council of the Brussels Treaty Powers decided to establish a *Committee for the Study of European Unity* which, chaired by Edouard Herriot, met in Paris from November 1948 to January 1949. On 15 December 1948, the Committee entrusted the task to a sub-committee which then submitted a draft constituent text for a European Union. On 18 January 1949, however, the British Government, which was still lukewarm about the plan, submitted a new proposal. No agreement had been reached when the Committee's work came to an end two days later.

Finally, on 27 and 28 January 1949, the Foreign Ministers of the five Brussels Treaty countries reached a compromise at a meeting of the Consultative Council of the Brussels Treaty Powers. This consisted in the setting up of a ministerial committee endowed with the power to take decisions and of a consultative assembly whose members were to be appointed in accordance with their own government's procedures, as had been requested by the United Kingdom.

The five Powers then invited Ireland, Italy, Denmark, Norway and Sweden to attend the Conference on the establishment of a Council of Europe, held at St James's Palace in London from 3 to 5 May 1949. Following its signature on 5 May, the organisation's Statute entered into force on 3 August 1949, the date on which Luxembourg deposited the seventh instrument of ratification with the British Government.

The Hague Congress' request, in May 1948, that a **charter of human rights** be drawn up and that a **court of justice** be set up to be responsible for ensuring compliance with that charter, came to fruition in Rome on 4 November 1950 when 12 Council of Europe member states, together with the Government of the Saar, an associate member, signed the *Convention for the Protection of Human Rights and Fundamental Freedoms* (European Convention on Human Rights — ECHR). The ECHR entered into force on 3 September 1953, the date on which Luxembourg deposited the tenth instrument of ratification with the Council of Europe's Secretary General.

Starting with the adoption of the ECHR, the Council of Europe's great achievements clearly consist in the drawing up of a whole series of international treaties, with particular regard to the protection of human

rights, which ratifying states are then obliged to respect. This is why the Council of Europe may be defined as an **organisation for conciliation based on cooperation on standards**. The ratification of European agreements by Council of Europe member states leads to the harmonisation of their legal systems.

After 40 years of being overshadowed by the European Community's success in evolving into the European Union, the 1990s heralded new opportunities whereby the Council of Europe might capitalise on its potential as the **cooperation-based organisation for Greater Europe**.

Following the fall of the Berlin wall on 9 November 1989, the organisation became the most appropriate structure for monitoring the democratisation of the countries of Central and Eastern Europe that had emerged in the post-Communist era. Since 1989, the Council of Europe has initiated specific legal cooperation programmes aimed at assisting the transition of applicant states to democracy. This involved assisting states in bringing their institutional, legislative and administrative structures into line with European democratic standards. On 9 October 1993, in Vienna, this new policy of openness towards Central and Eastern Europe was formally announced by the Heads of State and Government of the member states at the organisation's **First Summit**.

Between 1989 and 1996, the organisation increased from 23 to 40 members. At the Council of Europe's **Second Summit**, held in Strasbourg on 10 and 11 October 1997, the Heads of State and Government adopted an Action Plan for the enlarged, 40-member organisation aimed at extending its spheres of activity and adapting its structures and procedures accordingly.

In 2004, the Council of Europe's 45 member states agreed to hold the organisation's **Third Summit** in Warsaw on 16 and 17 May 2005. In 2007, the Council of Europe now has 47 member states.