



# The Council of Europe II: Mechanisms for Defending Democracy, Human Rights and the Rule of Law

## Description

### 1. The European Convention and its Judicial Guardian: An Architecture for the Protection of Human Rights

The European Convention on Human Rights (ECHR) forms the legal framework through which the Council of Europe's fundamental principles are articulated. Far from being a mere declaration of intent, it is a binding treaty whose implementation is monitored by the European Court of Human Rights (ECtHR), based in Strasbourg.

This institutional arrangement grants the ECtHR the authority to determine whether a member state has violated any of the rights enshrined in the Convention. Uniquely, the system allows individuals, not just states, to bring complaints before the Court, provided all domestic legal remedies have been exhausted. ECtHR rulings are binding and have compelled numerous countries to reform legislation, adjust legal procedures, and compensate victims of human rights violations. The dynamic between the Convention and the Court thus constitutes a supranational model without precedent, ensuring direct access to European justice.

### 2. Safeguarding Democracy: Monitoring, Legal Advice, and Institutional Renewal

The Council of Europe plays a critical role in monitoring the health of democracy through election observation missions, regular reports, and legal advisory services. Of particular importance is the Venice Commission, an expert advisory body that supports states in matters related to electoral legislation, constitutional reform, and legal frameworks, to preserve institutional integrity.

Following the Reykjavik Summit (2023), the Council strengthened this area of work with the creation of the Steering Committee on Democracy (CDDEM), a new institutional space dedicated to consolidating democratic standards in the face of growing illiberal tendencies. This initiative reflects the strategic vision of the current Secretary General, Alain Berset, who has prioritized the development of a new European pact for democracy. This roadmap aims to forge concrete commitments among member states to protect representative institutions.

### 3. The Rule of Law: Transparency, Judicial Independence, and the Fight Against Corruption

Upholding the rule of law is another fundamental axis of the Council's mandate. Through the Group of States against Corruption (GRECO), the Council monitors institutional practices across member states, issuing specific recommendations on transparency, conflict-of-interest prevention, and accountability. GRECO functions not only as a diagnostic tool but also as a source of political and normative pressure.

The Council also promotes judicial independence through evaluation mechanisms and technical cooperation. In an era when some European governments have attempted to interfere in judicial bodies, the Council's work is increasingly crucial to preserving the separation of powers, a cornerstone of democratic governance.

### 4. Education, Culture, and Memory: Building Democratic Citizenship Through the Classroom

The Council of Europe operates on a clear premise: democracy cannot rest solely on formal institutions, but requires that citizens are educated in civic values, mutual respect, and critical thinking.

A key instrument in this regard is the Observatory on History Teaching in Europe, which promotes quality education to foster a better understanding of democratic culture among young people.

The report "Multiperspectivity in remembrance and history education for democratic citizenship", presented by Spanish MP María Luz Martínez Seijo before the Parliamentary Assembly of the Council of Europe, highlights the importance of integrating historical memory into education as a tool to promote inclusion, reconciliation, and democratic values. The initiative advocates for a participatory and critical approach to history, where students analyse and reconstruct past events to prevent future violence and strengthen a democratic culture from the classroom.

### 5. Quiet but Persistent Action

The Council of Europe may lack the financial and media power of other international organizations, but its strength lies in its persistence, legal legitimacy, and the intergovernmental network it has cultivated over more than seven decades. Its influence is less visible in headlines and more evident in legal reforms, court decisions, and long-term educational frameworks.

### 6. Conclusion: An Ethical Compass for a Contested Europe

Amid geopolitical tensions, democratic backsliding, and disinformation campaigns, the Council of Europe reaffirms its role as an ethical, political, and legal compass. Its legacy and its continued relevance lie in offering an institutional framework that protects democracy, human rights, and the rule of law across Europe. Making its work more visible is not only a matter of historical justice but a democratic imperative to sustain the principles underpinning the European project.

#### APARTADO TEMÁTICO GEOGRÁFICOS

Europa

#### ETIQUETAS

Europa Consello de Europa Democracia

#### INVESTIGACION

Relacións Internacionais Unión Europea

#### Date Created

Maio 8, 2025

#### Meta Fields

Autoria : 108852

