

AMNESTY INTERNATIONAL

Public Statement

AI Index: IOR 30/008/2005 (Public)
News Service No: 091
12 April 2005

Council of Europe: European institutions must cooperate to ensure the highest standards of human rights protection

Amnesty International reiterates its call on the institutions and the member states of the European Union and the Council of Europe to cooperate to ensure the highest standards for the protection of human rights.

In recent weeks attempts by the Council of Europe to adopt three new treaties -- one on trafficking of human beings, and two on "terrorism" -- have been stalled as a result of positions taken by EU institutions and some of the member states of the European Union (EU), whose 25 member states now represent the majority of the 46 member states of the Council of Europe.

In particular, the EU is pushing for clauses to be added to these three draft Council of Europe treaties. The three treaties at issue are the draft Council of Europe Convention on Action against Trafficking in Human Beings; the draft Council of Europe Convention on Laundering, the Financing of Terrorism, Search, Seizure and Confiscation of the Proceeds from Crime and the draft Council of Europe Convention on the Prevention of Terrorism. which would permit EU member states to apply existing or future European Community or EU rules rather than the applicable Council of Europe standards set out in the treaties.

Amnesty International is gravely concerned that the adoption and implementation of these clauses (known variously as "disconnection" or "transparency" clauses) could result in the EU applying lower standards of human rights protection than those set out in the Council of Europe treaties.

To avoid the risk of dilution of the human rights protections in these Council of Europe treaties, Amnesty International calls on the EU to either drop its demand for the inclusion of the disconnect clauses or to limit the clauses in a manner that will expressly bind the EU and its member states to apply the standard that requires the highest protection of human rights- whether it emanates from the Council of Europe or the EU.

The organization is concerned that unless these issues can be resolved in the context of the negotiations which will continue on 13 April 2005 and are addressed during the Council of Europe's Third Summit of Heads of State and Government scheduled to take place in Warsaw on 17-18 May 2005, the future of the drafting and adoption of human rights standards within the Council of Europe lies in the balance.

