



130th Session of the Committee of Ministers (Athens (videoconference), 4 November 2020)

The Athens Declaration by the Committee of Ministers Chairmanshipⁱ on: “Effectively responding to a public health crisis in full respect for human rights, democracy and the rule of law”

1. On the day of the 70th anniversary of the European Convention on Human Rights, the most important legally binding instrument for the protection of human rights and fundamental freedoms on our Continent, we reaffirm our deep and unwavering commitment to uphold, implement and further reinforce the values, principles and rights enshrined in the Convention. At the same time, we underline the extraordinary contribution of the Convention system to the protection and promotion of human rights, democracy and the rule of law in Europe.
2. We note that this anniversary occurs during an unprecedented public health crisis, the Covid-19 pandemic, the devastating consequences of which throughout Europe and far beyond continue to cause immense suffering.
3. We extend our deepest condolences and sympathy to the many that have lost their loved ones.
4. At the same time, we sadly note that the crisis has resulted in added hardship and pain for many groups in our societies, including for the young and old, for persons with disabilities, people who have been deprived of their liberty, or who belong to minorities, and for migrants, refugees and internally displaced people. We have also witnessed new waves of unacceptable stigmatisation, xenophobia and racism, including hate speech, hate crime and discrimination on grounds of religion or belief, while a deplorable increase in domestic violence and violence against women and children is also cause for our growing concern and underlines the significant role of the Istanbul and Lanzarote Conventions. We again reaffirm our commitment to fight these phenomena using the whole range of relevant Council of Europe measures and instruments.
5. During the crisis, we have also witnessed health care professionals, as well as essential workers and volunteers, showing extraordinary courage, offering relief and care to those who are suffering, and ensuring that people's basic material and medical needs are met.
6. We express our unreserved gratitude to them.
7. Today, we reiterate our commitment to our international obligations. During a crisis and ensuing state of emergency, any exceptional measures taken must be:
 - strictly necessary,
 - proportionate,
 - non-discriminatory,
 - applied only for as long as necessary and ended once the situation normalises,
 - in full conformity with the European Convention on Human Rights and other human rights, obligations, and
 - under constant review.

¹ This document has been classified restricted until examination by the Committee of Ministers.

8. We note that national security and public safety can only be effectively protected in a democracy which fully respects the rule of law. This requires parliamentary control of a declared state of emergency and its duration, and judicial review of the measures taken in order to avoid abuse. We acknowledge that it is ultimately for the European Court of Human Rights to assess and decide whether measures taken by State Parties are in conformity with the European Convention on Human Rights. We underline that the European Convention on Human Rights, by defining the human rights that cannot be subject to derogation, clearly set red lines that cannot be crossed, even in times of a severe public health crisis.

9. We commend the Council of Europe for playing a valuable role in several areas related to the COVID-19 crisis. We express appreciation for the action taken by the Parliamentary Assembly, and at the same time, notably, by the Secretary General, the Commissioner for Human Rights and the Venice Commission, aiming at advising and assisting the member States, as well as to the Congress of Local and Regional Authorities and the Conference of INGOs. We appreciate that, despite the pandemic, the European Court of Human Rights has continued to work efficiently, and that we, the Committee of Ministers, have been able to maintain our supervision of the execution of its judgments. We recognise the valuable and timely contributions from a wide range of Council of Europe institutions and entities in the field, including monitoring mechanisms and expert committees. Furthermore, we welcome the efforts of the European Directorate for the Quality of Medicines and Healthcare (EDQM) and the Council of Europe Development Bank (CEB) for its assistance to member States.

10. We stress the need to safeguard the right to health for all and other social and economic rights, such as the rights to social protection, to education, and to safe and healthy working conditions, on the basis of inclusiveness, non-discrimination, gender equality and women's empowerment. We underline the importance of our cooperation to guarantee these, and other rights under the European Social Charter.

11. We recognise the importance of civil society and the need to safeguard access to information and freedom of expression, particularly in times of a global health crisis, when disinformation and manipulation of information have endangered human lives. We also appreciate the ongoing work within the Council of Europe to develop common standards that safeguard human rights in the deployment of innovative technologies, including artificial intelligence, that may be used to combat the pandemic. We also recognise the impact of the pandemic on the culture sector. In these difficult times, we need to support the world of arts and culture, which is of crucial importance for preserving the cohesion of our societies.

12. Today, we reaffirm our commitment to unity in Europe, as well as to greater solidarity among nations. We restate our unwavering commitment to the principles of the rule of law and the enjoyment by all persons within our jurisdiction of human rights and fundamental freedoms. We recognise that the current crisis has also clearly revealed the need for more effective multilateral co-operation and multi-level governance. We need to be better prepared for future public health crises and other emergencies, including natural and technological disasters. We also bear in mind that life and well-being on our planet is contingent on humanity's collective capacity to guarantee both human rights and a healthy environment to future generations and recognize that the role of the Council of Europe in this respect has become more important than ever.

13. We remain concerned by confrontations and unresolved conflicts that affect certain parts of the continent. We shall work together for reconciliation and political solutions in conformity with the norms and principles of international law.

14. Finally, we reaffirm our commitment to help identify the best responses to protect public health, maintain democratic security of our societies and mitigate the social consequences of the crisis, while underlining the essential importance of human rights, and that health care should be available to everyone without discrimination, including the most vulnerable and marginalised.

ⁱ Supported by the following 43 member States: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Republic of Moldova, Monaco, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom. The Russian Federation made a statement in relation to this Declaration.