

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

Strasbourg, 27 March 1985

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EUROPEAN MINISTERIAL CONFERENCE ON HUMAN RIGHTS (Vienna, 19-20 March 1985):

TEXTS ADOPTED

Secretariat memorandum
prepared by
the Directorate of Human Rights

Min 54792

INTRODUCTION

1. This memorandum contains the texts adopted at the European Ministerial Conference on Human Rights, held in Vienna from 19-20 March 1985.
2. The themes of the Ministerial Conference were as follows:
 - Evaluation and consolidation of the work carried out by the Council of Europe in the field of human rights:
 - a. The functioning of the organs of the European Convention on Human Rights (including reinforcement and improvement of the Convention machinery);
 - b. The role of the Council of Europe in the further realisation of human rights
 - The challenge to human rights posed by the development of science and technology: protection of human beings and their physical and intellectual integrity in the context of the progress being made in the fields of biology, medicine and biochemistry.
3. Resolutions were adopted with regard to each of these themes (respectively Resolutions Nos. 1, 2 and 3). In addition, a Declaration on Human Rights in the World at large was adopted.

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RECOMMEND that the Committee of Ministers of the Council of Europe:

- a) entrust the existing competent body of experts - enlarged as appropriate - with the task of examining as a matter of priority the possibility of introducing further improvements to the Convention's system of control and submitting proposals. This body should bear in mind the views expressed in the Swiss delegation's report as well as the observations made by other delegations;
- b) take immediate steps to improve the present working conditions of the Convention's organs and their respective supporting staffs and urgently consider further steps, which could include the accommodation of the Council of Europe bodies dealing with human rights in a more adequate building;

RECOMMEND that member States take all appropriate steps to give the fullest possible effect to the Convention and its system of control, and in particular that States which have not yet recognised the right of individual petition and/or the compulsory jurisdiction of the European Court of Human Rights re-examine carefully the possibility of doing so.



Considering that the exchanges of views between member States of the Council of Europe on human rights issues arising in other international fora and the world at large should be continued and, where appropriate, intensified, and welcoming in this regard Resolution (84) 21 on Council of Europe action in the political field, adopted by the Committee of Ministers on 21 November 1984;

UNDERLINE the importance of the earliest and widest possible acceptance of existing Council of Europe legal instruments in the field of human rights, in particular those extending the scope of the European Convention on Human Rights;

RECOMMEND that the Committee of Ministers of the Council of Europe, when planning and pursuing the Council's future work in the field of human rights, also be guided by the following considerations:

1. The effectiveness of the existing system of protection of economic, social and cultural rights should continue to be evaluated and the possibility of introducing further improvements examined as a matter of priority;
2. The objectives defined by the Committee of Ministers in its Declaration on the Freedom of Expression and Information of 29 April 1982 should be pursued. In particular, attention should be given to access to information by the individual within the framework of an open information policy in the public sector having the purposes indicated in paragraph II.c of the Declaration;
3. Procedural guarantees with regard to individual measures and decisions taken in the exercise of public authority should be studied in depth;
4. New challenges arising for human rights should be monitored and appropriate responses drawn up;
5. Possibilities for developing non-judicial means for protecting human rights to supplement procedures for judicial control should be examined;
6. The work of the Council of Europe in the area of education and information on human rights should be further developed. In this connection the important role of the Council of Europe's Human Rights Documentation Centre should be expanded;
7. The Council of Europe could offer advisory services to States which so request regarding the protection and promotion of human rights;
8. Increased use should be made of the possibilities offered by the Council of Europe for co-operation by western European States on human rights questions arising in other fora and the world at large;

EUROPEAN MINISTERIAL CONFERENCE ON HUMAN RIGHTS

(Vienna, 19-20 March 1985)

RESOLUTION NO. 3

on human rights and scientific progress
in the fields of biology, medicine and bio-chemistry

The Ministers taking part in the European Ministerial Conference on Human Rights, held in Vienna on 19 and 20 March 1985;

Having examined the report submitted by the French delegation on the "protection of human beings and their physical and intellectual integrity in the context of the progress being made in the fields of biology, medicine and biochemistry", as well as the contributions made by other delegations;

Considering that recent developments in the fields of biology, medicine and biochemistry concerning notably techniques of artificial human procreation, tests on human beings, genetic diagnosis, organ transplantation, modification of the genetic heritage and treatment of mental illness, are capable of bringing definite benefits for mankind but may also involve risks for the rights and freedoms of individuals and for society as a whole;

Convinced of the need to evaluate such developments in particular from the standpoint of the protection and promotion of human rights and fundamental freedoms;

Reaffirming in this regard the essential importance of the principle of human dignity;

Reiterating their devotion to the spiritual and moral values which are the common heritage of the peoples of their countries;

Emphasising the desirability of an international approach to the issues involved, whilst taking into account the specific situation of each country;

NOTE that there is a growing awareness in different disciplines of the important human rights issues raised by recent developments in the fields of biology, medicine and biochemistry;

WELCOME the results already achieved and the work in progress within the Council of Europe and its member States, concerning the ethical and legal problems associated with the above-mentioned developments;

EUROPEAN MINISTERIAL CONFERENCE ON HUMAN RIGHTS

(Vienna, 19-20 March 1985)

Declaration on Human Rights in the World at large

The Ministers of the member States of the Council of Europe taking part in the European Ministerial Conference on Human Rights, held in Vienna on 19 and 20 March 1985;

Reiterating the deep commitment of the member States of the Council of Europe to respect for human rights and fundamental freedoms;

Reaffirming their unswerving attachment to the universal and indivisible character of all human rights and fundamental freedoms whose foundations lie in the inherent dignity and equal worth of every human being, without distinction of any kind such as race, sex, language or religion;

Profoundly attached to the Universal Declaration of Human Rights of 10 December 1948 as "a common standard of achievement for all peoples and all nations";

Emphasising the importance of the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights of 16 December 1966, as well as that of other relevant international instruments for securing universal recognition and observance of human rights and fundamental freedoms;

Convinced that the European Convention of 4 November 1950 for the protection of human rights and fundamental freedoms and its Protocols provide to everyone, without discrimination, within the jurisdiction of the member States, the rights and freedoms contained therein and institute an effective mechanism for monitoring their implementation;

Bearing in mind the close links existing between the Convention and the development of democratic societies within which the freedoms, rights and responsibilities of citizens are in harmony;

Having regard to the Final Act of the Conference on Security and Cooperation in Europe (CSCE) adopted at Helsinki on 1 August 1975, in particular its human rights principle and other pertinent provisions, as well as the relevant provisions of the Concluding Document of the Madrid CSCE follow-up meeting of 6 September 1983;

Recognising the significance of universal protection of human rights and fundamental freedoms as an essential factor for the furtherance of peace, justice and well-being in the world and the strengthening of democracy;

7. APPEAL to all States:

a) to become Parties to the international instruments in the field of human rights, in particular the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights and the United Nations Convention of 4 February 1985 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

b) to co-operate within the United Nations

- in examining the possibility of establishing the post of a UN High Commissioner for Human Rights,

- in elaborating an Optional Protocol to the International Covenant on Civil and Political Rights aimed at curbing the imposition of the death penalty ;

8. DECIDE to encourage respect for human rights and fundamental freedoms throughout the world through constructive political dialogue inter alia with other international organisations, especially regional organisations, so as to promote a common understanding with a view to attaining the most uniform possible universal application of existing human rights norms.
