

# Committee of Ministers: Declaration on Measures to Promote Respect of Article 10 ECHR

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Prompted by concerns about the effectiveness of the implementation of Article 10 of the European Convention on Human Rights, the Council of Europe's Committee of Ministers (CM) adopted on 13 January 2010 a Declaration on measures to promote the respect of Article 10.

The Declaration notes that the European Court of Human Rights is the enforcement mechanism for (Article 10 of) the Convention and that this mechanism is supplemented by: (i) the procedure for the execution of the Court's judgments, which is supervised by the CM, and (ii) general standard-setting work by the Council of Europe in this area. It recognises the importance of strengthening the implementation of relevant standards in "law and practice" at the national level, a task which requires "the active support, engagement and co-operation" of all Member States.

It also acknowledges and welcomes the "action taken by other institutions, such as the Organisation [sic] for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, as well as civil society organisations".

The CM "welcomes the proposals" made by the Steering Committee on the Media and New Communication Services (CDMC) aimed at improving the promotion, by various organs of the Council of Europe, of respect of Article 10 in Member States. The Declaration, however, only provides summary details of the CDMC's proposals and fails to indicate that the proposals are described more expansively in Appendix IV of the CDMC's 11th Meeting Report. The main proposals are listed in the Meeting Report as follows: enhanced information collection; enhanced coordination; enhanced technical follow-up (expert assistance); enhanced political follow-up, and evaluation (by the Secretary General of the Council of Europe).

The Declaration's call for "improved collection and sharing of information and enhanced co-ordination" across the Council of Europe is prefaced by a roll-call of the various "bodies and institutions" which "are able, within their respective mandates, to contribute to the protection and promotion of freedom of expression and information and of freedom of the media". It names the Committee of Ministers, the Parliamentary Assembly, the Secretary General, the Commissioner for Human Rights and "other bodies" as all being "active in this area". The significant relevant work being conducted in the context of (for example) the

Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages or the activities of the European Commission against Racism and Intolerance (ECRI), is presumably covered by the reference to “other bodies”.

*Declaration of the Committee of Ministers on measures to promote the respect of Article 10 of the European Convention on Human Rights, 13 January 2010*

<https://wcd.coe.int/ViewDoc.jsp?id=1571879&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>

*Steering Committee on the Media and New Communication Services, 11th Meeting (20-23 October 2009) report, 16 November 2009, Doc. No. CDMC(2009)025*

[http://www.coe.int/t/dghl/standardsetting/media/CDMC/CDMC\(2009\)025\\_en.asp#ToPage](http://www.coe.int/t/dghl/standardsetting/media/CDMC/CDMC(2009)025_en.asp#ToPage)

