

STANDING COMMITTEE

Reykjavik, Iceland

25 November 2022

TEXTS ADOPTED BY THE ASSEMBLY

Provisional versions

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Recommendations
2241 to 2243



Recommendation 2241 (2022)¹

Provisional version

The impact of the Covid-19 restrictions for civil society space and activities

Parliamentary Assembly

1. Referring to its [Resolution 2471 \(2022\)](#) “The impact of the Covid-19 restrictions for civil society space and activities in Council of Europe member States”, the Parliamentary Assembly recommends that the Committee of Ministers shall:

1.1. continue to implement its decision on “the need to strengthen the protection and promotion of civil society space in Europe”, adopted at its 129th session, in Helsinki on 17 May 2019;

1.2. call again on the member States of the Council of Europe to implement its recommendations CM/Rec(2007)14 on the legal status of non-governmental organisations in Europe and CM/Rec(2018)11 on the need to strengthen the protection and promotion of civil society space in Europe;

1.3. reflect, in co-operation with relevant Council of Europe bodies, on the impact of the Covid-19 pandemic and the measures taken to counter it on civil society, and in particular non-governmental organisations (NGOs) and human rights defenders, as well as on the measures that could be taken in order to improve their situation;

1.4. organise exchanges of views on these issues with civil society actors;

1.5. give priority to judgments arising from systemic problems concerning NGO rights and freedoms embodied in Article 11 of the European Convention on Human Rights (ETS No. 5) as well as those concerning measures taken to counter the Covid-19 pandemic, when supervising the execution of judgments of the European Court of Human Rights;

1.6. establish a mechanism for monitoring and responding to attacks against civil society actors;

1.7. continue to promote European and international standards to protect civil society space and exchange information on good practices developed in this area during the Covid-19 pandemic, particularly in co-operation with other international organisations such as the United Nations, the Organisation for Security and Co-operation in Europe and the European Union.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15654](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Ms Margreet De Boer).*



Recommendation 2242 (2022)¹
Provisional version

The impact of the Covid-19 pandemic on prison population in Europe

Parliamentary Assembly

1. Referring to its [Resolution 2472 \(2022\)](#) “The impact of the Covid-19 pandemic on the prison population in Europe”, the Parliamentary Assembly recommends that the Committee of Ministers:

1.1. establish guidelines setting out human-rights compliant and effective practices to enable prison settings to respond effectively to disease outbreaks, building on the various practices and experiences of States in different prison settings during the Covid-19 pandemic and well as the advice and expertise of the World Health Organisation, the Committee for the Prevention of Torture as well as other bodies with appropriate expertise;

1.2. undertake further work to consider how best to promote alternatives to detention as a useful tool to combat prison overcrowding, building on the recent experience of States in deploying different alternatives to detention during the Covid-19 pandemic.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15652](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Givi Mikanadze).*



Recommendation 2243 (2022)¹

Provisional version

Securing safe medical supply chains

Parliamentary Assembly

1. The Parliamentary Assembly refers to its [Resolution 2474 \(2022\)](#) “Securing safe medical supply chains” and regrets the increase in disruptions liable to jeopardise the functioning of public health systems and impair the exercise of the right to protection of health, which is intrinsically connected with the right to life.
2. It welcomes the establishment on 1 January 2022 of the Steering Committee for Human Rights in the fields of Biomedicine and Health (CDBIO) and hails the added value that the Council of Europe’s work brings to the health sector through its human rights-based approach, which has been particularly useful during the Covid-19 pandemic. It welcomes the complementarity of the work accomplished and the expertise mobilised by the Council of Europe, the World Health Organization and the European Union.
3. To respond to the climate crisis and make the medical supply chains safer, the Assembly calls for the development of uncomplicated and resilient health systems with a high level of integrity and based on human rights.
4. To meet patients’ legitimate concerns, the Assembly encourages the Committee of Ministers to ask the CDBIO to maintain an ever-closer working relationship with the World Health Organization, to develop more synergies, and to work on the principle of equity between patients in the same health system and equitable access to medical products for all countries in order to respond to future health crises.
5. Finally, the Assembly calls on the Committee of Ministers to encourage those member States which have not yet done so, to ratify the Convention on the counterfeiting of medical products and similar crimes involving threats to public health (CETS No. 211, the “MEDICRIME Convention”).

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15653](#), report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Jennifer De Temmerman).*

Resolutions
2469 to 2474



Resolution 2469 (2022)¹
Provisional version

Evaluation of the partnership for democracy in respect of the Parliament of Jordan

Parliamentary Assembly

1. On 26 January 2016, the Parliamentary Assembly, in adopting [Resolution 2086 \(2016\)](#) “Request for partner for democracy status with the Parliamentary Assembly submitted by the Parliament of Jordan”, granted the Jordanian Parliament partner for democracy status. After the parliaments of Morocco, Palestine and Kyrgyzstan, the Parliament of Jordan became the fourth parliament to receive this status, introduced by the Assembly in 2009 to develop institutional co-operation with the parliaments of States neighbouring the Council of Europe.
2. When making its official request, the Parliament of Jordan declared that it shared the same values as those upheld by the Council of Europe and undertook substantial political commitments in accordance with Rule 64.2 of the Rules of Procedure of the Assembly. These commitments are set out in paragraph 3 of [Resolution 2086 \(2016\)](#).
3. The Assembly stated in paragraph 9 of the aforementioned resolution that a number of measures undertaken by the authorities were essential for strengthening democracy, the rule of law and respect for human rights and fundamental freedoms. It called on the Parliament of Jordan to continue and deepen the constitutional, institutional, political and legal reforms in a number of specific areas.
4. On 10 October 2017, the Assembly adopted [Resolution 2183 \(2017\)](#) “Evaluation of the partnership for democracy in respect of the Parliament of Jordan”, where it noted that even though reforms were advancing slower than planned, some vital ones had been carried out. Considering that Jordan was moving in the right direction, the Assembly resolved to expand its support as part of a progressive and trusting approach leading towards greater democracy and greater rights, while following very closely the implementation of reforms.
5. Five years later, the Assembly welcomes the efforts of the Jordanian Parliament in striving to comply with the political commitments of a partner for democracy despite the internal and external challenges the country is facing. Sitting at the centre of a volatile region, Jordan continues to play a crucial role for regional stability and peace, including by hosting millions of refugees.
6. As the Assembly has already stressed, Jordan is making substantial efforts to accommodate the needs of this population, which constitutes a permanent challenge. The Assembly once more warmly congratulates Jordan on its efforts. It again urges the international community to increase its support for the Jordanian authorities, either directly or through the international organisations operating on the ground.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15649](#), report of the Committee on Political Affairs and Democracy, rapporteur: Mr George Loucaides).*

7. The Assembly recalls that progress in moving reforms forward is the prime aim of the partnership for democracy and constitutes the benchmark for assessing its effectiveness. As regards the political commitments entered into by the Parliament of Jordan upon requesting partner for democracy status, and in the light of [Resolution 2183 \(2017\)](#), the Assembly:

7.1. welcomes the holding of parliamentary elections on 10 November 2020 within their constitutional deadline, despite an adverse pandemic situation. While the low turnout is disappointing and it is regrettable that less than 10% of the elected representatives come from political parties, the others being affiliated to tribal or financial forces, the mere fact that, despite the pandemic, the elections were organised and conducted according to schedule and without any major problems proves that the democratic institutions and processes in Jordan have reached a certain level of resilience and maturity;

7.2. welcomes the adoption of the new electoral law and the new law on political parties which are aimed at encouraging the formation of political parties, rising above tribal allegiances, and guaranteeing a greater role for youth and women in political life;

7.3. regrets that Article 6.1 of the Constitution which prohibits discrimination still does not enumerate “gender” or “sex” in the list of grounds. However, it welcomes the newly introduced reference to women in the title of the Constitution’s relevant chapter as well as the new Article 6.6 whereby the State shall guarantee the empowerment of women and undertakes to support them to play an active role in building society in a way that guarantees equal opportunities on the basis of justice and equity and protects them from all forms of violence and discrimination. All this may be considered as a first step to raise public awareness on gender equality and set the basis for further changes in the Constitution. The Assembly calls on the Jordanian Parliament to take a clear stand against gender-based discrimination and initiate a public debate on necessary reforms;

7.4. regrets that Article 340 of the Criminal Code, which allows perpetrators to receive lenient sentences in crimes committed in response to adultery, has still not been repealed. It also regrets that perpetrators of crimes “against women” continue to receive mitigated sentences if the victim’s family does not support prosecutions of the male family members. It calls on the Jordanian authorities to take resolute action against violence against women in co-operation with civil society and women’s organisations;

7.5. welcomes the efforts made to reduce the number of cases of administrative detention, and also the memorandum submitted by 82 members of the Jordanian Parliament requesting the abolition of administrative detention. It stresses that purely preventive detention of persons suspected of intending to commit a crime, is inconsistent with Council of Europe standards and should be abolished;

7.6. regrets the fact that, while no executions have been carried out since 2017, courts continue to hand down death sentences. It calls on the Jordanian Parliament to intervene to introduce a *de jure* moratorium on executions pending the abolition of the death penalty, in line with the expectations indicated by the Assembly upon granting partner for democracy status. It also calls on the Jordanian Parliament to take the lead in explaining to the public opinion the importance of abolishing the death penalty;

7.7. welcomes the adoption of a new law for children’s rights which codifies a host of protection measures for children as well as the repeal of the requirement for mothers to have lived for five years in Jordan for their children born from non-Jordanian fathers to qualify for a number of benefits, including health and education.

8. The Assembly calls on the Jordanian Parliament to speed up the implementation of its general commitment to promote the core values of the rule of law and respect for human rights and fundamental freedoms, in particular by guaranteeing and promoting freedom of expression, media independence and plurality, and freedom of association and peaceful assembly in line with international standards. In this context, it invites the Parliament of Jordan to co-operate more closely with civil society.

9. The Assembly welcomes the ratification by Jordan of the Convention on Mutual Administrative Assistance in Tax Matters (ETS No. 127). It invites the Jordanian authorities to consider the advisability of signing and ratifying other Council of Europe conventions or partial agreements, in particular the Convention on Action against Trafficking in Human Beings (CETS No. 197); the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201); and the Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210).

10. When granting partner for democracy status to the Jordanian Parliament, the Assembly wished to foster closer relations and co-operation between Jordan and the Council of Europe. The Assembly recalls that the expertise of Council of Europe bodies (Parliamentary Assembly, European Commission for Democracy through Law (Venice Commission), Congress of Local and Regional Authorities) is at the disposal of the Jordanian authorities to help with strengthening human rights, the rule of law and democracy in Jordan.

11. The Assembly considers that the implementation of the political commitments entered into by the Parliament of Jordan should be the collective responsibility of its two chambers and shared between them. Consequently, as from the adoption of this resolution, the Assembly invites the Parliament of Jordan to appoint, from both the House of Representatives and the Senate, a partner for democracy delegation consisting of three representatives and three substitutes, to be composed in accordance with Rule 64.4 of the Assembly's Rules of Procedure.

12. The Assembly resolves to continue to review the implementation of political reforms in Jordan and to offer its assistance to the Jordanian Parliament, and to make a new assessment of the partnership when appropriate.



Resolution 2470 (2022)¹
Provisional version

Protecting the pillars of democracy during health crises

Parliamentary Assembly

1. The Covid-19 pandemic which swept the world from the start of 2020 was and is above all one of the most significant public health crises in recent history with the most serious repercussions for our health, societies, economies and freedoms. Saving lives and protecting people's health through the introduction of exceptional restrictions was, legitimately, governments' top priority. The pandemic and the emergency measures taken to end it have therefore had a major impact on all aspects of our lives and societies.
2. The Parliamentary Assembly refers to all the resolutions and recommendations on the various aspects of this crisis which it has adopted since 2020. It draws particular attention to [Resolution 2337 \(2020\)](#) and [Recommendation 2179 \(2020\)](#) "Democracies facing the Covid-19 pandemic" in which it took stock of the pandemic's impact on the way democratic institutions work and warned Council of Europe member States against any attempt to use the public health emergency resulting from the pandemic to undermine the fundamental principles of democracy.
3. Overall, pandemic management by member States ensured the resilience, the continuity and proper functioning of democratic institutions and mechanisms, including the democratic system of checks and balances, parliamentary work and the holding of elections, even at the most difficult times of the pandemic, and paved the way for a gradual return to normal.
4. New crises or emergencies of a different nature could, however, again prompt the public authorities to take exceptional emergency measures that call into question the democratic order. The Assembly therefore calls for vigilance to be exercised and considers it necessary to reiterate the importance of ensuring that the key mechanisms and institutions of democracy function properly, with particular attention being paid to parliaments, elections, local democracy and civil society organisations.
5. Parliaments are vital democratic institutions that play a crucial role in representing, deliberating, legislating, and overseeing government action, thereby ensuring the legitimacy of the democratic system. The pandemic has severely tested their capacity to perform some of these core functions. The Assembly is concerned that, two and a half years on from the outbreak of the pandemic, the governments of some Council of Europe member States are still using exceptional powers and procedures and are therefore able to escape parliamentary scrutiny.
6. The Assembly points out that it is of the utmost importance to ensure the continuity of parliamentary work and the full exercise of parliaments' powers during crisis situations. To this end, it calls on the authorities of member States and observers of the Council of Europe and countries whose parliament has observer or partner for democracy status with the Assembly to:
 - 6.1. make the necessary changes to parliamentary structures, rules and procedures, preferably on the basis of a consensus between the main political forces, to ensure parliamentary business continuity during emergencies, in particular as regards the physical or hybrid presence of their members and adjusting voting arrangements;

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15650](#), report of the Committee on Political Affairs and Democracy, rapporteur: Ms Marietta Karamanli).*

- 6.2. ensure permanent and effective scrutiny by parliamentarians of government decisions, in particular by simplifying the procedures for putting oral or written questions to the government; initiating thematic monitoring, fact-finding missions, and regular hearings in committee of government members in order to provide legal safeguards against possible infringements of fundamental rights and freedoms;
 - 6.3. involve parliamentarians in the work done by scientific authorities in order to guide decision making on how to combat the disease, protect the public and get back to normal as quickly as possible, as well as on countering misinformation;
 - 6.4. involve parliamentarians in the co-ordination work carried out between State services and local authorities in order to monitor the implementation of measures taken at local level and ensure their autonomy to the fullest extent possible;
 - 6.5. provide for parliamentary scrutiny of the crisis management through parliamentary committees of inquiry or parliamentary missions, both during and after the crisis;
 - 6.6. consider, where appropriate, the possibility to bring cases before judicial bodies (constitutional courts or councils or high courts) throughout the period of emergency in order to check whether measures taken by the government are necessary and proportionate to the urgency of the situation.
7. The Assembly points out that the right to participate at regular intervals in free elections on the choice of the legislature is a fundamental human right. The pandemic disrupted the standard election timetable in several member States, which decided to postpone or suspend elections or referendums. In addition, the introduction of restrictive measures to curb the pandemic's spread affected freedom of movement and freedom of assembly, which are vital to any electoral process.
8. The Assembly reiterates its call on member States to apply the principles devised by the European Commission for Democracy through Law (Venice Commission), when deciding whether to postpone, or change the procedures for, elections during a public health emergency, and refers to [Resolution 2337 \(2020\)](#). It also calls on member States that have not yet done so to adapt or amend legislation on elections in advance so as to allow the electoral process to continue during public health crises, and to provide for, among other things:
- 8.1. new campaigning methods, such as the use of public or private media, the use of the internet and social media;
 - 8.2. widening the voting arrangements, for example by extending the right to vote by proxy and increasing postal voting, and considering the introduction of e-voting;
 - 8.3. increasing the limits on election spending for periods beyond the initial election deadline;
 - 8.4. the need to ensure the conditions for effective electoral competition by enabling local debates to be held, including by media which are usually not required to reflect a plurality of opinions;
 - 8.5. implementing public health measures and taking other steps to ensure that votes can be cast and that observation exercises can take place.
9. The pandemic has had a major impact on the functioning of local and regional democracy and has brought about a shift in the balance of power between local, regional and national levels. Several States centralised crisis management at national government level on the one hand, while on the other, put local authorities in charge of dealing with the pandemic's impact without providing the necessary resources or giving them the opportunity to take part in drawing up and determining policies.
10. The Assembly appreciates the outstanding work done by the Congress of Local and Regional Authorities of the Council of Europe to monitor compliance with the European Charter of Local Self-Government (ETS No. 122), even during the pandemic. It calls on the authorities of Council of Europe member States to:
- 10.1. address the recurring issues relating to the Charter's implementation which were compounded by the pandemic, as identified by the Congress, in particular with regard to limited local financial autonomy;
 - 10.2. build the level of resilience and preparedness for future health emergencies or crises by striking the right balance between centralised and decentralised authorities within multi-level governance systems and ensuring that they interact effectively;
 - 10.3. amend electoral legislation so that local elections may be held during emergencies or health crises.

11. Civil society organisations are a key part of any truly democratic system. They enable citizens to act collectively in many areas of common interest and are a key pillar of public life. The restrictions that authorities have imposed to curb the pandemic's spread have had a serious impact on the situation of civil society. However, many civil society organisations have pursued their role in promoting human rights, acting as watchdogs, monitoring government responses to the pandemic and holding policy makers accountable.

12. The Assembly considers that fostering a safe and vibrant civic space is vital for sustaining social cohesion, the rule of law and a healthy democracy. It refers to [Resolution 2471 \(2022\)](#) "The impact of the Covid-19 restrictions for civil society space and activities" and calls on the authorities of the member States to strengthen the protection of fundamental rights in all circumstances and help provide an environment in which civil society organisations may continue to perform their function.

13. Lastly, the Assembly calls on the authorities of the member States and observers of the Council of Europe and countries whose parliament has observer or partner for democracy status with the Assembly to carefully examine the lessons to be learned from managing the Covid-19 crisis and from its impact on respect for human rights and fundamental freedoms and on the functioning of institutions which are pillars of democracy, with a view to ensuring that future public health crises and emergency situations do not undermine crucial aspects of democratic order. In particular, it stresses the importance of:

13.1. guaranteeing access to reliable information and ensuring freedom of expression, including on crisis management, is protected;

13.2. enhancing the protection of the most vulnerable population groups and minorities who have difficulties in accessing public services or asserting their rights, including their right to healthcare;

13.3. paying particular attention to personal data protection in the light of the increasing reliance on digitisation and data processing both online and in specialised information systems, including for healthcare.



Resolution 2471 (2022)¹
Provisional version

The impact of the Covid-19 restrictions for civil society space and activities

Parliamentary Assembly

1. The Parliamentary Assembly recalls its [Resolution 2362 \(2021\)](#) and [Recommendation 2194 \(2021\)](#) “Restrictions on NGO activities in Council of Europe member States”, [Resolution 2226 \(2018\)](#) and [Recommendation 2134 \(2018\)](#) “New restrictions on NGO activities in Council of Europe member States”, [Resolution 2096 \(2016\)](#) and [Recommendation 2086 \(2016\)](#) “How can inappropriate restrictions on NGO activities in Europe be prevented?”, its previous Resolutions [1660 \(2009\)](#), [1891 \(2012\)](#), [2095 \(2016\)](#) and [2225 \(2018\)](#) and Recommendations [2085 \(2016\)](#) and [2133 \(2018\)](#) on the situation of human rights defenders in Council of Europe member States, and its Resolutions [2300 \(2019\)](#), [2060 \(2015\)](#) and [1729 \(2010\)](#) and Recommendations [2162 \(2019\)](#), [2073 \(2015\)](#) and [1916 \(2010\)](#) on the protection of “whistle-blowers”.

2. It also recalls the work it carried out in response to the Covid-19 pandemic and the measures taken to counter it, in particular [Resolution 2329 \(2020\)](#) “Lessons for the future from an effective and rights-based response to the Covid-19 pandemic”, [Resolution 2337 \(2021\)](#) and [Recommendation 2179 \(2020\)](#) “Democracies facing the Covid-19 pandemic” and [Resolution 2338 \(2020\)](#) “The impact of the Covid-19 pandemic on human rights and the rule of law”.

3. The Assembly stresses that the existence of a vibrant civil society is a key component of an open and democratic society and makes an essential contribution to the development and realisation of democracy, the rule of law and human rights. Civil society actors, including non-governmental organisations (NGOs) and human rights defenders, should be able to continue promoting public awareness, participating in public life and fostering the transparency and accountability of public authorities despite the Covid-19 pandemic.

4. The Assembly notes that the Covid-19 pandemic and the restrictive measures taken to contain it, including those adopted under the state of emergency – such as travel bans and other restrictions on movement, blanket restrictions on assemblies and gatherings, repressive measures against protesters, electronic surveillance or criminal sanctions for expressing critical thoughts on the handling of the pandemic – have significantly affected the situation of civil society in all Council of Europe member States. Other measures – such as denial of or delay in registration of new NGOs, limited access to the beneficiaries of their actions, reduced funding or limitations on governing bodies’ meetings – have also had a direct and adverse impact on the functioning of civil society organisations.

5. Thus, the exercise of the right to freedom of assembly has largely been restricted, and the rights to freedom of association, freedom of expression, freedom of movement and the right to respect for private life have also been negatively impacted. Moreover, many individuals and civil society actors were confronted with difficulties in accessing public information and were not consulted about changes to laws, policies and practices made in connection with the Covid-19 pandemic.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15654](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Ms Margreet De Boer).*
See also [Recommendation 2241 \(2022\)](#).

6. The Assembly is concerned about the impact of the restrictive measures adopted by Council of Europe member States during the pandemic and highlights their deleterious effect on the functioning of civil society. It emphasises that even though, in accordance with the European Convention on Human Rights (ETS No. 5, “the Convention”), public health may constitute a legitimate purpose justifying restrictions on the rights to respect for private life (Article 8), freedom of expression (Article 10) and freedom of assembly and association (Article 11), any restrictions of the aforementioned rights must be “prescribed by law”, “necessary in a democratic society” and proportionate to the legitimate aim pursued. The same applies to measures restricting freedom of movement (Article 2 of Protocol No. 4 to the Convention, ETS No. 46).
7. The Assembly is also worried about the fact that in some Council of Europe member States the Covid-19 pandemic highlighted or worsened problems that already existed in the environment in which civil society functioned. Moreover, there is a risk that laws aimed at combating the Covid-19 pandemic might be used to further restrict the rights and fundamental freedoms of civil society actors.
8. Notwithstanding these negative developments, the Assembly is pleased to note that various good practices have also emerged in the course of the Covid-19 pandemic. Many Council of Europe member States have taken steps to mitigate the consequences of the pandemic through the provision of financial and/or other support as well as by showing some flexibility as regards institutional and reporting requirements, including through the introduction of digital facilities. Moreover, NGOs themselves proved to be very flexible and adapted their own environment to the Covid-19 challenges, in particular through accelerating the digitalisation process, adjusting and developing their working methods and cooperating with other stakeholders and building coalitions.
9. The Assembly therefore calls on all Council of Europe member States to:
 - 9.1. comply with international legal standards pertinent to the functioning of civil society, and in particular with regard to the rights to freedom of assembly, association and expression;
 - 9.2. fully implement Recommendation [CM/Rec\(2007\)14](#) of the Committee of Ministers on the legal status of non-governmental organisations in Europe and Recommendation [CM/Rec\(2018\)11](#) on the need to strengthen the protection and promotion of civil society space in Europe;
 - 9.3. fully and rapidly implement the judgments of the European Court of Human Rights concerning violations of civil society actors’ human rights and fundamental freedoms as well as those related to the measures taken to combat the Covid-19 pandemic;
 - 9.4. avoid imposing unnecessary and disproportionate restrictions on human rights and fundamental freedoms of individuals and civil society actors on the basis of existing laws aimed at combating the Covid-19 pandemic;
 - 9.5. repeal any legislation that interferes with civil society actors’ ability to work freely and independently and is no longer justified by the Covid-19 pandemic or other public health issue;
 - 9.6. refrain from enacting new legislation entailing unnecessary and disproportionate restrictions on civil society actors’ activities; the Covid-19 or any other future pandemic as well as any other public health issue should not be used to justify the imposing of such restrictions;
 - 9.7. provide sufficient financial and other support to NGOs in order to enable them to continue their work, despite the negative impact of the Covid-19 measures, and elaborate long-term strategies for supporting them;
 - 9.8. encourage potential private donors to provide such support;
 - 9.9. ensure that civil society actors are adequately consulted on laws, policies and practices concerning them as well as on other important subjects such as the handling of the Covid-19 pandemic; in particular, European Union member States should ensure that civil society is involved in the adoption, implementation and monitoring of national recovery and resilience plans;
 - 9.10. provide unhindered access to public information and documents;
 - 9.11. promote and support the use of online communication tools with and within civil society; such tools should be available at any time and not only in time of a public health or other crisis;
 - 9.12. ensure a conducive environment for all civil society actors, in particular by refraining from harassment, smear campaigns, and acts of intimidation against them.



Resolution 2472 (2022)¹
Provisional version

The impact of the Covid-19 pandemic on prison population in Europe

Parliamentary Assembly

1. The Parliamentary Assembly recalls its work carried out in response to the Covid-19 pandemic and its concerns about the impact of restrictive measures on the human rights and fundamental freedoms of persons deprived of their liberty, including its [Resolution 2329 \(2020\)](#) on "Lessons for the future from an effective and rights-based response to the Covid-19 pandemic", [Resolution 2338 \(2020\)](#) on "The impact of the Covid-19 pandemic on human rights and the rule of law", and [Resolution 2424 \(2022\)](#) "Beating Covid-19 with public health measures". Notably, in [Resolution 2338 \(2020\)](#), the Assembly called on member States to "ensure that the health and safety of persons deprived of their liberty are protected and they are not subjected to inhuman or degrading treatment or punishment, taking full account of the expert guidance given by bodies such as the CPT [European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment]".
2. The Assembly notes that during the Covid-19 pandemic, Council of Europe member States imposed various preventive sanitary measures as well as measures restricting the rights, freedoms and well-being of prisoners – and sometimes prison staff – in order to control the spread of the pandemic within the prison population.
3. Some countries took active steps to reduce the number of prisoners, given the clear links between prison overcrowding and the spread of coronavirus in prisons. Some countries prioritised vaccination for prisoners and prison staff, given the risks of contamination in a closed environment.
4. Social distancing measures, whilst often necessary, arguably had the greatest impact on the well-being of prisoners. These included restrictions on contact with the outside world as well as restricting contacts and activities within prisons. The necessity and justification of these measures was not always clearly communicated to prisoners. Some compensatory measures were put in place, such as improved opportunities for telecommunications in order to contact family, but the impact on the well-being of prisoners was still significant, with a likely corresponding increase in self-harm and suicide attempts.
5. The Assembly recalls that, in accordance with the European Convention on Human Rights (ETS No. 5, "the Convention"), States Parties to the Convention have a positive obligation to take appropriate measures to protect the life and health of those within their jurisdiction, especially under Article 2 of the Convention, enshrining the right to life, and its Article 8, enshrining the right to respect for private life. These positive obligations are particularly pronounced for those in detention settings who are reliant upon State action to secure their well-being.
6. In relation to the restrictions imposed as a result of the Covid-19 pandemic, the Assembly recalls that protecting public health may constitute a legitimate purpose justifying restrictions on the rights to respect for private life (Article 8), and freedom of assembly and association (Article 11), provided such restrictions are "prescribed by law", "necessary in a democratic society" and proportionate to the legitimate aim pursued.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15652](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Givi Mikanadze).*
See also [Recommendation 2242 \(2022\)](#).

7. However, the Assembly notes that the prohibition on torture or inhuman or degrading treatment or punishment (Article 3) is absolute. Therefore any measures that cross this threshold cannot be justified. The Assembly similarly notes the statements as well as the informative and authoritative reports of the CPT in relation to standards in detention settings, and in particular as concerns the challenges posed by Covid-19 in detention settings.

8. The Assembly notes that sanitary conditions in prisons were key to preventing the spread of Covid-19 into, and within, prisons. Prison health should be an integral part of public health and adequate health treatment must be available in all detention settings. Given the specific risks for the spread of disease for those within closed settings such as prisons, and the responsibility of the State for detainees, prison health must be given the priority that it deserves. In particular, vaccines and boosters should be offered to prisoners and prison staff – with appropriate information campaigns so that prisoners are fully informed of medical information relating to the vaccines.

9. The Assembly notes that problems of over-crowding in certain prisons existed before the pandemic, as noted by the CPT in a number of reports as well as by the European Court of Human Rights in multiple judgments. Such overcrowded conditions meant that it was difficult to adequately separate people infected with Covid-19 from the rest of the prison population in order to stop the uncontrolled spread of the virus. As a result, efforts to reduce the prison population have been seen as one of the most effective and sustainable measures for preventing and controlling Covid-19 in prisons by providing space for physical distancing between prisoners. The Council of Europe's Annual Penal Statistics project concluded, among other things, that because of Covid-19, the prison population in Europe was significantly reduced between January 2020 and 2021. This decrease was mainly attributed to: the reduction in certain types of crimes in the context of the restrictions of movement during the pandemic; the slowing down of the judicial systems; and the release schemes used in some countries to prevent or reduce the spread of the pandemic.

10. Alternatives to detention were discussed before the pandemic. The increased risks of Covid-19 due to prison overcrowding provided States with an opportunity to put in place alternatives to detention, such as home detention or community service orders. Some States decreased the use and length of pre-trial detention, others released, or temporarily released, prisoners considered to present a low level of risk to the public. Other States (for example Georgia and Portugal) adopted amnesty laws. As Europe moves out of the pandemic crisis, useful lessons can be drawn from this experience so as to continue to use alternatives to detention to reduce the prison population to the minimum necessary, and to help to ease risks of overcrowding within prisons.

11. The Assembly is also aware that different conditions and models exist within prisons in Council of Europe member States, necessitating a Covid-19 response that best responds to the risks presented in that specific setting. Similarly, the design of some prison structures facilitates efforts to separate prisoners from intermingling, which can help to contain the spread of the virus within a facility. It is therefore important to ensure that the practices adopted in a given prison are adequately adapted to the challenges present in those facilities, to best protect both prisoners and prison staff, whilst also enabling prisoners to benefit from social and other activities to the maximum extent possible in the circumstances.

12. The Assembly notes that restrictions on visits from friends and family or even lawyers, as well as restrictions on social engagement and activities within the prison setting can have a profound effect on a prisoner's well-being. Such situations risk leading to an increase in self-harm and suicide attempts. States and prison authorities should find creative options to fill the void created by such restrictions. The Assembly therefore welcomes that in many prisons, visiting restrictions were accompanied by significant improvements in telecommunications to enable prisoners to contact family members through phone and video calls. Phone and video calls should not be seen as an adequate long-term alternative to meaningful in-person visits and contact with family. But they can be a useful and important addition, enabling prisoners to retain important family and community links to better enable their successful reintegration in the community towards the end of their prison sentence.

13. The Assembly equally recognises the significant impact that the Covid-19 pandemic and the measures taken to prevent the spread of Covid-19 within prison facilities has had on prison staff. In order to limit the spread of Covid-19, prison staff were sometimes required to spend lengthy periods of time living in the prison environment as well as undergoing significant quarantine periods in order to prevent the virus being introduced from exposure in the outside community. Such measures necessarily had a significant impact on the quality of life, especially the family life, of staff, and on their health and morale, with consequent impacts on all those in a prison setting.

14. In the Assembly's view, there have been some useful practices and experiences across member States in managing disease outbreaks within a closed prison environment and in facilitating alternatives to detention. Nevertheless, overcrowding and other factors continue to pose a risk to the containment of the virus. In imposing restrictions on prisoner's freedoms, the right balance must be struck between preventing the uncontrolled spread of the virus and limiting prisoners' freedoms only to the extent necessary. The pandemic is not yet over. Best practices should therefore be shared and implemented to prevent the spread of Covid-19 and other similar communicable diseases, whilst ensuring that restrictions are only imposed to the extent and the duration strictly necessary.

15. The Assembly calls on Council of Europe member States to:

15.1. develop emergency response plans for each country and for each prison, tailored to the particular specificity and needs of that detention setting;

15.2. take all reasonable steps to ultimately eliminate overcrowding in prisons, having regard, in particular, to the options that States have deployed during the Covid-19 pandemic, including establishing systems for alternatives to detention, and putting in place systems to allow for early release or release for the most vulnerable prisoners;

15.3. ensure that robust health care provision, including mental health care provision, is available to all those in detention settings;

15.4. strengthen the epidemiological oversight for prisons (and all detention facilities) in close collaboration with the public health agencies, including by ensuring that adequate medical screening processes are in place in detention settings;

15.5. ensure that quarantine or isolation is only used where strictly necessary, and that all prisoners in quarantine or otherwise in isolation are offered access to outdoor exercise as well as meaningful human contact, including phone calls;

15.6. ensure that prisoners and prison staff are offered the vaccination and boosters, whilst ensuring appropriate prioritisation, having regard to the particular risks posed to those in detention settings as well as to vulnerable prisoners;

15.7. ensure that special measures are taken to identify those at higher risk of catching or becoming seriously ill from Covid-19 and then to take steps to protect vulnerable groups within the prison population, for example through temporary release, specific medical care, or shielding from the wider prison population;

15.8. ensure that any restrictions on the rights and freedoms usually available to prisoners are only introduced to the extent and duration necessary and interfere as little as possible with their overall well-being;

15.9. in particular, ensure that access to prisons by those providing legal services or by monitoring bodies should not be restricted – in closed cultures such as prisons, external monitoring is essential to ensure that prisoners' rights are respected;

15.10. reflect on alternative means for compensating prisoners for restrictions that may be necessary due to the Covid-19 crisis, such as through improved access to telecommunications to maintain family relationships;

15.11. ensure that improvements to access to telecommunications for contacts with family are maintained after the pandemic as a useful means of enabling more successful rehabilitation towards the end of a prison sentence – whilst bearing in mind that such contact should not replace meaningful fact-to-face contact;

15.12. ensure that, even when physical movements to court are restricted on public health grounds, online hearings are available (where appropriate), along with the necessary telecommunications to support such online hearings, to ensure that prisoners have adequate and timely access to court and to court hearings;

15.13. ensure good communication and co-ordination between the various agencies and bodies responsible for responding to a crisis affecting the prison population, such as health ministries, health advisers, justice ministries, prison authorities and probation authorities;

15.14. undertake information and communication campaigns to ensure that prison staff receive all relevant information and training on best practice to spot and to stop the spread of Covid-19;

15.15. carry out information and communication campaigns to inform prisoners about the risks of Covid-19 and other communicable diseases, best practice in combating such risks, as well as to provide detainees with useful information about vaccination options;

15.16. ensure adequate data is maintained on the prison and probation populations, supporting studies for penal and criminological research to learn how best to reduce recidivism and to encourage successful reintegration of offenders into the community;

15.17. establish procedures that take full account of the dangers and risks faced by prison staff in the context of the Covid-19 pandemic as well as the impact on their welfare caused by the various measures introduced such as additional quarantine requirements, and to put in place adequate measures to compensate prison staff for such impacts, including leave, financial compensation, rest and respite and rehabilitation activities such as psychological support;

15.18. take all necessary steps to implement, as swiftly as possible, the recommendations of the CPT in this area, including the ten principles set out in its "Statement of principles relating to the treatment of persons deprived of their liberty in the context of the coronavirus disease (Covid-19) pandemic";

15.19. ensure that the rising costs of living in Europe, including energy and food prices, do not disproportionately affect living conditions in prisons.



Resolution 2473 (2022)¹
Provisional version

Strengthening the role of the Council of Europe as a cornerstone of the European political architecture

Parliamentary Assembly

1. Over the course of more than 70 years, the Council of Europe has become the largest European treaty-based organisation, promoting “unity within diversity” and achieving remarkable progress in promoting democracy, human rights and the rule of law through its standard-setting, monitoring and co-operation activities.
2. The notion of a Europe without dividing lines, at the heart of the Organisation’s pan-European project, has suffered an unprecedented setback as a result of the Russian Federation’s unlawful, unprovoked and unjustifiable aggression against Ukraine, which started in 2014 and developed into a large-scale invasion in 2022, with the illegal occupation and attempted annexation of swathes of Ukrainian territory.
3. This war of aggression, which is based on the imperialistic, anti-European and anti-humanistic ideology of the “Russian world,” comes on the heels of other challenges to democracy and security in Europe, such as democratic backsliding, populism, organised disinformation, and as a consequence lack of trust in democratic institutions.
4. The values, principles and standards of the Council of Europe are more relevant than ever in an historic context where they are openly challenged. Recalling [Resolution 2433 \(2022\)](#) “Consequences of the Russian Federation’s continued aggression against Ukraine: role and response of the Council of Europe” and [Resolution 2444 \(2022\)](#) “Recent challenges to security in Europe: what role for the Council of Europe?”, the Parliamentary Assembly reiterates that Council of Europe member States should recommit to its values, principles and standards at the highest political level. They should also give the Organisation the political, legal, technical and financial wherewithal to effectively carry out its mandate and have leverage on its member States, with a view to preventing the repetition of similar major infringements of international law and threats to peace and security.
5. To play a key role as a political community and to effectively act as the guardian of shared European values, principles and standards, the Council of Europe must be strengthened as the cornerstone of the European multilateral architecture.
6. With regards to its thematic focus, the Council of Europe plays a pivotal role in the core dimensions of the rule of law, democracy and human rights, and should remain the international standard-setter on these themes for member States. In this respect, the effective implementation of the European Convention on Human Rights (ETS No. 5) must remain the top priority for the Organisation.
7. The institutional set-up of the Council of Europe is a unique strength. Further development of a regular, meaningful and effective “trialogue” between the Committee of Ministers, the Parliamentary Assembly and the Secretary General of the Council of Europe would be important to elevate the strategic relevance and effectiveness of the Organisation. A stronger and more structured co-ordination between the monitoring activities of the various Council of Europe bodies is also needed. The Assembly and the Congress on Local and Regional Authorities should explore new ways of collaborating and contributing to enhancing the Council

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15651](#), report of the Committee on Political Affairs and Democracy, rapporteur: Ms Laima Liucija Andrikiienė).*

of Europe's overall impact in its member States. The seminal work of numerous specialised bodies, such as that of the European Commission for Democracy through Law (Venice Commission), should continue to be used as a reference to guide reforms.

8. In advancing on these aspects, the Council of Europe should also attempt to be closer to the people, to strengthen the role and meaningful participation of civil society and national human rights institutions in its work, and to mainstream the youth dimension.

9. When considering the Council of Europe's role in the European political architecture, the Assembly emphasises the need to advance co-operation and synergies with other European and international institutions.

10. In line with [Resolution 2430 \(2022\)](#), the Assembly reiterates its call for a renewed impetus towards strengthening the strategic partnership between the Council of Europe and the European Union. In this regard, the European Union's accession to the European Convention on Human Rights should remain a priority, while greater convergence should be sought between the two organisations with a view to promoting common values and global governance.

11. While the Organisation for Security and Co-operation in Europe (OSCE) is currently facing a serious challenge, with a decision-making process based on consensus and Belarus and the Russian Federation among its participating States, it remains an important partner for the Council of Europe, with strong complementarities related to the human dimension, democratic security, conflict prevention and resolution.

12. The Council of Europe and the Organisation for Economic Co-operation and Development (OECD) should actively pursue their already fruitful co-operation on promoting social and economic progress, with the Assembly playing an active role in furthering this partnership and providing a common parliamentary forum.

13. While the focus of its mandate is on Europe, over the years the Council of Europe has progressively expanded its external relations, a policy to which the Assembly has made a major contribution. Referring to its [Resolution 2271 \(2019\)](#) "Strengthening co-operation with the United Nations in implementing the 2030 Agenda for Sustainable Development" and [Resolution 2272 \(2019\)](#) "Implementation of the Sustainable Development Goals: synergy needed on the part of all stakeholders, from parliaments to local authorities," the Assembly reiterates that the Council of Europe should aim to forge a stronger co-operation with the United Nations system.

14. Further, the Council of Europe should support a comprehensive approach to accountability for the Russian Federation. It should play a role to ensure that perpetrators of war crimes and crimes against humanity, and possible genocide, along with the perpetrators of the crime of aggression, namely the political and military leadership of the Russian Federation, will be held to account. The Assembly recalls its [Resolution 2436 \(2022\)](#) "The Russian Federation's aggression against Ukraine: ensuring accountability for serious violations of international humanitarian law and other international crimes" and reiterates its support for the establishment of a special international tribunal for the crime of aggression against Ukraine.

15. In light of these considerations, the Assembly calls on Council of Europe member States to:

15.1. give fresh impetus and political support to the Council of Europe as the cornerstone of the European multilateral architecture, and reaffirm its central role as the guardian of human rights, democracy and rule of law in Europe and as a platform for political dialogue, diplomacy and international co-operation;

15.2. support the organisation of a fourth Summit of Council of Europe Heads of State and Government in order to reinforce the Organisation's status as an unparalleled pan-European project, adapt its priorities to the new political and security situation, and clarify its role in the overall European political architecture;

15.3. support the further development of Council of Europe work in the area of democratic security, as well as the development of an effective response to the most urgent threats to democratic practices, including by considering the adoption of new binding instruments and recommendations;

15.4. provide political support to the European Union's accession to the European Convention on Human Rights;

15.5. support the International Criminal Court Prosecutor in his task of investigating and prosecuting suspected perpetrators of war crimes, crimes against humanity and, possibly, genocide, by providing political support and adequate human and financial resources and by making available any evidence in their possession;

- 15.6. urgently set up a special international tribunal to investigate and prosecute the crime of aggression allegedly committed by the political and military leadership of the Russian Federation in Ukraine, with support to be provided by the Council of Europe, the European Union and other international organisations;
 - 15.7. consider new initiatives to support Russian human rights defenders, democratic forces, free media and independent civil society respecting the values and principles of the Council of Europe, including the territorial integrity of sovereign member States;
 - 15.8. support the Belarusian human rights defenders, democratic forces, free media and independent civil society respecting the values and principles of the Council of Europe, including the territorial integrity of sovereign member States;
 - 15.9. support and contribute to establishing a system of accountability for the crimes and human rights violations committed by the current Belarusian regime against the Belarusian people.
16. The Assembly calls on the European Union to:
 - 16.1. regularly take into account the Council of Europe's role in standard-setting in the areas of democracy, human rights and rule of law, to promote these standards as appropriate and to participate constructively in inter-governmental negotiations at the Council of Europe on the development of new ones;
 - 16.2. regularly take into account the Council of Europe's role as the benchmark for democracy, human rights and the rule of law in Europe while preparing and implementing initiatives in these fields;
 - 16.3. intensify political dialogue with the Council of Europe in the area of the rule of law and to make greater use of the Council of Europe's expertise, benchmarking and findings in the context of the wide range of existing European Union mechanisms and tools regarding the rule of law;
 - 16.4. pursue with resolve the negotiations aimed at achieving the accession of the European Union to the European Convention on Human Rights;
 - 16.5. examine, in consultation with the Council of Europe, the possibility for the European Union to accede to other key Council of Europe conventions which tackle the major challenges facing European societies, including the European Social Charter (revised) (ETS No. 163);
 - 16.6. engage in a dialogue with the Council of Europe with a view to maximising synergies and complementarities between the Council of Europe and the newly established European Political Community.
 17. As regards its own activities, the Assembly should:
 - 17.1. enhance co-operation on deep/soft security matters, confidence building and conflict prevention with other international parliamentary assemblies, including the European Parliament, the OSCE Parliamentary Assembly and the North Atlantic Treaty Organization (NATO) Parliamentary Assembly;
 - 17.2. consider evaluating its co-operation agreements with various international parliamentary assemblies or organisations with a view to possibly updating them and enhancing their effectiveness;
 - 17.3. in the context of the Council of Europe's overall reflection on monitoring, review its procedure relating to the monitoring of obligations and commitments by member States;
 - 17.4. consider what role it could play in the Council of Europe's response to the most urgent threats to democracy and democratic security, including by providing political support and generating new ideas for the development of new binding instruments and recommendations.



Resolution 2474 (2022)¹
Provisional version

Securing safe medical supply chains

Parliamentary Assembly

1. Medical supply chains are one of the cornerstones of public health and contribute to the implementation of the human right to protection of health. Yet the adoption by public authorities and the pharmaceutical industry of a largely financial approach seeking to contain costs increases the risks of shortages. All our health systems suffer the consequences of this, creating the risk that the quality of life, the health or even the lives of people who rely on medical products will be jeopardised. The model which has led to the production of medicines being concentrated in only a few countries has reached its limits. It has failed to provide fair access to protection of health for all, and to medical products across countries.

2. The Covid-19 pandemic has highlighted the need to address the vulnerabilities of global medical supply chains, from the production of medical products to their use by patients. During this crisis, particularly in the early stages, shortages of medical products increased dramatically. Market conditions for supplies were impacted in an unprecedented way. Stockpiling, restrictions on exports, closed borders and lockdowns led to shortages of essential medicines in many member States. Concerns were also raised as to whether the products that reached European markets in the early stages of the pandemic met the necessary standards for quality and safety.

3. The Parliamentary Assembly regrets that the relocation of much of the pharmaceutical industry to India and China has not been of benefit to everyone because technology transfers have been limited. Production of new Covid-19 vaccines was concentrated in Northern countries, vaccine coverage remained highly inadequate in the south, and this made it impossible to remedy this situation in our shared interest, which was to contain the disease as quickly as possible. The Assembly reiterates the conclusions it came to in its [Resolution 2424 \(2022\)](#) "Beating Covid-19 with public health measures".

4. The Council of Europe has a role to play in preventing and combating this phenomenon, in collaboration with the World Health Organisation and the European Union. It reacted rapidly to the Covid-19 pandemic, providing its member States with tools and expertise to ensure that the values and principles at the core of the Organisation were not undermined by the crisis. The Secretary General called on the member States to introduce co-ordinated policies taking a human rights-based approach, including through the European Convention on Human Rights (ETS No. 5), the European Social Charter (ETS No. 35), the Convention on Human Rights and Biomedicine (ETS No. 164, "Oviedo Convention"), the Convention on the Elaboration of a European Pharmacopoeia (ETS No. 50) and the Convention on the counterfeiting of medical products and similar crimes involving threats to public health (CETS No. 211, "MEDICRIME Convention").

5. The Assembly welcomes the innovative step which the MEDICRIME Convention represents. It is currently the only binding international instrument in the criminal law field on the counterfeiting of medical products and similar crimes involving threats to public health. In view of the growing risk of counterfeiting stemming from shortages of medicines and medical products, the Assembly regrets that the Convention has only been ratified by 13 member States and 6 non-member States. It calls on States which have not yet done so to ratify this convention.

1. *Text adopted by the Standing Committee, acting on behalf of the Assembly, on 25 November 2022 (see [Doc. 15653](#), report of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Jennifer De Temmerman).*
See also [Recommendation 2243 \(2022\)](#).

6. The Assembly encourages parliaments to address the question of the implementation of a human rights-based approach in the health field, ensuring quality, safety and fairness in healthcare for all as proposed by the Oviedo Convention. It deplores the shortages of medical products which is at the origin of differences in treatment and of discrimination. It calls on its members to debate the need to adopt co-ordinated approaches providing a flexible response to unpredictable health crises, requiring unprecedented solutions such as group purchasing of medicines or quick reactions to prevent bottlenecks liable to disrupt the supply chains and have an impact on the health situation. Such responses help to make health systems more resilient.

7. In the context of the persistent shortages which affect the most vulnerable people as individuals, especially women and persons with long-term and chronic illnesses, the Assembly deplores these discriminations and calls on the national authorities and all health actors to agree on a strategy to make medical supply chains safer in order to guarantee equitable access and necessary prevention against shortages. It encourages the authorities to establish firm legal obligations if the risks are not alleviated by concerted action in the near future. The goal of securing medical supplies deserves our full attention until it is achieved. These measures could involve:

7.1. an obligation for laboratories to stockpile sufficient quantities of all medicines of major therapeutic value to cover the needs of health system users;

7.2. strengthening, in law and in practice, sanctions for laboratories that are negligent in their management of supplies for domestic markets;

7.3. establishing that if companies use public funding to relocate production sites to Europe, this should be permitted only for operations concerning medicines of major therapeutic value, and particularly concerning the longest established drugs with demonstrated efficacy which are repeatedly in short supply;

7.4. expanding public-sector pharmaceutical production to ensure manufacturing continuity for products dropped by laboratories.

8. In anticipation of future pandemics, the Assembly calls on the member States to set up comprehensive strategies to secure medical supply chains, guaranteeing quality, safety and fairness between countries. The Assembly also proposes putting into place prevention, contingency and mitigation strategies regarding shortages of medical products.

9. To cater for the adjustments needed in response to the climate crisis, the Assembly calls for the development of an uncomplicated and resilient health system with a high level of integrity and based on human rights. It also recommends:

9.1. cutting emissions of polluting gases linked to purchases of medicines and medical devices;

9.2. cutting emissions of polluting gases linked to all the stages in the energy consumption chain;

9.3. taking action on waste;

9.4. using digital technology to support decarbonisation.

10. Lastly, referring to [Resolution 2071 \(2015\)](#) “Public health and the interests of the pharmaceutical industry: how to guarantee the primacy of public health interests?”, the Assembly calls on the pharmaceutical industry, including companies and associations, and on wholesalers, to step up their efforts to increase transparency and co-operate more closely with the authorities, and to take into account the individual right to protection of health, as well as fairness between countries. Finally, it calls for professional ethical standards to be enhanced so as to restore patient trust.