

ADDRESS BY MR MEVLÜT ÇAVUSOĞLU, PRESIDENT OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE, TO THE SENATE OF THE STATES-GENERAL OF THE KINGDOM OF THE NETHERLANDS

The Hague, 26 October 2010

Dear President,
Ladies and gentlemen,

Thank you for this opportunity to share with you the experience and the challenges of the Parliamentary Assembly of the Council of Europe, which I have the honour to chair. As you know, our Assembly is the biggest parliamentary assembly in Europe, uniting parliamentarians from 47 member states, including the Netherlands, one of the founders of our Organisation. Therefore, the work of our Assembly is made possible only thanks to the collective energy and ideas stemming from the national parliaments. In this connection, I wish to pay tribute to the President of the Senate, Mr René van der Linden, who has been very active in ensuring this vital link between Strasbourg and the States-General of the Netherlands.

Mr van der Linden was a member of the Dutch delegation to the Parliamentary Assembly for 17 years and chaired the Assembly from 2005 until 2007. His outstanding contribution to the work of the Assembly is fully recognised: in January 2010 he was awarded the prestigious title of Honorary President of the Assembly. We, in the Assembly, are very proud that he is now in one of the highest political positions in his own country.

Given the strong commitment to European ideals and values of the President of the Senate, it is no surprise to me that the upper Chamber of the Dutch Parliament is pioneering in including European policies in the legislative process. According to the recently introduced procedure, competent committees of the Senate may scrutinise any European proposal - a directive, regulation, decision, Green Paper, White Paper or any other European document - within the field of their sectoral competences. I find this procedure very useful and would encourage the Senate to apply similar rules to the Resolutions of the Parliamentary Assembly. Just as the Parliamentary Assembly monitors how member states implement Council of Europe standards, National Parliaments should make full use of their democratic oversight powers to scrutinise the activities of governments relating to the implementation of Council of Europe Conventions, Assembly Resolutions, as well as Recommendations of the Committee of Ministers to member states.

Building greater unity between European states for the purpose of safeguarding and realising the ideals and principles which are our common heritage, to quote the Statute of the Council of Europe, is our common task and Council of Europe bodies as well as national institutions and political stakeholders should play their respective roles.

Ladies and gentlemen, as you know, one of the primary tasks of the Parliamentary Assembly is to support our member states in building pluralistic democratic societies, upholding the principles of the rule of law and protecting and promoting human rights. This is why, as part of its parliamentary diplomacy role, the Assembly pays particular attention to member

states presenting delicate political and institutional situations. Since my election in January 2010, I personally visited several countries and held talks at highest political level to facilitate dialogue between key political stakeholders and contribute to finding solutions.

I think I can say that our Assembly has done a great deal of work on this front:

- in Albania, we have been working hard to encourage the opposition to return to Parliament. Our work is far from over and we have to intensify our efforts further, in the wake of the approaching local elections.
- in Bosnia and Herzegovina, despite all our efforts, as well as in violation of a judgment of the European Court of Human Rights, the authorities failed to amend the State Constitution before the elections on 3 October. Much more energy will be needed after the elections in order to implement Assembly recommendations and set up a serious institutionalised process aimed at elaborating a comprehensive package of constitutional amendments.
- regarding the situation in Kosovo, our focus has been to make sure that irrespective of its status, Kosovo should be a safe place for all those who live in it and a place where democratic standards are of an equivalent level to that upheld by the Council of Europe. While taking into account the legitimate interests and concerns of Serbia and the UN Security Council Resolution 1244, the Assembly has resolved "to initiate a dialogue with representatives of the political forces elected to the Kosovo Assembly on issues of common interest". Therefore, Kosovo representatives will be invited to meetings of the Committees of the Assembly whenever issues which concern Kosovo are discussed.
- During my visit to Russia in July, I felt that the current climate with the Council of Europe is positive. There remain questions on which our opinions differ, and there are demands which Russia, as member of our organisation, has to fulfill. But if we work as partners, with mutual respect and without double standards, I am sure that progress can be achieved even on these difficult issues. We now have excellent co-operation, even on a very sensitive file, such as the situation in the North Caucasus. The recent Assembly Resolution on this issue was fully supported by the members of the Russian delegation.
- This brings us to a difficult subject, the war between Georgia and Russia. Our Assembly fully supports the territorial integrity of Georgia. The political negotiations between the parties concerned being held in Geneva, I am of the opinion that the Council of Europe must concentrate on the humanitarian issues to improve the life of ordinary citizens in the region. The Monitoring Committee will soon be organising a hearing with the participation of all stakeholders concerned in order to determine what could be the contribution of the Assembly on this matter.
- I recently paid an official visit to Ukraine. The country now has a unique chance to carry out urgently needed reforms after years of political instability. But, to succeed in this task, the new President and governing coalition need to associate different political forces in the country with the reform process and to resist the temptation of excessive concentration of power. In this respect, local elections to be held on October 2010 will be an important test for Ukraine's democracy.
- The Council of Europe has done every effort to help resolve the present political and constitutional deadlock in Moldova. It is unfortunate that the referendum on the revision of Article 78 of the Constitution failed and that the country is facing yet another parliamen-

tary election. The Assembly will of course observe the forthcoming elections. We shall pursue our mediating efforts between the different political forces after the elections, in order to help them find a solution to the current deadlock.

- In the South-Caucasus region, we have also been encouraging positive moves aiming at bringing solution to the conflict in Nagorno-Karabakh. Here again, we do not interfere with the OSCE Minsk Group where the negotiations regarding the settlement of the conflict are going on. We try to encourage trust and confidence-building measures, in particular, among the parliamentary delegations of Armenia and Azerbaijan.

- Both in Armenia and Azerbaijan we still need to do a lot of work to improve public confidence and consolidate the democratic process. In Armenia, further efforts are needed to remedy the systemic problems which prevent the country's democratic institutions to function correctly and restore citizens' confidence in the democratic process. In this context, the Monitoring Committee recently held a hearing with the participation of all parliamentary and extra-parliamentary political parties, in order to take stock of the progress made in the implementation of Assembly recommendations. In Azerbaijan, the Assembly will observe the forthcoming parliamentary elections in November 2010. After the elections, we will continue to support the Azerbaijani authorities in consolidating democratic institutions.

- Belarus is the only European country whose parliament has no official status with the Assembly. There is one nonnegotiable condition for us to start discussion on de-freezing our relation – the death penalty. Following two more executions last spring, the Assembly decided to put on hold its activities involving high-level contacts with Belarus, but we are trying not to cut all contacts, also, in the light of how the forthcoming presidential elections will be held.

- A word regarding my own country, Turkey. The positive result of the referendum on constitutional change, as well as the high turnout, showed how strongly the Turkish people are attached to their democratic rights and freedoms, and to a future in Europe. This is a powerful signal on the eve of Turkey's chairmanship of the Council of Europe. Hopefully further reforms will follow soon, including a new Constitution. Finally, we have also pursued our strategy of bringing nonmember states closer to the Council of Europe and to our standards, particularly through the adoption of a new special status, called "Partnership for Democracy", for the Parliaments of neighbouring non-member states. We received official requests for this status from the Parliaments of Morocco and Palestine and the Parliament of Kazakhstan is currently considering to make a request.

Ladies and gentlemen, dear friends,

As you know, the tasks of the Parliamentary Assembly are not limited to supporting member states facing specific challenges. We must also urgently react to the challenges all our democracies have to face as well as respond to the most burning issues of European politics. During the last couple of months, the issue of the Roma population in Europe has raised serious questions about discrimination.

On 20 August, I declared that I was shocked by recent outrages against Roma in Europe. Several weeks ago, our Assembly held an urgent debate on the recent rise of national security discourse in Europe: the case of Roma. In this debate, the Assembly strongly

condemned as racist and xenophobic, and therefore unacceptable in a democracy, the use of language stigmatising Roma or any other minority or migrant group. While the Assembly attaches the utmost importance to freedom of expression, especially in political debates on immigration, it unequivocally rejects all forms of racial or ethnic discrimination as unacceptable.

Last week, I participated in the high-level meeting on Roma, convened in Strasbourg at the initiative of the Council of Europe Secretary General, Mr Jagland, in order to bring together Ministers and high officials dealing with the Roma issue from all Council of Europe member states and agree on a set of policy guidelines which all members states have to respect in designing their domestic policies regarding Roma. The standards listed in the "Strasbourg declaration" are based on the recommendations of the Parliamentary Assembly, which is a good sign.

The governments of the Council of Europe member states must now respect their political commitment expressed in this declaration. But we must also do our part of the job, in our capacity of members of national parliaments. In Resolution 1740 on the situation of Roma, the Assembly recommended including Roma representatives in the national delegations to the Assembly. Moreover, we have committed ourselves to proposing an agreement on cooperation with the European Roma and Travellers Forum in order to establish the modalities for the participation of the representatives of the Forum in Assembly activities.

Ladies and gentlemen, dear friends, The issue of discrimination against Roma is just the top of the iceberg. The recent general rise of extremist, racist and xenophobic rhetoric in many of our member states has deep roots and requires a comprehensive response. Recently, we have seen political support growing to parties inspired by racist ideas in a number of national elections in our memberstates as well as in the elections to the European Parliament.

It is a fact that, while mainstream parties have long failed to anticipate or face the challenges of public order and personal security, extremist populist parties have sought to capitalise on society's security concerns by simply equating immigration with crime and insecurity. In this context, in an attempt to regain the support of the electorate, mainstream political parties are picking up some of the radical, xenophobic and discriminatory language of extremist parties. This is an extremely worrying trend. We should not hide behind populist rhetoric. We are living in a changing world and it is our primary responsibility, as politicians, to face new political challenges, discuss openly issues which voters are concerned with and propose appropriate responses to real problems.

In this context, I want to stress particularly that politicians bear a special responsibility for eliminating from political discourse the negative stereotyping or the stigmatising of any minority or migrant group. They should promote a message of non-discrimination, tolerance and respect for people from different backgrounds. I strongly encourage you to adhere to and apply the Council of Europe standards and policy guidelines applicable to political discourse contained in the case law of the European Court of Human Rights as well as in various legal instruments of the Council of Europe.

At the same time, I call on you, politicians and members of political parties, to apply the principles enshrined in the Charter of European Political Parties for a Non-Racist Society, signed by the Presidents of the Parliamentary Assembly and of the European Parliament in 2003, as well as to combat any action or language likely to reinforce fears and tensions between groups from different racial, ethnic, national, religious or social backgrounds.

Dear friends, the foundation of our common European home must be built on an open society based on respect for diversity not on exclusion, not on discrimination, not on fear and not on hatred. Migration must be seen as an opportunity rather than a threat. We must eradicate racism, xenophobia, anti-semitism, Islamophobia and all kinds of similar phobia leading to discrimination and intolerance. We must enhance inter-cultural and inter-religious dialogue and I encourage you to endorse the Council of Europe White Paper on inter-cultural dialogue. Moreover, I would like to note that the Parliamentary Assembly will be holding in April 2011 a debate on inter-cultural and inter-religious dialogue. Within the framework of the preparation of this debate, I met a number of religious leaders of key confessions in Europe: the Pope, the Chief Mufti of the Russian Federation, the Patriarch of the Russian Orthodox Church, the Grand Rabbi of Russia and the CIS Region, the Patriarch of Romania. I expect this debate to come up with concrete action-oriented recommendations aiming at improving inter-cultural and inter-religious dialogue in Europe.

Ladies and gentlemen, dear friends, I would like to mention briefly three more issues which our Assembly is currently working on and for which we expect your full support. As you may know, under the impulse of the new Secretary General of the Organisation, Mr. Thorbjørn Jagland, and with the full support of our Parliamentary Assembly, the Council of Europe has now initiated a major process of reform. We are not changing our main objectives, but aiming at becoming more pro-active, and enhancing the political relevance, impact and effectiveness of the Organisation. The input of member countries is of vital importance and I very much hope that parliamentarians will be the driving force of this process. The European Court of Human Rights is also undergoing a reform process, after the entry into force of Protocol 14, to ensure its viability and effectiveness in the future.

Dear colleagues, one of the most important challenges that lie ahead of us is the accession of the European Union to the European Convention on Human Rights. Article 6 of the Lisbon Treaty, coupled with Article 59 of the European Convention on Human Rights (as amended by Protocol No.14) provide a clear legal mandate for rapid accession. After accession, the whole Pan-European system for the protection of fundamental rights will be enhanced by the incorporation of the Charter of Fundamental Rights into its primary law. Moreover, as the Union's powers have and are likely to continue to extend to fields which traditionally belong to the 27 member states of the EU, hence the need for individuals to have access to the Strasbourg Court.

Official talks started on 7 July between the Council of Europe and the European Commission and will be pursued by negotiators from both sides. It is the duty of us all to ensure that this process is smooth and quick. The discussions between our Assembly and the European parliament are well under way. The leaders of political groups of the Assembly and of the European Parliament met recently in Brussels and agreed to create an informal

body in order to coordinate information sharing. One of the issues under discussion will be the modalities under which the European Parliament will participate in the process of electing judges to the European Court of Human Rights.

In the process of creating a common European legal space, it would be important that the EU accedes to other relevant key CoE conventions, in particular, those on the Prevention of Terrorism; on the Prevention of Torture; on Action against Trafficking in Human Beings; on the Protection of Children against Sexual Abuse, as well as to the revised Social Charter.

Ladies and gentlemen, finally a few words on the European parliament's decision to establish a parliamentary dimension of the Eastern Partnership – Euro-NEST Parliamentary Assembly. It is very important, here again, to make sure that we act in a complementary, rather than overlapping way. This is why we insist that PACE should be able to participate in the work of the Euro-NEST Assembly from the very beginning and with a formal status.

Dear friends, after decencies of harmonious progress, we are now facing very challenging times in Europe. I am sure that the Council of Europe and the Assembly are up to these challenges and can propose appropriate solutions. But the effectiveness of our action will greatly depend on your input. So, we are counting very much on your support in order to fulfil together our common objectives of building a stronger and even more united Europe.

Thank you for your attention and I would be happy to exchange views and ideas with you.